

HORTICULTURE COMMISSION MEETING

September 29, 2022

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. Parker at 9:31 a.m.

ROLL CALL

The roll was called by Mrs. Smith

Members present: Todd Parker, Rebekah O'Quin, Dr. Ansel Rankins, Dr. Ed Bush, Mitch Mayes, Rusty Ruckstuhl and Cole Sims.

A quorum was present.

Others present: Scott Whitford; Hearing Officer; Baleigh Olah; LDAF Attorney; Tina Peltier, LDAF; Marsha Dugas, LDAF; and Marissa Smith, LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Ruckstuhl made a motion to approve the minutes from the June 23, 2022 hearing. This motion was seconded by Mr. Sims and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be on December 15, 2022 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUESTS

Mr. Christian Preus requested reinstatement of his Landscape Architect license.

Motion: Mr. Ruckstuhl made a motion to allow reinstatement of Mr. Preus's Landscape Architect license. The motion was seconded by Mr. Mayes and passed unanimously.

Mr. Wendell Anthony requested reinstatement of his Arborist license.

Motion: Mr. Mayes made a motion to allow reinstatement of Mr. Anthony's arborist license. The motion was seconded by Mr. Ruckstuhl and passed unanimously.

Mr. Edward Richard Naberschnig requested reinstatement of his Landscape Horticulture license.

Motion: Mr. Mayes made a motion to allow reinstatement of Mr. Naberschnig's landscape horticulturist license. The motion was seconded by Dr. Bush and passed unanimously.

Mr. Bradley Naberschnig requested reinstatement of his Landscape Horticulture license.

Motion: Dr. Rankins made a motion to allow reinstatement of Mr. Naberschnig's landscape horticulturist license. The motion was seconded by Mr. Parker and passed unanimously.

At 9:40 a.m. the meeting was turned over to the hearing officer, Mr. Scott Whitford.

ADJUDICATORY HEARING
CONTINUED CASES

Scott Sambola

Case No.: 21-003

d/b/a Nature's Own Landscape
4801 Taft Park
Metairie, LA 70002

One violation of L.R.S. 3:3804(C) for advertising in a regulated profession (arborist, landscape architect and landscape irrigation contractor) without a proper license. One violation of L.R.S. 3:3804(C) for engaging in a regulated profession (landscape irrigation contractor) without a valid license.

Stipulation was presented by LDAF attorney Baleigh Olah.

Stipulation received. The department recommended a penalty of \$500.00 per violation for a total fine of \$1,000.00. Motion: Mr. Mayes made a motion to accept the stipulation and recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

Raphael Brown

Case No.: 22-001

d/b/a Mr. Reliable Lawncare and Mr. Reliable Groundworks
45 Sawgrass Drive
LaPlace, LA 70068

Two violations 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 date.

NEW CASES

Teddy Cody Green

Case No.: 22-006

d/b/a Oaklands Tree Care Services
180 Billy John Road
Pollock, LA 71467

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

Case was presented by LDAF attorney Baleigh Olah.

Mr. Green was not present but the department proceeded because service was affected. Motion: Mr. Mayes made a motion to find Mr. Green in violation. This motion was seconded by Dr. Rankins and passed unanimously. The department recommended a penalty of \$1,000.00 per violation for a total fine of \$1,000.00. Motion: Mr. Sims made a motion to accept the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Ryan Beard

Case No.: 22-007

d/b/a Beard Lawn LLC/Elite Tree Solutions
13890 Colt Drive
Denham Springs, LA 70726

Two violations of L.R.S. 3:3804(C) for advertising in a regulated profession (arborist, landscape horticulturist) without a proper license. One violation of L.R.S. 3:381 A(2) for violating a notice of non-compliance.

Case was presented by LDAF attorney Baleigh Olah.

Mr. Beard was not present but the department proceeded because service was affected. **Motion:** Mr. Mayes made a motion to find Mr. Beard in violation. This motion was seconded by Mr. Parker and passed

unanimously. The department recommended a penalty of \$500.00 per violation for a total fine of \$1,500.00. **Motion:** Dr. Rankins made a motion to accept the recommended penalty. This motion was seconded by Mr. Parker and passed unanimously.

NEW BUSINESS

There was no new business.

Director's Report:

Mrs. Peltier gave the following updates:

Staffing Updates: In July, Shane Praetorius joined the Monroe district as an AES inspector. In August, Ryan Hackett, an inspector in the Opelousas district, was promoted to District Supervisor. Tiara Davis joined our Horticulture staff on August 22. Tiara will handle all the nursery stock dealer and cut flower dealer permits, along with the nursery grower certificates. Tiara also handles apiary registration. The Shreveport district gained a new AES inspector in September, Jacob Smith. Mark Earl, Program Coordinator for the Nursery and Apiary Programs and New Orleans district inspector, Sahvon Brown, are attending the Horticulture Inspection Society Southern Chapter annual meeting in Louisville, KY this week. The meeting agenda contains useful information on pest identification, protocols for submitting samples for id, invasive pest threats, and many plant disease topics.

P.ramorum: The spring compliance inspection performed in April at the P. ramorum positive nursery in Forest Hill, resulted in 6 positive samples. This was the first positive detection since the nursery was put under a compliance agreement in September of 2020. In June, according to the confirmed nursery protocol, a destruction zone (2 meters) was established around each positive find, resulting in 16 camellia plants being destroyed by deep burial on the nursery property. A quarantine zone was also established around each positive find (4 meters from positive) with a total of 38 plants being held until further inspections could be made. A stop order was issued on the plant blocks that produced the positive samples. A total of 641 samples were collected from the positive blocks and sent to the LSU diagnostic lab for analysis. Dr. Singh reported 30 ELISA positive samples that were forwarded to the University of Florida for further analysis. All 30 samples were reported negative for P. ramorum. The only plant material still under stop order is the plants located in the quarantine zones. These plants are to be inspected sometime this week. All trace forward investigations have been completed. There was one out of state location, 33 in state locations, and 4 locations without enough information to perform an inspection. Three samples were taken from a landscape business in New Orleans and reported negative.

Citrus Updates: In August, Regina Whitfield with the PPQ Citrus Health Response Program with USDA, began surveying citrus in the St. Tammany parish area, mainly along the north edge of Lake Ponchartrain. On August 29th, 3 samples were confirmed positive for Citrus Canker, which is a new parish find. On September 2, 8 samples were confirmed positive for Citrus Greening, also a new parish find. Regina is continuing to survey the area moving more north and west to determine if both diseases are present throughout the parish. With the help of AES inspectors, surveying will begin in Tangipahoa in the next couple of weeks. On September 12th, an AES inspector collected a citrus sample from a lime tree at a residence in Broussard, Lafayette parish. The sample was confirmed positive for CC on 9/23/22. This is a new find for the parish. The residential property is located about 1.5 miles from the quarantined area in St. Martin parish where CC was detected in 2020.

Lethal Bronzing and Lethal Yellowing Quarantines: LB and LY are vascular diseases that are vectored by a certain species of leafhopper that can cause the death in some species of palm trees. LDAF is implementing a quarantine for LB and LY in the following parishes since these diseases have been detected in our state. LB: East Baton Rouge, Iberia, Jefferson, Orleans, and West Baton Rouge. LY: East Baton Rouge and Jefferson. All hosts palms being moved outside of the quarantine areas will need to be treated with an insecticide labeled for

leafhoppers six weeks prior to shipment and again 48 hours prior to shipment. The palms will also need to be inspected by nursery personnel for LB and LY symptoms 48 hours prior to shipment. The final LB and LY quarantine regulations have been submitted and should be finalized in November. LDAF will notify all nursery growers and landscape horticulturists by mail of the new quarantine regulations.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion: Dr. Rankins made a motion to adjourn at 10:43 a.m.

This motion was seconded by Mr. Ruckstuhl and passed unanimously.