

HORTICULTURE COMMISSION MEETING

December 12, 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 9:37 a.m.

ROLL CALL

The roll was called by Mrs. Bellington.

Members present: Fred Bass, Todd Parker, Steven Hoover, Mitch Mayes, Rob Barry, Zefferino Von Kurnatowski, Chad Danos, Jack Hopper, Rusty Ruckstuhl and Aaron Wade.

Members absent: Dr. William Richardson and Harold Tani.

A quorum was present.

Others present: Lindsey Hunter, Hearing Officer; Murphy Bell, Commission's Attorney; Tad Hardy, LDAF; Ansel Rankins, LDAF; Kadee Bonvillain, LDAF; Hugh Lee, 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 October 8, 2013 hearing. This motion was seconded by Mr. Parker and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, March 27, 2014 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUEST

Mr. Danny Mobley requested to have his landscape horticulturist license reinstated. **Motion:** Mr. Parker made a motion to reinstate Mr. Mobley's license. This motion was seconded by Mr. Hopper and passed unanimously.

At 9:46 a.m. the meeting was turned over to the hearing officer.

ADJUDICATORY HEARING

NEW CASES

Rodney Vercher
d/b/a Affordable Tree Service
1222 Louise St.

Alexandria, LA 71302

Case No.: 13-013

Two violations of L.R.S. 3:3804 (C) for advertising, soliciting and engaging in a regulated profession (arborist) without the proper license.

Stipulation received. **Motion:** Mr. Parker made a motion to accept the stipulation. This motion was seconded by Mr. Hoover and passed unanimously. Recommended penalty of \$500.00 per violation for a total fine of \$1,000.00. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Von Kurnatowski and passed unanimously. **Motion:** Mr. Parker made a motion to seek an injunction against Mr. Vercher. This motion was seconded by Mr. Mayes and passed unanimously.

Jeremie Branton
d/b/a The Grounds Guys
1140 Burt St.
Shreveport, LA 71107

Case No.: 13-014

One violation of L.R.S. 3:3804 (C) for advertising in a regulated profession (landscape horticulturist) without the proper license.

Continued to March 27, 2014.

Carol Lynn Charvet
23237 Hwy 445
Robert, LA 70455

Case No.: 13-015

One violation of L.R.S. 3:3804 (C) for engaging in a regulated profession (landscape horticulturist) without the proper license and one violation of L.A.C. Title 7, Part XXIV, Section 115 (A) for failing to cooperate with a representative of the commission during an investigation.

Ms. Charvet was not present but the department proceeded because service was effected. **Motion:** Mr. Ruckstuhl made a motion to find Ms. Charvet in violation. This motion was seconded by Mr. Barry and passed unanimously. Recommended penalty of \$250.00 per violation for a total fine of \$500.00. **Motion:** Mr. Parker made a motion to accept the recommendation. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Daniel Littlejohn & Chasity Touchet
d/b/a Daniel's Tree Care
9023 Old Hermitage Parkway
Baton Rouge, LA 70810

Case No.: 13-016

Two violations of L.R.S. 3:3804 (C) for advertising and engaging in a regulated profession (arborist) without the proper license.

Mr. Littlejohn nor Ms. Touchet were present but the department proceeded because service was effected. **Motion:** Mr. Barry made a motion to find Mr. Littlejohn & Ms. Touchet in violation. This motion was seconded by Mr. Mayes and passed unanimously. Recommended penalty of \$250.00 per violation for a total fine of \$500.00. **Motion:** Mr. Parker made a motion to accept the recommendation. This motion was seconded by Mr. Von Kurnatowski and passed unanimously.

Alvin Davis
2107 Plum St.
DeRidder, LA 70634

Case No.: 13-017

One violation of L.R.S. 3:3804 (C) for engaging in a regulated profession (arborist) without the proper license.

Mr. Davis was not present but the department proceeded because service was effected. **Motion:** Mr. Parker made a motion to find Mr. Davis in violation. This motion was seconded by Mr. Barry and passed unanimously. Recommended penalty of \$500.00. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Barry and passed unanimously.

The meeting was turned back over to Mr. Bass at 10:45 a.m.

NEW BUSINESS

Director's Update

Mr. Hardy gave the following updates:

Citrus Canker quarantine boundaries were established in November and include parts of four parishes (Orleans, Jefferson, Plaquemines and St. Charles). The department is now working through the formal rulemaking process and is focusing on creating outreach materials to distribute, making the public aware of restrictions on movement of citrus stock, fruit, etc.

Mr. Rankins attended the CLARB board of directors meeting in December, discussing "outcomes and opportunities," including development of a new exam policy framework.

Several LDAF Horticulture personnel will be manning a booth at the annual GSHE show in Mobile in January. This venue gives us a great opportunity to provide LDAF and Horticulture Commission information to attendees.

Mr. Hardy will be attending a Systems Approach to Nursery Certification (SANC) face-to-face committee meeting in mid-January. This program, supported by National Plant Board, is moving forward with a voluntary approach to implementing critical control points and BMPs in nurseries as a means to more efficiently certify interstate plant shipments.

Training for AES inspectors will be held in February. This biennial activity allows us to update personnel on issues and realign program priorities. This year we are adding a separate “new inspector” component for personnel hired within the past 12-18 months.

PUBLIC COMMENTS

There were no public comments but Mr. Bass took a moment to thank the staff and the commission for the great job that they do and to wish everyone a Merry Christmas and Happy New Year.

ADJOURNMENT

Motion: Mr. Parker made a motion to adjourn at 11:00 a.m. This motion was seconded by Mr. Danos and passed unanimously.