

STRUCTURAL PEST CONTROL COMMISSION
Veterans' Memorial Auditorium
5825 Florida Blvd., Baton Rouge, LA
December 17, 2020 – 9:30 a.m.
MINUTES

CALL TO ORDER

The meeting was held virtually via Zoom and called to order by Mr. Parker at 9:31 a.m.

ROLL CALL

Members present: Todd Parker, Dr. Ansel Rankins, Jarrod Horton, Edward Reynolds, and Dr. James Ottea.

Others present: Harry Schexnayder-LDAF, Amanda LaGroue-LDAF Attorney, Amy McInnis-LDAF Attorney, Kelly Moore-LDAF, Alicia Wheeler-Hearing Officer, Shelly Graham-LDAF, Milton Schleismann-LDAF, Jason Anderson-LDAF, Jeff Porter-LPMA, Kenneth Aucoin, Kipp Nash, Jim Wright-BASF, Mike Cohn-Arrow Pest Control, and Emily Edmonston-Public Comment.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF THE MINUTES

Motion: Dr. Ottea made a motion to approve the minutes from the September 9, 2020 meeting. The motion was seconded by Mr. Horton and passed unanimously.

ADJUDICATORY HEARING

Hearing Officer Alicia Wheeler conducted the hearing. LDAF Attorney Amanda LaGroue presented the following cases:

Kenneth Aucoin, Case No. 2236

The Department charged Mr. Aucoin with two (2) violations; LRS 3:3371(A)(1) and two (2) violations; LRS 3:3371(A)(14), specifically LRS 3:3205(A).

Mr. Aucoin was present and sworn in by the Hearing Officer.

Ms. LaGroue admitted LDAF's Exhibit 1 into the record.

Ms. LaGroue called Mr. Milton Schleismann, LDAF District Manager-New Orleans, LA, as a witness. Mr. Schleismann was sworn in by the Hearing Officer. Ms. LaGroue questioned Mr. Schleismann regarding his investigation involving Mr. Aucoin. Ms. LaGroue admitted LDAF's Exhibits 2, 3, and 4 into the record.

Ms. LaGroue called Mr. Jason Anderson, LDAF AES Inspector-Baton Rouge, LA, as a witness. Mr. Anderson was sworn in by the Hearing Officer. Ms. LaGroue questioned Mr. Anderson regarding his

investigation involving Mr. Aucoin. Ms. LaGroue admitted LDAF's Exhibits 5, 6, 7, and 8 into the record.

During closing statements, Ms. LaGroue informed the Commission that this is the Respondent's second time before this Commission for the same violations. The Department recommends the maximum penalties pertaining to these violations, and that the Commission find Mr. Aucoin in violation of LRS 3:3371(A)(1) and LRS 3:3371(A)(14), specifically LRS 3:3205(A) as set forth in the charge letter dated October 31, 2019.

Mr. Aucoin made a statement to the Commission.

Motion: Mr. Reynolds made a motion to find Mr. Aucoin in violation of the charges as presented. The motion was seconded by Dr. Ottea and passed unanimously.

Motion: Mr. Reynolds made a motion to assess a penalty of \$5,000.00 per violation for LRS 3:3371(A)(1) for a total of \$10,000.00 and a penalty of \$5,000.00 per violation for LRS 3:3371(A)(14), specifically LRS 3:3205(A) for a total of \$10,000.00. There was no second for the motion and the motion failed.

Motion: Mr. Parker made a motion to assess a penalty of \$5,000.00 per violation for LRS 3:3371(A)(1) for a total of \$10,000.00 and a penalty of \$2,500.00 per violation for LRS 3:3371(A)(14), specifically LRS 3:3205(A) for a total of \$5,000.00. The motion was seconded by Dr. Rankins and passed unanimously.

Motion: Dr. Ottea made a motion to refer Mr. Aucoin's case to the District Attorney's office under LRS 3:3373 for further investigation. The motion was seconded by Mr. Reynolds and passed unanimously.

Kipp Nash, Case No. 2322

The Department charged Mr. Nash with one (1) violation; LRS 3:3371(A)(1).

Mr. Nash was present and sworn in by the Hearing Officer. Respondent plead guilty to the allegations.

Ms. LaGroue admitted LDAF's Exhibit 1 into the record.

Ms. LaGroue called Mr. Milton Schleismann, LDAF District Manager-New Orleans, LA, as a witness. Mr. Schleismann was sworn in by the Hearing Officer. Ms. LaGroue questioned Mr. Schleismann regarding his investigation involving Mr. Nash. Ms. LaGroue admitted LDAF's Exhibits 2, 3, 4 and 5 into the record.

Mr. Nash and the Commission questioned Mr. Schleismann.

Mr. Nash made a statement to the Commission.

The Commission questioned Mr. Nash.

Ms. LaGroue asked that the Commission find Mr. Nash in violation of LRS 3:3371(A)(1) as set forth in the charge letter dated November 30, 2020.

Motion: Mr. Reynolds made a motion to find Mr. Nash in violation of the charges as presented. The motion was seconded by Mr. Horton and passed unanimously.

Motion: Dr. Ottea made a motion to assess a penalty of \$1,000.00. The motion was seconded by Mr. Parker and passed unanimously.

Five minute recess. Everyone was present after the break.

OLD BUSINESS

EP/LI – Rules – Harry Schexnayder

Mr. Schexnayder updated the Commission regarding a request to approve the EP/LI directions-for-use in Louisiana, and stated that LDAF will have to approve a rule change for this to happen in the state of Louisiana.

The Commission discussed the matter with Mr. Porter and Mr. Wright.

Motion: Dr. Rankins made a motion to refer this to the Rules Committee to discuss rule changes to 141 to allow EP/LI. The motion was seconded by Mr. Reynolds and passed unanimously.

NEW BUSINESS

LPMA Report – Jeff Porter

The annual LSU LPMA Institute is scheduled for January 4-7, 2021 in the Life Sciences Building at LSU, and another CACTP approved training is scheduled for January 20-21, 2021. Both institutes have limited registrations because of COVID-19 restrictions.

LDAF Report – Harry Schexnayder

Mr. Schexnayder advised the Commission to read over the latest edition of the Rules & Regulations, which was sent to them in an email and will be posted on the LDAF website soon.

Request for Consideration of Rule Change: Rodding in lieu of Trench & Treat – Mike Cohn

Mr. Cohn presented information to the Commission to support a rule change request allowing rodding the exterior perimeter of any structure post or pre-construction in lieu of trenching.

The Commission questioned Mr. Cohn.

Motion: Dr. Ottea made a motion to refer this request to the Rules Committee. The motion was seconded by Mr. Reynolds and passed unanimously.

Delegation of Authority Regarding Prevention of Sexual Harassment – Amy McInnis

Ms. McInnis discussed the proposed resolution with the Commission.

Motion: Dr. Ottea made a motion to adopt the resolution. The motion was seconded by Dr. Rankins and passed unanimously.

CONSIDERATION OF LICENSEE APPLICATIONS

NAME OF APPLICANT	PHASES	STAFF RECOMMENDATION	COMMISSION DECISION
Benjamin Cory Eddingfield	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)

Erik Harton	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)
Kiel Harton	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)
Jerome Kyle Holland	GPC CVC	Approve Approve	Approve Approve
Michael Killins	GPC CVC TC	Disapprove Disapprove Disapprove	Disapprove Disapprove Disapprove
Russell D. Kincaid	GPC CVC TC Com Fum	Approve Approve Approve (pending CACTP) Approve	Approve Approve Approve (pending CACTP) Approve
Rodrick Morgan	Ship Fum	Approve	Approve
William Michael Owens	TC	Approve (pending CACTP)	Approve (pending CACTP)
Larry Rivers	TC	Approve (pending CACTP)	Approve (pending CACTP)
Leroy Robertson	Ship Fum	Approve	Approve
James Seay	GPC CVC	Approve Approve	Approve Approve
Kenneth Suire	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)
Lacey L. Suire	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)
Joshua William Whitelock	GPC CVC	Approve Approve	Approve Approve
Billy D. Woods	GPC CVC	Approve Approve	Approve Approve

Motion: Dr. Ottea made a motion to disapprove Mr. Michael Killins in General Pest Control, Commercial Vertebrate Control, and Termite Control due to lack of required education. The motion was seconded by Dr. Rankins and passed unanimously.

Motion: Dr. Rankins made a motion to approve all remaining applicants. The motion was seconded by Mr. Horton and passed unanimously.

STATUS REPORTS

Mr. Schexnayder presented the status report for the 3rd Quarter of 2020.

OTHER BUSINESS

There was no other business.

PUBLIC COMMENT

Ms. Emily Edmonston spoke to the Commission concerning a complaint from a homeowner against Arrow Pest Control. The situation is currently under investigation with the Department.

Ms. LaGroue explained that the Commission is not allowed to discuss specific facts pertaining to this matter while it is under investigation. However, if there is new evidence to aid in the investigation; a request can be filed with the Department.

FUTURE MEETINGS

The next Structural Pest Control Commission meeting will be held on March 16, 2021, at 9:30 a.m., at the Department of Agriculture and Forestry, Veterans' Memorial Auditorium.

ADJOURN

Motion: Dr. Ottea made a motion to adjourn the meeting. The motion was seconded by Mr. Harton and passed unanimously. The meeting adjourned at 1:19 p.m.