

HORTICULTURE COMMISSION MEETING

June 28, 2018

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. Lane.

Members present: Fred Bass, Gary Bullock, Richard Hill, Steve Hoover, Jack Hopper, Benjy Rayburn, Rusty Ruckstuhl, and Cole Sims.

Members absent: Dr. William Richardson, Mitch Mayes, Chad Danos, and Rob Barry.

A quorum was present.

Others present: Michael Heier, Hearing Officer; Amy McInnis, LDAF Legal Counsel; Ansel Rankins, LDAF; Tina Peltier, LDAF; and Christie Lane, LDAF.

**PUBLIC COMMENTS**

There were no public comments.

**APPROVAL OF MINUTES**

**Motion:** Mr. Ruckstuhl made a motion to approve the minutes from the March 22, 2018 hearing. This motion was seconded by Mr. Hoover and passed unanimously.

**SET NEXT HEARING DATE**

The next Horticulture Commission meeting will be Thursday, September 6<sup>th</sup> 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 9:40 a.m. the meeting was turned over to the hearing officer, Mr. Michael Heier.

**ADJUDICATORY HEARING**

**CONTINUED CASES**

Kelly Gould

d/b/a Beaumar's Tree Service

1824 Orleans Street

Mandeville, LA 70448

Case No.:18-001

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

This case was continued to the next hearing.

## NEW CASES

Ronnie Tallo  
d/b/a Speedy Green  
19089 Notariano Road  
Hammond, LA 70403

Case No.: 18-003

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

A stipulation was received. The department recommended a penalty of \$1,000 per violation for a total of \$1,000. **Motion:** Mr. Hoover made a motion to accept the stipulation with the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Billy Floyd  
d/b/a June Bugs Tree Care  
1446 Hebert Street  
Jena, LA 71342

Case No.: 18-005

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

A stipulation was received. The department recommended a penalty of \$1,500 per violation for a total of \$3,000. **Motion:** Mr. Hill made a motion to accept the stipulation with the recommended penalty. This motion was seconded by Mr. Hopper and passed unanimously.

Matt Grayson  
d/b/a Grassmasters  
PO Box 795  
Broussard, LA 70518

Case No.: 18-006

One violation of L.R.S. 3:3804(C) for engaging in a regulated profession (landscape horticulturist) without a proper license. One violation of L.R.S 3:3810 A(2) for violating a notice of non-compliance.

This case was continued to the next hearing.

Rene Manfre  
d/b/a Southern Cutters  
1700 Bonnie Street  
Metairie, LA 70001

Two violations of L.R.S. 3:3804(C) for advertising in a regulated profession (landscape architect, landscape irrigation contractor, and landscape horticulturist) without a proper license. One violation of L.R.S. 3:3810 A(2) for violating a notice of non-compliance.

Mr. Manfre was present without counsel. **Motion:** Mr. Ruckstuhl made a motion to find Mr. Manfre in violation. This motion was seconded by Mr. Hopper and passed unanimously. The

department recommended a penalty of \$500 per violation for the total of \$1,500. **Motion:** Mr. Hoover made a motion to impose a penalty of \$1,500, with \$750 suspended pending no further violations within the next three years. The motion was seconded by Mr. Sims and passed unanimously.

Chasity Touchet  
26003 Gaspard Road  
Kaplan, LA 70548

Case No. 17-011

The department recommended vacating the Commission's prior decision of March 22, 2018 wherein it found Ms. Touchet of Gaspard Road to be in violation and imposed a fine. **Motion:** Mr. Rayburn made a motion to vacate the decision. The motion was seconded by Mr. Ruckstuhl and passed unanimously.

### **NEW BUSINESS**

There was no new business.

### **Director's Report:**

Mr. Rankins gave the following updates:

Citrus canker has been confirmed in the second facility belonging to the same grower who had a positive sample confirmed in late 2017. The facility has been placed under State Stop Order.

Citrus greening has been confirmed in St. Bernard Parish and Plaquemines Parish, bringing the total to five parishes. LDAF continues to remove the infected trees with owner consent.

There are four pest surveys going on.

- The Citrus Commodity Survey has 81 inspections completed. All positive citrus greening and citrus canker samples were taken from quarantine areas. Inspectors will take calls and complaints until the fall survey starts.
- The Sudden Oak Death Survey for spring has 36 inspections completed. All samples were negative. The water baiting portion of the survey will take place in the fall.
- The Solanaceous Commodity Survey is a new survey for three pests, including old world bollworm. Inspectors will place traps at 20 locations in 17 parishes.
- The Forest Pest Survey begins in the first week of July. Inspectors will place 3 traps at 14 locations.

Mr. Rankins asked the commission to consider an amendment to the regulations to place a five-year cap on passed exam scores. A passing score on an examination will be valid for five years, after which time the applicant must reapply to retake the examination. This will bring the exam retention policy in line with the existing reinstatement policy for lapsed licenses. **Motion:** Mr. Sims made a motion to adopt the new policy as written. The motion was seconded by Mr. Bullock and passed unanimously.

### **PUBLIC COMMENTS**

There were no public comments but Mr. Bass took a moment to thank the commission members and inspectors for the good job that they do.

### **ADJOURNMENT**

**Motion:** Mr. Rayburn made a motion to adjourn at 11:05 a.m. This motion was seconded by Mr. Hopper and passed unanimously.