



# Arizona Department of Agriculture

## Office of Pest Management

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### Pest Management Advisory Committee Notice of Meeting and Agenda

The Pest Management Advisory Committee (PMAC) will hold a meeting open to the public on Friday, February 1, 2013 beginning at 9:00 a.m. in room 206 of the Arizona Department of Agriculture, 1688 W Adams Street, Phoenix. Members of the PMAC will attend either in person or by telephone conference call. The PMAC may vote to hold an executive session for the purpose of obtaining legal advice on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

#### MINUTES

*The following minutes are for the meeting held on February 1, 2012 in Room 206 at 1688 West Adams Street, Phoenix, AZ 85007 (the Department of Agriculture Building).*

*During this committee meeting, a speakerphone was used so that the public could listen to comments made by committee members participating telephonically. Committee members participating by telephone identified themselves before each comment.*

**I. 9:01 A.M.: Call to Order** (Acting Chairperson: Ken Fredrick) – Mr. Jack Peterson asked that Mr. Fredrick act as chairperson in the absence of Mr. Kevin Etheridge.

**a) Committee Roll Call (Carlos Coyazo) –**

*Present:*

*Telephonically: Ken Fredrick, Carmella Ruggiero, Robert Wagner, Jack Latham, Andrew Witcher, Chairperson Kevin Etheridge (joined at 9:04),*

*Physically Present: Staff Members (Jack Peterson, Robert Tolton, Vince Craig, Ron Walker, Gary Christian, Carlos Coyazo) and Dr. Michael Pfeiffer*

*Absent:*

*Doug Seemann*

**II. Approval of Minutes**

*a) None*

**III. Review, Discussion, and Possible Action on:**

*a) Discontinue charging fees for Continuing Education and Initial License Training classes provided by the OPM (Mr. Jack Peterson):*

*Mr. Peterson explained he neglected to add this to the last meeting's agenda. He went on and explained when an Initial License Training is done, there is a \$10.00 charge and when a Continuing Education Credit is done, there is a \$48.00 charge. Mr. Peterson noted, currently, the OPM fund is "abundant". He also stated several of the inspectors who conduct these trainings asked if it were possible to suspend charging for the trainings for a period of time because it was such a "hassle" to track. Mr. Peterson explained after thinking about the situation, a realization that Dr. Michael Pfiffer may have concerns he would like to voice and he wanted to make sure to have a meeting to discuss it. Mr. Peterson explained the idea of OPM doing training came before both the Task Force and the PMAC and both those committees agreed that the OPM should continue to provide continuing education credits that deal with the laws and issues in order to insure that industry members were being compliant. Mr. Peterson also stated the OPM was to limit the classes to 4 (four) a year.*

*Mr. Robert Tolton discussed the "OPM Provided Continuing Education and Initial Training Statistics" document that was provided to the meeting's attendees. Mr. Tolton stated the number of classes was outlined as well as the subsequent maximum attendance of the classes combined. Mr. Tolton then went on to describe the Initial License Training upcoming scheduled classes and their maximum capacity numbers as follows: February 20<sup>th</sup>, 2013, maximum of 30 people; February 27<sup>th</sup>, 2013, maximum of 40 people; April 12<sup>th</sup>, 2013, maximum of 40 people (held in Tucson); and May 3<sup>rd</sup>, 2013, maximum of 75 people. He stated, at best, with Initial License Training, the OPM would provide training to 185 potential new applicators. Mr. Tolton went on to outline the Continuing Education Training schedule as follows: March 7<sup>th</sup>, 2012, maximum of 75 people; March 14<sup>th</sup>, 2013, maximum 70 people (in Tucson); March 19<sup>th</sup>, 2013, maximum 85 people (in Prescott); and March 28<sup>th</sup>, 2013, maximum 40 people (in Yuma): representing a combined total of no more than 270 people for the year. Mr. Tolton noted the Prescott training has never reached maximum capacity.*

*Mr. Kevin Etheridge requested any committee members issue comments, if any. Ms. Carmella Ruggiero asked because the OPM fund is in abundance, this means there will not be a detrimental effect should there be no income from the training class. Mr. Peterson said yes, Ms. Ruggiero was correct and there would be no negative impact. Ms. Ruggiero wanted clarification on the numbers of potential attendees for both the Initial License Training and the Continuing Education Training. Mr. Tolton stated there were potential for 185 Initial Licensee Trainees and 270 Continuing Education Trainees. Ms. Ruggiero asked "how many licenses do we have out there"; she wanted to get an idea of the percentage of trainees that could take the free training classes. Mr. Tolton, referencing "OPM Provided Continuing Education and Initial Training Statistics" document, stated there are 7,238 Applicators that, potentially, could renew. Mr. Tolton expressed the notion that the OPM free training would have a very nominal impact on the total number of Applicators actually taking Continuing Education Training. Mr. Tolton noted, historically the OPM has not provided more than 4% of the total licensed Applicators with Continuing Education. He stated, at this point, the OPM-provided free training would represent 3.7% for this year (should each training class be filled to maximum capacity). Mr. Etheridge called for any further comments from the committee. None were issued.*

*Mr. Etheridge called for comments from the public. Mr. Michael Pfeiffer offered comment. Mr. Pfeiffer stated he did not have any concerns or problems with the OPM offering training*

for 270 people. Mr. Pfeiffer went on to voice concern over “numbers reported by staff”, in the past (2008), that reported 400 attendees at OPM offered training classes but nothing was said about the 1100 plus attendees, trained for free, the previous 2 years. Mr. Pfeiffer noted the 1100 attendees that received free training had an impact on his revenue. Mr. Vince Craig said he could not recall a time, during his tenure, that the OPM provided free training for that large of a number of attendees. Mr. Peterson asked if Mr. Pfeiffer could be referring to a special conference that the OPM held. Mr. Tolton informed the group of the typical number of attendees at the conference, this being between 182 to 250 persons. Mr. Pfeiffer stated his problem was with those specific conferences when Mr. Maeser was involved and a lot of training was being done for free.

Mr. Peterson restated his proposal to suspend the fee for OPM conducted training for one year and to then reevaluate it once that year has passed.

Mr. Latham asked Mr. Etheridge if he was ready for a motion. Mr. Etheridge asked if the classes the OPM provides are specific to rules and regulations or if they cover other areas of training. Mr. Craig stated the current classes only cover rules and regulation specifically. Mr. Craig went on to say when the OPM was in Scottsdale, they offered one or two classes that would cover equipment and, on occasion, a pesticide label class and/or an insect type of class. He told the group this caused some concern in the CE industry, and therefore the OPM deferred to the CE industry to offer these types of classes.

Mr. Etheridge called for a motion from the committee. Mr. Latham moved to recommend to the acting director that the fees for continuing education and initial license training that the OPM provides for rules, regulations and laws be suspended for a twelve month period and with the stipulation that the classes’ total attendance is limited to the numbers that were give for each category – 270 for CE and 185 for ILT. Mr. Etheridge acknowledges the motion and calls for a second. Mr. Ruggiero seconded the motion. Mr. Etheridge acknowledged both the motion and the second of the motion and called for further comments from the committee and the public. Mr. Ron Walker issued comment on whether the motion included the acknowledgement of the Initial License Training fee being suspended as well as the CE training fee. Mr. Walker wanted to ensure that both were indeed added to the motion. Mr. Peterson called to Mr. Latham to clarify if he included both types of training in his motion. Mr. Latham responded with a yes. Mr. Peterson called attention to the possibility that an instance may exist when the classes may exceed the proposed maximum number of attendees in the event a small number of potential attendees arrive after the classes have reached their maximum capacity. Mr. Peterson stated the OPM would, obviously, do their best to seat the late arrivals and add them to the attendance list. Mr. Pfeiffer acknowledged this fact and took no issue with it.

Mr. Peterson called on Mr. Casey Cullings for his legal opinion on the wording of the motion and whether the current wording of the motion needed amending. Mr. Cullings stated he did not recall the exact language of the motion at that point. Mr. Peterson asked if Mr. Cullings would like the motion read back. Mr. Latham stated a read-back was needed. Mr. Carlos Coyazo read back Mr. Latham’s original motion. Mr. Peterson recommended that the word “approximately” be added to the motion. Mr. Latham agreed and amended his motion to include the word “approximately” as it relates to the number of attendees for both ILT and CE training. Mr. Etheridge called on Ms. Ruggiero to see if she had any objection to the additional word in the motion. Ms. Ruggiero acknowledged the change in the wording and affirmed that her second on the motion still stood.

*Mr. Etheridge called for a vote:*

*Motion:*

*The fees for continuing education classes and initial license training the OPM provides for rules, regulations and laws be suspended for a twelve month period and with the stipulation that the classes' total attendance is limited to the numbers that were give for each category – approximately 270 for CE and 185 for ILT.*

*Vote:*

*5-0\**

*\*Mr. Fredrick's telephonic connection was lost before he could voice a vote. Per email correspondence directly from Mr. Fredrick, he was voicing a vote in the affirmative. The final vote does not include Mr. Fredrick's vote, as it has no impact on the final outcome of the motion.*

*Motion was passed.*

*Mr. Etheridge asked if that concludes the committee's business. Mr. Peterson said that the last item on the agenda was a call to public or staff for comments; however, no public or staff offered further comments.*

#### **IV. Adjournment – 9:25am**