

HORTICULTURE COMMISSION MEETING

November 21, 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. Davis

Members present: Rob Barry, Cole Sims, George Bofinger, Mitch Mayes, Rusty Ruckstuhl, Chad Danos, Dan Johnson, 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

Representative Emile "Peppi" Bruneau and Ms. Val Cupit, addressed the commission, concerning a complaint they filed against McKenzie Tree Enterprises, Representative Bruneau asked the commission members to consider charging McKenzie Tree Enterprises with a fine for any violations that may have occurred when arborist work was performed on his and his neighbor's property.

APPROVAL OF MINUTES

Motion: Mr. Ruckstuhl made a motion to approve the minutes from the July 18, 2024, meeting. This motion was seconded by Mr. Bofinger and passed unanimously.

SET NEXT HEARING DATE

The 2025 Horticulture Commission meeting dates will be February 19th, July 17th, and November 20th at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business

At 10:15 a.m. the meeting was turned over to the hearing officer,

ADJUDICATORY HEARING

CONTESTED CASES

Juan Sierra

D/B/A Katy Tree Service
19319 Cactus Rose Drive
Katy, TX., 77449

Case No. 24-HORT-017

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.

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

Motion: Mr. Mayes made a motion to find Mr. Sierra in violation.

This motion was seconded by Mr. Parker and passed unanimously.

The department recommended a penalty of \$500.00 per violation for a total fine of \$1,500.00.

Motion: Mr. Mayes made a motion to accept the recommended penalty.

This motion was seconded by Mr. Danos and passed unanimously.

STIPULATED CASES

Victor Amaya

D/B/A Victor's Tree Service/ Two Brothers Tree Service
17037 Faller Road
Tickfaw, La 70466

Case No. 24-HORT-011

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. Ruckstuhl made a motion to accept the stipulation and penalty.

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

Victor Palacios

D/B/A Palacios Tree Service
14441 FM 14
Tyler, TX 75706

Case No. 24-HORT-016

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. Johnson made a motion to accept the stipulation and penalty.

This motion was seconded by Mr. Ruckstuhl and passed unanimously.

NEW BUSINESS

Dr. Rankins asked the commission for approval to move forward with implementing a new examination platform that consists of exams being offered online and proctored by a third party.

Motion: Mr. Mayes made a motion to approve the new examination platform.

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

Ms. Jackson addressed the commission on new proposed rule changes, specifically Title 49, sections 964 and 977.4 that affect the Horticulture Commission Laws and Regulations.

Director's Report:

Mrs. Peltier gave a staffing update that included the hiring of three new inspectors for the Baton Rouge district and the promotions of two AES Inspectors. An update was given on the status of the CAPS surveys for 2024 including Citrus Commodity, Solanaceous, Sudden Oak Death, and Forest Pest. The 2022 Beekeeping Apprenticeship Project participating school presentations are now available on the LDAF website. The 2024 Apprenticeship for Growing New Beekeepers and Honey Producers is now open for applications. The new grant will focus on growing new beekeepers and honey producers. The fall compliance inspection of the positive *P. ramorum* nursery in north Louisiana was completed on October 18, 2024. All results from the plant and water baiting samples were reported negative.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion: Dr. Rankins made a motion to adjourn at 11:07 a.m.

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