



ARIZONA

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Ellis M. Jones

Acting Director

ADVISORY COMMITTEE MEETING

WEDNESDAY, July 22, 2009, 10:00 A.M.

Minutes

- I. Call to order** 10:00 am (Kevin Etheridge substituting for Chairperson Carmella Ruggiero), **Committee Member Roll Call**

Committee Members present: *Ken Frederick, Kevin Etheridge, Nate Tamialis, Doug Seeman*

Committee Members absent: *Chairperson Carmella Ruggiero, Jack Latham*

Staff present: *Ellis Jones, Vince Craig, Robert Tolton, Charmayne Skow, Hugo Pulido, Nancy Holmes*

II. Approval of Minutes

a. June 24, 2009 Minutes

Tabled for lack of quorum.

III. Committee Updates and Reports

a. Election of Chairperson

Tabled to allow current Chairperson to participate.

b. Pest Management Advisory Committee (PMAC) Member Training (Mrs. Miles)

Mrs. Miles (private attorney doing consulting work for OPM) gave an in-depth formal review of the Open Meeting Law advising the Committee members of their obligations and responsibilities. The OPM Statutes make it quite clear as to what determines an open meeting. Mrs. Miles outlined the duties associated with being an Advisory Committee member; further stating that meetings may occur not only in a public setting but also through non-traditional methods such as the computer, telephone and email; therefore, members must be aware of the ramifications associated with being an

Advisory Committee member. Mrs. Miles stressed to the members to be mindful of discussions with other Advisory Committee members outside of the meeting place. The Committee's power is limited to advising and making recommendations to the Acting Director. For further clarification on the Open Meeting Law you may go to the web site www.azleg.gov/ombudsman or to www.agaz.gov. For further details on Mrs. Miles presentation please see Attachment III b.

c. PMAC Mission/Vision Statement

Mr. Jones discussed the necessity for a Mission Statement that fits the needs of the industry. At last month's meeting, and with the advice of the Advisory Committee, Ellis asked that the Committee consider the wording of the Mission/Vision Statement. As a result, and after discussion, Kevin Etheridge proposed that "and general public" be added to the wording of the Mission Statement.

"The mission of the AZ Pest Management Advisory Committee is to provide technical advice and make recommendations to the Acting Director. The Committee will act as a voice of the pest management industry and inform the Acting Director of concerns as it pertains to the business of pest management. The Committee will work with the Acting Director and the Office of Pest Management staff for the betterment of Arizona's pest management industry and general public. The Committee will act in this mission through cooperation and mutual respect".

Doug Seeman moved that the PMAC recommend to the Acting Director that the aforementioned Mission Statement be accepted

MOTION: To approve by Doug Seeman
Seconded by Nate Tamialis

VOTE: 4-0 Motion Passed

IV. Call to the Public

None

V. Summary of Current OPM Events, Activities

a. State of the Agency Briefing

Mr. Jones presented a general summary of the Agency's position - past, present and future. Ellis stated that at this time, although OPM is authorized and budgeted for 34 employees, the agency is maintaining the current workforce of 28 full time employees. OPM is working in the community to "Go Green" with the upcoming SCECE Expo in September. Because of the agency's efficiency and revenue changes over the past six months the OPM has enough funds to sustain until December 2009 instead of the original projection of August. OPM is generating more revenue through fingerprinting, Continuing Education class fees and testing and is currently looking at CE provider fees as well as credit card usage fees and increasing the fee for broadening applications. The on-line newsletter will be coming out soon; we will keep you posted on the progress. The community outreach program "PREP" is a great program that will be continued by the agency.

At this juncture each department head including Vince Craig (Compliance & Enforcement), Robert Tolton (Licensing), Charmayne Skow (Finance &

Administration) and Hugo Pulido (Information Technology) gave a summary of their department's areas of responsibility. Topics included organizational charts (listing duties), accomplishments, current projects and future projects; changes already made and future changes that will produce a more effective and efficient agency. For further details please see Attachment V a.

b. Status of 2010 Applicator License Renewals

Mr. Tolton gave an update on the status of the 2010 Applicator License Renewals as well as advising all attendees of the changes to the AZ Statement of Citizenship & Alien Status. The Governor recently signed House Bill 2306 that is attached to State Statute 41-1080 that states if you have established proof of citizenship already you will not be required to submit it again; this will become effective October 2009. The processing time for renewals has decreased this year. Mr. Tolton concluded by reminding the attendees of the upcoming SCECE Expo that will be held September 29 & 30.

VI. Review, Discussion and Possible Action on

a. Budget Reconciliation Bill

Mr. Jones gave an update on the Budget Reconciliation Bill (BRB) which was approved by both the House and Senate but the entire package was vetoed by the Governor. Ellis is hoping that it gets reinstated again. Just for clarification, BRB is meant to increase fees beyond the cap but to a maximum additional income of \$875,000.

b. Revenue Proposal

Mr. Jones has filed an emergency rule change request at the Attorney General's Office; it is pretty much approved, however is on hold pending the budget process. The Advisory Committee along with advice from AzPPO and others came up with a revenue generating proposal that will be sent out for industry feedback. Proposed changes to TARFs include no fee for filing an eTARF – there would be a charge for paper TARFs and late TARFs *only*. Active Applicator Service Fees are being looked at for possible implementation pending recommendation from the industry. Doug Seeman asked how the Applicator Service Fee would affect part time employees and those employees who work for more than one company. Ellis said it was still a work in progress and that OPM will look at that question. Whether OPM gets the BRB passed or not, the proposal will go to industry members for their feedback shortly. With the emergency rule change that's sitting at the Attorney General's office – Ellis has asked his staff if OPM can leave the TARF fee at \$8.00. Staff members are to respond shortly on their recommendations. It is anticipated that in January 2010 the Office of Pest Management will go in for some bill changes but discussion with the industry will take place prior to this happening. The question was asked if the various proposals will be mailed out. Ellis stated that with current costs it is more effective to have the different proposals on our web site. Mr. Gallifant asked about the surplus of \$500,000 left in OPM's budget. Ellis stated that after a rent payment and other payments there is less than \$250,000. Ellis stated that he negotiated with the State to prorate our rent on a quarterly basis; thus, there will not be a balloon payment of \$280,000 due in September. Also, because the housing industry has taken a deep dive, our income has been affected by the loss of that revenue. Lisa Gervase restated that OPM could

implement an Active Applicator Service Fee under the emergency rule. Nate Tamialis asked Ellis if he received any input from last meeting. Ellis stated he received two emails and one verbal – they were all positive regarding the proposed changes. Ken Frederick commended Ellis on the positive working relationship between OPM and industry members over the past several months.

Mr. Jones suggested that industry members send a letter and a copy of the revenue proposal to their State Senators and Congressmen. Mr. Jones suggested that upon the advice of AzPPO and others, all industry members are urged to take a look at the revenue proposals and make comments. At this time the industry favors an Active Applicator Service Fee but Ellis would like to hear from more industry members on their ideas. Comments should be sent to either Ellis Jones or any member of the Advisory Committee. The PMAC can be reached via email at the OPM website under “Employee Directory” (See Revenue Proposal Attachment VI b).

VII. Schedule of Future Meetings

a. August 26, 2009 at 10:00 A.M.

Discussion on how often the Advisory Committee Meetings should take place. Harvey Logan of Western Exterminating is in favor of monthly meetings in light of the issues facing the industry. Nate Tamialis concurred and stated that until there is a consensus to go quarterly monthly meetings will remain. Lisa Gervase asked if the BRB is passed would there be a meeting prior to the next scheduled Advisory Committee Meeting. Ellis said a meeting would be called if needed.

The approval of the June 24, 2009 Minutes was tabled and will appear on the August 26, 2009 Agenda. Discussion was held on how often the PMAC should meet. It was the decision of the PMAC that the Advisory Committee will meet monthly until the pressure subsides.

Mr. Etheridge made a recommendation to consider giving CEU's to those attending the Advisory Committee meetings.

After discussion with Ms. Miles and Mr. Jones, the Committee Members decided to proceed with the election of a new chairperson.

III. Committee Updates and Reports

a. Election of Chairperson

Due to her current workload, Carmella Ruggiero has resigned her position as Chair. Kevin Etheridge was nominated as Chair of the Advisory Committee by Ken Frederick

MOTION: To approve by Ken Frederick
Seconded by Nate Tamialis

VOTE: 3-0 (Kevin Etheridge abstained) Motion Passed

VIII. Adjournment - Meeting adjourned at 12:35 P.M.