

HORTICULTURE COMMISSION MEETING

July 11, 2013

9:30 a.m.

Veterans' Memorial Auditorium

5825 Florida Boulevard

Baton Rouge, LA 70806

Minutes

CALL TO ORDER

The hearing was called to order by Mr. Bass at 9:35 a.m.

ROLL CALL

The roll was called by Mrs. Bellington.

Members present: Fred Bass, Todd Parker, Steven Hoover, Harold Tani, Rob Barry, Mitch Mayes, Zefferino Von Kurnatowski, Chad Danos and Jack Hopper.

Members absent: Dr. Allen Owings, Rusty Ruckstuhl and Aaron Wade.

A quorum was present.

Others present: Lindsey Hunter, Hearing Officer; Murphy Bell, Commission's Attorney; Tad Hardy, LDAF; Ansel Rankins, LDAF; Allen Whittington, LDAF; Mary Beth Rollins, LDAF; Kadee Bonvillain, LDAF; and Fran Bellington, LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Danos made a motion to approve the minutes from the March 28, 2013 hearing. This motion was seconded by Mr. Parker and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, September 26, 2013 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUEST

There were no reinstatement requests.

At 9:39 a.m. the meeting was turned over to the hearing officer.

ADJUDICATORY HEARING

NEW CASES

Robbie Desselle

d/b/a Mr. Lawn's Lawn Service

410 Oaklawn

Metairie, LA 70005

Case No.: 13-004

Two violations of L.R.S. 3:3804 (C) for engaging in a regulated profession (landscape horticulturist) without the proper license and one violation of L.R.S. 3:3810 (A) (2) for violating a cease and desist order.

Mr. Desselle was not present but the department proceeded because service was effected.

Motion: Mr. Parker made a motion to find Mr. Desselle in violation. This motion was seconded by Mr. Hopper and passed unanimously. Recommended penalty of \$250.00 per violation for a total fine of \$750.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Hoover and passed unanimously.

Rodney Vercher
d/b/a Affordable Tree Service
1222 Louise Street
Alexandria, LA 71302

Case No.: 13-005

Five violations of L.R.S. 3:3804 (C) for advertising and engaging in a regulated profession (arborist) without the proper license and two violations of L.R.S. 3:3810 (A) (2) for violating cease and desist orders.

Mr. Vercher was present. **Motion:** Mr. Parker made a motion to find Mr. Vercher in violation. This motion was seconded by Mr. Von Kurnatowski and passed unanimously. Recommended penalty of \$250.00 per violation for a total fine of \$1,750.00. **Motion:** Mr. Von Kurnatowski made a motion to accept the recommended penalty, suspend ½ of the fine for a total fine of \$875.00, on the condition that the fine be paid within 30 days and that Mr. Vercher become licensed within 90 days and if not, he will owe the total fine of \$1,750.00. This motion was seconded by Mr. Mayes. 8 members voted for and 1 member voted against. The motion carried. **Motion:** Mr. Von Kurnatowski made a motion to amend the previous motion to say that Mr. Vercher will pay the \$875.00 fine and become licensed within 90 days or he will owe the total fine of \$1,750.00. This motion was seconded by Mr. Mayes and passed unanimously.

The meeting was turned back over to Mr. Bass at 10:21 a.m.

NEW BUSINESS

Report on Landscape Architect Legislation, Citrus Canker and Kudzu Bug

Mr. Hardy gave the following updates:

In June, the Louisiana Legislature amended the Landscape Architect portion of the Horticulture Law. Amendments were necessary to match changes in how CLARB now administers the LARE exam. Regulation changes are being drafted for industry input, to match the statutory changes now in effect.

Citrus Canker, a devastating bacterial disease of citrus, was confirmed June 21st in City Park in New Orleans. This is the first time CC has been found in Louisiana in over 100 years. Federal/state survey continues and quarantine action will be taken once the extent of infection is known. The disease has had drastic effects on the Florida citrus industry for years.

Mr. Hardy will be attending the National Plant Board (NPB) annual meeting in August. Significant discussions of agricultural issues, regulations, policies and plant pests will take place at the meeting. The Southern Plant Board annual meeting held April 21-24 in New Orleans, hosted by the LDAF's Horticulture & Quarantine Division, was a great success!

The so-called "kudzu bug," a pest of soybean, appeared within Louisiana's borders in June. This Asian-origin bug has been moving west from Georgia for four years and no federal or state regulatory action is planned or possible. It may also feed on certain leguminous ornamentals such as wisteria and can be a homeowner nuisance.

PUBLIC COMMENTS

There were no public comments but Mr. Bass took a moment to thank everyone for the great job that they do. Mr. Danos thanked Commissioner Strain and the administrative staff for their support of the Landscape Architect Law and exam changes.

ADJOURNMENT

Motion: Mr. Parker made a motion to adjourn at 10:37 a.m. This motion was seconded by Mr. Von Kurnatowski and passed unanimously.