

1/30/13 Joint meeting of the Food Policy Council and the Advisory Committee

Worcester Union Train Station, hosted by the MA Central Regional Planning Commission

Food Policy Council Members in attendance: Cheryl Bartlett, Kerry Bowie, Frank Carlson, Jeff Cole , Manny Costa, Michael Hunter - Undersecretary, Amanda Kinchla, Steve Kulik - Representative, John Lee, Greg Watson - Commissioner

Advisory Committee Members in attendance: Cris Coffin, Christa Drew, Phil Korman, Brad Mitchell, Ellen Parker

The meeting called to order at 9:45 am. Commissioner Watson thanked Trish Settles from the CMRPC for the use of the space and the excellent signage guiding attendees to the meeting area. He noted the open meeting laws and other discussion and desire to alter the agenda to allow public comment/input for same.

Motion to approve minutes as presented made by Jeff Cole, seconded by John Lee. Passed on unanimous voice vote.

Motion to move the public access portion of the meeting as needed to allow discussion prior to decision making points made by Representative Kulik, seconded by Cheryl Bartlett. Passed on unanimous voice vote.

Commissioner Watson introduced Jessica Burgess from MDAR's legal staff to discuss the Massachusetts Open Meeting Law in general and in regards to remote participation. She defined how the law extends to all subcommittees and committees set up by the enabling legislation. Key points are: all meetings must be conducted in person with the chair or designee and majority (quorum) of members in attendance. Remote participation is allowed only under five specific conditions. Audio (and visual if so meeting) must be clearly heard and seen by meeting participants.

Moved to allow remote participation in accordance with the state regulations and open meeting law at all subsequent meetings of the MA Food Policy council, its Advisory committee and all other committees made by Jeff Cole, second by Kerry Bowie.

Discussion, questions and answers ensued. It was noted that the Advisory Committee requires a chair.

Motion passed on unanimous voice vote.

Self introductions were made at the request of the chair.

Commissioner Watson asked for feedback to the recommendations from the Food Trust Grocery Task Force Guidelines. Input was that the report isn't broad enough and that there are issues with some conclusions and recommendations. Members of the task force present commented that the task force did not take a vote on the recommendations. It was suggested that the FPOC develop a formal response. Commissioner Watson will have the report sent out to all members for comments to be

collected prior to and during the March meeting. Bonita Oehlke of MDAR will be the point person to assemble comments.

Christa Drew reported on the Advisory Committee recommendation for an implementation structure for the first phase of a statewide strategic plan. Background was provided and a model with a steering committee as a working body with a project director who may supervise subcontractors such as a data research team and forum facilitators was outlined. Project Bread was presented as a possible non-profit to act as the fiscal agent. The Advisory Committee would serve in an ad-hoc role. She explained that the Core Team and Steering Committee would be separate but there will be much communication between the two groups. The FPC would approve and inform the direction and hire and support the project director. Roles relating to the key responsibilities were reviewed as a baseline for feedback and discussion and the importance of public participation was emphasized. The proposed timeline outlined: three phases of 6 months - a total of 18 months. A general budget was shared using public and private funds, though noted an exact budget was difficult to construct without a final plan. Recommendations were made to (1) proceed with the revised implementation structure that was presented. (2) Proceed with Project Bread as the fiscal agent backbone organization and explore establishing LLC. (3) Task the Advisory Committee to draft and submit funding proposals for funders February deadlines. (4) Work through the FPC Nomination Committee to appoint a 12 person Steering Committee by March 1 including 5 seats from the Advisory Committee, 3 FPC members, 2 funders, and 2 open seats. (5) Task Steering Committee, once appointed, with hiring Project Director. (6) Approve draft budget.

Advisory Committee members: This is a complex planning process. The strategy employed to focus the effort is to concentrate on increase food production in the Commonwealth across the spectrum - not just commercial but also urban and rural as an increase in food production has a huge number of benefits and opportunities including job creation, better nutrition, and increased food access. Noted there are aspects of a truly comprehensive food policy plan that are not related to food production in the Commonwealth, such as driving demand for MA production, but too inclusive is too cumbersome to be able to succeed, for example labeling and advertising.

The committee feels their recommended focus best mirrors the legislation that created the FPC, but noted we should be clear about what we are leaving on the table - so that those outstanding items could be addressed with another project.

Ellen Parker, Project Bread: We frequently manage funds for smaller groups. Hale and Dore, our attorneys recommended a non-profit LLC, which they would set up pro-bono. The rules of the LLC would be the rules that the FPC would want to make. It would also be time limited and would sunset in two years.

Extensive discussion ensued regarding timing of LLC, timing and soliciting of funds, concept of steering committee being the BOD of the LLC, desire for the result of the work being actionable items, not a long report, the impact of open meeting laws on all of the proposed committees, the LLC, subcommittees and working groups, and working to avoid even the appearance of a conflict of interest. Funders recommended careful consideration of all the variables that have come to light in the discussion,

including the matter that this plan places the fiscal agent and backbone project leadership in two different roles.

Commissioner Watson: volunteered MDAR legal counsel to provide assistance in terms of what the process means in relation to the Open Meeting Law.

Noted that we have to move the deadlines ahead a bit sort this out and to be able to acknowledge the work of the Advisory committee.

Suggested MA farm to School may have solved a lot of these issues and we should look at their model as well as Mass in Motion.

Noted that while a focus on production may be good, supply will not drive demand. What is needed is the analysis/process that defines good investments and what are the inhibitors - labor, land price, cost?

General consensus is: A good plan needs to address the barriers as well as leverage points.

Motion to take the proposal under advisement and that MDAR review the legal implications made by Kerry Bowie, seconded by Cheryl Bartlett.

Commissioner Watson asked for public input.

Requested that public access through feedback is included in the systems diagram.

Slowing down to tease this out the legal questions and seek the highest degree of operating efficacy makes sense.

Motion passed on unanimous voice vote.

Commissioner Watson committed to respond to legal matters in February with feedback that can be shared in a public meeting.

Representative Kulik expressed support to keep the momentum going. Commissioner Watson will advise the Council and Advisory Committee as soon as a meeting can be set up.

John Lee moved to adjourn at 11:50 AM, second by Kerry Bowie. Motion passed.