

NOTICE OF COMMISSION MEETING

FRIDAY, July 12, 2002

9:00 A.M.

Structural Pest Control Commission

9535 E. Doubletree Ranch Road

Scottsdale, Arizona 85258

Pursuant to A.R.S. § 38-431.02, notice is given to the members of the Structural Pest Control Commission and to the General Public that the Structural Pest Control Commission will hold a meeting open to the public, as indicated in the following agenda.

Pursuant to A.R.S. § 38-431.03(A)(3), the Commission may vote to go into executive session to obtain legal advice for matters on the agenda. Pursuant to A.R.S. § 38-431.03(A)(1), the Commission may vote to go into executive session to discuss personnel matters. The executive session will not be open to the public. All items under discussion or for consideration are subject to possible decision and vote by the Commission.

AGENDA

- I. Call to order and roll call
- II. Approval of June 2002 minutes TAB 1
- III. Approval of Executive Session Minutes for March 2002 and April 2002
- IV. Call to the public (Each speaker limited to five minutes)
- V. Correspondence with Commissioners
- VI. Scheduling of future meetings/agenda items

Proposed dates and locations

- August 9, 2002. Scottsdale, AZ
- September 13, 2002Flagstaff, AZ
- October 11, 2002Scottsdale, AZ
- November 8, 2002Tucson, AZ
- December 13, 2002Scottsdale, AZ
- January 10, 2003 Scottsdale, AZ
- February 14, 2003 Scottsdale, AZ
- March 14, 2003Scottsdale, AZ
- April 11, 2003 Scottsdale, AZ
- May 9 , 2003 Tucson, AZ

- VII. Consent Agenda.

Items will be read and voted on in one group excluding those pulled for discussion.

- 8. Turcott, Trevor Scott dba Amera Sun City Pest Control (Activating Qualifying Party for existing business license in “B” General Pest)
TAB10

C. Applicants for QP Testing

- 1. Bailey, Gerald D. “B” (General Pest) TAB 11
- 2. Carmack, Mary Therese “B” (General Pest)TAB 12
- 3. Gibson, Michael E. “E & F” (Weed Control & Turf & Ornamental) TAB 13
- 4. Knowles, Jeremy Michael “E & F” (Weed Control & Turf & Ornamental) TAB 14
- 5. Slaper, Christopher Michael “B, C, B-1, E-1, E, & F” (General Pest, Wood Destroying Organisms, Aquatic Pest, Aquatic Weed, Weed Control, & Turf & Ornamental) TAB 15

D. Applicants to Broaden Qualifying Party

- 1. Blackwell, Craig Alan dba Essential Termite Pest Control TAB 16
- 2. Burns, Danny dba Burns Pest Elimination TAB 17
- 3. Mastalsz, Jimmy dba Petrini’s Landscaping, Inc. TAB 18
- 4. Phillips, Lanny Jay dba Zoom Pest Control TAB 19

E. Request for Temporary Qualifying Party Certificate and/or Extension.

- 1. Bingham, Joseph Trent dba American Dyna-Mite Exterminating
TAB 20
- 2. Harper, John Hazeltine dba William T. Jenkins, Inc. TAB 21

F. Request for Company Name Change

1. Contractors Termite Control, Inc. to Contractors Termite and Pest Control, Inc. TAB 22

G. Treatment Proposals.

23 1. University Termite and Pest ControlTAB

H. Settlement Conferences

24 1. Alliance Pest Management - Case # 2001-272 TAB

Failure to pay late TARF fees and failure to respond to the Complaint

Proposed Resolution:

- 1. *That the Business License # C 2253 BC, Alliance Pest Management be issued an Administrative Warning for violation of A.A.C. R4-29-107(A). (Failure to respond to the complaint)*
- 2. *That the Business License # C 2253 BC, Alliance Pest Management be issued a Civil Penalty in the amount of \$ 175.00 for violation of A.A.C. R4-29-107(A). (Failure to respond to the complaint) To be paid within 30 days from the date of the order.*

That the Business License # C 2253 BC, Alliance Pest Management pay the late fees in the amount of \$200.00. To be paid within 30 days from the date of the order.

2. Matrix Pest & Termite Elimination - Case # 2001-319 TAB 25
Violations for Record keeping

Proposed Resolution:

- 1. *That the Business License # C 5674 BC, Matrix Pest and Termite Elimination be issued an Administrative Warning for violation of A.A.C. R4-29-408(C) (Pretreat Tag Info.)*
- 2. *That the Business License # C 5674 BC, Matrix Pest and Termite Elimination be issued an Administrative Warning for violation of A.A.C. R4-29-307(B)(7) (Treatment Records.)*
- 3. *That the Business License # C 5674 BC, Matrix Pest and Termite Elimination be issued an Administrative Warning for violation of A.A.C. R4-29-308(B)(3) (R.U.P. Records.)*

3. SST Exterminators - Case # 2001-370 TAB 26
to file TARF's

Failu

Proposed Resolution:

1. *That the Business License # I 5350 BC, SST Exterminators be issued an*
2. *Administrative Warning for violation of A.A.C. R4-29-417(A) (Submittal of TARFs.)*

That the Business License # I 5350 BC, SST Exterminators be issued a Civil penalty in the amount of \$ 250.00 for violation of A.A.C. R4-29-417(A) (Submittal of TARFs.) To be paid with 30 days from the date of the order.

NOTE: *All TARF fees have been paid.*

4. Sunrise Pest Control - Case #2002-039 TAB 27

Violations for failure to leave written notification of treatment on a pesticide application

Proposed Resolution:

The Complaint contains allegations of violations resulting from the failure to leave written notification of treatment following a pesticide application.

Staff is requesting that the complaint be dismissed and a notice of de-minimus violation be issued or violation of R4-29-305 (A)

5. Unified Services Pest Control - Case # 2001-333 TAB 28

The use of an additional “name” in the advertising for the Company

Proposed Resolution:

The Complaint contains allegations of violations resulting from the use and display of a business name. R4-29-207. Display and use of license name and number

- B. *A licensee shall do business under the name in which the license was issued.*
- C. *In addition to the actual name of the licensed business, a company may use slogans,*
- D. *marks and other names in its business. However, the actual name as registered with the Commission shall be prominently displayed on all written material used in the business and on all advertising, whether written or oral.*

Proposal submitted by United Services Pest Control:

That the Business License # C 5573 BC, Unified Services Pest Control Inc. Submit to the Commission for a name change of the company to clear up all issues.

Dismiss Complaint against them.

End of Consent Agenda

VIII. Decision and Recommended Order by Administrative Law Judge

- 1. Dorado Pest Control - Case # 2001-051 TAB 29**
- 2. Todd Marchetti - Case # 2001-016 TAB 30**

IX. Complaints

- 1. Kenneth Troy Alvestad - Case # 2002-080 TAB 31**
- 2. Arizona Rainfall Weed Control Services - Case # 2002-009 TAB 32**
- 3. Vincent Robert Armendariz - Case # 2002-079 TAB 33**
- 4. Horticultural Management Systems - Case # 2002-026 TAB 34**
- 5. Industrial Termite Specialties - Case # 2002-042 TAB 35**
- 6. Maximum Exterminating - Case # 2001-268 TAB 36**
- 7. Susan E. Miller - Case # 2002-093 TAB 37**
- 8. Stephen T. Pappas - Case # 2002-081 TAB 38**
- 9. Pest One - Case # 2001-277 TAB 39**
- 10. Polo Exterminating - Case # 2002-061 TAB 40**
- 11. Scottsdale Exterminating - Case # 2002-067 TAB 41**
- 12. SST Exterminators - Case # 2001-363 TAB 42**
- 13. University Termite and Pest Control Inc. - Case # 2002-021 TAB 43**

X. Felony Applicants

1. Alvestan, Kenneth Troy TAB 44

2. Hardy, Lona A. TAB 45

3. Mason, Victor L. TAB 46

X. Case Status Report TAB 47

XII. Testing Center Operation and Related TAB 48

XIII. Matrix/Enforcement Response Program TAB 49

XIV. HB 2189 Reporting Requirements by Commissioner Fraker TAB 50

XV. Executive Director's Report

Adjournment

Signed this _____ day of July, 2002

**Jerome Davis
Executive Director**