

STRUCTURAL PEST CONTROL COMMISSION
Veterans' Memorial Auditorium
5825 Florida Blvd.
Baton Rouge, LA
April 17, 2013
Minutes

CALL TO ORDER

The meeting was called to order by Mr. Bass at 9:10 a.m.

ROLL CALL

Members present: Fred Bass, Todd Parker, Dr. Tim Schowalter, Bob Kunst and Dan Foster.

Other present: David Fields, LDAF Bobby Simoneaux, LDAF, Tyrone Dudley, LDAF, Marvin Montgomery, LDAF, John Walther, LDAF, Lindsey Hunter, Assistant Attorney General, Mary Anderson, LDAF, and Lisa Hall, LDAF.

AMENDMENTS TO THE AGENDA

Motion: Mr. Foster made a motion to move Christy David under adjudicatory portion of agenda. This motion was seconded by Dr. Schowalter and passed unanimously.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Motion: Mr. Kunst made a motion to approve the minutes. This motion was seconded by Mr. Foster and passed unanimously.

OLD BUSINESS

NEW BUSINESS

Mr. Walther introduced Dr. Balsamo, DVM. Dr. Balsamo works with the LA Department of Health and Hospitals, Office of Public Health. Dr. Balsamo gave a presentation on Zoonotic Disease.

Mr. Bass called for a recess at 10:00 am.

Mr. Bass called the meeting back to order at 10:08 am. All commission members were present.

Inspection Report – David Fields

Mr. Fields reported that the department is unable to separate complaints from homeowner complaints on the status report.

Department Reports

Bobby Simoneaux

Mr. Simoneaux met with EPA to discuss Pollination issues. The Beekeepers in LA have expressed concerns about Aerial Mosquito Control. The department has been meeting with Farm Bureau, Beekeepers and working on notifications of aerial mosquito spraying applications.

LDAF has been participating in Inspector training, EPA Prep Courses and Region 6 Inspector training.

Commissioner Strain will initiate a Pest Waste Pick up Program.

LDAF has received a 24C for Termidor for Crazy Ants. EPA wants 24C cancelled and possible quarantine exemption (Termidor).

David Fields

Mr. Fields reported on the audit findings for 2012. The audits were performed and most of the businesses audited for monthly reports were in compliance. The department will audit again for 2013.

Tyrone Dudley

Mr. Dudley reported on the new online reporting program. There are now 18 monthly users registered. A new feature will be "No New Contracts". The department has extended invitations to Pest Control Associations to come to their meeting and present how the online reporting system works.

LPMA – Jeff Porter

Mr. Porter introduced Mr. Jeff Hargrave as the new LPMA President.

Mr. Porter invited everyone to the LPMA Legislative Reception on May 1, 2013 from 5-7:30 pm. This is an opportunity to bring the Legislature to meet with LPMA members.

Mr. Porter announced that the LPMA Summer Institute will begin on July 15 and run for 3 consecutive Mondays and Tuesdays.

LPMA board will meet on April 25th.

Mr. Porter said that the Review and Testing program (ACE) will have Joe Arceneaux as Proctor and Bob Davis and Bob Merchant will assist in putting program together.

Research Committee Appointments

The PCO's that are recommended are Butch Morrison, Steve Chiek and Dan Foster.

Motion: Mr. Kunst made a motion to appoint Butch Morrison, Steve Chiek and Dan Foster as members of the 2013 Research Committee. This motion was seconded by Mr. Parker and passed unanimously.

Rules Committee Report

Bobby Simoneaux

Mr. Simoneaux reported that the committee met to discuss the definition of licensee requirements. There were no actions taken by the committee.

Mr. Bass called a break at 10:55 am. Mr. Bass called the meeting back to order at 11:05 am. All commission members were present.

ADJUDICATORY HEARING

Mr. Bass turned the meeting over to Ms. Lindsey Hunter, Assistant Attorney General.

Jerad & Christy David

Mr. Fields gave a report on the reinspection of the David property. Mr. Devin Boudreaux and Mr. Fields jointly did the reinspection. Mr. Fields reported that they reviewed the original file, reinterviewed each person, added new interviews and interview some more than twice. Their findings were that there was not any evidence that would overturn the original decision.

Mr. Chatigner, Attorney for the David's had requested an adjudicatory hearing and was present at the hearing. Mr. & Mrs. David were not present.

Mr. Chatigner state that he did not have a copy of the reinvestigation yet, but still needed an answer to his question: Is there any evidence of frass exuding from any wood member as Dr. Kunst pointed out that is a regulation?

Mr. Kunst asked the staff if they took into their review the Rules, Regulations and Laws. Mr. Fields answered yes these were used in their review.

Motion: Mr. Kunst made a motion that under the circumstances the department has fulfilled all areas of the motion made by him at the last commission hearing and has satisfactorily performed what was requested and move that this issue at this time is closed and that the report be made public at this time. This motion was seconded by Mr. Foster and passed unanimously.

Christopher Lanier #1614 – Mr. Lanier stipulated to 4 violations and agreed to pay a fine of \$1,100. Mr. Fields read the stipulation.

Motion: Mr. Parker made a motion to accept the stipulation. This motion was seconded by Dr. Schowalter and passed unanimously.

Ernest DeLoach, Case No. 1616 – Mr. DeLoach stipulated to 1 violation and an agreed to pay a fine of \$200. Mr. Fields read the stipulation.

Motion: Mr. Kunst made a motion to accept the stipulation as read. This motion was seconded by Mr. Foster and passed unanimously.

Ronald L. McDonald, Case No 1618 – Mr. McDonald stipulated to 1 violation and agreed to pay a fine of \$250. Mr. Fields read the stipulation.

Motion: Mr. Parker made a motion to accept the stipulation as read. This motion was seconded by Dr. Schowalter and passed unanimously.

Glenna McDonald, Case No. 1619 - Ms. McDonald stipulated to 1 violation and agreed to paying a fine of \$250 and to retreat the perimeter of any properties treated with unlabeled product within 6 months beginning May 1, 2013.

Motion: Dr. Schowalter made a motion to accept the stipulation as read. This motion was seconded by Mr. Parker and passed unanimously.

Ms. Hunter turned the meeting over to Mr. Bass at 11:50

Mr. Bass called for a break for lunch.

Mr. Bass called the meeting back to order at 1:45 pm and all Commission members were present.

CONSIDERATION OF LICENSEE APPLICATIONS

Mr. Tyrone Dudley presented the applications:

NAME OF APPLICANT	PHASES	APPROVED/DISAPPROVED
THOMAS CHEATHAM	TERMITE	APPROVED
SCOTT DOOLEY	TERMITE	APPROVED – PENDING SCHOOL
PAUL EIKERT	GPC CVC TERMITE	APPROVED APPROVED APPROVED PENDING SCHOOL
THEODORE FISHER	GPC CVC	APPROVED APPROVED
ADAM HARRIS	CVC	APPROVED
SHERMAN HILL	TERMITE	APPROVED – PENDING SCHOOL
KELLY LIGHTSEY	GPC CVC TERMITE	APPROVED APPROVED APPROVED PENDING SCHOOL
WILLIAM OWENS	GPC CVC	APPROVED APPROVED
FELICIA PALERMO	GPC CVC	DISAPPROVED DISAPPROVED
KENNETH PEPPER	GPC	APPROVED
JEFFERY SHORT	GPC CVC TERMITE	APPROVED APPROVED APPROVED PENDING SCHOOL
TIM TOLLIVER	GPC CVC	APPROVED APPROVED

	TERMITE	APPROVED
TY TOUPS	GPC CVC TERMITE	DISAPPROVED DISAPPROVED DISAPPROVED

STATUS REPORT

Mr. Fields presented the status report to the commission.

FUTURE MEETINGS

Mr. Fields said that the date of July 10, 2013 has been reserved for the next SPCC.

OTHER BUSINESS

Motion: Mr. Foster made a motion to go into Executive Session. This motion was seconded by Dr. Schowalter and passed unanimously.

Mr. Bass adjourned the regular meeting and asked that everyone except commission members and staff leave the room.

Mr. Bass called for a recess.

Mr. Bass called the regular meeting back to order. All commission members were present.

Motion: Mr. Parker made a motion to return to regular session. This motion was seconded by Dr. Schowalter and passed unanimously. Mr. Bass stated that there were no votes or actions taken at the Executive Session.

PUBLIC COMMENT

None

ADJOURN

Motion: Dr. Schowalter made a motion to adjourn. This motion was seconded by Mr. Parker and passed unanimously. The meeting adjourned at 2:37 pm.