

HORTICULTURE COMMISSION MEETING

September 19, 2019

9:30 a.m.

Veterans' Memorial Auditorium

5825 Florida Boulevard

Baton Rouge, LA 70806

Minutes

CALL TO ORDER

The hearing was called to order by Mr. Bass at 9:35 a.m.

ROLL CALL

The roll was called by Ms. Marchand

Members present: Rob Barry, Fred Bass, Gary Bullock, Chad Danos, Steven Hoover, Jack Hopper, Mitch Mayes, Benjy Rayburn and Cole Sims.

Members absent: Dr. Jeff Beasley, Richard Hill, Rusty Ruckstuhl, Dr. William Richardson and Zefferino Von Kurnatowski.

A quorum was present.

Others present: Alicia Wheeler, Hearing Officer, Amanda LaGroue, LDAF Legal Counsel, Dr. Ansel T. Rankins, Sr., LDAF; Tina Peltier, LDAF, Andrea Marchand, LDAF and Fran Bellington LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Danos made a motion to approve the minutes from the June 6, 2019 hearing. This motion was seconded by Mr. Hopper and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, December 05, 2019 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUESTS

Mr. Michael S. Miller requested reinstatement of his landscape horticulturist license. **Motion:** Mr. Hopper made a motion to allow reinstatement of Mr. Miller's landscape horticulturist license. This motion was seconded by Mr. Rayburn and passed unanimously.

Mr. Glenn Harris requested reinstatement of his landscape architect license. **Motion:** Mr. Danos made a motion to allow reinstatement of Mr. Harris's landscape architect license. This motion was seconded by Mr. Mayes and passed unanimously.

At 9:53 a.m. the meeting was turned over to the hearing officer, Ms. Alicia Wheeler.

ADJUDICATORY HEARING
CONTINUED CASES:

George Crockham
312 McCall Street
Delhi, LA 71232
Case No.: 19-008

Two violation(s) of L.R.S. 3:3804(C) for engaging in a regulated profession (arborist), without a proper license. One violation(s) of L.R.S. 3:3810 A(2) for violating a written stop order dated 01/31/2019.

The case is continued to the next hearing date.

NEW CASES

Kelvin Robins
d/b/a Certified Tree Care/Y.B.S Tree & Landscaping/United Tree Professionals
2602 Tall Timbers Road
Baton Rouge, LA 70816
Case No.: 19-005

Two violation(s) of L.R.S. 3:3804(C) for engaging in a regulated profession (arborist), without a proper license. One violation(s) of L.R.S. 3:3804(C) for soliciting, advertising, and engaging in a regulated profession (arborist and landscape horticulturist), without a proper license. Two violation(s) of L.R.S. 3:3804(C) for soliciting, advertising, and engaging in a regulated profession (arborist), without a proper license. Four violation(s) of L.R.S. 3:3810 A(2) for violating a written stop order dated 01/28/2019.

The case is continued to the next hearing date.

Scott Gros
d/b/a G & S Engineering
545 Beauchene Drive
Mandeville, LA 70471
Case No.: 19-009

One violation(s) of L.R.S. 3:3804(C) for soliciting, advertising, and engaging in a regulated profession (landscape architect), without a proper license. One violation(s) of L.R.S. 3:3810 A(3) for performing a fraudulent practice while engaged in a regulated profession.

The case is continued to the next hearing date at the request of Mr. Gros' attorney.

Derek Ancalade
d/b/a Big Easy landscaping & Property Management
2214 Tidewater Drive
Slidell, LA 70458
Case No.: 19-013

One violation(s) of L.R.S. 3:3804(C) for soliciting, advertising, and engaging in a regulated profession (arborist and irrigation contractor) without a proper license. Four violation(s) of L.R.S. 3:3810 A(2) for violating a written stop order dated 05/21/2018. One violation(s) of L.R.S. 3:3804(C) for advertising in a regulated profession (landscape horticulturist) without a proper license. One violation(s) of L.R.S. 3:3804(C) for advertising in a regulated profession (landscape architect, landscape horticulturist and irrigation contractor)

without a proper license. One violation(s) of L.R.S. 3:3804(C) for advertising and soliciting in a regulated profession (landscape horticulturist) without a proper license.

Continued to the next hearing date because service was not effected.

Michael Talen
2809 Ingrid Lane
Metairie, LA 70003
Case No.: 19-010

One violation(s) of L.R.S. 3:3804(C) for soliciting and engaging in a regulated profession (landscape horticulturist and irrigation contractor) without a proper license. One violation(s) of L.R.S. 3:3810 A(4) for forging a license issued by the Louisiana Horticulture Commission.

Stipulation received. The department recommended a penalty of \$500 per violation for a total fine of \$1,000. **Motion:** Mr. Hoover made a motion to accept the stipulation and the recommended penalty. This motion was seconded by Mr. Danos and passed unanimously.

Tony Robins
d/b/a Toro Tree Experts
15242 Riverdale Avenue
Baton Rouge, LA 70816
Case No.: 19-011

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

Mr. Robins was present and admitted to all charges. **Motion:** Mr. Rayburn made a motion to accept Mr. Robins admission of guilt and the departments charges as read into the record. This motion was seconded by Mr. Mayes and passed unanimously. The department recommended a penalty of \$500 per violation for a total fine of \$1,500. **Motion:** Mr. Mayes recommended a penalty of \$200 per violation for a total fine of \$600. This motion was seconded by Mr. Hopper and passed unanimously.

At 10:15 a.m. the hearing officer requested a 10 minute recess. The commission reconvened at 10:23 a.m. and a quorum was present.

TuJack Hoover
d/b/a Hoover Tree Experts
3776 Tulane Drive
Kenner, LA 70065
Case.: 19-012

One violation(s) of L.R.S. 3:3804(C) for soliciting, advertising, and engaging in a regulated profession (arborist and irrigation contractor), without a proper license. One violation(s) of L.R.S. 3:3804(C) for advertising in a regulated profession (arborist) without a proper license. One violation(s) of L.R.S. 3:3810 A(2) for violating a written notice of non-compliance in a regulated profession (arborist) without a proper license. One violation(s) of L.R.S. 3:3804(C) for soliciting in a regulated profession (arborist) without a proper license.

Mr. Hoover was not present but the department proceeded because service was effected. **Motion:** Mr. Hopper made a motion to find Mr. Hoover in violation. This motion was seconded by Mr. Mayes and passed unanimously. The department recommended a penalty of \$500 per violation for a total fine of \$2,000. **Motion:** Mr. Hoover made a motion to accept the recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

The meeting was turned back over to Mr. Bass at 11:02 a.m.

NEW BUSINESS

Director's Report:

Dr. Rankins introduced new inspectors from the Opelousas district: Ryan Hackett, Breana Porche, David Hinton and Travis Huval; Jason Anderson from our Baton Rouge district; our manager in the New Orleans office, Milton Schleisman, as well as Rose Broggi.

Dr. Rankins also introduced Kristen Hoffman who joined our Horticulture team August 26, 2019. Kristen replaced Andrea Marchand (Andie) in our licensing section and Andrea has replaced Christie Lane as Administrative Assistant IV to Ms. Peltier. We will miss Christie and we are very pleased to welcome Kristen to our team!

In West Baton Rouge parish, Lethal Bronzing Disease was confirmed from a sample taken by an extension agent with the LSU Ag Center. This is a bacterial disease that affects Louisiana host palms; the date palm, Chinese windmill palm and the queen palm plants and is transmitted by a leafhopper. To date, the palm disease has been found in East Baton Rouge, West Baton Rouge, Orleans, Jefferson and St. Bernard parishes.

Citrus Canker was confirmed in Livingston parish on July 24th and a survey is being conducted and samples are being taken to determine the extent of any infestation.

The HLB tree removal program is ongoing in Orleans, Jefferson, St. Bernard and Plaquemines parishes. This project is being funded by awarded funds to LDAF from PPA 7721 cooperative agreement.

All professional horticultural licensing exams are now administered on computers. The exam fee remains \$114.00 per exam. The exams are offered at our seven district offices statewide. The transition from paper exam to computer-based exams will provide efficiency to our exam administration process. Applicants will receive their scores immediately following their exam, which will expedite the licensing process.

Tina Peltier, Assistant Director of Horticulture will be attending the CLARB meetings in Missouri next week. This annual meeting provides states an opportunity to discuss matters related to landscape architecture with other state regulatory boards/agencies nationwide.

Rule change requests:

SOD Classification Form/Exam

Motion: Mr. Sims made a motion to adopt the resolution to move forward with the Notice of Intent to amend the rules and regulations regarding the requirement of a SOD classification form and to add regulations regarding cheating during an examination. This motion was seconded by Mr. Hoover and passed unanimously.

Landscape Architect Exam Revision

Motion: Mr. Danos made a motion to move forward with the computer-based exam questions for the Louisiana landscape architect examination. This motion was seconded by Mr. Hopper and passed unanimously.

PUBLIC COMMENTS

Nichole Lefebvre of Louisiana Keepsake Roses is a retail florist and she requested that the Horticulture Commission make a special classification and regulations for “live preserved” roses. These roses are preserved by a glycerin process. These roses are not “fresh” nor are they considered to be “dried” flowers. The roses currently are imported and sold by Ms. Lefebvre. **Motion:** Mr. Danos made a motion to move forward with research into this type of flower process. This motion was seconded by Mr. Mayes and passed unanimously.

ADJOURNMENT

Motion: Mr. Sims made a motion to adjourn at 12:06 p.m. This motion was seconded by Mr. Hoover and passed unanimously.