

HORTICULTURE COMMISSION MEETING

June 23, 2016

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 9:33 a.m.

ROLL CALL

The roll was called by Ms. Champagne.

Members present: Rob Barry, Cole Sims, Zefferino Von Kurnatowski, Mitch Mayes, Steven Hoover, Jack Hopper, Rusty Ruckstuhl, Gary Bullock, Fred Bass, Todd Parker and Dr. Allen Owings representing Dr. William Richardson

Members absent: Chad Danos and Harold Tani

A quorum was present.

Others present: Bradley Overton, Hearing Officer; Lindsey Hunter, LDAF Legal Counsel; Ansel Rankins, LDAF; Tina Peltier, LDAF; and Ashley Champagne, LDAF.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Motion: Mr. Parker made a motion to approve the minutes from the March 24, 2016 hearing. This motion was seconded by Mr. Sims and passed unanimously.

APPOINTMENT OF DIRECTOR & ASSISTANT DIRECTOR

Mr. Parker made a motion to delegate the Commission's authority to the Commissioner, Commissioner Strain to make the appointments. This motion was second by Mr. Hoover and passed unanimously.

SET NEXT HEARING DATE

The next Horticulture Commission meeting will be Thursday, September 22, 2016 at 9:30 a.m. in the Veterans' Memorial Auditorium.

OLD BUSINESS

Board of Contractors requires a minimum of \$100,000 (job value between \$7,500-\$75,000).

They also require workers comp. According to some insurance companies they will not issue less than \$100,000 because the cost of \$25,000 to \$100,000 is the same premium, around \$500 plus fees. They can issue up to a \$2 million dollar policy.

REINSTATEMENT REQUEST

Jeremiah Franklin requested to have his arborist license reinstated. **Motion:** Mr. Von Kurnatowski made a motion to allow reinstatement of Jeremiah Franklin arborist license. This motion was seconded by Mr. Hoover and passed unanimously.

Jordan Thomas Breeden requested to have his landscape horticulturist license reinstated.

Motion: Mr. Barry made a motion to allow reinstatement of Jordan Thomas Breeden landscape horticulturist license. This motion was seconded by Mr. Ruckstuhl and passed unanimously.

Michael B. Thornhill requested to have his arborist license reinstated. **Motion:** Mr. Hoover made a motion to allow reinstatement of Michael B. Thornhill arborist license. This motion was seconded by Mr. Mayes and passed unanimously.

Linda C. Ostendorf requested to have her retail florist license reinstated. **Motion:** Mr. Mayes made a motion to allow reinstatement of Linda C. Ostendorf retail florist license. This motion was seconded by Mr. Parker and passed unanimously.

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

ADJUDICATORY HEARING
CONTINUED CASES

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.

NEW CASES

Paul David Smith, Jr.
d/b/a Smith Companies
3470 Backpath Road
Shreveport, LA 71107

Case No.: 16-005

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

Mr. Smith, Jr. was not present but the department proceeded because service was effected.

Motion: Mr. Mayes made a motion to find Mr. Smith Jr. in violation. This motion was seconded by Mr. Barry and passed unanimously. The department recommended a penalty of \$500.00 per violation for a total fine of \$500.00. **Motion:** Mr. Mayes made a motion to accept the recommended penalty. This motion was seconded by Mr. Barry and passed unanimously.

Dean Smith
d/b/a Dean's Tree Service
4440 Fleet Drive
Baton Rouge, LA 70809

Case No.: 16-006

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

This case was continued to the next hearing date.

James P. Freeman
d/b/a Freeman's Tree Service
917 Hickory Avenue
Harahan, LA 70123

Case No.: 16-007

Two violations 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 stop order.

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

Motion: Mr. Von Kurnatowski made a motion to find Mr. Freeman 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 \$3,000.00. **Motion:** Mr. Parker made a motion to accept the recommended penalty. This motion was seconded by Mr. Bullock and passed unanimously.

NEW BUSINESS

DOJ update: We have sent 5 new files so far this year to the District Attorney's office for collections. There are a total of 66 files there being sought for collections. They are in the process of collecting payments on the fines for us.

Mrs. Peltier has been in touch with the Department of Insurance to report the certificate of insurance that appeared to be altered from Wil Kingston. Once they review the file it will probably be turned over to the state police for investigation.

Director's Report

Emerald Ash Borer (EAB) has been confirmed in Union Parish making it the fourth parish in Louisiana to have EAB. Nurseries/NSDs in quarantined parishes cannot ship ash trees out of the quarantined areas. The trapping season has begun. LDAF, in partnership with USDA-PPQ, USFS, and NRCS, is monitoring ~470 EAB traps statewide through the summer months. In the infested sites as biocontrol agents in an attempt to reduce EAB populations and help slow the natural spread of the beetle.

Rose Rosette Disease was confirmed in Louisiana last fall, in Bossier Parish on landscape shrub roses growing in a commercial landscape. LDAF personnel inspect for RRD during routine nursery grower and dealer inspections. If found, RRD-infected roses will be removed from sale and their source determined. There is no federal quarantine. LDAF does not plan to impose quarantine. LSU will be asked to provide BMP information to growers/homeowners.

Sudden Oak Death Survey-LDAF annual survey funded with federal Farm Bill money. To date, LDAF conducted 32 inspections and has had 85 leaf samples from 20 nurseries analyzed for SOD. All were negative. Leaf samples collected from nursery growers and sellers and landscapers.

One LDAF inspector attended an HIS (Horticulture Inspection Society) field event in Alabama in April to learn more about boxwood blight inspection as well as receiving an introduction to SANC (Systems Approach to Nursery Certification). This was a "train the trainer" opportunity for future use by LDAF.

Harold Tani, long-time wholesale florist representative on the commission, resigned his position this week. Mr. Tani served as a commission member on and off for the past 20 years. We will miss Mr. Tani and greatly appreciate his service.

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.

ADJOURNMENT

Motion: Mr. Parker made a motion to adjourn at 10:57 a.m. This motion was seconded by Mr. Hoover and passed unanimously.