



STATE OF ARIZONA

**Janet Napolitano**  
Governor

## **Structural Pest Control Commission**

9535 E. Doubletree Ranch Road  
Scottsdale, Arizona 85258-5514  
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**Lisa Gervase**  
Executive Director

### **NOTICE OF COMMISSION MEETING FRIDAY, October 13, 2006, 9:00 A.M.**

**Structural Pest Control Commission  
9535 E. Doubletree Ranch Road  
Scottsdale, AZ 85258**

#### **NOTICES**

*Comments* on any item may be made to the Commission by attending the meeting to speak, or communicating with Lisa Gervase by email: [lisagervase@sb.state.az.us](mailto:lisagervase@sb.state.az.us), fax: (602) 255-1281, mail: SPCC office address, or phone: (602) 255-3664.

For people who need language interpretation services or a reasonable accommodation for a disability, please contact Helen Turner by email: [helen@sb.state.az.us](mailto:helen@sb.state.az.us), fax: (602) 255-1281, mail: SPCC office address, or phone: (602) 255-3664.

Please quiet your cellular telephones and pagers. Do not hold telephone or other conversations in the hallway outside of the Commission room, as voices carry.

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 members will attend either in person or by telephone conference call to hold a meeting open to the public, as indicated on 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)(2), the Commission may vote to go into executive session to discuss records exempt from public inspection. Pursuant to A.R.S. § 38-431.03(A)(1), the Commission may vote to go into executive session to discuss personnel matters. Pursuant to A.R.S.

§ 38-431(A)(4), the Commission may vote to go into executive session to discuss pending or contemplated litigation. The executive session will not be open to the public. All business conducted in executive session is confidential.

All items except items I, II, III, and IV are subject to decision and vote by the Commission.

## AGENDA

**I. 9:00 A.M.: Call to order (Chairperson), Commissioner roll call (Mr. Francis)**

**II. Call to the public (Chairperson).** Each speaker is limited to five minutes. This is the time for the public to comment. Pursuant to A.R. S. Section 39-431.01(G), action (if any) taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration at a later date.

**III. Communication with Commissioners (Chairperson).** This is the opportunity for Commissioners who may be involved in decision-making to disclose any written communication or the substance of any verbal communication that occurred with an interested person outside the public meeting, including the name of the person with whom they communicated. This ensures public confidence that deliberations and decision are made in open meetings. If there are no disclosures, the assumption is that there were no such communications.

**IV. Summary of Current Commission Events, Activities, Notices (Ms. Gervase)**

☞ Proposed Rule Changes. Also, watch web [www.sb.state.az.us](http://www.sb.state.az.us)  
Future Proposed Changes: Issue list being formed. Communicate ideas to  
Lisa Gervase

☞ ILT (Initial Licensure Training) courses posted on web site. Registration: 480-ILT-  
SPCC; [ILT@sb.state.az.us](mailto:ILT@sb.state.az.us)

**V. Consent Agenda**

**Items will be read and voted on in one group excluding those pulled for discussion. Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed as a regular agenda item upon the request of any Commissioner. All persons are encouraged to stay for the entire Commission meeting. However, a person who appears for a matter on the consent agenda may leave after the Commission approves the consent agenda in its one vote; and a person who appears for a matter on the consent agenda that was pulled from the consent agenda is free to leave after the Commission votes on that matter.**

**For new business and existing business license applicants, if applicants do not appear and the Commissioners have questions, those applications may be denied or tabled to a future meeting.**

**A. Applications for New Business License and Activating Qualifying Party License (Mr. Tolton)**

<u>Business</u>	<u>Qualifying Party</u>
1. Capitol Pest Control	Benjamin Joshua Denny ("B1" General Pest & Public Health)
2. RoadRunner Pest Control	Kelly Clark Denny ("B1" General Pest & Public Health)
3. AZ Bug Free, LLC.	Jeffrey J. Slingluff ("B1" General Pest & Public Health, "B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection)
4. Hassayampa Golf Club, LLC.	Matthew Lee Kimball ("B3" Right-of-Way & Weed Control and "B5" Turf & Ornamental Horticulture)
5. Bug Doctor	James Patrick Delaney ("B1" General Pest & Public Health)
6. Meridian Pest Solutions	Brian Edward Fisher ("B1" General Pest & Public Health)
7. Bruce Exterminating, LLC.	Bruce D. Burr, Jr., ("B1" General Pest & Public Health, "B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection)

**B. Applications to activate Qualifying Party for Existing Business License (Mr. Tolton)**

<u>Qualifying Party</u>	<u>Business</u>
1. Jeffrey Lynn Ford	X-Treme Exterminating ("B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection)

- |                         |  |
|-------------------------|--|
| 2. Jesse R. Pierce, Sr. | A - Nother Pest Control, Inc., ("B1" General Pest & Public Health, "B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection) |
| 3. Kandy Van Meeteren   | City of Glendale ("B3" Right-of-Way & Weed Control and "B5" Turf & Ornamental Horticulture)  |
| 4. Isaac Martinez, Jr.  | Brencon Pest Control Company ("B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection)                                      |

**For Qualifying Party applicants, Temporary Qualifying Party applicants, renewal applicants, and name change requests, if applicants do not appear and the Commissioners have questions, those applications may be denied or tabled to a future meeting. An applicant that the Commission approves for licensure is approved subject to passing required exams. Qualifying Party applicants are not placed on the Agenda until the Commission receives a background report.**

**C. Applications for Qualifying Party License (Mr. Tolton)**

- |                         |  |
|-------------------------|--|
| 1. Cass R. Carter       | "B3" (Right-of-Way & Weed Control) and "B5" (Turf & Ornamental Horticulture)           |
| 2. Richard K. Mead      | "B1" (General Pest & Public Health)  |
| 3. Richard E. Lange     | "B1" (General Pest & Public Health)  |
| 4. Jeffrey Kregg        | "B1" (General Pest & Public Health)  |
| 5. Clinton A. Bruner    | "B2" (Control of Wood-Destroying Insects)  |
| 6. Bryan Finley         | "B1" (General Pest & Public Health)  |
| 7. Cynthia Annette Aloe | "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 8. Michael P. Kropf     | "B3" (Right-of-Way & Weed Control) and "B5" (Turf & Ornamental Horticulture)           |

- |                          |  |
|--------------------------|--|
| 9. Matthew S. Kennedy    | "B1" (General Pest & Public Health)  |
| 10. Phillip Andrews      | "B1" (General Pest & Public Health)  |
| 11. Matthew S. Eggleston | "B3" (Right-of-Way & Weed Control)   |
| 12. Keith E. Whitted     | "B2" (Control of Wood-Destroying Insects)<br>and "B8" (Wood-Destroying Insect<br>Inspection) |
| 13. Mark A. Bianco       | "B3" (Right-of-Way & Weed Control)   |

**D. Business License Name Change Requests**

1. InspecTech of Virginia to LandAmerica Property Inspection Services, Inc.
2. Landscapes 'R Us, LLC. to Landscapes 'R Us, Inc.

**End of Consent Agenda**

**VI. Applications not on Consent Agenda**

**If applicants do not appear and the Commissioners have questions, those applications may be denied or tabled to a future meeting.**

**A. Request for Temporary Qualifying Party License Renewals (Mr. Tolton)**

- |                     |  |
|---------------------|--|
| 1. Michael R. Smoot | "B1" (General Pest & Public Health), "B2"<br>(Control of Wood-Destroying Insects)<br>and "B8" (Wood-Destroying Insect<br>Inspection) |
|---------------------|--|

**B. Applications to activate Qualifying Party for New or Existing Business License (Mr. Tolton)**

None

**C. Applications for Qualifying Party License**

None

## **D. Business License Name Change Requests**

None

## **VII. Complaints**

**Licensees:** The Commission may discuss, consider and take action on any matter below. The Commission's action may include those set forth in A.R.S. § 32-2321(A), such as an administrative warning, civil penalty up to \$1,000.00 per violation, probation requirements, suspension or revocation. This action may be taken pursuant to a Consent Agreement or a matter may be sent to a Formal Hearing. The Commission may issue an advisory letter pursuant to A.R.S. § 32-2321 (N). A matter also may be continued for further investigation, further settlement negotiations, or dismissed.

If a Consent Agreement is not executed by the deadline stated in the Consent Agreement Transmittal letter, the case will be sent to the Office of Administrative Hearings.

**Unlicensed:** The Commission may discuss, consider and take action on any matter below. The Commission may issue a Cease and Desist order and/or imposing a civil penalty of up to \$1,000.00 for the first offense and up to \$2,000.00 for a subsequent offense, according to A.R.S. § 32-2304(B)(16) for unlicensed activity involving other than weed control. For unlicensed activity involving weed control, the Commission may issue a written notice of correction for the first violation, impose a civil penalty of up to \$250.00 for the second violation, and impose a civil penalty of up to \$500.00 for the third or subsequent violation, according to A.R.S. § 32-2311(C). Action may be taken by Direct Commission Order without a Consent Agreement or Formal Hearing. A matter also may be continued for further investigation, further settlement negotiations, or dismissed.

### **A. J & S Pretreat Company (BL)/Mark Higginbottom (QP)/Jeffrie Frisch (APP) - Case No. 2005-071**

This complaint contains allegations that on 4-19-05, Jeffrie Frisch performed termite pretreatments to four homes in a Phoenix subdivision and applied less than the required amount to all four homes. The measurements recorded on the pretreat tags were contrary to those measured by SPCC staff. Mr. Higginbottom stated that it is the company's policy to use the builder's blueprints rather than measure the sites.

The following proposed resolution was reached:

1. That **J&S Pretreat Company BUS LIC #4178** be issued an **Administrative Warning**, pay a **\$400.00 Civil Penalty** and extend the termite “warranty” for all four homes for an additional year, thus requiring a **6-year responsibility (compared to 5-years as required by Arizona Administrative Code)**. Evidence of the extension shall involve that the company send a letter, via certified mail, to the consumers and send the **SPCC a copy of the letters and the certified mail numbers (due within 30 days of Commission Order)** pursuant to A.R.S. § 32-2321(A) and (C)(5) (Disciplinary action) for a violation of A.R.S. § 32-2321(B)(1) (Violating rules), via A.A.C. R4-29-301(A) (Failed to apply amount per label instructions) and A.A.C. R4-29-402 (Improper quantity applied) due to A.A.C. R4-29-104 (Joint Responsibility).

2. That **Mark Higginbottom QP LIC #1584** be issued an **Administrative Warning**, pay a **\$400.00 Civil Penalty** and obtain **6-hours of continuing education (CE)** in the category of **Qualifying Party Training** which shall include **Laws and Rules, measurements and/or calculations**. The CE shall be separate from what is required for license renewal (due within 30 days of Commission Order) pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S. § 32-2321(B)(1) (Violating rules), via A.A.C. R4-29-301(A) (Failed to apply amount per label instructions) and A.A.C. R4-29-402 (Improper quantity applied) due to A.A.C. R4-29-104 (Joint Responsibility).

3. That **Jeffrie Frisch APP LIC #950764** be issued an **Administrative Warning**, pay a **\$400.00 Civil Penalty** and obtain **3-hours of continuing education (CE)** in the category of **measurements and/or calculations**. The CE shall be separate from what is required for license renewal (due within 30 days of Commission Order) pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S. § 32-2321(B)(1) (Violating rules), via A.A.C. R4-29-301(A) (Failed to apply amount per label instructions) and A.A.C. R4-29-402 (Improper quantity applied).

**Commission’s Options:**

1. **Accept** the proposed resolution;
2. Return the matter to settlement conference to **Modify** the proposed resolution based on stated factors and rationale; or
3. **Reject** the proposed resolution and send the matter to hearing.

**B. Glendale Exterminating (BL)/David Kellogg (QP)/Michael Leabo (APP) - Case No. 2006-017**

This complaint contains allegations that from 6/3/05 to 4/12/06 (10 months past the 90-day period to be licensed) Michael Leabo applied pesticides without holding an applicator

license. Mr. Leabo was hired in 3/05 and should have been licensed by 6/05. All of the respondents were aware of the licensing requirement and that Mr. Leabo was applying pesticides without a license. The last time Mr. Leabo was licensed was 1998.

**The following proposed resolution was reached:**

1. That **Glendale Exterminating BUS LIC #4159** be issued an **Administrative Warning** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws/rules), via A.A.C. R4-29-302(A) (Allowed an unlicensed applicator to apply pesticides) and A.R.S. § 32-2312(E) (Employee not licensed within 90 days of employment).
2. That **David Kellogg QP LIC #3202** be issued an **Administrative Warning, pay a \$800.00 Civil Penalty and attend the November 2006 Commission Meeting in its entirety (to be accepted as 1-hour of continuing education (separate from that already required by Law) (due within 30 days of Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws), via A.R.S. 32-2314(G) (Failed to properly supervise); and A.R.S. § 32-2325(4) (Allowed applicator to apply pesticides without an applicator license for 11 months) (due to Joint Responsibility (A.R.S. § 32-2308)).
3. That **Michael Leabo APP LIC #970461** be issued an **Administrative Warning, pay a \$800.00 Civil Penalty and attend the November 2006 Commission Meeting in its entirety (to be accepted as 1-hour of continuing education (separate from that already required by Law) (due within 30 days of Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws), via A.R.S. § 32-2325(4) (Applied pesticides for 11 months without being licensed).

**Commission's Options:**

1. **Accept** the proposed resolution;
2. Return the matter to settlement conference to **Modify** the proposed resolution based on stated factors and rationale; or
3. **Reject** the proposed resolution and send the matter to hearing.

**C. Western Exterminating (BL)/Keith Willingham (QP)/Keith Whitted (QP)/Roy Lopez (APP) - Case No. 2006-019**

This complaint contains allegations that between 7-05 and 1-06, three applicators, working for Western Exterminating Company, applied pesticides up to two months beyond the 90-day licensing period.

The alleged violation did not occur when Keith Willingham was serving as Qualifying Party (QP). Therefore, SPCC staff recommends that this complaint be dismissed against Mr. Willingham.

The following proposed resolution was reached:

1. That **Western Exterminating Company BUS LIC #4026** be issued an **Administrative Warning** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws/rules), via A.A.C. R4-29-302(A) (Allowed an unlicensed applicator to apply pesticides) and A.R.S. § 32-2312(E) (Employee not licensed within 90 days of employment); and A.R.S. § 32-2325(5) (allowed applicator to perform WDI control without a license), due to (due to Joint Responsibility (A.R.S. § 32-2308)).
2. That **Keith Whitted QP LIC #30002** be issued an **Administrative Warning, pay a \$100.00 Civil Penalty and obtain six (6) hours of continuing education in the category of Laws (separate from that required for license renewal) (due within 30 days of Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws/rules), via A.R.S. § 32-2314(G) (Failed to properly supervise); and A.R.S. § 32-2325(5) (Performed WDI control without a license) and A.R.S. § 32-2325(4) (Allowed applicator to apply pesticides without an applicator license) (due to Joint Responsibility (A.R.S. § 32-2308)).
3. That **Roy Lopez APP LIC #040014** be issued an **Administrative Warning obtain six (6) hours of continuing education in the category of Laws (separate from that required for license renewal) (due within 30 days of Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws), via A.R.S. § 32-2325(5) (Performed WDI control without a license) and A.R.S. § 32-2325(4) (Applied pesticides without an applicator license).

#### **Commission's Options:**

1. **Accept** the proposed resolution and dismiss against the qualifying party, Keith Willingham;
2. Return the matter to settlement conference to **Modify** the proposed resolution based on stated factors and rationale; or
3. **Reject** the proposed resolution and send the matter to hearing.

**D. Mister Bugman Pest Control (BL)/Dennis Daley (QP)/James Daley (APP)/Robert Watkins (APP) - Case No. 2006-005**

This complaint contains allegations that Mister Bugman Pest Control applicators shorted four pretreatment sites by 679.72 gallons, 537.74 gallons, 2,930.5 gallons, 2,095.7 gallons respectively. Immediately after covertly monitoring the treatment SPCC staff photographed several dry areas which indicated that a continuous chemical barrier was not performed as required by label. The pretreat tags reflected information which was contrary to the treatment. Additionally, investigation revealed that there was no ongoing training provided by the qualifying party.

**The following proposed resolution was reached:**

- 1. That Mister Bugman Pest Control BUS LIC #2023 be issued an Administrative Warning, pay a \$1,400.00 Civil Penalty, pre-report all pretreatments for a period of six (6) months and extend the termite “warranty” of the property for an additional year, thus requiring a 6-year responsibility (compared to five years as required by Arizona Administrative Code). Evidence of the extension shall involve that the company send a letter, via certified mail, to the consumers and send the SPCC a copy of the letters and certified mail numbers (due within 30 days of the Commission Order) pursuant to A.R.S. § 32-2321(A) and (C)(5) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws/rules), via A.A.C. R4-29-307(A) and (B)(5)(6) (Failure to make true and accurate treatment records) and A.R.S. § 32-2325(5) (Five hours of training not on file); A.A.C. R4-29-301(A) (Failed to create a continuous horizontal barrier), A.A.C. R4-29-402 (Failed to apply correct quantity, strength and dosage for square footage), A.A.C. R4-29-407(C) (Failed to apply correct amount for linear footage), A.A.C. R4-29-301(B) (Making a false record in connection with a pesticide) and A.A.C. R4-29-408(C) (Incorrect information recorded on pretreat tag) (due A.A.C. R4-29-104 (Joint Responsibility)).**
- 2. That Dennis Daley QP LIC #312 be issued an Administrative Warning, pay a \$1,200.00 Civil Penalty and obtain six (6) hours of continuing education in the categories of Laws and Pretreatments (separate from that required for license renewal) (due within 30 days of the Commission Order) pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating laws/rules), via A.R.S. § 32-2314(G) (Failed to train and supervise); A.A.C. R4-29-301(A) (Failed to create a continuous horizontal barrier), A.A.C. R4-29-402 (Failed to apply correct quantity, strength and dosage for square footage), A.A.C. R4-29-407(C) (Failed to apply correct amount for linear footage), A.A.C. R4-29-301(B) (Making a false record in connection with a pesticide) and A.A.C. R4-29-408(C) (Incorrect information recorded on pretreat tag) (due A.A.C. R4-29-104 (Joint Responsibility)).**

3. That **James Daley APP LIC #910881** be issued an **Administrative Warning**, pay a **\$1,500.00 Civil Penalty** and obtain **eight (8) hours of Continuing Education (CE) in the category of Pretreatments, Calculations and Measurements and Laws (separate from the CE required for license renewal) (due within 30 days of the Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating rules), via A.A.C. R4-29-301(A) (Failed to create a continuous horizontal barrier), A.A.C. R4-29-402 (Failed to apply correct quantity, strength and dosage for square footage), A.A.C. R4-29-407(C) (Failed to apply correct amount for linear footage), A.A.C. R4-29-301(B) (Making THREE false records in connection with a pesticide) and A.A.C. R4-29-408(C) (Incorrect information recorded on pretreat tag).
  
4. That **Robert Watkins APP LIC #960011** be issued an **Administrative Warning**, pay a **\$400.00 Civil Penalty** and obtain **eight (8) hours of Continuing Education (CE) in the category of Pretreatments, Calculations and Measurements and Laws (separate from the CE required for license renewal) (due within 30 days of the Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S § 32-2321(B)(1) (Violating rules), via A.A.C. R4-29-301(A) (Failed to create a continuous horizontal barrier), A.A.C. R4-29-402 (Failed to apply correct quantity, strength and dosage for square footage), A.A.C. R4-29-407(C) (Failed to apply correct amount for linear footage), A.A.C. R4-29-301(B) (Making ONE false record in connection with a pesticide) and A.A.C. R4-29-408(C) (Incorrect information recorded on pretreat tag).

**Commission's Options:**

1. **Accept** the proposed resolution;
  
2. Return the matter to settlement conference to **Modify** the proposed resolution based on stated factors and rationale; or
  
3. **Reject** the proposed resolution and send the matter to hearing.

**E. Truly Nolen (BL)/Robert Hartley (QP)/Dana Herrick (APP) - Case No. 2005-086**

This complaint contains allegations that a Truly Nolen applicator misused a pesticide by applying it in a restaurant kitchen that was in operation, which is contrary to label requirements. Further investigation revealed that this applicator was working three months past the 90-day period to be licensed. Additionally, another applicator (who previously held a license) was found working one month past the 90-day period to be licensed. A salesperson that made recommendations was working without an applicator license and evidence was found to indicate there was no direct supervision by licensed applicators.

**No proposed agreement was reached with the Business Licensee or Qualifying Party Licensee.**

**The following proposed resolution was reached with the Applicator:**

1. That **Dana Herrick APP LIC #930750** be issued an **Administrative Warning and pay a \$100.00 Civil Penalty (due within 30 days of Commission Order)** pursuant to A.R.S. § 32-2321(A) (Disciplinary action) for a violation of A.R.S. § 32-2321(B)(1) (Violating laws), via A.R.S. § 32-2325(4) (Applicator applying pesticide without a license).

**Commission's Options:**

1. **Accept** the proposed resolution and **send** the Business Licensee and Qualifying Party Licensee to hearing;
2. Return the matter to settlement conference to **Modify** the proposed resolution based on stated factors and rationale; or
3. **Reject** the proposed resolution and send the entire matter to hearing.

**VIII. Requests for Review or Rehearing of Previous Commission Decisions. (Ms. Gervase)**

**None**

**IX. Review or Rehearing of Previous Commission Decisions. (Ms. Gervase)**

**None**

**X. Consideration of Suspension of Business, Qualifying Party and/or Applicator Licenses for Non-payment of Civil Penalties and/or Nonpayment of Renewal Fees [Possible Dismissal of Cases without prejudice, if applicable]. (Ms. Gervase)**

**None**

**XI. Consideration of lifting Suspension of Business, Qualifying Party and/or Applicator Licenses. (Ms. Gervase)**

**None**

**XII. Recommended Decisions and Orders of the Office of Administrative Hearings' Administrative Law Judges. (Ms. Miles)**

**None**

**XIII. Settlement Proposals [not part of Complaints agenda item]. (Ms. Miles)**

**None**

**XIV. Consideration of Informal Settlement Conference proposed resolutions [for License Denial Applicants]. (Ms. Gervase)**

**None**

**XV. Reporting by Licensees on Probation. (Ms. Gervase)**

**A. Benjamin Sanchez, Applicator Licensee No. 050236 - Case No. 2005-007.**

Mr. Sanchez reports the status of his compliance with criminal probation, employment status and rehabilitation status. Mr. Sanchez was granted a license pursuant to a consent agreement in February 2005. Mr. Sanchez only reports to the Commission every six months. Consideration by Commission to amend terms of consent agreement.

**XVI. Applicants with Criminal Convictions. (Mr. Tolton)**

**If applicants do not appear and the Commissioners have questions those applications may be denied or tabled to a future meeting.**

**A. Rene Anthony Solano**

**B. Larry Michael Ward**

**C. Pablo Pescador**

**D. Anthony Moreno**

**XVII. Commission Updates and Reports; Miscellaneous Action Items.**

**A. Ant Brian Exterminating (Business License No. 8369), Brian W. Oldham (Qualifying Party License No. 2029, Applicator License No. 940470)**

**Complaint 2006-031 (Ms. Gervase):** Pursuant to A.R.S. § 32-2329, Commission's consideration of continuing the Summary Suspension of Ant Brian's Business License and Brian Oldham's Qualifying Party and Applicator Licenses.

**B. Guillermo Sotelo, Applicator License No. 040825 - Case No. 2004-120 (Ms. Gervase):** Commission's consideration of a proposed amended consent agreement and order for Mr. Sotelo. Mr. Sotelo was issued a license pursuant to a consent agreement in September 2004, and was to report the status of his compliance with criminal probation, employment status and rehabilitation status. Mr. Sotelo violated the terms of that consent agreement, leading to a proposed Amended Consent Agreement and Order between Mr. Sotelo and SPCC staff for the Commission's consideration. Separate handout.

**C. None**

**D. Complaint Status Log (Mr. Francis/Mr. Craig).**

**E. Computer Based Testing "CBT" Status and Statistics (Mr. Francis)**

**F. Expenditure Report (Ms. Gervase)**

**G. Case Status Report (Every other month - last report 9/06) (Ms. Gervase)**

**XVIII. Approval of Minutes and Continuing Education Programs**

**A. September 8, 2006 (regular session) Minutes (Ms. Gervase)**

**B. Continuing Education Program Applicants (Mr. Craig)**

**XIX. Scheduling of future meetings/agenda items (Ms. Gervase)**

**Current Proposed dates**

**November 9, 2006 \*\*\*\*\* (Thursday) \*\*\*\*\***

**December 8, 2006**

**January 12, 2007**

**February 9, 2007**

**March 8, 2007**

**April 12, 2007**

**May 11, 2007**

**June 8, 2007**

**July 13, 2007**

**XX. Adjournment**