

LOUISIANA BOLL WEEVIL ERADICATION COMMISSION

March 26, 2021

9:00 a.m.

VIA ZOOM

Scott Research and Extension Center

212 Macon Ridge Road

Winnsboro, LA 71295

Minutes

Before the meeting was called to order, all Boll Weevil Eradication Commission Members present were sworn in.

CALL TO ORDER

The meeting was called to order by Mr. Jack Dailey at 9:06 a.m.

ROLL CALL

The roll was called by Tonya Peairs.

Members present: Jack Dailey, Tim White, Dustin Morris, Heath Herring, Ben Guthrie, Dr. Ansel Rankins (representing Commissioner Strain), Dr. Michael Salassi (representing Dr. Richardson), and Hank Jones. Alternate members present: Stephen Logan and Luke Sayes.

Members absent: None

A quorum was present.

Others present: Marc Bordelon, Kurt Moreau, Brian Breaux, Mike Turner, Bobby Skeen, Tina Peltier, Amy McInnis (LDAF Legal Counsel), Jeffrey Wale (Hearing Officer), Drew Lefler, Henry Davison, and George Max Evans Jr.

PUBLIC COMMENT

There were no public comments.

ELECTION OF OFFICERS

Motion: Mr. White made a motion to nominate Mr. Dailey as the Boll Weevil Eradication Commission Chair. Mr. Guthrie seconded the motion. Motion passed.

Motion: Mr. Dailey made a motion to nominate Mr. White as the Boll Weevil Eradication Commission Vice Chair. Mr. Guthrie seconded the motion. Motion passed.

APPROVAL OF MINUTES

Motion: Mr. Herring made a motion to approve the minutes from the January 15, 2021 Zoom meeting. Mr. Morris seconded the motion. Motion passed.

APPOINTMENT OF DIRECTOR

Motion: Dr. Rankins made a motion to appoint Mr. Bordelon as Director of the Boll Weevil Eradication Program. Mr. White seconded the motion. Motion passed.

ADJUDICATORY HEARING

Scopena Lefler Farms – Case #21BW01

Mr. Lefler was present and stipulated to 30 violations of LAC 7:XV.323 (B), which requires the destruction of cotton stalks on or before December 31 of the crop year. Mrs. McInnis entered into evidence the charge letter and stipulation as LDAF 1 and LDAF 2, respectively with no objections from the board members or Mr. Lefler.

Mr. Bordelon recommended a civil penalty of \$22,500.00 be imposed with \$17,210.00 of the fine be suspended on the condition that no further violations of the Boll Weevil Eradication Law, Rules or Regulations are committed through December 31, 2023. The remaining \$5,290.00 of the penalty will become payable within 30 days after written receipt of the Findings of Fact and Conclusions of Law unless a suitable payment arrangement has been made.

Mr. Lefler, speaking on his own behalf, cited poor weather conditions as the reason for not destroying his stalks before the December 31st deadline. Mr. Lefler also stated that he accepted the penalty that Mr. Bordelon recommended.

Motion: Mr. Dailey made a motion to adopt Mr. Bordelon's recommendation. Mr. White seconded the motion. Motion passed.

Henry Davison – Case #21BW02

Mr. Davison was present and stipulated to 30 violations of LAC 7:XV.323 (B), which requires the destruction of cotton stalks on or before December 31 of the crop year. Mrs. McInnis entered into evidence the charge letter and stipulation as LDAF 1 and LDAF 2, respectively with no objections from Mr. Davison.

Motion: Mr. Dailey made a motion to accept the stipulation as presented. Mr. Herring seconded the motion. Motion passed.

Mr. Bordelon recommended a civil penalty of \$22,500.00 be imposed with \$22,000.00 of the fine be suspended on the condition that no further violations of the Boll Weevil Eradication Law, Rules or Regulations are committed through December 31, 2023. The remaining \$500.00 of the penalty will become due and payable within 30 days after written receipt of the Findings of Fact and Conclusions of Law unless a suitable payment arrangement has been made.

Motion: Mr. White made a motion to adopt Mr. Bordelon's recommendation. Dr. Rankins seconded the motion. Motion passed.

George Max Evans Jr. – Case #18BW01

Mr. Evans was present on the Zoom Conference. Mrs. McInnis explained that Mr. Evans' case was being brought forth as a failure to pay a penalty previously imposed by this Commission in March 2018. She presented evidence as to procedural attempts to collect the penalty, which was all admitted without objection. Mr. Bordelon had no recommendation as to additional penalties regarding non-payment of the previously imposed penalty.

Mr. Evans informed the commission that the payment was sent and presented the tracking number and receipt from the cashier's check mailed to the department as evidence.

Motion: Mr. Morris made a motion to take no further action on this case if the cashier's check is received by close of business on March 29, 2021. If not received by that date, the full amount of \$22,500.00 will become due and payable. Mr. Morris amended his motion to include if any further violations occur within 3 years, the full penalty will become due and payable. Dr. Rankins seconded the original and amended motion. Motion passed.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Report from the Commissioner

Dr. Rankins thanked the board members for their service on the commission and informed them of the two upcoming unwanted pesticide pickup locations, dates and times.

Update from the Director

There was no update from the Director.

Technical Advisory Committee

There was no update from the Technical Advisory Committee.

Farm Bureau Oversight Committee Report

Mr. Breaux stated that cotton producers continue to support the work of the Boll Weevil Eradication program statewide and strongly support stalk destruction.

PUBLIC COMMENT

There was no public comment.

ADJOURN

Motion: A motion to adjourn was made by Mr. White. Mr. Morris seconded the motion. Motion passed. Mr. Dailey adjourned the meeting at 10:37 am.