

HORTICULTURE COMMISSION MEETING

June 6, 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 9:45 a.m.

ROLL CALL

The roll was called by Mrs. Bellington.

Members present: Zefferino Von Kurnatowski, Dr. Jeff Beasley, Rob Barry, Fred Bass, Chad Danos, Steven Hoover, Jack Hopper, Benjy Rayburn, Rusty Ruckstuhl, and Cole Sims.

Members absent: Mitch Mayes, Richard Hill and Gary Bullock.

A quorum was present.

Others in attendance: Jeffrey Wale, Hearing Officer; Amanda LaGroue, LDAF Legal Counsel; Tina Peltier, LDAF; Dr. Ansel Rankins, LDAF; Kim Thomas, 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 March 13, 2019 meeting. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, September 19, 2019 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

None.

REINSTATEMENTS

Mrs. Melanie Cleland requested to have her retail florist license renewed. **Motion:** Mr. Sims made a motion to allow reinstatement of Mrs. Cleland's retail florist license. This motion was seconded by Mr. Rayburn and passed unanimously.

At 9:54 a.m. the meeting was turned over to the hearing officer, Jeffrey Wale.

ADJUDICATORY HEARING

CONTINUED CASES

Gerald Brecheen
d/b/a Gerald's Tree Care
9673 Florida Blvd
Walker, LA 70785

Case No.: 18-010

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

without a proper license. One violation of L.R.S 3:3810 (A) (2) for violating a written stop order dated May 21, 2018. One violation of L.R.S 3:3810 (A) (2) for violating a written stop order dated September 11, 2018.

Mr. Brecheen was present. **Motion:** Mr. Hopper made a motion to find Mr. Brecheen in violation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. The department recommended a penalty of \$1,500 per violation for a total fine of \$7,500. **Motion:** Mr. Von Kurnatowski made a motion to accept the recommended penalty. This motion was seconded by Mr. Rayburn and passed unanimously.

Ronnie Hilliard
10159 Pine Orchard Road
Shreveport, LA 71129

Case No.: 19-003

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

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

Alton Dillon
41208 Hwy 190 E
Slidell, LA 70461

Case No.: 19-004

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

Mr. Dillon was not present but the department proceeded because service was effected. **Motion:** Mr. Hoover made a motion to find Mr. Dillon in violation. This motion was seconded by Mr. Danos and passed unanimously. The department recommended a penalty of \$1,500. **Motion:** Mr. Hoover made a motion to accept the recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

Bradley Diaz
d/b/a Louisiana's Own Landscaping Co.
800 Crystal Street
New Orleans, LA 70124

Case No.: 19-001

One violation of L.R.S. 3:3804 (C) for advertising and soliciting in a regulated profession (arborist) without a proper license. One violation of L.R.S. 3:3804 (C) for advertising in a regulated profession (landscape horticulturist) without a proper license. One violation of L.R.S. 3:3804 (C) for advertising in a regulated profession (landscape horticulturist, arborist, and landscape irrigation contractor) without a proper license. Two violations of L.R.S. 3:3810 (A) (2) for violating a written stop order dated March 15, 2018.

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

Mr. Hoover made a motion to accept the recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

NEW CASES

George Crockham
312 McCall Street
Delhi, LA 71232

Case No.: 19-008

Two violations of L.R.S. 3:3804 (C) for engaging in a regulated profession (arborist) without a proper license. One violation of L.R.S. 3:3810 (A) (2) for violating a written stop order dated September 8, 2018.

Continued to the next hearing date.

Todd Marcel
d/b/a T.O.'s Lawn and Landscaping
1609 Engineers Road
Belle Chasse, LA 70037

Case No.: 19-006

Two violations of L.R.S. 3:3804 (C) for advertising in a regulated profession (landscape architect and landscape irrigation contractor) without a proper license. One violation of L.R.S. 3:3810 (A) (2) for violating a written stop order dated June 6, 2017.

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

Ross Couvillion
d/b/a Couvillion's Landscapes
502 Doctor Gorman Drive
Belle Chasse, LA 70037

Case No.: 19-007

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

Mr. Couvillion was not present but the department proceeded because service was effected. **Motion:** Mr. Ruckstuhl made a motion to find Mr. Couvillion in violation. This motion was seconded by Mr. Sims and passed unanimously. The department recommended a penalty of \$1,000. **Motion:** Mr. Rayburn made a motion to accept the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

The meeting was turned back over to Mr. Bass at 11:44 a.m.

NEW BUSINESS

Director's Report:

Dr. Rankins gave the Director's Report.

An APHIS-approved facility belonging to a citrus nursery stock grower in Plaquemines parish that was placed under stop order, due to citrus canker detection inside the facility, has been released from state/federal stop order and can resume intrastate and interstate shipments. The facility was released from stop order on May 23, 2019 and underwent disinfection treatment under federal oversight.

Lethal Yellowing of Palms (a phytoplasmal disease) was confirmed in Jefferson parish (Harvey) on March 27, 2019 from a Sylvester Palm sample that was collected by an extension agent with the LSU AgCenter. To date, the palm disease has been found throughout East Baton Rouge parish and now Jefferson parish. LDAF New Orleans district inspectors are currently surveying near the positive detection in Jefferson parish.

All Federal/State cooperative agreements for plant pest survey activity have been awarded. Current survey activities include Phytophthora ramorum, Citrus, and Solanaceous.

Kim Thomas joined our Horticulture team on May 6, 2019. Kim replaced Marissa Marquez, who replaced Faye Worsham due to retirement. Kim will handle all of the permit work in our office, including cut flower, nursery grower and nursery stock dealer permits as well as honey bee registration and other routine duties. We are pleased to have Kim with us!

The Horticulture & Quarantine Division is currently seeking to fill two vacant administrative assistant positions. One previously held by Chassitty Williams and the other held by Christie Lane.

Dr. Rankins, Director of the Horticulture & Quarantine Division will be attending the National Plant Board meetings in Montana in August, 2019. This annual meeting provides states an opportunity to discuss agricultural issues, regulations, policies, and plant pest issues with federal counterparts and other states nationwide.

PUBLIC COMMENTS

There were no public comments but Mr. Bass took a moment to thank everyone for the good job that they do. Mr. Sims took a moment to congratulate Dr. Rankins on obtaining his Ph.D.

ADJOURNMENT

Motion: Mr. Danos made a motion to adjourn at 11:52 a.m. This motion was seconded by Mr. Hopper and passed unanimously.