



APPROVED MINUTES for the Public Meeting of the Arizona Department of Agriculture, Pest Management Division Advisory Council (PMDAC) held on Wednesday, September 6, 2023 beginning at 10:00 a.m. at 1110 West Washington Street, Director's Conference Room; Phoenix, AZ.

The agenda for the meeting is as following:

1. Call to order

Tim Goeringer called to order at 10:00 a.m.

2. Roll Call

Tim Goeringer-Present, Chris Gillies-Present, Ruth Leo-Present, and Cody Smith-Present Virtually.

Staff Members: Vince Craig-Present, Hector Duran-Present, Robert Tolton-Present and Olga Zuniga-Presented, Heather Flowers-Present Virtually.

3. Approval of the June 14, 2023 Minutes

Chris Gillies made a motion to approve the minutes as presented. Cody Smith seconded the motion. Discussion-Robert Tolton stated he wanted to make an amendment to the minutes in Section 6, Licensing Update, last paragraph, from proof of citizenship to evidence of lawful presence. Tim Goeringer called for any other amendments to the minutes.

Chris Gillies amended his motion to accept the changes to the minutes. Ruth Leo seconded the motion. The motion passed unanimously

4. Licensing and Testing Update

Robert Tolton presented a quarterly update: ***See attachment 1***

Robert Tolton informed the committee, the Licensing Department has been receiving many emails and calls inquiring of application status. Different options were discussed how the applicant could track the status of their application. Unfortunately, the Agriculture Department does not have the software available to track applications.

Chris Gillies asked about the status of the updating of the Exam test. Robert Tolton informed the Committee that the Director and agency attorney decided when the State Exam questions are rewritten, the final review will be done in-house in order to keep the integrity of the exam then implemented. This process cannot be discussed during the committee meeting or in Executive Session.

Vince Craig stated that during discussion it was mentioned the application process should be posted on the List Server, if that is the case, a motion would be needed from the Committee.

Chris Gillies made a motion to have the application process uploaded to the List Server. Ruth Leo seconds the motion. The motion passed unanimously.

5. Compliance Update

Vince Craig addressed the Committee to apologize for what some felt was an offensive comment about a specific demographic of society engaged in unlicensed activity, but thanks to Hector, the PMD could now address such activity.

Mr. Craig stated that his comments were not to degrade the hispanic community when he discussed unlicensed activity. Rather, it was to express praise for what the PMD, under the leadership of the Department of Agriculture, was finally able to accomplish. Mr. Craig stated that he has been working for some variation of the Pest Management Division for some 33 years and noticed the spanish-speaking community, who performed a lot of of the landscaping for which PMD inspectors encountered in the field, did not have the same educational and informational resources to ensure they were complying with Arizona State laws respecting pesticide applications and compliance. He related how all literature was in English and how the motto was always "ignorance of the law is no excuse". He stated how it made no sense to him that such individuals were issued penalties or discipline and whether they understood was not our concern. However, when Hector Duran, a bilingual inspector, was hired, the leadership of the agency allowed the PMD to create bilingual training programs. Mr. Craig stated how Mr. Duran not only contacted Spanish speaking newspapers and news agencies, for which he was able to be interviewed and provide outreach, but he also implemented Spanish speaking training classes that were provided at the agency, which appear to have resulted in the decrease of unlicensed pest control ads in hispanic newspapers. Mr. Craig again apologized how his comments at the June, 2023 meeting sounded, and stated he was not degrading the hispanic community but celebrating the fact that the PMD was finally assisting the hispanic community.

Mr. Craig then provided a quarterly report of the number of inspections the PMD performed.

Hector Duran updated the Committee on unlicensed companies. He stated when he first started, he found that unlicensed companies were not aware of the agency's existence. He also found many pesticide violations such as contaminated equipment, dirty empty pesticide containers, and in many cases improper or no Personal Protection Equipment. These unlicensed companies and their employees had no training, yet, they were going onto the consumer's property applying pesticides. Contact was made with spanish-speaking newspaper companies who were willing to

interview him and publish the information in their newspapers in order to get the information to the spanish-speaking community.

Hector Duran stated during July 2021 through July 2022, he investigated twenty-one unlicensed companies. From July 2022 thru June 2023, twenty-five unlicensed companies were investigated. And, from July 2023 to present, only three unlicensed companies have been investigated. To-date, he has hosted seven English training workshops and thirty-six spanish-speaking workshops. Because of those workshops, more than a dozen companies have become licensed. He stated much has been accomplished, but there is still much more to do.

Tim Goeringer commended Hector Duran for all the work he has accomplished. Vince Craig also commended him for his outstanding work.

Chris Gillies stated that on AZ PMD Website, the rules have not been updated. Vince Craig informed the Committee that the agency uses the Arizona Department of Agriculture website and that the most updated Rules and Laws are on there and may not be readily updated on the "old" PMD website.

6. CALL TO THE PUBLIC

James Smith asked what is the turnaround for fingerprinting results. When he calls to check on an individual's fingerprint status, he receives vague answers. He was informed to call or email the Licensing supervisor and to include the documents previously submitted.

Linda Harrington inquired what is the timeframe for the test changes to be implemented and when will the industry be notified. Because this topic can be discussed under the Licensing Update and Testing Update on the agenda, Robert Tolton was able to answer her questions. Once everything has been reviewed and finalized there will be a thirty day notice before the changes are implemented. Chris Gills stated until that time, they should conduct classes according to the old test.

Heather Flowers introduced herself to the Committee. She has been working for the Department of Agriculture for the past two years as an Assistant Director to the Director overseeing strategy for the agency's operation improvements, etc... Currently, the licensing reports are going directly to the director's office where historically they were going to Jeff Grant, Deputy Director. Those licensing reports have now been assigned to me. I will be working very closely with Robert Tolton, Christina Castro Valdez, and the IT team as modernization of the License Department operation goes forth. She also stated she appreciates all the feedback as they are very important to getting an idea what is needed to make the system more user friendly to the industry.

7. Executive Session

None

8. Next Meeting

The next PMD Advisor Committee meeting has been scheduled for December 13, 2023 at 10:00 a.m.

9. ADJOURNMENT

The meeting adjourned at 11:30 a.m.

June 2023 through August 2023

	New - Received	New - Approved	New - Denied	Broaden - Received	Broaden - Approved	Renewals 1 yr- Received	Renewals 1 yr - Approved	Renewals 2 yrs - Received	Renewals 2 yrs - Approved	BOR - Received	BOR - Approved
CA Applications	605	491	1	72	73	191	408	9	25	N/A	N/A
QA Applications	41	42	0	20	20	72	86	2	2	N/A	N/A
BL Applications	33	39	0	N/A	N/A	58	59	14	14	4	4
QP Registration	12	16	N/A	11	11	N/A	N/A	N/A	N/A	N/A	N/A
Totals	691	588	1	103	104	321	553	25	41	4	4

Background Checks have been taking 30 to 45 days for results however 10 applicants had to wait 84 days to get their results due to delays at AZDPS. Unfortunately, 2 of the 10 applicant's submissions were rejected for various reasons which required them to resubmit.

Approximately - 40% of PMD calls and emails are inquiries regarding a Certification Applicant who has tested and passed, yet have not been issued a certification. Many asking if the party in question is considered licensed.

Examination Edits - Similarly to how the certification examinations were finalized in 2018, a small group consisting of AZDA Staff along with Mr. Means and Mr. McRoy from Metro Institute will conduct a final review of the approximately 100 exam questions brought to our attention by Mr. McRoy and reviewed by me. The test questions could not be discussed at an open public meeting nor could they be discussed during the executive session.