

PEST CONTROL BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF THE MEETING

Date: Monday, November 19, 2012

Time: 2:00 p.m.

Place: King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, HI 96813

Present: Alvin Fukuyama, Industry Member, Vice Chairperson
Lance Kobashigawa, Department of Agriculture, Ex-Officio
Robert Koide, Industry Member
Lynn Nakasone, Department of Health, Ex-Officio
Ronald Weinberg, Public Member
Rodney Ono, Industry Member
Charlene L.K. Tamanaha, Executive Officer
Wilma Balon, Secretary

Members

Excused: Julian Yates, Ph.D., Department of Entomology, Ex-Officio, Chairperson
Walter Chun, Public Member

Guest: None

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by §92-7(b), Hawaii Revised Statutes ("HRS").

Call to Order: There being a quorum Vice Chairperson Fukuyama called the meeting to order at 2:00 p.m.

Additions to the Agenda:

It was moved by Mr. Kobashigawa, seconded by Mr. Koide and unanimously carried to insert #7, Scope to the agenda and add the following item:

7. Scope
 - a. Memo from James Richardson, Administrator, State of Hawaii, Department of Accounting and General Services, Request for Exemption.

Approval of
the Minutes:

It was moved by Mr. Weinberg, seconded by Mr. Koide, and unanimously carried to approve the minutes of the September 17, 2012 meeting as circulated.

Executive
Officer's Report:

a. Welcome New Board Member

The Board welcomed Mr. Rodney Ono, interim industry Board member and thanked him for his willingness to serve and his commitment to public service. Mr. Ono informed the Board that he has a degree in entomology and has 30 years of experience in the pest control business.

b. 2013 Board Meeting Schedule

The 2013 Board Meeting Schedule was distributed to the Board members. The Board meeting dates for 2013 are as follows:

January 28
March 18
May 20
July 15
September 16
November 18

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Examination Update

None

Applications:

a. Exam Ratification(s)

None.

b. Exam

It was moved by Mr. Weinberg, seconded by Mr. Koide, and unanimously carried to **approve/defer** the following applications for examination in the respective branches:

1. Marc L. Agpawa, PCFR, BR-2 & BR-3
Terminix, PCO-618, BR-1, BR-2 & BR-3
Approve
2. Kenneth Bautista, PCFR BR-2 & BR-3
Hilo Termite & Pest Control Ltd., PCO-32, BR-1, BR-2 & BR-3
Defer pending additional documentation to verify the requisite experience.

3. Reed K. Gibson, PCFR, BR-2 & BR-3
Kilauea Pest Control, PCO-954, BR-2 & BR-3
Defer pending additional documentation to verify the requisite experience.
4. Matthew L. Nadell, PCFR BR-1, BR-2 & BR-3
Terminix, PCO-618, BR-1, BR-2 & BR-3
Approve
5. Robinson G. Pasion, PCFR, BR-3
Structural Pest Control Inc., PCO-489, BR-2 & BR-3
Defer pending further work experience within the last 4 years.
6. Ramon Silva, Jr. PCFR, BR-1, BR-2 & BR-3
Green Magic LLC., PCO-651, BR-1, BR-2 & BR-3
Defer pending verification of further work experience.
7. Talia Lizama Smith, PCO, BR-2 & BR-3
Expert Exterminators Inc., PCO-701, BR-2 & BR-3
Approve

c. Without Exam Ratification(s)

None.

d. Without Exam

None

e. Reconsideration of Any Application

None

Scope:

- a. Request for Exemption From the Required Pest Control License for the Installation of Bird Spikes from James Richardson, Administrator, State of Hawaii Department of Accounting and General Services

The Central Services Division of the Department of Accounting & General Services is in the process of soliciting competitive bids for the cleaning of all exterior windows at the State Capitol. The bid package includes the installation of 32 stainless steel bird spikes to decrease pigeons from roosting on the horizontal ribs.

The administrator, James Richardson is requesting an exemption since the nature of the work appears to be related to construction rather than typical pest control.

Mr. Weinberg stated that the Board should grant the exemption if the installation of the bird spikes is as specified in the letter.

After discussion, it was moved by Vice Chairperson Fukuyama, seconded by Mr. Kobashigawa to deny the request for an exemption based solely on the information provided in the letter and the Board further confirmed that the installation of stainless spikes for the control or prevention of birds requires a pest control license BR-2 (General Pest). The motion passed with Vice Chairperson Fukuyama, Mr. Kobashigawa, Mr. Koide, and Ms. Nakasone voting "yes" and Mr. Weinberg voting "nay".

Unfinished
Business:

a. Termite Inspection Report Standards

The Executive Officer distributed to the Board members the adopted proposed standards for a Termite Inspection dated 10/30/12 for the Board's review if further revisions are necessary. Being none, it was moved by Mr. Fukuyama, seconded by Mr. Kobashigawa and unanimously carried to adopt this draft and move to the next step in the Rules revision process.

b. Rule Revisions:

1) HAR §16-94-17

The Executive Officer distributed the current drafts of HAR §§ 16-94-17 and asked that the Board review it if further revisions are necessary. This item was deferred to the next meeting.

2) HAR §16-94-25.1

The Executive Officer also distributed HAR §16-94-25.1, Draft 9/17/12, which included the request by RICO to clarify that a pest control entity shall have an RME at all times. Mr. Weinberg asked if an entity can borrow an RME? The Executive Officer responded, "no". An RME can only be an RME for one entity unless;

- a) There is a common ownership of at least 51%,
- b) The firms are a subsidiary of or a joint venture with the other entity,
- c) There is a direct family relationship between the RME and the officers of each additional entity; and
- d) Board approval is received.

The Executive Officer added that if the entity loses an RME, the company can still fulfill current contracts but cannot enter into new contracts without an RME, but clear rule authority is needed.

It was moved by Mr. Weinberg, seconded by Mr. Koide, and unanimously carried to approve the 9/17/12 Draft of HAR §16-94-25.1.

The Executive Officer indicated that she will have the draft converted to Ramseyer and proceed to the next rule making step.

Announcements:

Next Meeting:

Monday, January 28, 2013
2:00 p.m.
King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, HI 96813

Adjournment:

There being no further business to discuss, Chair Yates adjourned the meeting at 2:53 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Charlene L.K. Tamanaha
Charlene L.K. Tamanaha
Executive Officer

/s/Christine Hironaka
Christine Hironaka
Secretary

CLKT:cmh

12/19/12

[] Minutes approved as is.

[X] Minutes approved with changes, see minutes of 1/28/13