HORTICULTURE COMMISSION MEETING
July 18, 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 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, Rebekah O'Quin, Rusty Ruckstuhl, Todd Parker, Dr. Ansel Rankins.

A quorum was present.

Others present: Assistant Attorney General Terrel Kent, Hearing Officer; Angela Jackson, 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. Sims made a motion to approve the minutes from the February 29, 2024, meeting. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be November 21, 2024, at 9:30 a.m. in the Veterans' Memorial Auditorium.

REINSTATEMENT REQUEST

Douglas Bienvenu requested to have his arborist license reinstated.
Motion: Dr. Rankins made a motion to allow reinstatement of Mr. Bienvenu's arborist license pending completion of a CEU course. This motion was seconded by Mr. Mayes and passed unanimously.

OLD BUSINESS

There was no old business

At 9:43 a.m. the meeting was turned over to the hearing officer, Ms. Kent.

ADJUDICATORY HEARING

CONTESTED CASES

Raphael Brown **Case No. 23-HORT-008**
d/b/a Mr. Reliable Lawncare and Mr. Reliable Groundworks
48 Sawgrass Drive
LaPlace, LA 70068

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

Mr. Brown was not present, but the department proceeded because service was effected.
Motion: Mr. Parker made a motion to find Mr. Brown in violation.
This motion was seconded by Mr. Ruckstuhl and passed unanimously.
The department recommended a penalty of $1,000.00 per violation for a total fine of $1,000.00.
Motion: Mr. Mayes made a motion to accept the recommended penalty.
This motion was seconded by Mr. Parker and passed unanimously.

STIPULATED CASES

Jonathan Roy Futrell **Case No. 24-HORT-003**
d/b/a J & C Tree Service
1005 Donaldson Road
Dry Prong, LA 71423

Two violations of La. R.S. 3:3804(C) for advertising and engaging in a regulated profession (arborist) without a proper license. One violation of La. 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. Jackson.
Respondent admits to the violations and agrees to pay the penalty of $1,500.00
Motion: Mr. Parker made a motion to accept the stipulation and penalty.
This motion was seconded by Mr. Ruckstuhl and passed unanimously.

NEW BUSINESS

Daryn Bovard, from the Louisiana Arborist Association, brought forth before the commission information about the newly reestablished association. He stated that Act 217 authorizes the Louisiana Arborist Association to offer commission approved Continuing Education training and participation in the examination process for arborists and utility arborists.

Ms. Jackson brought forth before the commission, Act 393 of the 2023 Regular Session, which provides exceptions to the Open Meetings Law and provides limited circumstances that would allow certain public bodies to conduct virtual meetings. The Act also requires public bodies to facilitate virtual participation in open meetings by persons with ADA-recognized disabilities.

Director's Report:

Staffing Updates: In March of 2024, Daniel McFarland was promoted to manager of the Alexandria district office. He formerly held the supervisor position for many years. Also in March, Angela Jackson joined our legal team and is serving as the staff attorney for AES. In April, Joey Smith was promoted to the Baton Rouge District manager position. Joey was currently an AES 3 inspector in the Baton Rouge district after spending some time in the Agro Consumer division. In May of 2024, Becky Wilkinson, an inspector in the Alexandria district office, was promoted to Supervisor. Becky is a long-time employee of LDAF and began her career as a field unit supervisor with the Boll Weevil Eradication Program. In June, Faith Woods joined the AES team as a student intern.

In May of 2024, Richard Miller, Brett Laird and I attended the annual meeting of the Southern Plant Board in Lexington, KY. We heard updates from the National Plant Board, USDA, Customs and Border Protection as well as many presentations on pests of concern throughout the southern region.

Our staff is busy planning the Horticulture Inspection Society -Southern Chapter annual meeting that will take place in Baton Rouge in September 2024. The agenda is almost finalized, and a tour of the Burden Museum and Gardens is being planned.

P. ramorum update: The spring compliance inspection was performed at the positive P. ramorum nursery in north Louisiana on April 26, 2024. The required 332 samples were taken and all reported negative.

CAPS: All of our surveys are going well, and we are now submitting suggestions for 2025. We plan to request funding again for Solanaceous, Citrus Commodity, Sudden Oak Death, Forest Pest and the addition of Cotton Seed Bug.

Changes for the Horticulture Commission: Due to the recent legislative changes repealing the requirements for retail florist and wholesale florist, we have lost two of our board members. Gary Bullock, who was the licensed retail florist representative for the Louisiana State Florist's Association and Rick Hill, who represented the licensed wholesale florists. Mr. Gary will be replaced by a floral dealer submitted by the Louisiana State Florist's Association.

I am very appreciative of their dedication to our board for the many years of service and commitment.

PUBLIC COMMENTS

Mr. Ruckstuhl stated that he likes the new monitors for the Horticulture Commission meetings. He stated that this will be more efficient than making numerous copies of the evidence presented at the hearings.

ADJOURNMENT

Motion: Mr. Ruckstuhl made a motion to adjourn at 10:30 a.m.
This motion was seconded by Dr. Rankins and passed unanimously.