



ARIZONA

Janice K. Brewer  
Governor

## Office of Pest Management

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### PEST MANAGEMENT ADVISORY COMMITTEE WEDNESDAY, April 20, 2011 10:00 A.M.

#### Minutes

#### I. Call to order - 10:00 A.M. (Chairman Etheridge)

##### a) Committee Member Roll Call (Mr. Tolton)

**Committee Members present:** Chairperson Kevin Etheridge, Ken Fredrick,  
Douglas Seemann, Jack Latham,  
Andrew Witcher (telephonically)

**Committee Members absent:** Carmella Ruggiero

**Staff present:** Acting Director Ellis Jones, Vince Craig, Robert  
Tolton, Charmayne Cislo, Dirk Vandenberg, Alan  
Pugh

#### II. Approval of Previous Minutes

##### a) February 16, 2011

**MOTION:** *To approve the minutes by Jack Latham  
Second Douglas Seemann*

**VOTE:** 5-0

#### III. OPM Updates and Reports

##### a) Agency Update (Mr. Jones)

###### 1. FY2010 EPA Report –

Mr. Jones stated that this report is a testament to the knowledge, skills, and abilities of the staff. OPM is currently doing more than what is expected from EPA.

###### 2. Legislative Tracking Report – (Mr. Jones)

Mr. Jones provided a rundown of the follow House & Senate Bills:

HB2501 has been retained in the legislature and appears to be dead for this session; however it come up again next session.

HB2520 had been signed by the Governor.

HB2541 was also signed by the Governor, adding that he has not gotten any follow up on this bill from the Attorney General's Office as of yet.

SB1194 was approved and signed by the governor. This bill moves the oversight of OPM to the ADA.

The status of SB1201 is unknown. Mr. Jones stated that he has not received any feedback and is unsure if it has been signed by the Governor.

SB1288 was vetoed but there is a possibility that it will come up again.

SB1614 was signed by the Governor, it puts furlough days in the hands of the Agency Directors.

SB1616 was signed by the Governor.

Mr. Jones added that the Governor's Office has not appointed anyone to the vacant Industry Member seat on the PMAC. He asked that those who would like to apply, please do so.

### **3. Transition - (Mr. Jack Peterson – Assoc. Director of the Environmental Services Division (ESD) of the Arizona Department of Agriculture (ADA))**

Mr. Peterson gave a brief background about himself. Mr. Peterson stated that the move becomes effective 90 days after the end of session. He explained that within that 90 day period OPM is going to be moved into the Department of Agriculture building. Chairman Etheridge asked Mr. Peterson to elaborate on the PMAC and Task Force. Mr. Peterson stated that the Task Force will be made up of 3 Agriculture Industry members, 3 Structural Industry Members, and 1 Member of the Department of Agriculture, likely to be himself. The Task Force is being created to study the regulation of Structural Pest Management in the state. Mr. Peterson stated that the Task Force will be looking at all the regulations to determine how to put it all together so that the OPM can be part of the Department of Agriculture.

Mr. Peterson gave a brief run through of the meetings between the OPM management staff and the ADA management staff, including Mr. Don Butler (Director of the ADA), in regards to moving of OPM into the ADA building. Mr. Peterson stated that he hopes to do the primary move over a weekend so that there is little to no down time. Mr. Peterson briefly explained how he sees things working in each department once OPM is moved. Chairman Etheridge asked if there is anything that would preclude industry members from volunteering to assist with the physical move. Mr. Peterson explained that there are liability concerns that would prohibit volunteers from the pest management industry from participating in the physical move. Mr. Peterson added that they were going to use low-risk inmates from the Department of Corrections to do the move. Mr. Peterson also urged the OPM to surplus and dispose of things that are not necessary to keep to help minimize the use of space when the move takes place. Mr. Peterson stated the goal is to have the OPM located in the ADA building by July 19<sup>th</sup>.

Mr. Kelly Denny asked whether the vision is to merge the OPM with the ADA or have the OPM retain its autonomy. Mr. Peterson stated that the Compliance Department will remain somewhat autonomous, while Licensing, Accounting, and IT will be integrated.

Mr. Fredrick stated that he has great faith that the OPM staff will be cooperative and professional with regard to this transition, especially considering this is a critical time

for the industry with renewal license renewals. He added he has great confidence that everything will work out just fine.

**b) Compliance/Enforcement (Mr. Craig & Mr. Pugh)**

1. Snapshot

a) February 2011:

b) March 2011:

Mr. Craig briefly explains what some of the aspects of the report are for the new people in attendance to the meeting. Mr. Craig asked that the outreach portion on page 2 of the report refers to Compliance staff’s participation in industry training courses or association meetings. He also asked that if the industry is having a meeting, the Compliance staff be invited to speak. Mr. Craig also explained that the OPM does not receive any monies from Civil Penalties and added that all Civil Penalty monies go to the State of Arizona General Fund. Mr. Craig also explained the OPM’s involvement in antimicrobial inspections as well as inspections at childcare and healthcare facilities.

**c) Licensing (Mr. Tolton)**

1. Snapshot

a) February 2011

b) March 2011

Mr. Harvey Logan asked how the numbers from this year compare to last year in regard to applications submitted. Mr. Tolton stated there are seasons that more applications come in and that while there may not be as many applications being submitted this year, there are more licensees this year. Mr. Latham asked if the 49 invalid business licenses are check to ensure that they are not doing business. Mr. Tolton informed him that they are contacted because they are part of the OPM inspection scheme. Mr. Craig states that they are checked to ensure no business is taking place. Mr. Seemann asked if there is a large number of people who are issued temporary Qualifying Party (QP) Licenses. Mr. Tolton explained that number of temporary QP licenses is very minor. Mr. Tolton urges everyone who hasn’t already renewed to do so and stated as of June 1<sup>ST</sup> late fees do go into effect. He also explains that if you wait until the last minute to obtain your CE hours you may not be able to renew on time because CE providers have a 10 day time frame in which to report CE hours to the OPM.

2. Business Licenses issued during February 2011

Business Name	Business Licensee	Qualifying Party
Casino Weed & Pest Control, LLC.	Casino Weed & Pest Control, LLC. – Anthony C. Banks, Sr. & Eva Lopez-Banks	Anthony C. Banks, Sr.
Evergreen Pest Control	Ever Green Pest Control, LLC. – Lehi Demis	Jason W. Vogt
Jack of All Trades Landscape & Pest Control	Ervin D. Wagner	Julius M. Gross
MetroProtector Pest Control, LLC	MetroProtector Pest Control, LLC. – Rollin Webb	Derek A. Judd
Partners Landscape & Design Inc.	Partners Landscape & Design, Inc.	Juan Aldaco
Pure Weeds, LLC.	Pure Weeds, LLC. – Brinell Trust	Anesia L. St. Clair
Sanctuary Golf Course at WestWorld	RP Sanctuary, LLC. RP SBH Suncor, LLC.	Paul M. Schieffer
Sure-Pro Pest Solutions	Bassam E. Khoury	Bassam E. Khoury

Tornado Exterminating	Kirk Gulbrandson & Denise Rahn	Kirk R. Gulbrandson
Valley View Landscaping	Valley View Enterprises, Inc. – Kevin & Linda Lott	Joseph J. Gonzalez

### 3. Business Licenses issued during March 2011

Business Name	Business Licensee	Qualifying Party
Armor Pest Defense, LLC.	Armor Pest Defense, LLC. – Ted Spillett and Jerry & Shon Gregersen	James H. Bowyer
Blue Star Resort & Golf, LLC.	Blue Star Resort & Golf, LLC – Blue Star Landscape Management	Scott A. Anderson
Bye Bye Bugs Pest Control	Bye Bye Bugs Pest Control, LLC. – Christina & Brandon Rogers	Christopher M. Clifford
Golf Club at Prescott Lakes, LLC.	Golf Club at Prescott Lakes, LLC – The Club at Prescott Lakes, LLC.	Virgil G. Robinson, Jr.
K9 Bed Bug Inspectors	Professional Bed Bug Dogs, LLC. – Adenadi Richard & Adam Seever	Joseph A Davey
Latin Home Services, LLC.	Latin Home Services, LLC. – Joseph & Virginia Latin	Joseph M. Latin, Jr.
Pests Plus	Pests Plus, LLC. – Kenneth Meyer & Jeffrey Cole	Jeffrey R. Cole
S&J Bug Snuffers, LLC.	S&J Bug Snuffers, LLC. – Sheri Lesseberg & Jeremy O’Brien	Colleen L. O’Brien

#### d) Accounting (Ms. Cislo)

##### 1. Snapshot

- a) February 2011
- b) March 2011

Chairman Etheridge asked if the expenditures included rent or if it was bi-annually. Ms. Cislo stated that the rent was set up with ADOA to be paid twice a year and explained that the rent payments coincide with the OPM’s two renewal periods.

#### IV. Review, Discussion, and Possible Action on:

##### a) OPM Move (Mr. Etheridge)

Mr. Latham asked if PMAC members would receive a parking pass so that they didn’t have to pay for parking for scheduled meetings. Chairman Ethridge stated that there was a free parking lot across the street from the ADA building.

##### b) **HB 2102 – Amends A.R.S§ 41-1080 regarding license eligibility to include Fingerprint Clearance Cards, requires photo ID issued by Government, and amends definition of “License”. (Mr. Jones)**

##### 1. **Passed Third Reading 4/12/2011**

Mr. Tolton explained the bills appeared on last month agenda and added that this agenda provides their current status. Mr. Tolton provided a brief explanation of the each bill.

##### c) **HB 2216 – restricts State Agencies from enacting or adopting standards or requirements by rules that are more stringent than a corresponding Federal Law. Enforced by GRRC and/or Governor’s Office. (Mr. Jones)**

##### 1. **No information.**

- d) **HB 2312 & SB 1194 – changes designation of A.R.S title 32, chapter 22 to Structural Pest Management Regulation, moves oversight of OPM from Department of Administration to Department of Agriculture for two years, creates task force on regulation of structural pest management.(Mr. Jones)**

1. **HB2312 – Passed Senate COW 4/6/2011 (Now: Agricultural Trust Funds)**

2. **SB1194 – Transmitted to the Governor 4/5/2011**

- e) **SB 1339 – repeals all State Agency Rules that have an impact on private sector effective 12/31/2012, restricts State Agencies from adopting rules that impact the private sector, requires any agency rule that has an impact on private sector be enacted in statue, and defines private sector. (Mr. Jones)**

1. **Failed**

- f) **SB 1458 – establishes reciprocity guidelines and establishes guidelines for Temporary Practice Permits which may be adopted by State Agencies. (Mr. Jones)**

1. **Passed, House Military Affairs and Public Safety 3/23/2011**

Mr. Tolton stated that he has not heard anything more on this bill.

- g) **SB1616 – makes necessary statutory and session law changes relating to general revenues to reconcile the FY2011-FY2012 state budget, including continuing the FY2010-FY2011 fee raising authority for the OPM. Limits these additional revenues to \$525,000.00. Exempts the fees from the rulemaking requirements until July 1, 2012. (Mr. Jones)**

1. **Signed by Governor 4/6/2011**

Mr. Latham asked if there are any provisions in place to keep someone who is in active military duty from having to apply and test over if they did not renew. Mr. Tolton answer that any individual serving in active duty has 100 days from the date of discharge from active duty to take the required CE hours and renew their license.

**V. Call to the Public (Chairperson) –**

None.

**VI. Communication with Advisory Committee Members –**

None.

**VII. Mr. Jones - Scheduling of Future Meetings**

- a) May 18, 2011

Mr. Peterson explained that he would not be available for the May18th Meeting. Mr. Etheridge stated that he felt it necessary to have Mr. Peterson attend the May meeting considering the transition. Mr. Latham requested that the PMAC Meetings be moved from the third Wednesday to the fourth Wednesday of the month. A new date of May 25, 2011 was set for the next PMAC Meeting.

**VIII. Adjournment-**

Meeting adjourned at 11:07 A.M.