

MINUTES OF THE  
SPECIAL MEETING OF THE  
STRUCTURAL PEST CONTROL BOARD  
JANUARY 19 AND 20, 2006

The meeting was held on Thursday and Friday, January 19 and 20, 2006, at the Hyatt Regency Monterey, 1 Old Golf Course Road, Monterey, California, commencing at 9:05 AM with the following members constituting a quorum:

Michael Roth, President (arrived at 9:50 AM)  
Jean Melton, Vice President  
Cris Arzate  
Bill Morris (arrived at 11:30 AM)  
Mustapha Sesay  
Ken Trongo

Board staff present:  
Kelli Okuma, Executive Officer  
Susan Saylor, Assistant Executive Officer

Departmental staff present:  
Kurt Heppler, Legal Counsel (20<sup>th</sup> only)

Board Liaison Deputy Attorney General Christina Thomas was in attendance on Friday, January 20<sup>th</sup> only.

I. ROLL CALL

Ms. Saylor read the roll call.

II. STRATEGIC PLANNING

The Board reviewed its current mission and vision statements and its current strategic plan.

The Board developed its 2006 Strategic Plan as follows:

Goal: Utilize modern information technology

Objective: Utilize the Department of Consumer Affairs' information technology system, which would be tailored to most efficiently meet the Board's specific needs

Objective: In the event the above objective cannot be met, obtain information technology goods and services from alternative source

Note: Deliverables should include adequate funding to meet the objective, which may include additional staff

Goal: Encourage greater public participation and awareness in Board meetings and activities

Objective: Increase public attendance at board meetings

Objective: Increase the legislature's awareness of the SPCB and its programs and benefits to the public in order to establish a working relationship between the board and the legislature

Objective: Develop and implement a program to educate the public about the application of new/emerging structural pest control products and services and their use

Goal: Determine the effectiveness of existing regulations

Objective: Review and rewrite the statues and regulations to ensure their effectiveness

Goal: Enhance the Board's enforcement activities

Objective: Achieve needed disposition of complaints in order to protect consumers and meet statutory requirements

Goal: Improve the security, accessibility, cost-effectiveness, and validity of the examination process

Objective: Implement computer-based testing

Goal: Enhance the effectiveness of the Board's executive management

Objective: Begin recording conversations between Board staff and the public for quality control purposes

Objective: Implement a quality control system to assure competent, efficient, accurate, impartial and courteous service to all the Board's constituents

Objective: Complete a review of the Board's internal operations to identify opportunities for improvement and / or cost reduction

The meeting adjourned at 3:15 PM.

The meeting reconvened Friday, January 20, 2006 at 8:04 AM.

#### IV. REINSTATEMENT HEARINGS

The Board sat with Administrative Law Judge Nancy Rasmussen and Supervising Deputy Attorney General Wilbert E. Bennett to hear the Petitions for Reinstatement of Thomas J. Murphy, Operator's License No. 8137, Gregory B. Traum, Operator's License No. 8053, and Eloy Zuniga, Operator's License No. 10037. The petitioners were informed they would be notified by mail of the Board's decision.

#### III. FLAG SALUTE

Mr. Roth led everyone in the flag salute.

Mr. Roth announced that Barbara Howe, Analyst with the Structural Pest Control Board, unexpectedly passed away. He stated that Ms. Howe was vigilant and extremely competent in her duties. In addition, she was a very nice person and she would be greatly missed by all.

Mr. Roth announced that John David Van Hooser, son of past Board Member John Van Hooser, passed away. He expressed his heart-felt sentiments to Mr. Van Hooser and his family.

Mr. Roth announced his committee appointments as follows:

Continuing Education Committee: Chairman John Van Hooser, David Oxley, Michael Rust

Laws and Regulations Committee: Chairman Larry Musgrove, Harvey Logan, Kelli Okuma

Technical Advisory Committee: Chairman Thomas Murray, David Rowe, Gregory Nichols, Dennis Ohlsson

Water Quality Committee: Chairman Leonard Fromer, Jerry Farris, Bill Johnson, Eric Paulson

V. APPROVAL OF OCTOBER 7, 2005, BOARD MEETING MINUTES

Mr. Trongo moved and Ms. Melton seconded to approve the minutes. Passed unanimously.

VI. EXECUTIVE OFFICER'S REPORT

Ms. Saylor reported on the following:

- Licensing statistics and survey results were reviewed with the Board members.
- Staff changes: Melissa Sowers-Roberts has transferred to the Operator License and Company Registration desk. Janene Claytor has transferred to the Field Representative desk. Ryan Vaughn has transferred to the Examination desk. Ed Ackerman has been hired as a specialist in the Riverside and San Bernardino county area.
- The 2006 Governor's Budget has been signed which includes a new analyst position for the Board to review criminal histories, and an increase in the contract spending authority for the Department of Pesticide Regulation's annual contract from \$204,000 to \$264,000.
- Two of the awarded Research Grant contracts have been signed; two contracts are pending additional documentation before final approval.
- The 2004 continuing education audit has concluded. Non-compliance rate was approximately 13 percent, compared to 11 percent of non-compliance last year. The 2005 audit will begin soon.
- Applicant Tracking System is scheduled to go live by the end of February.

Ms. Okuma reported on the following:

- Tom Ineichen, Specialist, was introduced to the Board members.
- The Pre-Treatment Committee's recommendations as approved by the Board have been presented to the county agricultural commissioners. CACASA has appointed its own committee for review and consideration of the Board's proposal.
- Assembly Bill 552 (La Suer) was amended to specify that fine action by a county agricultural commissioner must take place within 120 days from the date of notification of violation. The author subsequently withdrew the bill.
- Assembly Bill 861 (Bass) would have prohibited the Structural Pest Control Board from denying licensure based on criminal convictions unless the conviction was a serious felony as defined in the Penal

Code. Following an informational hearing held by Assemblywoman Bass, the Board was amended out of the bill.

- Complaint handling statistics were reviewed with the Board members.

Mr. Morris requested that the complaint handling statistics also reflect historical data for comparison purposes.

VII. DEPARTMENT OF CONSUMER AFFAIRS INTERNAL AUDIT –  
UPDATE, DISCUSSION AND POSSIBLE ACTION ON:

INSURANCE AND BONDING AMOUNTS

Ms. Saylor reported that the analysis, while incomplete as of this date, shows the cost differential between branches of pest control is approximately \$400. The complete analysis should be available for the April meeting.

CONSTRUCTION TRAINING COURSES

Ms. Okuma reported that all closed complaint cases beginning FY 2002 to current were reviewed. All cases in which a workmanship violation was confirmed were identified and included in a report distributed to all Board members. The matter will be placed on the agenda for the April meeting for the Board's determination relative to the Department's suggestion that the Board increase construction training and education as a precondition to licensure.

Mr. Trongo requested staff provide statistics that represent the number of completions performed in the same reporting period.

VIII. FUTURE BOARD MEETING DATES

The next Board meeting will be held April 20 and 21, 2006, at the Mission Inn in Riverside. The following meeting will be held July 20 and 21, 2006, in Oakland as a first selection, or Sacramento if a state facility cannot be found in Oakland.

IX. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

X. CLOSED SESSION

The Board adjourned to closed session to consider proposed disciplinary actions in accordance with subdivision (c) (3) of Section 11126 of the Government Code.

Mr. Roth adjourned the meeting at 12:55 pm.

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MICHAEL ROTH, President

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KELLI OKUMA, Executive Officer

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DATE