

**STRUCTURAL PEST CONTROL COMMISSION**

**November 2, 2011**

**Veterans' Memorial Auditorium**

**5825 Florida Blvd.**

**Baton Rouge, LA 9:00 am**

**Minutes**

**CALL TO ORDER**

The meeting was called to order by Mr. Bass at 9:07 a.m.

**ROLL CALL**

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

Members absent: Bob Kunst

Other present: David Fields, LDAF Bobby Simoneaux, LDAF, Ashley Dupree, LDAF General Counsel, Michael Vallan Assistant Attorney General, Mary Anderson, LDAF.

**AMENDMENTS TO THE AGENDA**

None

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

**Motion:** Mr. Foster made a motion to approve minutes. This motion was seconded by Dr. Schowalter and passed unanimously.

**OLD BUSINESS**

Mr. Fields made a recommendation that the Commission go into Executive Session at this time to discuss the Terminix Lawsuit.

**Motion:** Mr. Foster made a motion that the Commission go into Executive Session. This motion was seconded by Mr. Parker and passed unanimously.

Everyone left the meeting room except the Commission members, Michael Vallan, Assistant Attorney General and staff. Also present in the Executive Session was Patricia Trainia, Legal Counsel for LDAF.

Mr. Bass called the Commission back into session at 10:09 am. All commission members returned.

**Motion:** Dr. Schowalter made a motion for the Commission members return to session. This motion was seconded by Mr. Foster and passed unanimously.

Mr. Bass stated for the record that no motions or actions were made by the Commission while in Executive Session.

## **NEW BUSINESS**

### *LABELS FOR REVIEW*

*Control Solutions – Tony Gugliuzza – Taurus SC*

**Motion:** Mr. Foster made a motion to approve the label and to remove the previous requirement of an educational session for persons purchasing this product. This motion was seconded by Dr. Schowalter and passed unanimously.

FMC – Transport Mikron Insecticide - There was not company representation present.

**Motion:** Mr. Foster made a motion to approve this label. This motion was seconded by Dr. Schowalter and passed unanimously.

United Phosphorus, Inc. – Clyde Pro DFU – Clyde Smith

**Motion:** Mr. Foster made a motion to approve this label. This motion was seconded by Dr. Schowalter and passed unanimously.

### **COMMITTEE REPORTS**

*RULES COMMITTEE – Bobby Simoneaux*

Mr. Simoneaux reported that the committee voted to recommend LDAF to move forward with final adoption of the rules.

**Motion:** Mr. Foster made a motion that the SPCC approves moving forward with the adoption of the rules. This motion was seconded by Dr. Schowalter and passed unanimously.

*RESEARCH COMMITTEE – Bobby Simoneaux*

Mr. Simoneaux reported that the committee has made a recommendation to encourage Dr. Henderson and LSU to continue their research of the Formosan Subterranean Termite studies.

**Motion:** Mr. Foster made a motion to accept the Research Committee recommendation. This motion was seconded by Mr. Parker and passed unanimously.

*LPMA – Jeff Porter*

Mr. Porter reported that LPMA submits a list of four potential members to fill the two PCO SPCC member positions. The election will be in the near future and there are 5 applicants: Bob Kunst, Dan Foster, Floyd Simpson, Vincent Palumbo and Roy “Hank” Anderson. The ballots will be tabulated by an independent CPA on January 24, 2012. LPMA will then submit a list of 4 candidates to Commissioner Strain for his final decision.

The LPMA Winter Convention will be held on January 24 - 26, 2012 at the Baton Rouge Hilton.

*LDAF REPORTS – Bobby Simoneaux*

Mr. Simoneaux announced that we now have a LPDES in place. The application can be accessed by the DEQ website or on the LDAF website.

Mr. Porter thanked LDAF and especially Mr. Simoneaux for the hard work done getting the LPDES passed and in place.

Mr. Simoneaux reported on attending the NPMA in New Orleans last month. He commended LPMA for a job well done.

**Motion:** Mr. Foster made a motion to amend the agenda to move the Licensee Applications before the Adjudicatory portion. This motion was seconded and passed unanimously.

**CONSIDERATION OF LICENSEE APPLICATIONS** – Bobby Simoneaux

<b><u>APPLICANT</u></b>	<b><u>PHASES</u></b>	<b><u>DETERMINATION</u></b>
Aaron Giroir	GPCVC	Approved
Alma R. Rodriguez	TC	Approved
Andrew Doerfler	GPC, CVC, TC	Disapproved
Benjamin Schoen	Ship Fum	Approved
Charlie Langlois	CVC	Approved
David Cooper	Ship Fum	Disapproved
Doug Canoy	Ship Fum	Disapproved
James Barker, III	GPC, CVC, TC	Approved, TC****
Jude Verett	GPC, CVC	GPC Approved, CVC disapproved
Justin Adams	GPC, CVC, TC	Disapproved
Kevin Bunn	GPC, CVC, TC	GPC, CVC approved, TC disapproved
Larry Childers, Jr.	GPC, CVC, TC	Approved
Lee Andre	GPC, CVC	Approved
Mark Valois	GPC, CVC	Approved
Mitchell Ross, Jr.	GPC, CVC, TC	Approved
Patrick Bourgeois	GPC, CVC, TC	Disapproved
Russell Bennett	GPC, CVC	Disapproved
Russell Callen	GPC, CVC, TC	Approved, TC****
Sammy Brocato	GPC, CVC, TC	Approved, TC****
Scott Smith	GPC, CVC, TC	Approved, TC****
Todd Ponton	Ship Fum	Disapproved
Todd Whitaker	GPC	Approved
Tyree Perkins	GPC	Approved
Wendy Ammons	GPC, CVC	Approved

\*\*\*\*Pending completion of approved Master Termite School

### **ADJUDICATORY HEARING**

Mr. Bass turned over the meeting to the Hearing Officer, Michael Vallan.

*Willie Cripps, Consideration for Rehearing, Case No. 1150*

Mr. Arthur Smith, III, Attorney for Mr. Cripps was present at the hearing. Mr. Vallan said that there was a Joint Motion to continue the hearing until the next meeting.

Mr. Fields announced that the next meeting will be held on December 6, 2011 at 9:00 am. Mr. Smith agreed to that date.

Mr. Vallan turned the meeting back over to Mr. Bass.

### **FINANCIAL REORT AND STATUS REPORT**

Mr. Fields gave the commission members copies of the financial and status reports.

**Motion:** Mr. Foster made a motion to dispense with the Financial Reports in the future, but to continue the Status Reports. This motion was seconded by Mr. Parker and passed unanimously.

Mr. Foster and Dr. Schowalter congratulated Commissioner Strain on his re-election.

### **PUBLIC COMMENT:**

None

### **FUTURE MEETINGS**

Mr. Fields stated that the SPCC will meet on December 6, 2011 at 9:00 am to hear the Consideration for Rehearing in Case No. 1150. Mr. Fields recommended that the date of the first regular SPCC of 2012 will February 1, 2011, at 9:00 a.m.

### **ADJOURN**

**Motion:** Mr. Parker made a motion to adjourn the meeting at 4:00 p.m. This motion was seconded by and Dr. Schowalter passed unanimously.