

HORTICULTURE COMMISSION MEETING

December 10, 2015

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 9:36 a.m.

**ROLL CALL**

The roll was called by Mrs. Bellington.

Members present: Todd Parker, Fred Bass, Steven Hoover, Rob Barry, Jack Hopper, Mitch Mayes, Gary Bullock, Cole Sims, and Rusty Ruckstuhl.

Members absent: Chad Danos, Harold Tani, Dr. William Richardson, and Zefferino Von Kurnatowski.

A quorum was present.

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

**PUBLIC COMMENTS**

There were no public comments.

**APPROVAL OF MINUTES**

**Motion:** Mr. Hopper made a motion to approve the minutes from the September 24, 2015 hearing. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

**SET NEXT HEARING DATE**

The next Horticulture Commission meeting will be Thursday, March 24, 2016 at 9:30 a.m. in the Veterans' Memorial Auditorium.

**OLD BUSINESS**

There was no old business.

**REINSTATEMENT REQUEST**

There were no requests for reinstatement.

At 9:40 a.m. the meeting was turned over to the hearing officer, Michael Vallan.

**ADJUDICATORY HEARING**

**NEW CASES**

Barbara Arton

d/b/a Arton's of Louisiana

1318 Main St.

Jeanerette, LA 70544

Case No.: 15-018

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

This case was continued to the next hearing date, at Ms. Arton's request.

Scottie Boothe  
d/b/a Top Notch Tree Service  
P. O. Box 293  
Harrison, LA 71340

Case No.: 15-019

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

Mr. Boothe was not present but the department proceeded because service was effected.

**Motion:** Mr. Parker made a motion to find Mr. Boothe in violation. This motion was seconded by Mr. Sims and passed unanimously. The department recommended a penalty of \$500.00.

**Motion:** Mr. Hopper made a motion to accept the recommended penalty. This motion was seconded by Mr. Mayes and passed unanimously.

Prentice Robins  
d/b/a Robins Tree Service  
11824 East Milburn  
Baton Rouge, LA 70815

Case No.: 15-020

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.

Blake Collins  
d/b/a Collins Proscapes  
23000 Sheli Lane  
Denham Springs, LA 70726

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

Mr. Collins was present. **Motion:** Mr. Parker made a motion to find Mr. Collins 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 \$1,000.00. **Motion:** Mr. Mayes made a motion for Mr. Collins to pay ½ of the recommended penalty for a total fine of \$500.00. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Curtis Butler, Jr.

d/b/a Butler's Tree Service  
268 Masters Road  
Jonesville, LA 71343

Case No.: 15-022

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 notice of non-compliance.

This case was continued to the next hearing date.

Alton Dillon  
d/b/a Alton Tree Service  
128 Larchwood Drive  
Slidell, LA 70461

Case No.: 15-023

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

Stipulation received. **Motion:** Mr. Parker made a motion to accept the stipulation. This motion was seconded by Mr. Sims and passed unanimously. Recommended penalty of \$1,000.00 per violation for a total fine of \$2,000.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Mayes and passed unanimously.

Larry Ford  
d/b/a Ford Tree Service  
369 Mill Pond Rd.  
Springhill, LA 71075

Case No.: 15-024

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 notice of non-compliance.

Stipulation received. **Motion:** Mr. Mayes made a motion to accept the stipulation. This motion was seconded by Mr. Bullock and passed unanimously. Recommended penalty of \$500.00 per violation for a total fine of \$1,000.00. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

The meeting was turned back over to Mr. Bass at 10:04 a.m.

## **NEW BUSINESS**

### **Director's Report**

Mr. Rankins informed the Commission that their Division Director, Tad Hardy, retired on November 28<sup>th</sup> after more than 26 years of service to the department. Mr. Hardy accepted the position of Louisiana State Plant Health Director with USDA-APHIS-PPQ.

AES has filled 10 inspector positions throughout the state. Two vacancies were filled in each of our Alexandria, Monroe, Opelousas, and Shreveport offices. One vacancy was filled in Baton Rouge and one in New Orleans.

Longtime Horticulture employee, Mrs. Thelma Earles passed away on December 1, 2015. Services were held on Saturday, December 5, 2015. Thelma retired in 2012 after more than twelve years of service to our department.

### **PUBLIC COMMENTS**

There were no public comments, but Mr. Bass took a moment to thank everyone for the good job that they do.

### **ADJOURNMENT**

**Motion:** Mr. Ruckstuhl made a motion to adjourn at 10:08 a.m. This motion was seconded by Mr. Parker and passed unanimously.