

California Tomato Commission
Wind Down Committee Telephone Conference
September 30, 2008

Board Members and Alternates in Attendance

Jeff Dolan	Fred Leavitt
Jeff Rurup	John Seasholtz
Andy Murphy	Tom Guido
Terry Doyle	Ron Oneto
Mike Carr	Steve Thorpe
Vicky Seasholtz	

Guests in Attendance

Robert Wilkinson	Kendall Manock
Bob Maxie	Jerry Munson
Richard Estes	Joe Monson
Alex Heller	

Call to Order, Roll Call & Establish Quorum

Chairman Oneto called the meeting to order at 1:05 PM. A roll call from each location was called for.

Dinuba, CA.	Jerry Munson	
Fresno, CA.	John Seasholtz	Vicki Seasholtz
	Andy Murphy	Fred Leavitt
	Ken Manock	Robert Wilkinson
Tracy, CA	Tom Guido	Mike Carr
	Jeff Rurup	Alex Heller
Elk Grove, CA	Ron Oneto	Bob Maxie
	Richard Estes	Joe Monson

Oneto then asked that a sign-in sheet be passed around at each location and mailed to him for the record. Copies will be sent to Monfort Management and BMJ.

Approval of Minutes

Was postponed until the next general meeting of the Wind Down Committee

Financial Update

A financial report, prepared by Monfort Management was handed out. Jerry Munson explained that the report is showing in and out expenses to date. Oneto commented that FAS has been repaid for the findings in last years MAP audit. The

contractor's insurance company reimbursed CTC for the amount in question in the audit. CTC received a check from contractor's insurance company; CDFA then approved CTC to release funds to FAS for audit findings. FAS now owes CTC \$33,667, that has been cleared and check is to be issued to CTC.

Handler Audits

Oneto reported that some of the audits conducted showed some handlers had over paid assessments. With CDFA's approval those refunds were sent to those handlers. As well, the audits did show that some handlers did owe assessments. As of this meeting there are 3 handlers who have been audited, and are found to owe CTC back assessments. One handler remains unaudited.

Wind-Down

Two items remain to be completed. The fiscal year audits (06-07 and 07-08). CTC is asking CDFA for an additional approval of \$2000 for the already approved amount of \$5000 for the 07-08 fiscal audits. The added expense is due to the fact that the California Department of Justice has seized the CTC records, all records are now in the possessions of the California Department of Justice, and the audit will need to be conducted in Sacramento instead of Dinuba. The 06-07 fiscal audit is complete, except for the issue of the management letter. CTC is seeking approval from CDFA for up to \$5000 to work with the Chairman on a management letter for the auditors.

After this report, the Board of Directors went into Closed Session.

Closed Session

The Board went into closed session to discuss litigation and personnel matters.

Return to Open Session

Returning to open session, Oneto reported the following actions taken by the Wind Down Committee.

- 1) To reject the offer of settlement from Gonzales Packing.
- 2) The committee also approved of sections #1, #2, #3, #3a, #3b, #4, #5, and #6. (Please find attached a copy of the Resolution).

The Wind Down committee also approved the following sections of the Resolutions. #7, #8, #9 and to add the word "IMMEDIATELY" to Section #3a. So that section will read, "Instruct Monfort Management to Immediately create a reserve of \$25,000.00 for the Department's legal expenses for defending the Secretary.

Motion was passed, none opposed (asked if anyone wanted a roll call vote by person, no one responded, so no roll call vote was conducted.)

Adjournment

With no further business, the meeting was adjourned at 3:05 P.M.

Certification

I, Ron Oneto, Chairman of the California Tomato Commission, do here by certify, that the foregoing minutes to the best of my knowledge do accurately reflect the proceedings of the California Tomato Commission's Board of Directors, held September 30,2008.

Ron Oneto
Chairman, California Tomato Commission

Date