

HORTICULTURE COMMISSION MEETING

March 28, 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 9:32 a.m.

ROLL CALL

The roll was called by Mrs. Bellington.

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

Members absent: 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; Fran Bellington, LDAF; Tim Duplechain, LDAF; Nikki Bilbo, LDAF; Marsha Dugas, LDAF; and Devin Boudreaux, LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Parker made a motion to approve the minutes from the December 13, 2012 hearing. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

SET NEXT HEARING DATE

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

OLD BUSINESS

Landscape Horticulturist Continuing Education

Mr. Rankins, Dr. Owings and Mr. Von Kurnatowski will be meeting soon to discuss polling the Landscape Horticulturist industry to form a general opinion of support on the introduction of required Continuing Education units.

REINSTATEMENT REQUEST

There were no reinstatement requests.

At 9:40 a.m. the meeting was turned over to the hearing officer.

ADJUDICATORY HEARING

NEW CASES

Walter Raymond Melton
d/b/a Deepwoods Lawn & Landscaping
509 West Oak Lane
Lake Charles, LA 70605

Case No.: 13-001

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

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

Rick Varnado
d/b/a Lawn Scapes, LLC
9787 Corrine Avenue
Denham Springs, LA 70706

Case No.: 13-002

Five violations of L.R.S. 3:3804 (C) for advertising and engaging in regulated professions (landscape horticulturist, landscape irrigation contractor, and landscape architect) without the proper licenses.

Mr. Varnado was present. **Motion:** Mr. Parker made a motion to find Mr. Varnado in violation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. Recommended penalty of \$250.00 per violation for a total fine of \$1,250.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Ralph's Market
15013 Hwy. 44
Gonzales, LA 70737

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

A representative for Ralph's Market was not present but the department proceeded because service was effected. **Motion:** Mr. Parker made a motion to find Ralph's Market in violation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. Recommended penalty of

\$250.00 per violation for a total fine of \$250.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Wade and passed unanimously.

The meeting was turned back over to Mr. Bass at 10:36 a.m.

NEW BUSINESS

Director's Report

Mr. Hardy gave the following updates:

Mr. Hardy continued his participation in the national Systems Approach to Nursery Certification (SANC) initiative by attending a full committee meeting in Maryland in February. SANC is a developing initiative to harmonize nursery grower practices, certifications, and anti-pest activities through voluntary BMPs/recordkeeping at nurseries nationwide.

Mr. Rankins represented Louisiana at the spring CLARB meeting in March in Arizona where he served as session moderator and participant. This is part of his role as a new member of the CLARB Executive Committee.

Changes to the Landscape Architect portion of the Horticulture Law will be working their way through the legislative process this spring. Amendments were necessary to match changes in how CLARB now administers the LARE exam. All Landscape Architects must still pass a state test and obtain a Louisiana license to practice in our state.

Our H&Q Division will be hosting the Southern Plant Board annual meeting April 21-24 in New Orleans. Louisiana hosts this meeting once every 10-12 years. Agenda items include federal and state plant pest issues and activities.

Field inspector training on Landscape Irrigation Contractor inspections was held in February to provide our personnel with more knowledge of irrigation systems and of our existing law, rules and regulations.

For the first time in a number of years, our Horticulture and Quarantine Division is caught up with license and permit renewals (renewal is February 1). This is a testimony to our ability to now maintain a full clerical staff, and is the direct result of the personal dedication of our Division employees.

PUBLIC COMMENTS

There were no public comments but Mr. Parker took a moment to thank our inspectors for the great job that they do. Mr. Bass took a moment to thank the staff and the Commission members for the job that they do. Mr. Rankins introduced Ms. Nikki Bilbo and Ms. Marsha Dugas as new inspectors at our Baton Rouge office.

ADJOURNMENT

Motion: Mr. Parker made a motion to adjourn at 10:44 a.m. This motion was seconded by Mr. Hoover and passed unanimously.