

STRUCTURAL PEST CONTROL COMMISSION
Veterans' Memorial Auditorium
5825 Florida Blvd., Baton Rouge, LA
June 24, 2020 – 9:30 a.m.
MINUTES

CALL TO ORDER

The meeting was called to order by Mr. Parker at 9:35 a.m.

ROLL CALL

Members present: Todd Parker, Jarrod Horton, Edward Reynolds, and Dr. James Ottea.

Members absent: Benjy Rayburn.

Others present: Dr. Mike Strain-LDAF Commissioner, Harry Schexnayder-LDAF, Kevin Wofford-LDAF, Amanda LaGroue-LDAF Attorney, Kelly Moore-LDAF, Alicia Wheeler-Hearing Officer, Shelly Graham-LDAF, Milton Schleismann-LDAF, Dr. Qian “Karen” Sun-LSU Program of Structural Pest Control Research, Carl Kibodeaux-Control Solutions, and Jeff Porter-LPMA.

AMENDMENTS TO THE AGENDA

Motion: Dr. Ottea made a motion to include Leonard Hoffman’s licensee application under agenda item X. Consideration of Licensee Applications. The motion was seconded by Mr. Reynolds and passed unanimously.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF THE MINUTES

Motion: Mr. Horton made a motion to approve the minutes from the March 3, 2020 meeting. The motion was seconded by Mr. Reynolds and passed unanimously.

ADJUDICATORY HEARING

Hearing Officer Alicia Wheeler conducted the hearing. LDAF Attorney Amanda LaGroue presented the following cases:

Kenneth Aucoin, Case No. 2236 (Continued)

Ms. LaGroue stated that the Defendant requested this matter be continued. Ms. Wheeler granted the request.

Ranette Buford, Case No. 2272

The Department charged Ms. Buford with one (1) violation; LRS 3:3371(A)(14), specifically LAC 7:XXV 141(B)(3), one (1) violation; LRS 3:3371(A)(14), specifically LAC 7:XXV 141(H), one (1) violation; LRS 3:3371(A)(14), specifically LAC 7:XXV 119(D), and one (1) violation; LRS 3:3371(A)(14), specifically LAC 7:XXV 119(E).

Ms. LaGroue admitted LDAF’s Exhibits 1 and 2 into the record.

Ms. Buford was not present. Respondent admits to allegations and agrees to pay the penalty of \$1,700, with \$850 suspended, within 30-days after receipt of the Commission's acceptance. The stipulation was signed by all parties.

Motion: Mr. Parker made a motion to accept the facts set forth in the stipulation and that the penalty be accepted. The motion was seconded by Mr. Reynolds and passed unanimously.

Dr. Strain addressed the Commission members and others present. He thanked everyone for wearing masks and staying in compliance with CDC guidelines to prevent the spread of COVID-19. Dr. Strain also thanked everyone in attendance for serving and continuing to work during this pandemic.

Eric Siner, Case No. 2273

The Department charged Mr. Siner with one (1) violation; LRS 3:3371(A)(14), specifically LAC 7:XXV 107(K).

Ms. LaGroue admitted LDAF's Exhibits 1 and 2 into the record.

Mr. Siner was not present. Respondent admits to allegations and agrees to pay the penalty of \$1,000, with \$250 suspended, within 30-days after receipt of the Commission's acceptance. The stipulation was signed by all parties.

Motion: Dr. Ottea made a motion to accept the facts set forth in the stipulation and that the penalty be accepted. The motion was seconded by Mr. Reynolds and passed unanimously.

Donald Davis, Case No. 2274

The Department charged Mr. Davis with two (2) violations; LRS 3:3371(A)(3) and four (4) violations; LRS 3:3371(A)(14), specifically LAC 7:XXV 117(H)(2).

Mr. Davis was not present. Respondent admits to allegations and agrees to pay the penalty of \$2,800, with \$400 suspended, within 30-days after receipt of the Commission's acceptance. The stipulation was signed by all parties.

Motion: Dr. Ottea made a motion to accept the facts set forth in the stipulation and that the penalty be accepted. The motion was seconded by Mr. Reynolds and passed unanimously.

LABELS FOR REVIEW

Taurus Dry – Carl Kibodeaux, Control Solutions Inc.

Mr. Kibodeaux presented information on Control Solutions' Taurus Dry product. The Commission asked several questions regarding use restrictions and application instructions.

Motion: Mr. Horton made a motion to approve the proposed label. The motion was seconded by Mr. Reynolds and passed unanimously.

Discussion of EP/LI – Harry Schexnayder

Mr. Schexnayder briefed the new Commission members on information presented by BASF at the March 3, 2020 meeting. Once travel restrictions are lifted, BASF plans to attend another commission meeting and ask for approval to use the EP/LI section on their products’ labels in Louisiana.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

LPMA Report – Jeff Porter

Mr. Porter reported that a WDIR training meeting was held June 23, 2020. The Termite Training Center is hoping to reopen this fall.

Committees – Harry Schexnayder

Mr. Schexnayder briefed the Commission concerning the need to keep current members and/or appoint new members to the Rules, Contract, and Research Committees. The Commission agreed to delay their decision on this matter until the next meeting and further discussions regarding new appointees for the committees.

Dr. Sun presented information regarding her department’s research on the biology and behavior of termites.

Motion: Mr. Horton made a motion to approve the contract and continue funding for Structural Pest Control research through the LSU AgCenter at \$50,000. *Dr. Ottea recused himself.* The motion was seconded by Mr. Reynolds and passed unanimously by the remaining members.

LDAF Report – Harry Schexnayder

Mr. Schexnayder discussed the difficulties of being able to complete technician and licensee trainings on time during the COVID-19 pandemic. There are an estimated 1,300 technicians who still need training before the end of this year.

The Commission and the Department discussed several options, but decided that more information is needed before making any final decisions. Mr. Schexnayder will gather more information over the next few weeks to present to the Commission.

CONSIDERATION OF LICENSEE APPLICATIONS

NAME OF APPLICANT	PHASES	STAFF RECOMMENDATION	COMMISSION DECISION
Charles David Crawford	GPC CVC	Approve Approve	Approve Approve
David Lambert	GPC TC	Approve Approve (pending CACTP)	Approve Approve (pending CACTP)

Nathaniel David Rougeau	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)
Candace Short	GPC CVC	Approve Approve	Approve Approve
Lucas Stelly	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)
Leonard Hoffman	GPC CVC TC	Approve Approve Approve (pending CACTP)	Approve Approve Approve (pending CACTP)

Motion: Dr. Ottea made a motion to approve all applicants. The motion was seconded by Mr. Horton and passed unanimously.

STATUS REPORTS

Mr. Schexnayder presented the status report for the 1st Quarter of 2020.

OTHER BUSINESS

Dr. Ottea led a discussion about the Commission wanting more details pertaining to the adjudicatory hearings and penalties before having to make decisions on the matters. Ms. LaGroue explained the legalities of what kind of information is allowed to be discussed when a stipulation is presented.

Mr. Reynolds asked about the procedures for updating the penalty matrix. Mr. Schexnayder and Mr. Wofford explained the process of making adjustments and presenting to the EPA for approval. Mr. Schexnayder stated that Louisiana’s penalty matrix is currently in line with other states.

PUBLIC COMMENT

There were no public comments.

FUTURE MEETINGS

The next Structural Pest Control Commission meeting will be held on September 9, 2020, at 9:30 a.m., at the Department of Agriculture and Forestry, Veterans’ Memorial Auditorium.

ADJOURN

Motion: Dr. Ottea made a motion to adjourn the meeting. The motion was seconded by Mr. Reynolds and passed unanimously. The meeting adjourned at 11:22 a.m.