

# HORTICULTURE COMMISSION MEETING

March 9, 2017

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 9:34 a.m.

## **ROLL CALL**

The roll was called by Mrs. Bellington.

Members present: Rob Barry, Fred Bass, Gary Bullock, Chad Danos, Richard Hill, Steve Hoover, Jack Hopper, Mitch Mayes, Todd Parker, Rusty Ruckstuhl, Cole Sims and Zefferino Von Kurnatowski

Members absent: Dr. William Richardson

A quorum was present.

Others present: Michael Heier, Hearing Officer; Lindsey Hunter, LDAF Legal Counsel; Ansel Rankins, LDAF; Tina Peltier, LDAF; Ashley Champagne, LDAF and Fran Bellington, LDAF

## **PUBLIC COMMENTS**

Dane Morgan addressed the board regarding a resolution that was discussed in the LA Special Session. The resolution is to direct the treasurer to immediately begin developing a procedure necessary to implement development of a process to allocate money deposited into the state treasury from constitutional and statutory dedications that flow through the Bond Security and Redemption Fund for the purpose of paying debt service on obligations secured by the faith and credit of the state beginning in Fiscal Year 2017-2018. Mr. Morgan also presented the commission members with a letter written by Commissioner Strain to The Honorable Ron Henson, Louisiana State Treasurer, informing him that the majority of the statutory dedicated funds within LDAF are exempt from being treated as State General Funds and should not be earmarked for payment of bond debt. The issue will be debated on again in session on April 10, 2017.

## **APPROVAL OF MINUTES**

**Motion:** Mr. Parker made a motion to approve the minutes from the November 10, 2016 hearing. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

## **SET NEXT HEARING DATE**

The next Horticulture Commission meeting will be Thursday, June 22, 2017 at 9:30 a.m. in the Veterans' Memorial Auditorium.

## **OLD BUSINESS**

There was no old business.

## **REINSTATEMENT REQUEST**

Symentric Barze Sr. requested to have his arborist license reinstated. **Motion:** Mr. Danos made a motion to allow reinstatement of Mr. Barze's arborist license under the condition that he completes an approved continuing education seminar within 90 days and pays the reinstatement fee. This motion was seconded by Mr. Hopper and passed unanimously.

David Michelli requested to have his arborist license reinstated. **Motion:** Mr. Danos made a motion to allow reinstatement of Mr. Michelli's arborist license under the condition that he

completes an approved continuing education seminar within 90 days and pays the reinstatement fee. This motion was seconded by Mr. Mayes and passed unanimously.

At 10:01 a.m. the meeting was turned over to the hearing officer.

**ADJUDICATORY HEARING**  
**CONTINUED CASES**

Edwin Kennedy  
d/b/a Tiger Tree & Turf/Tiger Tree Services  
15024 Hooper Road  
Greenwell Springs, LA 70739

Case No.: 16-009

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

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

Louis Thompson  
d/b/a LTI  
19448 Melissa Lane  
Covington, LA 70435

Case No.: 16-012

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. 3:3810 A (2) for violating a written stop order. One violation of L.R.S. 3:3804 (C) for advertising in a regulated profession (landscape horticulturist), without a proper license.

Mr. Thompson was not present but the department proceeded because service was effected. **Motion:** Mr. Parker made a motion to find Mr. Thompson 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 \$1,500.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Hoover and passed unanimously.

Jason Whittington  
d/b/a Jason's Tree Service  
1752 River Road  
Gilbert, LA 71336

Case No.: 16-013

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 or violating a notice of non-compliance. One violation of L.R.S. 3:3804 (C) for engaging in a regulated profession (arborist), without a proper license.

This case was continued to the next hearing date.

**NEW CASES**

Alton Dillon  
128 Larchwood Drive  
Slidell, LA 70461

Case No.: 17-001

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. 3:3804 (C) for engaging and soliciting in a regulated profession (arborist), without a proper license

Mr. Dillon was not present but the department proceeded because service was effected. **Motion:** Mr. Danos made a motion to find Mr. Dillon in violation. This motion was seconded by Mr. Von Kurnatowski and passed unanimously. The department recommended a penalty of \$1,500.00 per violation for a total fine of \$3,000.00 and to seek an injunction. **Motion:** Mr. Danos made a motion to accept the recommended penalty and seek an injunction. This motion was seconded by Mr. Mayes and passed unanimously.

Ronnie Tallo  
d/b/a Speedy Green  
19089 Notariano Road  
Hammond, LA 70403

Case No.: 17-002

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 and arborist), without a proper license. One violation of L.R.S. 3:3810 A (2) for violating a notice of non-compliance.

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

Kelvin Robins  
d/b/a C T C Home Improvements  
13465 Briar Hollow Avenue  
Baton Rouge, LA 70810

Case No.: 17-003

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

This case was continued to the next hearing date.

At 10:56 the meeting was turned back over to Mr. Bass.

## **NEW BUSINESS**

**Motion:** Mr. Von Kurnatowski made a motion to accept and adopt the current reinstatement policy with the understanding that there may be some edits. This motion was seconded by Mr. Hoover and passed unanimously.

## **Director's Report:**

Mr. Rankins gave the following updates:

Citrus Greening was confirmed in Jefferson Parish on February 15<sup>th</sup>, bringing the total number of parishes with HLB+ trees to three. Survey activity is ongoing in coordination with USDA-PPQ.

Emergency Rule became effective on March 3<sup>rd</sup>, that expanded the quarantine for citrus greening to include Jefferson Parish and expanded the citrus canker quarantine to include the entire parish for each parish in which it has been found. This makes for a cleaner, more enforceable quarantine and will make public understanding easier as well. The amendment also adds language requiring citrus nursery stock growers in the Asian Citrus Pysllid, Citrus Greening, or Citrus Canker quarantined areas to attach a tag to each tree with specific wording required.

The H&Q staff will be participating in the 2017 Southern Plant Board meeting in May. This annual regional meeting allows states to address plant pest and green industry issues of concern to the region. The USDA also attends, allowing useful interaction with our federal counterparts.

Christie Lane has joined our Horticulture team on February 1<sup>st</sup>. Christie will handle all of the permit work in our office, including cut flower, nursery grower and nursery stock dealer permits as well as honeybee registration and other routine duties. We are pleased to have Christie with us!

## **PUBLIC COMMENTS**

There were no public comments but Mr. Bass took a moment to thank the commission members and inspectors for the good job that they do.

**Motion:** Mr. Parker made a motion to move into Executive Session. This motion was seconded by Mr. Danos and passed unanimously.

## **ADJOURNMENT**

**Motion:** Mr. Parker made a motion to adjourn at 11:39 a.m. This motion was seconded by Mr. Hoover and passed unanimously.