

## HORTICULTURE COMMISSION MEETING

February 29, 2024

9:30 a.m.

Veterans' Memorial Auditorium

5825 Florida Boulevard

Baton Rouge, LA 70806

### **CALL TO ORDER**

The hearing was called to order by Mr. Todd Parker at 9:30 a.m.

### **ROLL CALL**

The roll was called by Mrs. Tiara Davis

Members present: Rob Barry, Cole Sims, George Bofinger, Mitch Mayes, Dan Johnson, Rusty Ruckstuhl, Gary Bullock, Todd Parker, Dr. Ansel Rankins, Dr. Ed Bush.

A quorum was present.

Others present: Assistant Attorney General Alicia Wheeler, Hearing Officer; Lebra Bias, LDAF Legal Counsel; Tina Peltier, LDAF; Marsha Dugas, LDAF; and Tiara Davis, LDAF.

### **PUBLIC COMMENTS**

There were no public comments.

### **APPROVAL OF MINUTES**

**Motion:** Mr. Cole Sims made a motion to approve the minutes from the October 4, 2023, hearing. This motion was seconded by Mr. Rusty Ruckstuhl and passed unanimously.

### **SET NEXT HEARING DATE**

The next Horticulture Commission meeting will be July 18, 2024, at 9:30 a.m. in the Veterans' Memorial Auditorium.

### **REINSTATEMENT REQUEST**

Mrs. Tejuana D. McGowin requested to have her retail florist license reinstated.

**Motion:** Mr. Todd Parker made a motion to allow reinstatement of Mrs. McGowin's license.

This motion was seconded by Mr. Mitch Mayes and passed unanimously.

Mr. Matthew W. Faust requested to have his landscape architect and landscape horticulturist licenses reinstated.

**Motion:** Mr. Rusty Ruckstuhl made a motion to allow reinstatement of Mr. Garner's licenses.

This motion was seconded by Mr. Cole Sims and passed unanimously.

### **OLD BUSINESS**

There was no old business.

At 9:45 a.m. the meeting was turned over to the hearing officer,

**ADJUDICATORY HEARING**  
**CONTESTED CASES**

**Lonnie Paul**

d/b/a Top Notch Tree Service  
7 Castor Lane  
Lena, LA 71447

**Case No. 24-HORT-006**

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

Mr. Paul was not present, but the department proceeded because service was effected.

**Motion:** Mr. Dan Johnson made a motion to find Mr. Paul in violation.

This motion was seconded by Dr. Ansel Rankins and passed unanimously.

The department recommended a penalty of \$1,000 per violation for a total fine of \$ 1,000.

**Motion:** Mr. Dan Johnson made a motion to accept the recommended penalty.

This motion was seconded by Dr. Ansel Rankins and passed unanimously.

**STIPULATED CASES**

**Daniel Garcia**

d/b/a Garcia Tree Services  
8424 S. Essen Heights Ct  
Baton Rouge, LA 70809

**Case No. 24-HORT-004**

Three violations of La. R.S. 3:3804(C) for advertising, engaging, and soliciting in a regulated profession (arborist) without a proper license. Two violations of L.a R.S. 3:3810A (2) for violating a written stop order in a regulated profession (arborist) without a proper license.

The stipulation was presented by Ms. Lebra Bias.

Respondent admits to the violations and agrees to pay the penalty of \$ 2,500.

**Motion:** Mr. Mitch Mayes made a motion to accept the stipulation and penalty.

This motion was seconded by Mr. Cole Sims and passed unanimously.

**Thomas Hoeflinger**

d/b/a Quality Outdoor Landscape and Lawncare  
5025 Cutoff Road  
Coushatta, LA 71019

**Case No. 24-HORT-005**

Three violations of La. R.S. 3:3804(C) for advertising, engaging, and soliciting in regulated professions (landscape horticulturist, landscape irrigation contractor) without a proper license. Two violations of L.a R.S. 3:3810A (2) for violating a written stop order in regulated professions (landscape horticulturist, landscape irrigation contractor) without a proper license.

The stipulation was presented by Ms. Lebra Bias.

Respondent admits to the violations and agrees to pay the penalty of \$ 2,500.

**Motion:** Mr. Dan Johnson made a motion to accept the stipulation and penalty.

This motion was seconded by Mr. Mitch Mayes and passed unanimously.

**Samuel Armenio**

D/B/A Armenio Enterprises Tree & Stump Removal  
1803 Lee Street  
Bossier City, LA 71104

**Case No. 24-HORT-007**

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

The stipulation was presented by Ms. Lebra Bias.

Respondent admits to the violations and agrees to pay the penalty of \$ 1,000.

**Motion:** Mr. Todd Parker made a motion to accept the stipulation and penalty.

This motion was seconded by Mr. Rob Barry and passed unanimously.

**NEW BUSINESS**

Mrs. Tina Peltier brought forth before the commission several changes to Title 3 of the Horticulture Regulations. After a brief discussion, the members accepted the changes and requested to move forward with adoption.

**Director's Report:**

**Staffing Updates:** On 11/13/23, Bobbee Jones joined our Horticulture staff as an Administrative Assistant 3. She is tasked with handling the nursery stock dealer, cut flower dealer and apiary permits along with nursery grower certificates. We currently have one vacancy which is the position that handles the LDAF main phone lines and collection of fee payments for AES.

Macy Vizer, an inspector in the Baton Rouge district was promoted to Supervisor in September. Bryan Bridges, Alexandria District Manager, retired on January 22, 2024, after 32 years of service to LDAF. Daniel McFarland, the district supervisor, is currently performing the manager's duties until a replacement is found. Lyndon Leonards, Baton Rouge District Manager, accepted a promotion in February. He is now the Administrative Program Coordinator for Pesticide Registration. Macy is performing the manger duties until a replacement can be found.

LDAF will be hosting the Horticulture Inspection Society-Southern Chapter annual meeting at the end of September in Lafayette. The Southern Chapter consists of state employees from the 14 states that are members of the Southern Plant Board. Approximately 45-50 inspectors from these states will be in attendance.

**P. ramorum update:** The fall compliance inspection was performed at the positive P. ramorum nursery in north Louisiana on October 27, 2023. A total of 319 tissue samples and 8 water baiting samples were taken during the inspection. There were 17 ELISA positive tissue samples and 4 ELISA positive water baiting samples. All samples were reported negative for P. ramorum by Michigan State University. A fall inspection was also performed at the positive retail location located in Baton Rouge on November 7<sup>th</sup>. No samples were taken.

**Beekeeping grant:** The five schools participating in the Beekeeping Apprenticeship program had a difficult summer due to the heat and drought. Many of the bees did not survive. Mark is working on the final budget and there should be some funds left to purchase additional bees for the schools. The grant will end in September of 2024.

**CAPS:** The National CAPS Committee annual meeting was held the last week of January at the LDAF main headquarters in Baton Rouge. There were approximately 23 attendees at the two-day meeting. SPRO, SPHD, and state survey coordinator representatives from the southern, central, western, and eastern plant board regions were in attendance as well as PPQ employees. The purpose of this 2-day meeting is to bring together National CAPS Committee (NCC) members, share program information and updates, revisiting what makes a priority pest and strategies to maintain the priority pest list, and to make program decisions accordingly. The meeting ended with a tour at the Burden Garden Center on Essen Lane.

The Solanaceous, Citrus Commodity, Sudden Oak Death and Forest Pests surveys will be performed again in 2024.

### **PUBLIC COMMENTS**

There were no public comments.

### **ADJOURNMENT**

**Motion:** Dr. Ansel Rankins made a motion to adjourn at 10: 55 a.m.

This motion was seconded by Mr. Mitch Mayes and passed unanimously.