

HORTICULTURE COMMISSION MEETING

September 6, 2018

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 9:33 a.m.

**ROLL CALL**

The roll was called by Mrs. Lane

Members present: Rob Barry, Fred Bass, Gary Bullock, Chad Danos, Steve Hoover, Jeff Beasley representing Dr. William Richardson, Benjy Rayburn, Rusty Ruckstuhl, Cole Sims, and Zefferino Von Kurnatowski.

A quorum was present.

Others present: Michael Heier, Hearing Officer; Amy McInnis, LDAF Legal Counsel; Ansel Rankins, LDAF; Tina Peltier, LDAF; and Christie Lane, LDAF

**PUBLIC COMMENTS**

There were no public comments.

**APPROVAL OF MINUTES**

**Motion:** Mr. Ruckstuhl made a motion to approve the minutes from the June 22, 2018 hearing. This motion was seconded by Mr. Von Kurnatowski and passed unanimously.

**SET NEXT HEARING DATE**

The next Horticulture Commission meeting will be Thursday, December 6, 2018 at 9:30 a.m. in the Veterans' Memorial Auditorium.

**OLD BUSINESS**

There was no old business.

At 9:35 a.m. the meeting was turned over to the hearing officer, Mr. Michael Heier.

**ADJUDICATORY HEARING**

**CONTINUED CASES**

Chasity Touchet

9023 Old Hermitage

Baton Rouge, LA 70810

Case No.: 17-011

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

This case was continued to the next hearing date.

Daniel Littlejohn

9023 Old Hermitage

Baton Rouge, LA 70810

Case No.: 17-011

Two violations 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. 3:3804 (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 issued 6/1/16.

This case was continued to the next hearing date.

Matt Grayson  
d/b/a Grassmasters  
PO Box 795  
Broussard, LA 70518  
Case No.: 18-006

One violation of 3:3804(C) for advertising in a regulated profession (landscape horticulturist and arborist) on a vehicle without a proper license. Two violations of 3:3804(C) for advertising in a regulated profession (arborist) on Facebook without a proper license. One violation of 3:3804(C) for advertising in a regulated profession (arborist and landscape irrigation contractor) on grassmastersla.com without a proper license. Three violations of 3:3810A(2) for violating a written notice of non-compliance issued May 19, 2017.

Mr. Grayson was not present but the department proceeded because service was effected. **Motion:** Mr. Mayes made a motion to find Mr. Grayson in violation. This motion was seconded by Mr. Sims and passed unanimously. The department recommended a penalty of \$500.00 per violation for a total fine of \$3,500.00. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Von Kurnatowski and passed unanimously.

#### **NEW CASES**

Derek Ancalade  
d/b/a Preauxscapes  
423 Tidewater Drive  
Slidell, LA 70458  
Case No.: 18-008

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

Mr. Ancalade was not present but the department proceeded because service was effected. **Motion:** Mr. Ruckstuhl made a motion to find Mr. Ancalade in violation. This motion was seconded by Mr. Danos and passed unanimously. The department recommended a penalty of \$1,500.00 per violation for a total fine of \$1,500. **Motion:** Mr. Danos made a motion to accept the recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

Mark Arenales  
d/b/a Nolagreen Landscaping  
118 Brooklyn Ave.  
Jefferson, LA 70121  
Case No.:18-009

One violation of L.R.S 3:3804(C) for advertising in a regulated profession (landscape horticulturist and landscape irrigation contractor) on a vehicle without a proper license. One violation of L.R.S 3:3804(C) for advertising and engaging in a regulated profession (landscape horticulturist and landscape irrigation contractor) without a proper license. One violation of 3:3810A(2) for violating a written notice of non-compliance issued May 24, 2017.

Mr. Arenales was not present but the department proceeded because service was effected. **Motion:** Mr. Mayes made a motion to find Mr. Arenales in violation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. The department recommended a penalty of \$500.00 per violation for a total fine of \$1,500. **Motion:** Mr. Ruckstuhl made a motion to accept the recommended penalty. This motion was seconded by Mr. Barry and passed unanimously.

Gerald Brecheen  
d/b/a Gerald's Tree Care  
9673 Florida Blvd  
Walker, LA 70785  
Case No.: 18-010

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

This case was continued to the next hearing date.

Nicholas Glover  
d/b/a Glover's Tree Service  
700 St. Julien Drive  
Kenner, LA 70065  
Case No.: 18-011

One violation of L.R.S 3:3804(C) for engaging in a regulated profession (arborist) without a proper license. Two violations of L.R.S 3:3804(C) for advertising in a regulated profession on Facebook without a proper license. One violation of L.R.S 3:3804(C) for advertising in a regulated profession (arborist) on gloverstreeservice.wixsite.com without a proper license. Three violations of L.R.S 3:3810A(2) for violating a written stop order issued April 11, 2018.

Mr. Glover was not present but the department proceeded because service was effected. **Motion:** Mr. Von Kurnatowski made a motion to find Mr. Glover in violation. This motion was seconded by Mr. Mayes and passed unanimously. The department recommended a penalty of \$1,500.00 per violation for a total fine of \$10,500. **Motion:** Mr. Von Kurnatowski made a motion to accept the recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

At 10:58 a.m. the meeting was turned back over to Mr. Bass and the Horticulture Commission. A brief recess was called. The meeting resumed at 11:07 a.m.

### **NEW BUSINESS**

Landscape Horticulturist Examination One has been compromised, prompting the need for a new Landscape Horticulturist Exam. The matrix will remain the same for the new exam. Mrs. Peltier asked that the Commission review and approve the new exam questions. Mr. Danos made a motion to approve the new Landscape Horticulturist Exam questions. This motion was seconded by Mr. Mayes and passed unanimously.

### **Director's Report:**

Mr. Rankins gave the following updates:

Citrus Canker has been confirmed in East Baton Rouge and Livingston parishes. The total of infected parishes is now at ten.

Citrus Greening was confirmed in St. Bernard and Plaquemines Parishes bringing the total infected to five. Six additional plants have been confirmed and the trees continue to be removed with homeowner consent.

Guava root knot nematode was recently detected in Morehouse Parish. It was found in sweet potato seed that was brought in from North Carolina. The nematode is very aggressive and destructive to sweet potatoes, cotton and soybeans. The nematode can also break down plants normally resistant to the Southern root-knot nematode. LDAF is working diligently to isolate the pests.

Rose Rosette has been confirmed in the Shreveport and Bossier City area. The virus causes excessive red thorns and effects all species of roses. No quarantine action will be taken to do the widespread occurrence of the virus.

Mr. Rankins, Director of Horticulture and Quarantine Programs, has been appointed as the secretary/treasurer for the Southern Plant Board by the National Plant Board. It is a great honor for Mr. Rankins and carries national responsibility.

#### **PUBLIC COMMENTS**

There were no public comments.

#### **ADJOURNMENT**

**Motion:** Mr. Von Kurnatowski made a motion to adjourn at 11:31 a.m. This motion was seconded by Mr. Barry and passed unanimously.