



Janet Napolitano
Governor

STATE OF ARIZONA
Structural Pest Control Commission

Lisa Gervase
Executive Director

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NOTICE OF COMMISSION MEETING
FRIDAY, January 12, 2007, 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: lgervase@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: hturner@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 (Ms. Villela)

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)

☺Business and Qualifying Party License Renewal Status: Licenses not renewed by 12/31/06 are expired and licensee cannot operate until license is renewed. Renew through January by paying renewal fee and late fee.

☺CE (Continuing Education Courses). SPCC's course schedule posted on website. Registration: 480-CEU-SPCC; CEU@sb.state.az.us

☺ILT (Initial Licensure Training) courses posted on web site. Registration: 480-ILT-SPCC; 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. Progressive Pest Management, LLC.	David E. Poplin ("B1" General Pest & Public Health)
2. Kleenland, Inc.	Dan R. Smith ("B3" Right-of-Way & Weed Control, "B5" Turf & Ornamental Horticulture and "B9" Aquatic Pest Control)
3. American Building Maintenance Co.	Joseph R. Wright ("B3" Right-of-Way & Weed Control)
4. Laughlin Ranch Golf Course, LLC.	Christopher K. Sachen ("B3" Right-of-Way & Weed Control and "B5" Turf & Ornamental Horticulture)
5. Pine Meadows C.C., LLC.	David A. Snyder ("B3" Right-of-Way & Weed Control and "B5" Turf & Ornamental Horticulture)
6. Got Bugs? Exterminating	James A. Murphy ("B1" General Pest & Public Health)
7. Suncoast Pest Control, LLC.	Teresa L. Skiba ("B1" General Pest & Public Health)
8. Palmer Pest Control	Jerry W. Palmer ("B1" General Pest & Public Health)
9. Spectrum Pest Control, LLC.	Shane D. Pannell ("B1" General Pest & Public Health)
10. Custom Turf Applications	Donald A. Pleger, Sr. ("B3" Right-of-Way & Weed Control and "B5" Turf & Ornamental Horticulture)

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

<u>Qualifying Party</u>	<u>Business</u>
1. Edward Hageman	Karsten Pest Technologies, LLC. ("B9" Aquatic Pest Control)

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| 2. John F. Kennedy | City of Prescott: Antelope Hills GC ("B3" Right-of-Way & Weed Control and "B5" Turf & Ornamental Horticulture) |
| 3. Mickey Millen | Beebe's, LLC. ("B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection) |
| 4. Nancy J. Wild | JMH Weed Control ("B5" Turf & Ornamental Horticulture) |
| 5. Foree R. Cooley | Nu-Treat Pest Services, LLC. ("B1" General Pest & Public Health) |
| 6. John W. Sammons | City of Tempe ("B5" Turf & Ornamental Horticulture) |
| 7. Michael T. Connors | American Golf Corporation ("B3" Right-of-Way & Weed Control) |

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)

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| 1. Thomas J. Siegfied, Jr. | "B1" (General Pest & Public Health) |
| 2. Tony H. Macis | "B3" (Right-of-Way & Weed Control) |
| 3. Bryan L. Franklin | "B1" (General Pest & Public Health) |
| 4. Emily C. Roxby | "B1" (General Pest & Public Health) |
| 5. Daniel R. Wilbur | "B1" (General Pest & Public Health) |
| 6. Douglas D. Dykstra | "B3" (Right-of-Way & Weed Control) and "B5" (Turf & Ornamental Horticulture) |
| 7. Jason D. Fletcher | "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 8. Frank R. Woodward | "B1" (General Pest & Public Health), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |

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|-------------------------|---|
| 9. John P. Phillips | "B3" (Right-of-Way & Weed Control) |
| 10. Charles T. Gorsuch | "B9" (Aquatic Pest Control) |
| 11. Colt J. Ferguson | "B1" (General Pest & Public Health) |
| 12. John F. Saxton, Jr. | "B1" (General Pest & Public Health),
"B2" (Control of Wood-Destroying Insects) and
"B8" (Wood-Destroying Insect Inspection) |
| 13. Larry G. Winter | "B3" (Right-of-Way & Weed Control) |
| 14. Edgar E. Izaguirre | "B1" (General Pest & Public Health) |
| 15. William R. Babcock | "B3" (Right-of-Way & Weed Control) |
| 16. Lewis W. Bence, III | "B3" (Right-of-Way & Weed Control) |

D. Business License Name Change Requests

None

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)

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|--------------------|---|
| 1. John T. Royalty | "B3" (Right-of-Way & Weed Control) and
"B5" (Turf & Ornamental Horticulture) |
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B. Applications to activate Qualifying Party for New or Existing Business License (Mr. Tolton)

- | | |
|--|---|
| 1. National Pest Solutions | Steven H. Glotzer ("B1" General Pest & Public Health, "B2" Control of Wood-Destroying Insects and "B8" Wood-Destroying Insect Inspection) |
| 2. Gary's Pest Control Solutions, Inc. | Shiloh K. Tichi ("B1" General Pest & Public Health) |

C. Applications for Qualifying Party License

1. Elizandro Escobar-Bermudez "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection)
2. Ryan C. Peterson "B1" (General Pest & Public Health), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection)

D. Business License Name Change Requests

None

VII. Complaints (Mr. Craig)

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. Kevin Vescio (APP) - Case No. 2006-045

This complaint contains allegations that in the summer of 2006, Applicator Kevin Vescio performed two pest control treatments with an expired applicator license and no qualifying party license or business license. The allegations of this unlicensed activity were reported to SPCC staff by Mr. Vescio's former employer, who believe the applicator was servicing customers the company recently lost. Mr. Vescio admitted to performing the work, but alleged it was out of friendship, not for profit. However, the invoice he left with one of the customers was printed with the name "Choice Pest Control", which is a fictitious company. A statement of complaint was mailed to Mr.

Vescio's last known address, but it was returned as he had moved and included no forwarding address. SPCC staff drove to the home and noted that the residence was empty. Mr. Vescio's whereabouts are unknown.

Commission's Options: All of those noted above, or: **Staff's recommendation:**

Suspend the applicator license of Kevin Vescio (APP LIC #940491) for non-payment of renewal fees (since he did not renew his license in Mary 2006), and dismiss the complaint without prejudice [license automatically revoked in one year].

B. Robert Fulton (APP) - Case No. 2006-028

This complaint contains allegations that from 2/01 to 9/01 and in 3/05, Applicator Robert Fulton dba Custom Turf Applications, performed weed control services (using Barricade herbicide granules) at various golf courses. Each treatment involved no less than 13, 000 pounds of material per site. Mr. Fulton performed the treatments without holding a business license, qualifying party license or current applicator license.

The following proposed resolution was reached:

1. That **Robert Fulton APP LIC #980079 dba Custom Turf Applications** be issued an **Administrative Warning and pay a \$1,200.00 Civil Penalty** 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(1)(2)(4) (Performing pest control work and applying pesticides without a business license, qualifying party license or applicator license).

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 entire matter to hearing.

C. Bob's Bug Bizz (BL)/Robert Deutsch (QP) - Case No. 2006-022

This complaint contains allegations that Bob's Bug Bizz failed to submit 52 Termite Action Report Forms (TARFs) between 5/05 to 5/06, within the required 30 days of completing each termite action.

Staff recommends that this complaint be dismissed against the qualifying party, because the facts of this case reflect that the TARF filings were the responsibility of the Business Licensee.

The following proposed resolution was reached:

1. That **Bob's Bug Bizz BUS LIC #2012** 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 rules), via A.A.C. R4-29-417(A) (Failed to submit TARFs within 30 days of completed termite action).

Commission's Options:

1. **Accept** the proposed resolution for the business and dismiss the complaint against the QP;
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.

D. Frontline Exterminating, LLC. (BL)/Darren Kirkham (QP) - Case No. 2006-012

This complaint contains allegations that in 12-05, SPCC staff found evidence that qualifying party Darren Kirkham allowed an unlicensed applicator to perform pest control the month past the 90-day time frame required to be licensed.

The following proposed resolution was reached:

1. That **Frontline Exterminating, LLC. BUS LIC #8406** 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.R.S. § 32-2312(E) (Applicator not licensed within 90-days of being employed by business licensee) and A.A.C. R4-29-302(A) (Company allowed applicator to apply pesticides without being licensed).

2. That **Darren Kirkham, QP LIC #8399** be issued an **Administrative Warning**, and **obtain three (3) hours of continuing education in the categories of Laws (separate from that required for license renewal) (due within 30 days of the Commission Order)** 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) (Qualifying Party failed to properly supervise); and A.R.S. 32-2325(4) (Applicator applied pesticides 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 entire matter to hearing.

E. Kent Griffith (APP) - Case No. 2006-025

This complaint contains allegations that from 7/11/05 to 3/17/06, Applicator Kent Griffith performed the pest control services at the University of Arizona in Tucson, Arizona, using the name Catalina Bee. Mr. Griffith performed such work with an expired applicator license and did not hold a qualifying party license or a business license. Mr. Griffith previously worked for two licensed businesses, one while he held a valid applicator license, and was aware of the licensing requirements.

The following proposed resolution was reached:

That **Kent Griffith APP LIC #010678** be issued an **Administrative Warning** and pay a **\$1,350.00 Civil Penalty** and **obtain 8 hours of Continuing Education in the category of Laws (separate from that required for license renewal, if he becomes licensed again and requires annual CE)** 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(1)(2)(4) (Performing pest control work and applying pesticides without a business license, qualifying party license or applicator license).

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.

F. Ramon Spude (APP) - 2006-033

This complaint contains allegations that on 2-13-06, Applicator Ramon Spude performed a pretreatment in Cordes Lakes, Arizona. Mr. Spude should have applied 84.01 gallons. However, using only the builder's measurements, he applied 64 gallons, thus shorting the site by 20.01 gallons (about 25%).

The following proposed resolution was reached:

That **Ramon Spude APP LIC #010018** be issued an **Administrative Warning**, pay a **\$100.00 Civil Penalty** and **obtain 4 additional hours of continuing education (CE) in the category of Laws, Measurements and Calculations (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. § 32-2321(B)(4) (Applied pesticides inconsistent with the pesticide label), A.A.C. R4-29-402 (Failed to apply correct quantity), A.A.C. R4-29-407 (Failed to treat linear footage) and A.A.C. R4-29-107(A) (Failure to respond to the complaint in writing).

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.

G. University Termite and Pest Control, Inc. (BL)/Richard Rupkey, II (QP) - Case #2005-069

This complaint contains allegations that University Termite & Pest Control, Inc. and Richard Rupkey, II, failed to comply with four Commission Orders executed in early 2005 and failed to comply with a 24-hour records request in the current complaint.

The following proposed resolution was reached:

That **University Termite & Pest Control, Inc. BUS LIC #4114** and **Richard Rupkey, II QP LIC #1909** be issued an **Administrative Warning** and the following:

- A. Thirty (30) day suspension of business and QP licenses, **24 days are stayed.**
- B. Six (6) day suspension to be served on the last two business days of February, March and April 2007. If emergency call from customer for pest management service, contact Mike Francis to obtain approval before performing service.
- C. If there's any noncompliance with terms of new order, the stay of the 24 days of the suspension shall be lifted and the 24 days suspension shall go into effect, beginning 30 days from the date of the SPCC written notice to the business/QP.
- D. **Probation of business and QP licenses for 15 months**, beginning entered date of order.
- E. Terms of probation:
 - a. **Pay a \$5,000 civil penalty within 30 days of entered date of order.**
 - b. **Hire regulatory compliance consultant** who is well versed in Arizona pest management industry good management practices. Within 30 days of entered order, provide names and qualifications of at least 3 people for SPCC to approve one. **Within 6 months of entered order, provide consultant's written report to SPCC.** Consultant shall interview at least the following people: Lisa Gervase, Mike Francis, Vince Craig at SPCC, and University's staff (including Rick Rupkey Sr., Rick Rupkey II, Managers, Supervisors, and office staff who handle SPCC communications); review compliance history with SPCC and any other documentation/information the consultant deems relevant; interview other licensed

businesses as the consultant deems necessary; and assess compliance and communication with SPCC and provide written report of recommendations.

- c. Within 30 days of receiving consultant's report, **University/QP shall begin implementing consultant's recommendations.** University/QP shall pay all costs associated with consultant.
- d. **QP shall attend at least 12 of the first 15 Commission meetings,** beginning with the first meeting after the entered date of the order. Attend entire meetings, on sign-in sheet, sign name and time arrived and time left.

F. Excuse compliance with putting on three 6-hour CE courses per orders in Cases 2003-100, -105, -106; 2004-087; and 2004-004.

G. All other terms for which proof of compliance isn't provided now shall be completed within 30 days of new entered order. Any items from prior orders of a continuing nature (i.e.: pretreat reporting) shall continue per prior orders.

H. Excuse compliance with QP attending 3-hour laws/rules class since he'll be attending 12 Commission meetings.

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. § 32-2321(B)(1) (Failed to comply with a written order of the Commission) and A.A.C. R4-29-309(A) (Failed to comply with 24-hour records requests).

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.

H. Truly Nolen (BL)/Robert Hartley (QP)/Daryl Natter (APP) - Case #2006-020

This complaint contains allegations that on 5-23-06, in Phoenix, Arizona, Applicator Daryl Natter misused Nibor D pesticide. Mr. Natter applied the pesticide in a manner where it was exposed, which is contrary to the pesticide label. While documentation was submitted indicating that Mr. Natter passed the company's standards for employment/application training, there was no training regarding pesticide applications in restaurants or using Nibor D. Interviews of supervisory staff indicate a lack of supervision.

No agreement was reached with the business licensee or qualifying party licensee.

The following proposed resolution was reached with the applicator:

That **Daryl Natter APP LIC #051056** be issued an **Administrative Warning**, pay a **\$100.00 Civil Penalty** and obtain **4 additional Continuing Education (CE) hours** in the categories of **Safety and Laws (separate from that which 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) (Applied pesticide inconsistent with the label requirements).

Commission's Options:

- 1. Accept** the proposed resolution regarding Daryl Natter and **send the matter to hearing regarding the business licensee and qualifying party licensee;** or
- 2. Accept** the proposed resolution regarding Daryl Natter and **Return** the matter to settlement conference with respect to the business licensee and qualifying party licensee.

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)

A. Eric Gordon Lund (APP/QP) and Norstar Pest Control, LLC. (BL) - Case No. 2005-028 - Applicator License No. 040079 B1 (Issued 02/07/04) (Expired 05/31/04) (Suspended 02/03/2006), Qualifying Party License No. 3125 B1 (Issued 07/13/2001) (Expired 12/31/04) (Suspended 2/3/06), Business License No. 8250 (Issued 09/15/03) (Expired 12/31/04) (Suspended 2/3/06)

Commission's consideration of reinstating Eric Gordon Lund's Applicator License, Qualifying Party License and Norstar Pest Control, LLC.'s Business License. The Commission filed Complaint 2005-028 due to an allegation that Mr. Lund had performed a pest control service without the benefit of a valid Applicator, Qualifying Party or Business License. His business and QP licenses were suspended for nonpayment of renewal fees,

effective February 3, 2006, and the complaint (Case No. 2005-028) was dismissed without prejudice. The Applicator, Business and QP licenses will automatically be revoked on February 3, 2007 unless the licenses are reinstated. On December 26, 2006 Mr. Lund filed the requisite license applications with the fees and late fees (seeking reinstatement of these licenses).

If the licenses are reinstated, the Commission may consider how to proceed with Case No. 2005-028 (unlicensed activity), and whether to renew Mr. Lund's three licenses. He also must renew his QP and Business license for the 2007 renewal year or those licenses will be expired if the Commission reinstates them.

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. Larry M. Ward, Applicator License No. 061150 - Case No. 2006-059. Mr. Ward reports the status of his compliance with criminal probation (if any), employment status and rehabilitation status. Mr. Ward was granted a license pursuant to a consent agreement in November 2006.

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. Josh D. denDulk

B. Kevin J. Cameron

C. George J. Shiban

D. David M. Ramos

XVII. Commission Updates and Reports; Miscellaneous Action Items.

- A.** Sol Design, Case 2006-026: At the November 2006 Commission meeting, the Commission imposed an Order against Sol Design for unlicensed activity. The Commission also sent this matter to the Attorney General's Office to consider seeking injunctive relief because this was a third occurrence of unlicensed activity. Report to Commission of status. (Ms. Cornelius)
- B.** Childcare Facility Pesticide Application Notification: Status of implementing education/enforcement of HB 1350, effective 1/1/07. (Ms. Gervase, Mr. Francis)
- C.** Designating bees as public nuisance in Health Services statutes to facilitate counties and municipalities in hiring licensed pest management companies for bee control and seeking reimbursement of costs from property owners who refuse to handle the problem. There is a pending House Bill in this legislative session (no number yet), to amend A.R.S. section 36-601(A)(1) to add feral bees to the items that are public nuisances, sponsored by Representative Burns. The County Supervisors Association (CSA) has received input from the SPCC, and the Pest Management Industry, via Dr. Steve Thoennes. The CSA has asked for the Commission's support of this legislation. SPCC staff recommends support.
- 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 11/06) (separate handout) (Ms. Gervase)

XVIII. Approval of Minutes and Continuing Education Programs

- A.** October 13, 2006 (regular session) Minutes (Ms. Gervase)
- B.** December 8, 2006 (regular session) Minutes (separate handout) (Ms. Gervase)
- C.** December 8, 2006 (executive session) Minutes (separate handout) (Ms. Gervase)
- D.** Continuing Education Program Applicants (Mr. Craig)

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

Current Proposed dates

February 9, 2007

March 9, 2007

April 13, 2007

May 11, 2007
June 8, 2007
July 13, 2007
August 10, 2007
September 14, 2007
October 12, 2007

XX. Adjournment