

HORTICULTURE COMMISSION MEETING

October 2, 2014

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 9:41 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 and Dr. Regina Bracy.

Members absent: Aaron Wade, Harold Tani, Jack Hopper and Rusty Ruckstuhl.

A quorum was present.

Others present: Lindsey Hunter, Hearing Officer; Murphy Bell, Commission's Attorney; Tad Hardy, LDAF; Ansel Rankins, LDAF; Katie Farlow, 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 June 24, 2014 hearing. This motion was seconded by Mr. Hoover and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, December 11, 2014 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUEST

Mr. Robin Tanner requested to have his landscape horticulturist and landscape architect licenses reinstated. **Motion:** Mr. Danos made a motion to allow reinstatement of Mr. Tanner's landscape horticulturist license immediately and to allow reinstatement of his landscape architect license after he completes the required 8 hours of continuing education. This motion was seconded by Mr. Mayes and passed unanimously.

At 10:10 a.m. the meeting was turned over to the hearing officer.

ADJUDICATORY HEARING

NEW CASES

Dean Smith

d/b/a Dean's Tree Service
4440 Fleet Drive
Baton Rouge, LA 70809

Case No.: 14-009

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

Mr. Dean was not present but the department proceeded because service was effected. **Motion:** Mr. Parker made a motion to find Mr. Dean in violation. This motion was seconded by Dr. Bracy and passed unanimously. Recommended penalty of \$1,000.00 per violation for a total fine of \$2,000.00. **Motion:** Mr. Parker made a motion to accept the recommendation. This motion was seconded by Mr. Danos and passed unanimously

Vernon McKay
d/b/a Discount One Tree Cutting, LLC
5414 Feliciana Drive
New Orleans, LA 70126

Case No.: 14-011

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

Mr. McKay was not present but the department proceeded because service was effected. **Motion:** Mr. Von Kurnatowski made a motion to find Mr. McKay in violation. This motion was seconded by Mr. Parker and passed unanimously. Recommended penalty of \$250.00. **Motion:** Mr. Von Kurnatowski made a motion to accept the recommendation. This motion was seconded by Mr. Parker and passed unanimously.

At 10:49 the commission took a break. The meeting reconvened at 10:55 with all members present except for Mr. Von Kurnatowski who returned at 10:57.

Burt Rico
d/b/a Rico's Tree Service
P O Box 55
Moreauville, LA 71355

Case No.: 14-010

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

Mr. Rico was not present but the department proceeded because service was effected. **Motion:** Mr. Von Kurnatowski made a motion to find Mr. Rico in violation. This motion was seconded by Mr. Mayes and passed unanimously. Recommended penalty of \$1,000.00. **Motion:** Mr. Von Kurnatowski made a motion to accept the recommended penalty. This motion was seconded by Mr. Hoover and passed unanimously.

Darryl McNeely
d/b/a Precise Tree Service
6299 Elser Field Road
Pineville, LA 71360

Case No.: 14-012

Two violations of L.R.S. 3:3804 (C) for advertising and engaging in a regulated profession (arborist) without the proper license. One violation of L.R.S. 3:3810 (A) (2) for violating a cease and desist order.

Continued to December 11, 2014 meeting.

The meeting was turned back over to Mr. Bass at 10:59 a.m.

NEW BUSINESS

Director's Update

Mr. Hardy gave the following updates:

Our Division is busy developing an Emerald Ash Borer (EAB) Response Plan in an attempt to prepare for the anticipated arrival of this insect pest in Louisiana. EAB was confirmed in six Arkansas counties this summer and we expect it to be found in our state in 2015. A federal quarantine will be implemented if/when EAB is found, restricting the movement of firewood and ash nursery stock from infested areas.

Brett Laird, Division employee and LDAF Cooperative Ag Pest Survey (CAPS) Coordinator received a national CAPS award from USDA in July for his continuing service in the federal CAPS program. Brett was one of only three individuals to receive this award.

Mr. Rankins returned last week from the CLARB annual meeting held at CLARB headquarters in Reston, Virginia.

Mr. Hardy will be giving a presentation next week to the 2016 Class of the LSU AgCenter Ag Leadership Program, covering regulatory concepts, pest surveys and the future of insect pests in Louisiana. The Ag Leadership Program is a prestigious two-year curriculum for active and involved members of the ag community statewide, designed to develop leadership skills. The program includes an overseas trip for class participants.

Redbay ambrosia beetle, present in the SE US since 2002 and known as the vector of the lethal laurel wilt fungus affecting laurel tree species, sassafras and avocado, was confirmed in north Louisiana in September 2014. The fungus spreads through natural beetle movement and via human-assisted transport of infected wood / chips.

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 Mr. Parker introduced new inspectors Girvus Johnson and Peter Klingelhofer to the commission members.

Mr. Rankins mentioned that he would like to discuss increasing fines before the next legislative session. Mr. Parker said that they would have something to present at the next commission meeting. Mr. Rankins also mentioned that the commission may want to consider a change in the law to allow them to refuse to issue a license to any individual owing fees or fines to the commission.

ADJOURNMENT

Motion: Dr. Bracy made a motion to adjourn at 11:08 a.m. This motion was seconded by Mr. Barry and passed unanimously.