

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

**COMMISSION MEETING
FRIDAY, June 13, 2003
MINUTES**

I. Call to order and roll call (Chairperson Fraker, Ms. Vazquez)

Commissioners Present: Commissioner Allen, Baker, Fraker, Hartley, Peterson, Robinson, and Runbeck

Staff Present: Jason Aanderud, Vince Craig, Mike Francis, Lisa Gervase, Alan Pugh, Robert Tolton, Maggie Vazquez, and Assistant Attorney General Blair Driggs

II. Award of plaques to former Commissioners Rusty Burrows, Richard Hale and Kip Micuda (hand-delivered)

III. Approval of the May 9, 2003 (regular session)

MOTION: *To approve May 9, 2003 (regular session) by Commissioner Robinson and seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

Approval of Commission Telephonic Conference Call Meeting Session of May 16, 2003

MOTION: *To approve May 16, 2003 (Commission Telephonic Conference Call Meeting) by Commissioner Hartley, and seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

IV. Call to the public

Mr. Bert Putterman, Qualifying Party for Arizona Exterminating Company. Mr. Putterman discussed the issue of cheaper accessible testing. Mr. Putterman stated the Rules and Statutes state SPCC may charge a fee, but does not understand why SPCC is charging a fee, since testing is not cheaper or accessible. The industry is paying four or

five times more to test and pay a \$30.00 application fee, \$48.00 for a core test, and \$36.00 fee for retesting. Chairman Fraker suggested staff be available to meet with Mr. Putterman and discuss the issues that were brought before the Commission today. Ms. Lisa Gervase discussed the goal of posting the Agenda on the Web Site eight or nine days before the Commission Meeting. Minutes should be posted on the Web Site about a week after approval at each Commission Meeting.

Ms. Lisa Gervase acknowledged the passing of Mr. George Campbell and noted the Legislature passed a resolution due to his dedication as a public servant.

V. Communication with Commissioners

None

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

Dates and locations

July 11, 2003 Scottsdale, AZ
August 8, 2003 Scottsdale, AZ
September 12, 2003 Scottsdale, AZ
October 10, 2003 Scottsdale, AZ
November 14, 2003 Scottsdale, AZ
December 12, 2003 Scottsdale, AZ

Ms. Debra Runbeck stated she will not be available for the July 11, 2003 meeting.

VII. Consent Agenda.

A. Applications for New Business License (Mr. Francis)

1. Adams, Paul C. dba Arizona City Pest Control (Activating
Pulled Qualifying Party for new business license in
"E" Weed Control)

MOTION: To approve new business license by
Commissioner Hartley.
Seconded by Commissioner Peterson.

VOTE: 7 - 0 Motion carried.

Mike Francis clarified that Mr. Paul Adams is selling the business to his son, Toby J. Adams. Mr. Paul Adams will activate his “E” (Weed Control) license for the business.

2. Adams, Toby J.
Pulled

dba Arizona City Pest Control (Activating Qualifying Party for new business license in “B” General Pest)

MOTION:

*To approve new business license by Commissioner Hartley.
Seconded by Commissioner Peterson.*

VOTE:

7 - 0 Motion carried.

Mike Francis clarified that Mr. Paul Adams is selling the business to his son, Toby J. Adams. Mr. Toby J. Adams will activate his “B” (General Pest) license for the business.

3. Davis, Jerome
Pulled

dba PROTEXX Pest Control (Activating Qualifying Party for new business license status change in “B” General Pest)

Mr. Davis appeared and answered Commissioners’ questions.

MOTION:

*To approve WORX Pest Control new business license by Commissioner Peterson.
Seconded by Commissioner Robinson.*

VOTE:

7 - 0 Motion carried.

Mike Francis informed the Commission there are two other companies with similar names and the Certificate of Liability Insurance has the name of WORX Pest Control. Mr. Jerome Davis agreed to the Company being called WORX Pest Control.

4. Evans, Sr.; William E. dba Ed Evans Pest Control(Activating
Pulled Qualifying Party for new business license in
"B" General Pest and "C" Wood Destroying
Organisms)

MOTION: To Approve by Commissioner Robinson.
Seconded by Commissioner Peterson.

VOTE: 7 - 0 Motion carried.

Application was pulled because Mr. Evans had not signed it. Mr. Evans appeared and signed the Application.

5. Fickett, Timothy dba Bug on the Run Pest Control (Activating
Tabled Qualifying Party for new business license in
"B" General Pest)

Discussion by Ms. Lisa Gervase in regards to Mr. Fickett. Ms. Gervase stated Mr. Fickett was the applicator in the Canyon State Pest Control case who may have committed fraud and there is an investigation pending at this time against Mr. Fickett. Mr. Fickett was not present at the Commission Meeting.

6. Lauch, Mark A. dba Lake Maintenance Service (Activating
Pulled Qualifying Party for new business license in
"B-1" Aquatic Pest and "E-1" Aquatic
Weed)

Mr. Lauch appeared and answered Commissioners's questions.

MOTION: To Approve by Commissioner Runbeck.
Seconded by Commissioner Allen.

VOTE: 7 - 0 Motion carried.

Mr. Mike Francis stated this company has a current investigation pending. Mr. Vince

Craig stated he filed a complaint against this company on June 12, 2003 for unlicensed activity and if this could be discussed later with Tab 26 & 27.

7. **Lyng, William Arthur** dba **Entry Point Technologies (Activating Qualifying Party for new business license in “E” Weed Control)**
8. **Martin, Michael J.** dba **Desert Systems Landscape (Activating Qualifying Party for new business license in “E” Weed Control and “F” Turf & Ornamental)**
9. **Nipperus, Norman F.** dba **Stormin’ Norman Pest Control (Activating Qualifying Party for new business license in “B” General Pest)**
10. **Reid, Mitchell D.** dba **Ground Effects Landscaping (Activating Qualifying Party for new business license in “E” Weed Control and “F” Turf & Ornamental)**

B. Applications for Existing Business License (Mr. Francis)

1. **Bancroft, Jay W.** dba **Wheat’s Landscaping & Maintenance (Activating Qualifying Party for existing business license in “F” Turf & Ornamental)**
2. **Espinoza, Henry C.** dba **Mesa Verde Termite Center, LLC (Activating Qualifying Party for existing business license in “C” Wood Destroying Organisms)**
3. **Finch, Michael John** dba **Central AZ Water Conservation Dist. (Activating Qualifying Party for existing business license in “B” General Pest, “E” Weed Control and “E-1” Aquatic Weed)**
4. **Goodnight, Lynn R.** dba **Piper Pest Control (Activating Qualifying Party for existing business license in “F”**

Turf & Ornamental)

5. Hancock, Dennis K. dba Alternative Pest & Termite Control
Pulled (Activating Qualifying Party for existing business license in “D” Fumigation)

MOTION:

*To Approve by Commissioner Robinson.
Seconded by Commissioner Peterson.*

VOTE:

7 - 0 Motion carried.

Mr. Mike Francis read into the record that Mr. Hancock is activating “D” Fumigation and not the “C” Wood Destroying Organisms.

6. McCormick, II; Thomas dba General Exterminating, Inc. (Activating Qualifying Party for existing business license in “C” Wood Destroying Organisms)

7. Methven, Don S. dba Pestube Systems, Inc. (Activating Qualifying Party for existing business license in “C” Wood Destroying Organisms)
Pulled

Mr. Methven appeared and answered Commissioners’ questions.

MOTION:

*To Approve by Commissioner Allen.
Seconded by Commissioner Peterson.*

VOTE:

7 - 0 Motion carried.

Commissioner Peterson had concerns about the felony conviction. Mr. Methven explained that the felony conviction was from the 1960's which was 35 years ago. Mr. Methven informed the Commission he has held various licenses such as: realtor, liquor license, etc., in the past.

- 8. Painter, Jr.; Ricky B. dba Termite Specialist, Inc. (Activating Qualifying Party for existing business license in “C” Wood Destroying Organisms)
- 9. Partin, Benjamin Carl dba Zoom Pest Control (Activating Qualifying Party for existing business license in “C” Wood Destroying Organisms)

C. Applicants for QP Testing (Mr. Francis)

- 1. Bowen, Gary L. “B & E” (General Pest and Weed Control)
Pulled

MOTION: *To Approve QP Testing by Commissioner Peterson. Seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

Commissioner Baker had concerns about the suspension Mr. Bowen listed on the application. Mr. Mike Francis clarified that related to Mr. Bowen did not timely renew his licenses, not disciplinary action. There was discussion about the “F” category and Mr. Francis stated Mr. Bowen could not test in the “F” since he is not certified in that category.

Commissioner Baker does not like the letters of recommendation that are being submitted. Commissioner Robinson would like to see that family members do not write letters of recommendation for applicants and Commissioner Baker would like for staff to look further into this matter.

Commissioner Hartley left the room at 10:45 a.m. and returned at 10:50 a.m. during the discussion of Mr. Bowen.

- 2. Buell, Justin Isaac “B” (General Pest)

- 3. Escobedo, David “E & F” (Weed Control and Turf & Ornamental)
- 4. Jameson, Deborah Ann “B” (General Pest)
- 5. Killenbeck, Arthur L. “B, C, E, & F” (General Pest, Wood Destroying
Pulled Organisms, Weed Control, and Turf & Ornamental)

MOTION: *To Approve QP Testing by Commissioner Baker. Seconded by Commissioner Allen.*

VOTE: *6 - 0 Motion carried.*

Commissioner Robinson left the room at 10:50 a.m. and returned at 10:53 a.m. during the discussion and vote on Mr. Killenbeck’s application.

- 6. Moody, Bryan McKay “B-1 & E-1” (Aquatic Pest and Aquatic Weed)
Pulled

Mr. Bryan Moody appeared and answered Commissioners’ questions.

MOTION: *To Approve QP Testing by Commissioner Peterson. Seconded by Commissioner Hartley.*

VOTE: *5 - 2 Motion carried (Commissioners Runbeck and Fraker dissented).*

Discussion by various Commission members on the validity of Mr. Moody’s experience. Commissioner Runbeck would like to see verification by the qualifying party for whom Mr. Moody has worked.

- 7. Moody, Ralph Young “B-1 & E-1” (Aquatic Pest and Aquatic Weed)
Pulled

Mr. Ralph Moody appeared and answered Commissioners’ questions.

MOTION: *To Approve QP Testing by Commissioner Peterson. Seconded by Commissioner Hartley.*

VOTE:

7 - 0 Motion carried.

Discussion by various Commission members if Mr. Moody was doing business without a business license. Commissioner Runbeck asked that Mr. Moody change his application, to reflect correct history regarding failure to timely renew his past business license.

Break at 11:20 a.m. - Meeting reconvened at 11:35 a.m.

8. Noriega, Terry L.
Pulled

“E, F, B-1, & E-1” (Weed Control, Turf & Ornamental, Aquatic Pest, and Aquatic Weed)

Mr. Terry Noriega appeared and answered Commissioners’ questions.

MOTION:

To Approve QP Testing by Commissioner Runbeck. Seconded by Commissioner Hartley.

VOTE:

7 - 0 Motion carried.

Application was pulled. Mr. Mike Francis stated Mr. Noriega verified his own experience. Commissioner Baker questioned that Mr. Noriega had checked off “D” Fumigation on his application. Mr. Francis responded that it was not listed because Mr. Noriega did not have sufficient experience in this category.

9. Olson, Karl Ed
Pulled

“E & F” (Weed Control and Turf & Ornamental)

Mr. Karl Olson appeared and answered Commissioners’ questions.

MOTION:

To Approve QP Testing by Commissioner Hartley. Seconded by Commissioner Peterson.

VOTE:

7 - 0 Motion carried.

Application was pulled. Mr. Mike Francis stated Mr. Olson verified his own experience. Mr. Olson stated that he has been in the pest control business for the last 15 years in New York.

10. Osweiler, Joseph J. **“B” (General Pest)**

11. Rogers, Stanley E. **“E” (Weed Control)**
Pulled

MOTION: *To Approve QP Testing by Commissioner Runbeck. Seconded by Commissioner Baker.*

VOTE: *7 - 0 Motion carried.*

Commissioner Baker had concerns because two of the letters of recommendation were unsigned. Ms. Lisa Gervase stated that recommendation letters are not required.

12. Scholes, Reid A. **“E & F” (Weed Control and Turf & Ornamental)**
Pulled

MOTION: *To Approve QP Testing by Commissioner Peterson. Seconded by Commissioner Hartley.*

VOTE: *7 - 0 Motion carried.*

Commissioner Baker questioned Mr. Scholes verified experience. Mr. Mike Francis stated Mr. Scholes listed seven months plus two years and four months of experience.

13. Trejo, Damon B. **“E & F” (Weed Control and Turf & Ornamental)**
Pulled

MOTION: *To Approve QP Testing by Commissioner Peterson. Seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

Commissioner Runbeck questioned there was no licensed company. Mr. Mike Francis stated Mr. Trejo is coming into compliance.

14. Wolfe, William W. "E" (Weed Control)

15. Workman, Aaron E. "B" (General Pest)
Pulled

Mr. Workman appeared and answered Commissioners' questions.

MOTION: *To Approve QP Testing by Commissioner Peterson. Seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

Commissioner Baker stated the letters of recommendation are one letter sentences. Commissioner Runbeck questioned where Mr. Workman resides in Henderson, Nevada. Mr. Workman will be relocating to Phoenix, Arizona.

D. Request for Temporary Qualifying Party License Renewal (Mr. Francis)

1. Goings, III; John W. dba Pride Industries, Inc.
Pulled

MOTION: *To Approve QP Renewal by Commissioner Runbeck. Seconded by Commissioner Peterson.*

VOTE: *7 - 0 Motion carried.*

Commissioner Peterson stated this is the third renewal for Mr. Goings. Mr. Mike Francis stated Mr. Goings has completed his testing and has passed and this matter will be on the next Agenda to approve him to activate the business.

2. Kilian, Gloria dba Kilian's Termite & Pest Control

Pulled

MOTION: *To Deny QP Renewal by Commissioner Hartley.
Seconded by Commissioner Peterson.*

VOTE: *7 - 0 Motion carried.*

Commissioner Peterson stated that Ms. Kilian presented no-good cause for her delay in obtaining her QP. Commissioner Hartley expressed concern about her testing results. Her retake scores have not significantly increased, indicating her lack of knowledge and ability to handle and apply herbicides.

E. Request for Company Name Change (Mr. Francis)

1. Dixon/Terminix to Terminix Commercial

Pulled

Mr. Brad Stratton appeared and answered Commissioners' questions.

MOTION: *To Approve Name Change by Commissioner Hartley.
Seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

Commissioner Hartley pulled for clarification. Mr. Stratton clarified two distinct licenses, one of which was operating as a branch office. The company has Commercial and Residential Divisions, and would like for them to remain separate.

2. Mesa Verde Termite Center LLC to Pratte Building Systems, LLC

Pulled

Mr. Rand appeared and answered Commissioners' questions on behalf of Pratte Building Systems. Mr. Rand is their legal counsel.

MOTION: *To Approve Name Change by Commissioner Robinson.
Seconded by Commissioner Peterson.*

VOTE: *7 - 0 Motion carried.*

Commissioner Robinson stated Ms. Stromnes did not check off the box for a license being refused or revoked. Mr. Mike Francis apologized for this error and will have it corrected. Attorney, Mr. Rand stated his client Mr. Pratt owns 100% of the business and since they do business in Arizona and Nevada, he wanted company recognition.

**F. Continuing Education Committee Minutes
June 2003 (Mr. Martin)**

Discussion by Mr. Carl Martin. Mr. Martin stated at their June 2003 meeting one course was submitted on mold.

G. Treatment Proposals (Ms. Gervase)

- 1. America's Pest Control**
- 2. NES National Environmental Solutions, LLC**

H. Request for Final Grade Waivers (Mr. Vandenberg)

- 1. Baron Pest Control**
- 2. Eliminox**

- 3. Patriot Pest and Termite**
Pulled

Chairman Fraker recused himself.

MOTION: *To Approve Final Grade Waivers by Commissioner*

*Peterson.
Seconded by Commissioner Robinson.*

VOTE: *6 - 0 Motion carried (Commissioner Fraker recused).*

4. Pestube Systems
5. SOS
6. Tucson Exterminating

End of Consent Agenda

MOTION: *By Commissioner Hartley to accept Consent Agreement as read with the exception for those items pulled for discussion.
Seconded by Commissioner Peterson.*

VOTE: *7 - 0 Motion carried.*

VIII. Felony Applicants (Mr. Francis)

1. Cox, Jr.; Fredrick B.

There were no questions for Mr. Cox, but he did appear.

MOTION: *To Approve by Commissioner Peterson.
Seconded by Commissioner Baker.*

VOTE: *7 - 0 Motion carried.*

2. McGrath, David Michael

Mr. McGrath appeared and answered Commissioners' questions.

MOTION: *To Approve by Commissioner Runbeck.
Seconded by Commissioner Peterson.*

VOTE: 7 - 0 Motion carried.

IX. Complaints and/or Settlement Conferences (Mr. Craig)

1. Bill's Pest & Termite - Case # 99-046

MOTION: To approve Case # 99-046 consent terms, and if the Consent Agreement is not executed by the deadline stated in the Consent Agreement transmittal letter, to send the case to the Office of Administrative Hearings by Commissioner Peterson.
Seconded by Commissioner Runbeck.

VOTE: 7 - 0 Motion carried.

2. Mighty National Exterminating - Case # 2001-359

MOTION: To Approve Dismissal for Case # 2001-359 by Commissioner Baker.
Seconded by Commissioner Peterson.

VOTE: 7 - 0 Motion carried.

3. Pest Patrol - Case # 2002-111

MOTION: To approve Case # 2002-111 consent terms, and if the Consent Agreement is not executed by the deadline stated in the Consent Agreement transmittal letter, to send the case to the Office of Administrative Hearings by Commissioner Peterson.
Seconded by Commissioner Hartley.

VOTE: 7 - 0 Motion carried.

A Settlement Conference handout on Case # 2002-111 APP was given to the Commissioners at the meeting on behalf of Mr. William Ferguson who also accepted the same terms as Mr. Stephen McRoy the Qualifying Party in this matter. This was read into the record as an Administrative Warning and the Motion and Vote pertained to the Business License, Qualifying Party and the Applicator.

4. William Pettycrew/SST Exterminators - Case # 2002-085APP

MOTION: *To approve Case # 2002-085 APP consent terms, and if the Consent Agreement is not executed by the deadline stated in the Consent Agreement transmittal letter, to send the case to the Office of Administrative Hearings by Commissioner Peterson.
Seconded by Commissioner Allen.*

VOTE: *7 - 0 Motion carried.*

5. Recreation Centers of Sun City - Case # 2003-020

MOTION: *To approve Case # 2003-020 consent terms, and if the Consent Agreement is not executed by the deadline stated in the Consent Agreement transmittal letter, to send the case to the Office of Administrative Hearings by Commissioner Peterson.
Seconded by Commissioner Robinson.*

VOTE: *7 - 0 Motion carried.*

Discussion by various Commissioners of why the applicators were not sanctioned. Mr. Vince Craig stated the two applicators now work as laborers for Recreation Centers of Sun City. Commissioner Runbeck questioned the MATRIX and Mr. Craig responded there was a typo on his part. It should reflect a "4" which allows for the same stipulated resolution.

6. S.O.S. Exterminating Inc. - Case # 2003-019

MOTION: *To approve Case # 2003-019 consent terms, and if the Consent Agreement is not executed by the deadline stated in the Consent Agreement transmittal letter, to send the case to the Office of Administrative Hearings by Commissioner Peterson.
Seconded by Commissioner Allen.*

VOTE: *7 - 0 Motion carried.*

Commissioner Runbeck expressed dissatisfaction with the low level of discipline.

X. Unlicensed Activity (Mr. Craig)

1. American Arborist Lawn & Tree Service - Case # 2000-067

MOTION: *To approve Case # 2000-067 to Order a \$500.00 Civil Penalty and issue a Cease and Desist Order against Mr. Reed Schumacher (owner) and American Arborist Lawn & Tree Services jointly and severally by Commissioner Baker.
Seconded by Commissioner Runbeck.*

VOTE: *7 - 0 Motion carried.*

2. Rogelio Andrade Landscaping & Maintenance - Case # 2003-048

Mr. Andrade appeared and answered Commissioners' questions. Ms. Irene Norman of the SPCC interpreted on behalf of Mr. Andrade and it was suggested by Commissioner Runbeck that in the future we utilize a professional interrupter from the outside.

MOTION: *To approve Case # 2003-048 to Order a \$500.00 Civil Penalty and issue a Cease and Desist Order against Mr. Rogelio Andrade (owner) and Rogelio Andrade Landscaping & Maintenance jointly and severally by Commissioner Runbeck.
Seconded by Commissioner Hartley.*

VOTE: *4 - 3 Motion carried.*

Roll Call Vote

<i>Commissioner Hartley</i>	<i>-</i>	<i>Yes</i>
<i>Commissioner Peterson</i>	<i>-</i>	<i>Yes</i>
<i>Commissioner Robinson</i>	<i>-</i>	<i>No</i>
<i>Commissioner Fraker</i>	<i>-</i>	<i>No</i>
<i>Commissioner Allen</i>	<i>-</i>	<i>No</i>
<i>Commissioner Runbeck</i>	<i>-</i>	<i>Yes</i>
<i>Commissioner Baker</i>	<i>-</i>	<i>Yes</i>

Discussion by various Commissioners not sanctioning a civil penalty or reducing the amount of the \$500.00 civil penalty, and

just issue a Cease & Desist Order. It was brought to the Commissioners' attention a civil penalty under the current law is a \$500.00 minimum. Commissioner Baker suggested that Mr. Andrade be given a payment plan to pay the \$500.00 civil penalty.

XI. Suspension of Business, Qualifying Party and/or Applicator Licenses (Mr. Craig)

1. Expedient Tree & Lawn Care - Case # 2002-018

***MOTION:** To approve Case # 2002-018 to suspend Mr. Sartain's applicator certificates No. 990149 and No. 000774 for failure to pay civil penalties by Commissioner Peterson.
Seconded by Commissioner Allen.*

***VOTE:** 7 - 0 Motion carried.*

XII. Recommended Decision and Order of Administrative Law Judge and Recommended Settlement Agreement and Order of the Attorney General's Office (Mr. Driggs)

1. Canyon State Pest Control - OAH Docket # 02A-075-SPC/SPCC Case # 2002-075

***MOTION:** To approve Finding of Fact and Conclusion of Law on Case # 02A-075 by Commissioner Peterson.
Seconded by Commissioner Hartley.*

***VOTE:** 7 - 0 Motion carried.*

***MOTION:** To Accept Recommended Order to impose a \$1,500.00 civil penalty against Mr. Provenzano's qualifying party credential, to modify the Order by imposing a 30-day suspension against the Q.P., and if the civil penalty is not timely paid, revoke the qualifying party credential by Commissioner Peterson.
Seconded by Commissioner Baker.*

***MOTION TO AMEND:** To modify the Order by imposing an Administrative Warning against Canyon State's Business License, since the Statute doesn't allow more discipline because the business has no priors by Commissioner Hartley.
Seconded by Commissioner Baker.*

**VOTE ON
AMENDMENT:** 7 - 0 *Motion carried.*

**VOTE ON
MAIN MOTION:** 7 - 0 *Motion carried.*

**2. Prodigy Pest & Termite f.n.a. Bio-Chem Services - OAH Docket # 01A-314-
SPC/SPCC Case # 2001-314**

MOTION: *To approve Finding of Fact and Conclusion of Law on Case # 01A-314 by Commissioner Peterson.
Seconded by Commissioner Hartley.*

VOTE: 7 - 0 *Motion carried.*

MOTION: *To Accept Recommended Order to assess fees against Bio-Chem's business license and Mr. Jones's qualifying party credential jointly and severally in the amount of \$6,944.00 that shall be paid within 30 days of the effective date of the Order, and impose penalties in the amount of \$6,944.00 against Bio-Chem's business license and Mr. Jones's qualifying party credential jointly and severally that shall be paid in six monthly installments, and if payment is not received then suspend Bio-Chem's business license and Mr. Jones's qualifying party credential by Commissioner Peterson.
Seconded by Commissioner Baker.*

MOTION: *To modify recommended order by ordering that the business and Q.P. submit the missing 868 TARFs to the Structural Pest Control Commission within 30 days of the Order if the business and QP do not comply, suspend the business and Q.P. licenses, by Commissioner Allen.
Seconded by Commissioner Baker.*

**VOTE ON
AMENDMENT:** 7 - 0 *Motion carried.*

**VOTE ON
MAIN MOTION:** 7 - 0 *Motion carried.*

3. SST Exterminators - Case # 2001-363

MOTION: *To approve Finding of Fact, Conclusion of Law and Order as drafted on the proposed Consent Agreement on Case # 01A-363 by Commissioner Hartley.
Seconded by Commissioner Peterson.*

VOTE: *7 - 0 Motion carried.*

XIII. For discussion, consideration and action: Re-review of Christopher O'Brien's Qualifying Party Application. (Mr. Craig)

MOTION: *To Deny Qualifying Party Application by Commissioner Runbeck.
Seconded by Commissioner Robinson.*

VOTE: *7 - 0 Motion carried.*

Mr. Christopher O'Brien has a recent conviction for actions while working as a pest control applicator and using a pest control company vehicle that negatively reflects on his moral character. He also lied to the Commission about the facts of his offense. He also poses a potential danger to the public.

XIV. For discussion, consideration and possible action. Proposal from DLC Resources, Inc., business licensee, to amend SPCC substantive policy statement 2003-001 pertaining to two-inch lettering.

Tabled

Discussion by Ms. Lisa Gervase that Mr. Rick Robinson called Mr. Vince Craig on June 12, 2003 and asked that this matter be tabled until the next Commission Meeting in July 2003.

XV. For information and discussion, not action: SPCC budget (Ms. Gervase)

Discussion by Ms. Lisa Gervase that the SPCC has utilized 85% of the budget with a projected balance of \$128,000 by the end of the fiscal year on June 30, 2003, less expenditures in progress, leaving a \$5,700.00 projected balance. Ms. Gervase stated she has sent a letter to the State Agricultural Laboratory that SPCC does not owe them at least \$7,500.00 of the \$55,000 projected expenditure and there is a \$7,500.00 grant reimbursement pending from EPA. This would increase the projected balance to over \$20,000.00.

XVI. For information and discussion, not action: Case Status Report (Ms. Gervase)

Discussion by Ms. Lisa Gervase on the Summary of Case Status as of June 13, 2003.

XVII. For information and discussion, not action: Agency consolidation (Ms. Gervase)

Discussion by Ms. Lisa Gervase. Ms. Gervase stated Mr. Carl Martin attended the last Executive Director meeting and they will stop looking at Agency consolidation for the time being.

XVIII. For information and discussion, not action: Complaint Status Log (Mr. Craig)

Discussion by Mr. Vince Craig. Mr. Craig stated the Complaint Status Log gives information on current cases, the nature of each case, but it does not include the cases that were on the June 2003 Agenda. Chairman Fraker stated that Mr. Craig is on top of the cases and is doing a good job.

XXI. Adjournment - 1:25 P.M.

MOTION: *To adjourn by Commissioner Runbeck.
 Seconded by Commissioner Peterson.*

VOTE: *7 - 0 Motion carried.*

Mr. Carl Martin handed out drafts of the Wood Destroying Insect Form and Fungi Inspection Form. Mr. Martin would like comments, suggestion, changes, etc., to be directed to him, so this matter can be agendized for the July or August 2003 Commission Meeting.