

HORTICULTURE COMMISSION MEETING

August 3, 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 9:35 a.m.

ROLL CALL

The roll was called by Mrs. Lane.

Members present: Rob Barry, Fred Bass, Gary Bullock, Chad Danos, Steve Hoover, Jack Hopper, Mitch Mayes, Benjy Rayburn, Rusty Ruckstuhl, Jeff Beasley on behalf of Dr. William Richardson

Members absent: Cole Sims and Richard Hill

A quorum was present.

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

PUBLIC COMMENTS

Mr. Rankins introduced Mr. Rayburn, Mr. Beasley, and Marissa Marquez to the commission and informed that Mr. Zefferino Von Kurnatowski is no longer an active board member.

APPROVAL OF MINUTES

Motion: Mr. Ruckstuhl made a motion to approve the minutes from the March 9, 2017 hearing. This motion was seconded by Mr. Hopper and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, December 14, 2017 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

There was no old business.

REINSTATEMENT REQUEST

Kevin Arnold requested to have his arborist license reinstated. **Motion:** Mr. Hopper made a motion to allow reinstatement of Mr. Arnold's arborist license. This motion was seconded by Mr. Danos. Mr. Ruckstuhl amended the motion to add the condition that Mr. Arnold attends the next CEU session and the motion passed unanimously.

At 9:49 a.m. the meeting was turned over to the hearing officer, Mr. Michael Heier.

ADJUDICATORY HEARING

CONTINUED CASES

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.

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

NEW CASES

Rick Carlino
d/b/a Carlino's Tree Service
2312 Willowood Lane
Alexandria, LA 71301

Case No.: 17-006

One violation of L.R.S. 3:3804 (C) for advertising in a regulated profession (arborist), without a proper license. One violation of L.R.S. 3:3810 A (2) for violating a notice of non-compliance.

This case was continued to the next hearing date.

John Cash
d/b/a Ark-La-Tex Watergardens
9999 Mansfield Rd
Keithville, LA 71047

Case No.:17-005

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

A stipulation was received. **Motion:** Mr. Mayes made a motion to accept the stipulation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. The department recommended a penalty of \$500.00. **Motion:** Mr. Ruckstuhl made a motion to accept the recommended penalty. This motion was seconded by Mr. Mayes and passed unanimously.

Michael Carazo
d/b/a All-Terrain Landscaping and Irrigation
4720 Henican Place
Metairie, LA 7003
Case No.: 17-004

One violation of L.R.S. 3:3804 (C) for soliciting and engaging in a regulated profession (irrigation contractor), without a proper license. One violation of L.R.S. 3:3810 A (2) for violating a notice of non-compliance.

A stipulation was received. **Motion:** Mr. Hoover made a motion to accept the stipulation. This motion was seconded by Mr Hopper and passed unanimously. The department recommended a penalty of \$500.00 per violation for a total fine of \$1,000.00. **Motion:** Mr. Bullock made a motion to accept the recommended penalty. This motion was seconded by Mr. Rayburn and passed unanimously.

Joe Marien
d/b/a JM Tree Services
4872 Hwy 490
Lena, LA 71447

Case No.: 17-007

Two violations of L.R.S. 3:3804 (C) for engaging in a regulated profession (arborist), without a proper license.

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

At 10:21 am the meeting was turned back over to Mr. Bass.

NEW BUSINESS

No new business.

Director's Report:

Mr. Rankins gave the following updates:

The Citrus Commodity Survey has been completed, including a blitz of Tangipahoa parish. Sudden Oak Death inspections have been completed for the spring. The Forest Pest Survey has begun with 14 locations statewide. Emerald Ash Borer has been confirmed in Bienville, Morehouse, Jackson, and Ouachita parishes, bringing the total to 9 parishes. Removal of trees with HLB is ongoing. A mobile app is being created to allow users to search the Horticulture

database and submit complaints against contractors. Our assistant director and two inspectors will be attending the Horticulture Inspection Society- Southern Chapter Annual Meeting and Training in Mississippi in September. The director and quarantine coordinator will be attending the National Plant Board meetings in Georgia this month.

PUBLIC COMMENTS

Mr. Mayes asked a question regarding licensees whom do not meet practice standards and civil matters. There was a discussion of this matter. Mr. Bass took a moment to thank the commission members and inspectors for the good job that they do.

ADJOURNMENT

Motion: Mr. Barry made a motion to adjourn at 10:38 a.m. This motion was seconded by Mr. Hopper and passed unanimously.