

# Minutes

## LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY

Louisiana Agricultural Commodities Commission

Veterans' Memorial Auditorium

5825 Florida Blvd.

Baton Rouge, LA 70806

May 30, 2013

9:30 a.m.

### I. Call to Order

Mr. Robert Hanks called the meeting to order at 9:43 a.m.

### II. Roll Call and Declaration of Quorum

#### Commission Members Present

Mr. Robert Hanks  
Mr. David Bollich  
Mr. Donald Berken  
Mr. Filmore Bordelon  
Mr. Keith Hensgens  
Mr. Stephen Logan  
Mr. Lee Carter

#### Absent Members

Commissioner Strain  
Mr. Donald Zaunbrecher  
Mr. Ryan Ellington

There was a quorum of seven (7) members present.

#### Staff Members Present

Assistant Commissioner, Office of the Agro Consumer Services, Benjy Rayburn  
Director of the Louisiana Agricultural Commodities Commission,  
Kyra Holden  
Louisiana Department of Agriculture & Forestry Auditor, John Smith  
Louisiana Department of Agriculture & Forestry Auditor, Jeff Fabre  
Louisiana Department of Agriculture & Forestry Auditor, Royshard Rushing  
Administrative Assistant IV, Bridgette Ott  
Agriculture Specialist Program Manager, John "Len" Sanders

### III. Adoption of Minutes – February 21, 2013

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Berken to approve the minutes. The motion carried unanimously.

### IV. Public Comment

Mr. Hanks asked if there was any public comment. There was none.

**V. Consideration of License Applications for Approval:  
(Renewal Applications)**

**A. Cotton Merchant and Grain Dealer**

**1. Cargill, Inc.**

A motion was made by Mr. Keith Hensgens and seconded by Mr. Stephen Logan to approve the Cotton Merchant and Grain Dealer license application. The motion carried unanimously.

**2. Louis Dreyfus Commodities, LLC**

A motion was made by Mr. Keith Hensgens and seconded by Mr. Stephen Logan to approve the Cotton Merchant and Grain Dealer license application. The motion carried. Mr. David Bollich abstained from voting.

A motion was made by Mr. Lee Carter and seconded by Mr. Stephen Logan to go into Executive Session. The motion carried unanimously.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Berken to come out of Executive Session. The motion carried unanimously.

**B. Cotton Merchants**

- 1. Carolinas Cotton Growers Cooperative, Inc.**
- 2. Farmers Cotton Company, Inc.**
- 3. Noble Americas Resources Corporation**
- 4. Staple Cotton Cooperative Association**
- 5. The Seam, LLC**

A motion was made by Mr. Lee Carter and seconded by Mr. Filmore Bordelon to approve the following Cotton Merchants license applications: #1 Carolinas Cotton Growers Cooperative, Inc., #2 Farmers Cotton Company, Inc., #3 Noble Americas Resources Corporation, #4 Staple Cotton Cooperative Association, #5 The Seam, LLC. The motion carried unanimously.

**C. Grain Dealer**

- 1. Bayou Grain and Chemical Corporation**
- 2. Bunge North America, Inc.**
- 3. Bunge-Ergon Vicksburg, LLC**
- 4. Commodities Specialist Company**
- 5. Delta Gin Company, LLC**
- 6. Farmers Grain Terminal, Inc.**
- 7. Farmers Rice Milling Co., Inc.**
- 8. Gavilon Grain, LLC**
- 9. Harrington Rice and Soybean Buyer Company**
- 10. Louisiana Farm Bureau Marketing Assoc., Inc.**

11. Miller-Bowie Supply, Company
12. Pitre Rice
13. Point Coupee Farmers Elevator, Inc.
14. Producers Rice Mill, Inc.
15. Ragan and Massey, Inc.
16. Red River Grain
17. Soileau Rice Brokers
18. The Scoular Company

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Stephen Logan to approve the following Grain Dealer license applications: #1 Bayou Grain and Chemical Corporation, #2 Bunge North America, Inc., #4 Commodities Specialist Company, #5 Delta Gin Company, LLC, #6 Farmers Grain Terminal, Inc., #7 Farmers Rice Milling Co., Inc., #8 Gavilon Grain, LLC, #10 Louisiana Farm Bureau Marketing Assoc., Inc., #11 Miller-Bowie Supply, Co., #13 Point Coupee Farmers Elevator, Inc., #14 Producers Rice Mill, Inc., #15 Ragan and Massey, Inc., #16 Red River Grain, Inc., #18 The Scoular Company. The motion carried unanimously.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Stephen Logan to defer #3 Bunge-Ergon Vicksburg, LLC's Grain Dealer license application until the next LACC meeting which will held on June 24, 2013 with the request that Bunge-Ergon submit to the Department staff a December 2012 financial statement as well as an interim financial statement. They were also requested to provide clarification as to their business plan for the upcoming licensing year. The motion carried unanimously.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Berken to approve Grain Dealer license applications: #12 Pitre Rice and #17 Soileau Rice Brokers, with both being placed in the Monitoring Program. The motion carried unanimously.

A motion was made by Mr. Donald Berken and seconded by Mr. Keith Hensgens to approve the following Grain Dealer license application: #9 Harrington Rice & Soybean Buyer Company, with Harrington Rice & Soybean Buyer Company being placed in the Monitoring Program. The motion carried. Mr. Filmore Bordelon abstained from voting on the Grain Dealer license application #9 Harrington Rice & Soybean Buyer Company. The motion carried.

D. Grain Dealer and Warehouse

1. Fenton Rice Co-op
2. G & H Seed Company, Inc.
3. Holly Ridge Rice & Grain
4. Kaplan Rice Dryer, Inc.
5. Kennedy Rice Dryers, LLC
6. Lake Arthur Rice Drier, Inc.
7. Louisiana Rice Mill, LLC
8. Mamou Rice Drier and Warehouse, Inc.
9. Third Crop, LLC
10. Thornwell Warehouse Association
11. Victory Supply, Inc.
12. Ville Platte Rice Drier, Inc.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve the following Grain Dealer and Warehouse license applications: #1 Fenton Rice Co-op, #2 G & H Seed Company, Inc., #3 Holly Ridge Rice and Grain, #4 Kaplan Rice Dryer, Inc., #5 Kennedy Rice Dryer, Inc., #6 Lake Arthur Rice Drier Inc., #8 Mamou Rice Drier and Warehouse, Inc., #9 Third Crop, LLC, #11 Victory Supply Inc. The motion carried.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Stephen Logan to approve the following Grain Dealer and Warehouse license application: #10 Thornwell Warehouse Association. The motion carried. Mr. Donald Berken abstained from voting on Grain Dealer and Warehouse license application #10 Thornwell Warehouse Association Elevator Company. The motion carried.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Lee Carter to approve the Grain Dealer and Warehouse license application: #12 Ville Platte Rice Drier, Inc. with Ville Platte Rice Drier, Inc. being placed in the Monitoring Program. The motion carried unanimously.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Lee Carter to approve the following Grain Dealer and Warehouse license application: #7 Louisiana Rice Mill, LLC. The motion carried. Mr. Robert Hanks abstained from voting on the Grain Dealer and Warehouse license application #7 Louisiana Rice Mill, LLC. The motion carried.

E. Warehouse

1. Crowley Rice Drier Co-op, Inc.
2. Dixie Drier, LLC
3. H & E Grain, LLC
4. Hardy Rice Dyer, LLC
5. Producers Rice Drier, Inc.
6. Tri-Parish Rice Drier, Inc.
7. Vermilion Farmers Co-op Association, Inc.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Berken to approve the following Warehouse license applications: #1 Crowley Rice Drier Co-Op, Inc., #4 Hardy Rice Dyer, LLC, #5 Producers Rice Drier, Inc., and #6 Tri-Parish Rice Drier. The motion carried.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve Warehouse license applications: #3 H & E Grain, LLC. and #7 Vermilion Farmers Co-op Association, Inc. with both being placed in the Monitoring Program. The motion carried.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. David Bollich to approve the following Warehouse license application: #2 Dixie Drier, LLC. The motion carried. Mr. Keith Hensgens abstained from voting on the Warehouse license application #2 Dixie Drier, LLC. The motion carried.

## **VI. Old Business**

### **1. Grain and Cotton Indemnity Fund Balance**

Ms. Kyra Holden reported that there is an approximate balance of \$ 1,012,300.21 in the Grain and Cotton Indemnity Fund.

### **2. Update on Central Louisiana Grain Bankruptcy**

Ms. Kyra Holden stated that an Adversary Hearing was held on April 2, 2013 regarding the settlement of the SIF/Bond issue. Judge Hunter ruled in favor of the trustee, Thomas R. Willson, Chapter 7 Trustee, and ordered the Louisiana Department of Agriculture & Forestry to pay Mr. Willson the \$75,000 that was at issue.

### **3. Douglas Appeal**

Ms. Kyra Holden stated that Bo Douglas had until May 10, 2013 to file an appeal with the First Circuit Court of Appeals. He did not. Therefore, the "Douglas" matter is closed.

## **VII. New Business**

### **1. Legislation: House Bill 473**

Ms. Kyra Holden stated that House Bill 473 has gone through the legislative process and is awaiting signature by the Governor. HB 473 was revised to state that "the commission shall meet four times per calendar year" instead of "at least once during each quarter."

## **VIII. Public Comment**

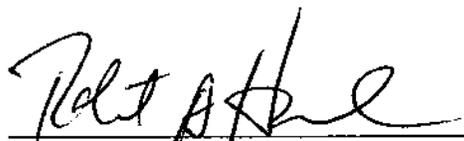
Mr. Robert Hanks asked if there was any public comment. There was none.

## **IX. Date for the Next Meeting**

The date of the next meeting is scheduled for June 24, 2013 at 9:30 a.m.

## **X. Adjournment**

A motion was made by Mr. Lee Carter and seconded by Mr. David Bollich to adjourn the meeting. The motion carried unanimously.



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**Mr. Robert Hanks, Chairman**