

LOUISIANA BOLL WEEVIL ERADICATION COMMISSION

March 20, 2018

10:00 a.m.

Scott Research and Extension Center

212 Macon Ridge Road

Winnsboro, LA 71295

Minutes

CALL TO ORDER

The meeting was called to order by Mr. Jack Dailey at 10:02 a.m.

ROLL CALL

The roll was called by Tonya Peairs.

Members present: Jack Dailey, Tim White, Dr. Rogers Leonard (Representing Dr. Richardson), Benjy Rayburn (Representing Commissioner Strain), Ben Guthrie, Luke Sayes, Heath Herring and Stephen Logan.

Members absent: Travis Vallee

Others present: Marc Bordelon, Ansel Rankins, Nolan Adcock, John Dumas, Kurt Moreau, Ronald Williams, Amy McInnis (LDAF Counsel), Michael Heier (Hearing Officer), Dan Fromme, Mike Turner, Brian Breaux, Sebe Brown, Martin Close, Bobby Skeen, George Max Evans Sr. and George Max Evans Jr.

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Guthrie made a motion to approve the minutes from the March 21, 2017 meeting. Mr. Sayes seconded the motion. Motion passed.

ADJUDICATORY HEARING

Mr. Rayburn recused himself from the adjudicatory hearing citing involvement in the case prep meeting that took place before he was designated to represent Commissioner Strain at this meeting.

Case #18BW01 – George Max Evans Jr., is being charged with 30 violations of LAC 7:XV.323 (B), which requires the destruction of cotton stalks on or before December 31 of the crop year. Mr. Evans was present and stipulated to the charges.

Motion: A motion to accept the stipulation was made by Mr. White. Mr. Guthrie seconded the motion. Motion passed.

After being sworn in by the hearing officer, Mr. George Evans Sr. spoke on behalf of his son. He stated that there was an insurance claim on the cotton. The letter he received from the insurance agency stated that the cotton stalks not be destroyed unless permission from them was granted. Once the claim was settled, it was too wet to destroy the stalks.

Mr. Bordelon recommended that a civil penalty of \$22,500.00 be imposed, based on the percentage of acres that were not destroyed. \$18,253.00 of the recommended fine would be suspended on the condition that no further violations of the Boll Weevil Eradication Law or Regulations are committed through December 31, 2020. The remaining \$4,247.00 of the fine would be payable within 30 days after the mailing of the Commissioner's final decision in the matter.

Motion: Mr. Guthrie made a motion to accept Mr. Bordelon's recommended fine. Mr. Sayes seconded the motion. Motion passed.

REQUEST FOR WAIVERS OF MAINTENANCE FEES

Frith Farms Partnership – Mr. John David Frith submitted a letter to the commission requesting a waiver on maintenance fees he paid on 132.95 acres of cotton that failed due to excessive rainfall. Mr. Frith also submitted Farm Service Agency (FSA) maps and FSA form 578 detailing the fields that were affected. Mr. John Dumas informed the commission that no work had been done on the fields in question before they were damaged.

Motion: A motion to refund 100% of maintenance fees paid on failed acres due to the excessive rainfall was made by Mr. Sayes. Mr. Guthrie seconded the motion. Motion passed.

OLD BUSINESS

Mr. Bordelon updated the commission on fees from prior years that remain unpaid. From the 2015 crop year, \$35,885.88 remains at the Attorney General's office to be collected. From the 2016 crop year, \$7,596.26 remains at the Attorney General's office to be collected. At the end of fiscal year 2016, \$131,018.33 was deposited into the emergency fund, bringing the total in that fund to \$896,633.33.

In 2016, Arkansas required a compliance agreement from all the cotton gins if they were hauling cotton seed to Arkansas. The 2016 agreement was carried on to 2017.

NEW BUSINESS

Update from the Director

Mr. Bordelon reported to the commission that there were four letters of non-compliance sent to producers that had a small percentage of stalks left. For the 2017 crop year, \$1,054,204.14 in maintenance fees were collected. 27 producers have not paid their fees and have been turned over to the Attorney General's office for collection. The amount to be collected is \$88,109.

The maintenance fees for the 2018 crop year will remain at \$5.00/acre.

A copy of the La. Board of Ethics Advisory Opinion (No. 2017-423) stating that the Boll Weevil Eradication Commission members were exempt from filing yearly financial disclosure statements was handed out to the commission for their records.

The trapping protocol for the 2018 crop year will remain at one trap per 500 acres.

The Standard Operating Procedures (SOP) for the 2018 crop year were addressed.

Technical Advisory Committee

Dr. Dan Fromme reported that the Technical Advisory Committee met in February and approved of the SOP.

Report from the Commissioner

Mr. Rayburn gave an update on the current legislative session at the capitol.

Farm Bureau Oversight Committee Report

Mr. Brian Breaux stated that each producer that he polled continues to be pleased with the Boll Weevil Eradication program.

PUBLIC COMMENT

There was no public comment.

ADJOURN

Motion: A motion to adjourn was made by Mr. Herring. Mr. Rayburn seconded the motion. Motion passed.

Mr. Dailey adjourned the meeting at 11:00am.