

HORTICULTURE COMMISSION MEETING

December 13, 2012

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 9:36 a.m.

ROLL CALL

The roll was called by Mrs. Bellington.

Members present: Fred Bass, Todd Parker, Dr. Allen Owings, Stephen Hoover, Rob Barry, Mitch Mayes, Zefferino Von Kurnatowski, Rusty Ruckstuhl, Harold Tani, Chad Danos and Jack Hopper.

Members absent: Aaron Wade.

A quorum was present.

Others present: Lindsey Hunter, Hearing Officer; Murphy Bell, Commission's Attorney; Tad Hardy, LDAF; Ansel Rankins, LDAF; Kadee Bonvillain, LDAF; and Fran Bellington, LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Ruckstuhl made a motion to approve the minutes from the September 27, 2012 hearing. This motion was seconded by Mr. Hoover and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, March 28, 2013 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUEST

There were no reinstatement requests.

At 9:39 a.m. the meeting was turned over to the hearing officer.

ADJUDICATORY HEARING

CONTINUED CASES

Suzanne Rudiger

2014 Clearview Pkwy.

Metairie, LA 70001

Case No.: 12-005

Five violations of L.R.S. 3:3808 (B) (2) for advertising and engaging in a regulated profession (retail florist) without a licensed regular employee. One violation of LAC 7XXIX 115(A) (2) for violation of a stop order.

Stipulation received. Penalty of \$1,500.00 was paid. Harold Tani recused himself from this case and did not vote on the motion. **Motion:** Mr. Parker made a motion to accept the stipulation and penalty. This motion was seconded by Mr. Barry and passed unanimously.

NEW CASES

Russell Alexis
d/b/a Russell's Demolition Service
812 Chevis Street
Abbeville, LA 70510

Case No.: 12-006

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

Stipulation received. **Motion:** Mr. Danos made a motion to accept the stipulation. This motion was seconded by Mr. Von Kurnatowski and passed unanimously. Recommended penalty of \$250.00. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Parker and passed unanimously.

Joe Fecher
d/b/a South Beach Palms, LLC
209 Corinth Drive
Bay St. Louis, MS 39520

Case No.: 12-007

Two violations of L.R.S. 3:3804 (C) for advertising in a regulated profession (landscape horticulturist) without the proper license and one violation of L.R.S. 3:3810 (A) (2) for violating a cease and desist order.

Mr. Fecher was not present but the department proceeded because service was effected. **Motion:** Mr. Ruckstuhl made a motion to find Mr. Fecher in violation. This motion was seconded by Mr. Hopper and passed unanimously. Recommended penalty of \$250.00 per violation for a total fine of \$750.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Von Kurnatowski and passed unanimously.

The meeting was turned back over to Mr. Bass at 9:59 a.m.

NEW BUSINESS

Landscape Architect meeting update

Mr. Rankins met this week with the Executive Committee of the Louisiana Chapter of ASLA to go over the proposed amendments to the Louisiana Horticulture Laws relating to the Landscape Architect exam. Mr. Rankins asked for endorsement from the Commission to move forward

with the proposed amendments as a result of the meeting. **Motion:** Mr. Parker made a motion to endorse the efforts and move forward with the changes to the Landscape Architect exam and changes to the Horticulture Law. This motion was seconded by Mr. Hopper and passed unanimously.

H & Q update

Mr. Hardy gave the following updates:

Citrus Commodity Survey – this is an annual survey funded with federal Farm Bill money. Citrus Greening samples analyzed to date: 232 leaf samples, 18 psyllid samples. All were negative. Also, one additional parish (St. Bernard) has been added to the psyllid-positive list, bringing Louisiana’s total Asian citrus psyllid-positive parishes to 10.

Sudden Oak Death Survey – To date, LDAF has had 79 leaf samples and 44 water bait samples analyzed for SOD. All were negative. Leaf samples collected from nursery growers, sellers and landscapers. Water bait samples collected from nursery catch ponds.

The department will host Southern Plant Board in April 2013. SPB is a nonprofit organization comprised of plant pest regulatory agencies in southern states. The organization fosters uniformity of plant health programs among states and acts as a clearinghouse on plant pest prevention and regulatory matters.

LDAF inspector training on Basic Irrigation Contractor training is in the planning stages for Spring 2013.

GSHE Show (Gulf States Horticulture Expo) – LDAF will have a booth for the second year in a row.

Mr. Hardy introduced Ms. Kadee Bonvillain, new employee in Horticulture & Quarantine, who will be working mainly as Mr. Rankins Administrative Assistant.

PUBLIC COMMENTS

There were no public comments but Mr. Bass took a moment to thank the staff and the Commission members for the job that they do. The Commission asked the staff to look into CEU’s for Landscape Horticulturists and get back with them at the next meeting. Dr. Owings and Mr. Von Kurnatowski will work with Mr. Rankins on this.

ADJOURNMENT

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