

LOUISIANA BOLL WEEVIL ERADICATION COMMISSION

March 29, 2023

10:00 a.m.

Scott Research and Extension Center

212 Macon Ridge Road

Winnsboro, LA 71295

CALL TO ORDER

The meeting was called to order by Mr. Jack Dailey at 10:01 a.m.

ROLL CALL

The roll was called by Tonya Pears.

Members present: Jack Dailey, Tim White, Dr. Ansel Rankins (representing Commissioner Strain), Russ Ratcliff, Kody Beavers, Dr. Michael Salassi (representing LSU AgCenter), and Hank Jones. Alternate members present: Casey Cater

Members absent: Ben Guthrie

A quorum was present.

Others present: Marc Bordelon, Kurt Moreau, Tina Peltier, Nolan Adcock, Paeton Burkett (LDAF Counsel), Amanda LaGroue (Hearing Officer), Kirby McGuffee, Lynn Patt, Martin Close, Scotty May.

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. White made a motion to approve the minutes of the April 12, 2022, meeting. Mr. Beavers seconded the motion. Motion passed unanimously.

ADJUDICATORY HEARING

23-BWEC-01 – ASHLEY ARMSTRONG

Ms. Armstrong was present but was not represented by counsel.

The LDAF charged Ms. Armstrong with 31 violations of LAC 7:XV.323 (B) which requires cotton producers to destroy their stalks by December 31 of each crop year.

Motion: A motion was made by Mr. Beavers to find Ms. Armstrong in violation of the regulations as stated in the charge letter. Mr. White seconded the motion. Motion passed.

The LDAF recommended a fine of \$23,250.00 with \$22,320.00 of the fine suspended on the condition that no further violations occur through December 31, 2025. The remaining \$930.00 shall be made due and payable within 30 days after the Commissioner of Agriculture's final decision in the matter.

Motion: Mr. Beavers made a motion to accept the penalty recommendation of the LDAF. Mr. Ratcliff seconded the motion. Motion passed.

23-BWEC-02 – HARPER ARMSTRONG/ARMSTRONG FARMS

Mr. Armstrong was present but was not represented by counsel.

The LDAF charged Mr. Armstrong with 31 violations of LAC 7:XV.323 (B) which requires cotton producers to destroy their stalks by December 31 of each crop year.

Motion: Mr. White made a motion to find Mr. Armstrong in violation of the regulations as stated in the charge letter. Mr. Beavers seconded the motion. Motion passed unanimously.

The LDAF recommended a fine of \$23,250.00 with \$22,456.00 of the fine suspended on the condition that no further violations occur through December 31, 2025. The remaining \$794.00 shall be made due and payable within 30 days after the Commissioner of Agriculture's final decision in the matter.

Motion: Mr. White made a motion to accept the recommended fine of \$23,250.00 and suspend \$22,750.00, reducing the payable portion, on the condition there are no further violations through December 31, 2025. The remaining \$500.00 shall be made due and payable within 30 days after the Commissioner of Agriculture's final decision in the matter. Mr. Beavers seconded the motion. Motion passed unanimously.

23-BWEC-01 – ASHLEY ARMSTRONG

Motion: Mr. White made a motion to reconsider the penalty portion for 23-BWEC-01. Mr. Ratcliff seconded the motion. Motion passed unanimously.

Motion: Mr. White made a motion to accept the recommended fine of \$23,250.00 and suspend \$22,750.00 effectively reducing Ms. Armstrong's payable fine to \$500.00, on the condition that there are no further violations through December 31, 2025. The payable fine will be due and payable within 30 days after the Commissioner of Agriculture's final decision in the matter. Mr. Beavers seconded the motion. Motion passed unanimously.

23-BWEC-03 – TROY WILLIAMS

Mr. Williams was present but was not represented by counsel.

The LDAF charged Mr. Williams with 31 violations of LAC 7:XV.323 (B) which requires cotton producers to destroy their stalks by December 31 of each crop year.

Motion: Mr. White made a motion to find Mr. Williams in violation of the regulations as stated in the charge letter. Mr. Beavers seconded the motion. Motion passed unanimously.

The LDAF recommended a fine of \$23,250.00 with \$22,750.00 of the fine suspended on the condition that no further violations occur through December 31, 2025. The remaining \$500.00 shall be made due and payable within 30 days after the Commissioner of Agriculture's final decision in the matter.

Motion: Mr. White made a motion to accept the recommended fine. Mr. Beavers seconded the motion. Motion passed unanimously.

23-BWEC-04 – D & V FARMS/DAVID OR VALERIE GILMORE

Mr. Gilmore was present but was not represented by counsel.

The LDAF charged Mr. Gilmore with 23 violations of LAC 7:XV.323 (B) which requires cotton producers to destroy their stalks by December 31 of each crop year.

Mr. Dailey and Mr. Beavers recused themselves from this matter, citing a relationship with the Respondent as a neighbor and family member respectively.

Motion: Mr. Cater made a motion to find Mr. Gilmore in violation of the regulations as stated in the charge letter. Mr. Ratcliff seconded the motion. Motion passed unanimously.

The LDAF recommended a fine of \$17,250.00 with \$16,750.00 of the fine suspended on the condition that no further violations occur through December 31, 2025. The remaining \$500.00 shall be made due and payable within 30 days after the Commissioner of Agriculture's final decision in the matter.

Motion: Mr. Ratcliff made a motion to accept the recommended fine. Mr. Cater seconded the motion. Motion passed unanimously.

STIPULATED CASES

23-BWEC-05 – TYLER GILMORE

Mr. Gilmore was not present nor represented by counsel.

The LDAF charged Mr. Gilmore with 23 violations of LAC 7:XV.323 (B) which requires cotton producers to destroy their stalks by December 31 of each crop year.

Mr. Dailey and Mr. Beavers recused themselves from this matter, citing a relationship with the Respondent as a neighbor and family member respectively.

Motion: Dr. Rankins made a motion to accept the stipulation and penalty as written. Mr. Cater seconded the motion. Motion passed unanimously.

REQUEST FOR WAIVER OF MAINTENANCE FEES

Motion: Mr. White made a motion to approve all waivers for maintenance fees as requested by: Billy J. Clay, Perritt Farms Partnership, Delta Farms Partnership, Zachary Dale Seiler, and Trent Clark. Mr. Beavers seconded the motion. Motion passed unanimously.

OLD BUSINESS

Ms. Burkett reminded the commission members to complete their annual ethics and sexual harassment training by the end of the year.

NEW BUSINESS

Report from the Commissioner

Dr. Rankins presented Mr. Bordelon a plaque on behalf of the department, thanking him for 25+ years with the Boll Weevil Eradication Program. Mr. Bordelon said a few words thanking the commission for their continued work supporting the program.

Dr. Rankins informed the commission that Dr. Strain had appointed Mr. Moreau as Mr. Bordelon's replacement as lead of the program. He also introduced Mr. Ratcliff and Mr. Cater as newly appointed commission members.

Dr. Rankins updated the commission on the unwanted pesticide pickup program, EPA rule changes and announcements.

Program Update

Mr. Moreau introduced LDAF and Boll Weevil personnel that were present at the meeting.

He updated the commission on the Acadian Brown Cotton group meeting that was held on March 4, 2023.

Mr. Moreau also gave updates on Texas and Kansas Boll Weevil programs.

Technical Advisory Committee

There was no update from the Technical Advisory Committee.

Farm Bureau Oversight Committee Report

There was no update from the Farm Bureau Oversight Committee.

PUBLIC COMMENT

Mr. Bordelon informed the commission that Mr. Jim Brumley with the Southeast Boll Weevil Foundation will retire this month.

ADJOURN

Motion: A motion to adjourn was made by Mr. Cater. Mr. White seconded the motion. Motion passed unanimously. Mr. Dailey adjourned the meeting at 11:36 a.m.