HORTICULTURE COMMISSION MEETING

December 6, 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 9:34 a.m.

**ROLL CALL**

The roll was called by Mrs. Lane

Members present: Jeff Beasley, Gary Bullock, Chad Danos, Cole Sims, Jack Hopper, Rusty Ruckstuhl, Benjy Rayburn, Fred Bass, Rob Barry, Richard Hill, Zefferino Von Kurnatowski, Steve Hoover, and Mitch Mayes

A quorum was present.

Others present: Michael Heier, Hearing Officer; Amy McInnis, LDAF Legal Counsel; Ansel Rankins, LDAF; Tina Peltier, LDAF; Christie Lane, LDAF; Nikki Bilbo, LDAF; Amy Herron, LDAF; Raharold Lawson, Dylan Reames and Jason Anderson

**PUBLIC COMMENTS**

There were no public comments.

**APPROVAL OF MINUTES**

**Motion:** Mr. Ruckstuhl made a motion to approve the minutes from the September 6, 2018 hearing. This motion was seconded by Mr. Sims and passed unanimously.

**SET NEXT HEARING DATE**

The next Horticulture Commission meeting will be Wednesday, March 13, 2018 at 9:30 a.m. in the Veterans’ Memorial Auditorium.

**OLD BUSINESS**

There was no old business.

**REINSTATEMENT REQUEST**

Mr. Raharold Lawson requested to have his arborist license reinstated.

**Motion:** Mr. Mayes made a motion to allow reinstatement of Mr. Lawson’s arborist license. This motion was seconded by Mr. Von Kurnatowski and passed unanimously.

At 9:44 a.m. the meeting was turned over to the hearing officer, Mr. Michael Heier.

**ADJUDICATORY HEARING**

**CONTINUED CASES**

Gerald Brecheen

d/b/a Gerald’s Tree Care

9673 Florida Blvd.

Walker, LA 70785

Case No.: 18-010

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

This case was continued to the next hearing.

Rex Dukes

d/b/a Duke’s Tree Removal and R.E. Storm Clean Up

6424 Vardaman Road

Keithville, LA 71047

Case No.: 18-013

Two violations of L.R.S. 3:3804(C) for advertising in a regulated profession (arborist) without a proper license. One violation of L.R.S. 3:3810 A (2) for violating a written stop order dated 5/22/18.

This case was continued to the next hearing.

**NEW CASES**

Erik A. Ernst

1004 Foy St.

Mandeville, LA 70448

Case No.: 18-015

One violation of LAC 3:3804(C) for failure to provide documentation for each credit hour certified during the 2017 licensing year.

A stipulation was received. The department recommended a penalty of $1,000 per violation for a total of $1,000. **Motion:** Mr. Ruckstuhl made a motion to accept the stipulation. This motion was seconded by Mr. Von Kurnatowski and passed unanimously. **Motion:** Mr. Danos made a motion to accept 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.: 18-012

One violation of L.R.S. 3:3804(C) for engaging in a regulated profession (arborist) without a proper license. One violation of L.R.S 3:3810A(2) for violating a written stop order.

Mr. Floyd was not present but the department proceeded because service was effected. **Motion:** Mr. Danosmade a motion to find Mr. Floyd in violation. This motion was seconded by Mr. Hopper and passed unanimously. The department recommended a penalty of $1,500 per violation for a total fine of $3,000. **Motion:** Mr. Sims made a motion to accept the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Alton Dillon

40664 Ranch Road

Slidell, LA 70461

Case No.: 18-014

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

Mr. Dillon was not present but the department proceeded because service was effected. **Motion:** Mr. Hopper made a motion to find Mr. Dillon in violation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. The department recommended a penalty of $1,500.00 per violation for a total fine of $3,000. **Motion:**  Mr. Hoover made a motion to accept the recommended penalty. This motion was seconded by Mr. Mayes and passed unanimously.

**NEW BUSINESS**

Mr. Sims made a motion to amend the agenda to include discussion of injunctions. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Amy McInnis addressed the commission to advise on obtaining injunctions against Mr. Billy Floyd and Mr. Alton Dillon.

Mr. Hopper made a motion to seek an injunction against Mr. Alton Dillon. The motion was seconded by Mr. Ruckstuhl and passed unanimously.

Mr. Von Kurnatowski made a motion to seek an injunction against Mr. Billy Floyd. The motion was seconded by Mr. Sims and passed unanimously.

Mrs. Peltier addressed the commission regarding new exam questions for the arborist, utility arborist, and landscape horticulturist exams. **Motion:** Mr. Danos made a motion to approve the questions as written. The motion was seconded by Mr. Von Kurnatowski and passed unanimously.

**Director’s Report:**

Mr. Rankins gave the following updates:

An exterior quarantine has been enacted for the guava root knot nematode (GRKN). The quarantine restricts fresh market sweet potatoes and nursery crops from Florida, North Carolina, and South Carolina. A state certificate can be obtained through the originating state’s regulatory agency for nursery crops to enter Louisiana.

Two surveys have been completed by the LDAF AES inspectors. The Solanaceous Commodity Survey targeted the Old world bollworm, Tomato leafminer, and Tomato fruit borer. Traps were placed at 20 locations in 17 parishes. All specimens tested negative by the USDA.

The water bating portion of the SOD survey was completed in November. LDAF AES inspectors baited traps at 5 locations. All samples tested negative by the LSU Plant Diagnostics Lab.

Dylan Reames and Jason Anderson have joined AES as inspectors for the Baton Rouge District. There is one additional vacancy to fill in the Baton Rouge District.

**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. Ruckstuhl made a motion to adjourn at 10:41 a.m. This motion was seconded by Mr. Mayes and passed unanimously.