

HORTICULTURE COMMISSION MEETING

December 12, 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 9:36 a.m.

ROLL CALL

The roll was called by Mrs. Lane

Members present: Rob Barry, Fred Bass, Gary Bullock, Chad Danos, Richard Hill, Jack Hopper, Mitch Mayes, Benjy Rayburn, Rusty Ruckstuhl, Cole Sims

Members Absent: Steven Hoover and Dr. William Richardson

A quorum was present.

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

PUBLIC COMMENTS

Mr. Rankins introduced Amy McInnis as the new attorney for AES. We are glad to have her here and look forward to working with her.

APPROVAL OF MINUTES

Motion: Mr. Danos made a motion to approve the minutes from the August 3, 2017 hearing. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, March 22, 2018 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

No old business

REINSTATEMENT REQUEST

Mr. Mayes made a motion to continue the reinstatement request for Brent Reid to the next hearing. This motion was seconded by Mr. Barry and passed unanimously.

At 9:41 a.m. the meeting was turned over to the hearing officer, Mr. Michael Heier.

ADJUDICATORY HEARING

CONTINUED CASES

Wil Kingston

d/b/a Lamem Trees

340 Forest Loop

Mandeville, LA 70471

Case No.: 16-008

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

Two violations of L.R.S. 3:3810 A(2) for violating a written stop order issued 1/28/16.

Mr. Kingston was not present but the department proceeded because service was affected. **Motion:** Mr. Hopper made a motion to find Mr. Kingston in violation. This motion was seconded by Mr. Mayes and passed unanimously. The department recommended a penalty of \$1,000.00 per violation for a total fine of \$4,000. **Motion:** Mr. Danos made a motion to accept the recommended penalty. This motion was seconded by Mr. Hopper and passed unanimously.

Mr. 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.

Mr. Carlino was not present but the department proceeded because service was affected. **Motion:** Mr. Ruckstuhl made a motion to find Mr. Carlino in violation. 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. **Motion:** Mr. Sims made a motion to accept the recommended penalty. This motion was seconded by Mr. Bullock and passed unanimously.

NEW CASES

Dollar General #11751
Manager, Nakita Washington
7335 Jefferson Hwy
Harahan, LA 70123

Case No.: 17-008

Two violations of L.R.S. 3:3804 (D) for engaging in a regulated occupation (nursery stock dealer), without a proper permit. One violation of L.R.S. 3:3810 A (2) for violating a notice of non-compliance.

A stipulation was received. The department recommended a penalty of \$500 per violation for a total of \$1,500. **Motion:** Mr. Danos made a motion to accept the stipulation with the recommended penalty. This motion was seconded by Mr. Barry and passed unanimously.

Alton Dillon
40664 Ranch Road
Slidell, LA 70461

Case No.: 17-009

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

Mr. Dillon was not present but the department proceeded because service was affected. **Motion:** Mr. Hopper made a motion to find Mr. Dillon in violation. This motion was seconded by Mr. Ruckstuhl and passed unanimously. The department recommended a penalty of \$1,500.00 per violation for a total fine of \$1,500. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Scott McDaniel

d/b/a North LA Lawn & Landscape
137 Nelda Circle
Stonewall, LA 71078

Case No.: 17-010

Two violations 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 notice of non-compliance.

A stipulation was received. The department recommended a penalty of \$500 per violation for a total of \$1,500.

Motion: Mr. Ruckstuhl made a motion to accept the stipulation and the recommended penalty. This motion was seconded by Mr. Sims and passed unanimously.

Daniel Littlejohn and Chasity Touchet
9023 Old Hermitage
Baton Rouge, LA 70810

Case No.: 17-011

Two violations of L.R.S. 3:3804 (C) for soliciting and engaging in a regulated profession (arborist), without a proper license. 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 issued 6/1/16.

This case was continued to the next hearing date.

At 10:42 am the meeting was turned back over to Mr. Bass.

NEW BUSINESS

There was no new business.

Director's Report:

Mr. Rankins gave the following updates:

Citrus canker was confirmed on one grapefruit tree in Plaquemines Parish. None of the trees in the facility where the citrus canker was found can move across state lines, but LDAF will allow the asymptomatic trees to move intrastate within the quarantined area. Since the last meeting HLB has been confirmed on 116 properties with 193 total trees. Of the 266 total positive trees, 234 trees remain to be removed on 142 properties. The biggest obstacle has been property owner consent and education. North Carolina notified us that our state potentially received a shipment of infested cut boxwood products. The products were inspected and found to have no signs of boxwood blight. LDAF has launched a mobile app to allow users to verify licenses and permits or file a complaint. A brief video was shown to demonstrate the app. The app is available for free through Google Play and the App Store.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion: Mr. Ruckstuhl made a motion to adjourn at 11:03 a.m. This motion was seconded by Mr Barry and passed unanimously.