

**NOTICE OF COMMISSION MEETING
FRIDAY, September 13, 2002
9:00 A.M.
Coconino County Board of Supervisors Office
219 East Cherry
Flagstaff, Arizona 86001**

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 August 2002 minutes TAB
1**
- III. Call to the public (Each speaker limited to five minutes)**
- IV. Correspondence with Commissioners**
- V. Scheduling of future meetings/agenda items**

Proposed dates and locations

**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

VI. Consent Agenda.

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

A. Applications for New Business License

1. **Carpenter, Jimmy D. dba Bug Stop Pest Control (Activating Qualifying Party for new business license in “B” General Pest). TAB 2**
2. **Connors, Norman dba Fireman’s Pest Control (Activating Qualifying Party for new business license in “B” General Pest) TAB 3**
3. **Harder, Thomas W. dba Tom Harder Pest Control (Activating Qualifying Party for new business license in “B” General Pest) TAB 4**
4. **Kostes, William L. dba The Country Club @ DC Ranch (Activating Qualifying Party for new business license in “E” Weed Control, “E-1” Aquatic Weed Control & “F” Turf & Ornamental TAB 5**
5. **Madrid, Gregg dba Madrid’s Termite & Pest Control (Activating Qualifying Party for new business license in “B” General Pest & “C” Wood Destroying Organisms).. . . . TAB 6**
6. **Mastalsz, Jimmy dba Landworks, SW (Activating Qualifying Party for new business license in “E” Weed Control).. TAB 7**
7. **Mollerup, Kevin dba Regal Pest & Termite Services (Activating Qualifying Party for new business license in “B” General Pest & “C” Wood Destroying Organisms)TAB 8**

B. Applications for Existing Business License

1. Harper, John Hazeltine dba Williams T. Jenkins, Inc. (Activating Qualifying Party for existing business license in “F” Turf & Ornamental) . TAB 9
2. Petkoff, Anthony R. dba Tonto Rim Pest Control, PLLC (Activating Qualifying Party for existing business license in “C” Wood Destroying Organisms) TAB 10
3. Rable, Andrew J. dba Bartlett Tree Experts (Activating Qualifying Party for existing business license in “F” Turf & Ornamental) TAB 11

C. Applicants for QP Testing

1. Anderson, James V. “B & C” (General Pest & Wood Destroying Organisms) TAB 12
2. Blankenship, Daniel L. “C, H & D” (Wood Destroying Organisms, Wood Preservation & Fumigation) TAB 13
3. Cale, Scott Richard “B” (General Pest) TAB 14
4. Galloway, Timothy R. “E & F” (Weed Control & Turf & Ornamental) TAB 15
5. Painter, Jr.; Ricky Bert “C” (Wood Destroying Organisms)..... TAB 16
6. Russell, Patrice C. “B & C” (General Pest & Wood Destroying Organisms) TAB 17
7. Schnubel, Kurt E. “H” (Wood Preservation) TAB 18

- 8. Slingluff, Jeffrey J. **“B & C” (General Pest & Wood Destroying Organisms) TAB 19**

D. Applicants to Broaden Qualifying Party

20

- 1. Crook, William Joseph **“E & F” (Weed Control & Turf & Ornamental) TAB**
- 2. Smith, Paul K. **“E & G” (Weed Control & Golf Course Management TAB 21**

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

- 1. Bingham, Joseph Trent dba **American Dyna-Mite Exterminating TAB 22**
- 2. Eadie, Lee Burtram dba **TruGreen ChemLawn TAB 23**
- 3. Painter, Jr.; Ricky Bert dba **Termite Specialist, Inc. TAB 24**

F. Treatment Proposals

- 1. Access Pest Control **TAB 25**

G. Continuing Education Committee Minutes

26

- August 2002 MeetingTAB**

H. Settlement Conferences (Cases Already Heard By Commission)

27

- 1. **Kenneth T. Alvestad - Case # 2002-080TAB**

Violation resulting from the failure to disclose a felony conviction on three separate occasions.

Proposed resolution:

1. That Kenneth T. Alvestad, certification # 000029 VII, B be issued an Administrative Warning and a civil penalty in the amount of \$300.00 for violation of A.R.S. § 32-2321 (B)(4)(9) (Grounds for disciplinary action) to be paid within 30 days of the date of the order.

2. That Kenneth T. Alvestad, certification # 000029 VII, B be required to obtain 2 additional CEU hours in the area of Laws and Regulations for violation of A.R.S. § 32-2321 (B)(4)(9) (Grounds for disciplinary action) to be accomplished within 90 days of the date of the order.

2. Bio-Chem Services - Case #2001-314TAB

28

Violation resulting from failure to file TARF's as required under Statute.

Proposed resolution:

1. That the Business License # C 4147 BC, Bio-Chem Services be issued an Administrative Warning for violation of A.A.C. R4-29-417(A) (TARF).

2. That the Qualifying Party for Bio-Chem Services, William Jones QP # 456 BC be issued an Administrative Warning for violation of A.A.C. R4-29-417(A) (TARF).

3. That the Business License # C 4147 BC, Bio-Chem Services be issued an Administrative Warning for violation of A.A.C. R4-29-107(A) (Failure to Respond).

4. That the Qualifying Party for Bio-Chem Services, William Jones QP # 456 BC be issued an Administrative Warning for violation of A.A.C. R4-29-107(A) (Failure to Respond).

5. TARF fees and late fees in the amount of \$13,880.00 will be paid within 30 days of the Commission Order.

3. Scottsdale Exterminating - Case # 2002-067 TAB 29

Violations resulting from the failure to submit TARF's as required.

Proposed resolution:

1. That the Business License # C 4358 BCE, Scottsdale Exterminating be issued an Administrative Warning for violation of A.A.C. R4-29-417(A) (TARF's).

2. That the Qualifying Party for Scottsdale Exterminating, Donald Sieglen QP # 790 BCE be issued an Administrative Warning for violation of A.A.C. R4-29-417(A) (TARF's).

4. University Termite & P.C. - Case # 2002-002 TAB 30
Violations resulting from the application of a termiticide.

Proposed resolution:

1. That the Business License # C 4114 A, University Termite & P.C. be issued an Administrative Warning for violation of A.A.C. R4-29-301(A) (Misuse of a pesticide).

2. That all "C" category Certified Applicators employed by University Termite & P.C. be required to complete one additional CEU in a label class, or Pre-treat.

5. University Termite & P.C. - Case # 2002-021 TAB 31
Allegations resulting from an application of a termiticide.

Proposed resolution:

Staff has investigated the allegations and found violations.

Recommendations to Office of Administrative Hearings.

On August 21, 2002 a Settlement Conference was held at SPCC Offices in Tucson. No Agreement between SPCC staff and University Termite & P.C. could be reached.

End of Consent Agenda

VII. Decision and Recommended Order by Administrative Law Judge

1. Ramon Llamas - Case # 2001-371 TAB

32

VIII. Complaints and/or Settlement Conferences (1st Time Before Commission)

1. Bill's Pest and Termite Company - Case # 2002-077TAB 33
Allegations resulting from an inaccurate Wood Infestation Report.

Staff has investigated the allegations and found no violations.

Recommendation to Dismiss.

34

2. Workman Home Services - Case # 2002-045TAB

Violations resulting from the application of a termiticide.

Proposed resolution:

1. *That the Business License # C 5805 BC, Workman Home Services be issued an Administrative Warning for violation of A.A.C. R4-29-301(A) (Misuse).*

2. *That the Qualifying Party for Workman Services, Emily Workman QP # 1875 BC be issued an Administrative Warning for violation of A.A.C. R4-29-301(A) (Misuse).*

3. *That the Certified Applicator Allen Workman # 860383 BCE, be issued an Administrative Warning for violation of A.A.C. R4-29-301(A) (Misuse).*

3. Zeb-Tec Services - Case # 2002-095TAB 35
Allegations of violations resulting from the preparation of a Wood Infestation Report.

Staff has investigated the allegations and did not find a violation.

Recommendation to Dismiss.

IX. Felony Applicants

36

1. Carrillo, MoisesTAB

37

2. Hicks, Arthur LeonTAB

38

3. Rio, CruzTAB

39 4. Shambaugh, Robert AllenTAB

40 5. Snelling, David JosephTAB

X. Case StatusTAB
41

XI. EPA - Allen Demorest

XII. Computer Based Testing (CBT) - Committee Update Status TAB 42

XIII. HB-2189 - Termiticide Reporting

XIV. A.R.S. § 32-2314 (G) - Business Name TAB 43

XV. R4-29-104 - Joint Responsibility TAB 44

XVI. Exam Validation TAB 45

XVII. Executive Director's Report

Adjournment

Signed this _____ day of September, 2002

Jerome Davis
Executive Director