

## NOTICE OF OPEN MEETING SUBMISSION

DATE OF SUBMISSION: January 14, 2026

NAME OF AGENCY: Texas Department of Agriculture

BOARD: N/A

COMMITTEE: Structural Pest Control Advisory Committee

DATE OF MEETING: January 29, 2026

TIME OF MEETING: 9:00 AM

STREET LOCATION: Stephen F. Austin Building  
Room 1104A  
1700 North Congress Avenue

CITY LOCATION: Austin, Texas 78701

### **STRUCTURAL PEST CONTROL ADVISORY COMMITTEE**

#### **MINUTES**

**Meeting Date: January 29, 2026**                      **Place: Stephen F. Austin Building**

**In-Person/Teleconference/Microsoft Teams Meeting**

#### **MEETING ATTENDANCE:**

##### **Advisory Committee Members**

Roger Borgelt

Dr. Nancy Crider

Elyes Benantar

Randy McCarty

Dr. Bob Davis

Brien Binford

Dr. Robert Puckett

Mike Brooks

Clint Lehew

Tommy Kezar

Andrew Graff

**Agency Staff**

**Affiliation**

**Program**

Allison Cuellar

TDA

ACP

Michael Kelly

TDA

ACP

Jenna Chappell

TDA

ACP

Robert Thompson

TDA

ACP

David Castillo

TDA

Deputy General Counsel

Chris Gee

TDA

Lead Assistant General  
Counsel

David Wheaton

TDA

ACP Inspector Region 1

Susan Transier

TDA

ACP Inspector Region 2

**Interested Parties**

**Affiliation**

Janet Hurley

Texas A&M AgriLife Extension Service

Tammy Hart

Rentokil Terminix

Ronnie Holder

Coastal Fumigators

Jackie Thorton

Alvin Pest Control

Debbie Aguirre

Elite Exterminating

Janet Hurley

Texas A&M Agrilife Extension Service

**I. Call to Order**

The meeting is called to order by Chairman Roger Borgelt at 09:05 AM.

- a. Mike Kelly Takes Attendance -The committee has a quorum.
- b. Chairman Borgelt explains how to sign up to make a public comment

## II. Review and Approval of Minutes for the October 2025 meeting.

- a. Robert Borgelt asks for a motion to approve the Minutes. Dr. Bob Davis made the motion, and Dr. Robert Puckett seconded the motion; all were in favor. Minutes were approved.

## III. TDA Update

### a) Review of inspection and enforcement Data for the 1<sup>st</sup> Quarter of FY 2026.

1. Inspection data for 1st quarter of FY2026 reviewed by Allison Cuellar. The FY26 commercial inspection goal is 1150 and 194 commercial business inspections were completed, which is 16.8% of the goal. Noncommercial business inspections have a goal of 400 and 74 have been completed, which is 18.5% of the goal. There is a goal of 225 school inspections, and 71 school inspections have been completed, which is 31.56% of the goal. There is a goal of 190 Use Observations and 45 have been completed, which is 23.68% of the goal.

2. Enforcement data for 1st quarter of FY 2026 reviewed by Mike Kelly. The number of NOV's was 11, a breakdown of all NOV's was shown. There were 3 operating without a license and 8 operating without a business license. There was a total of 33 Warnings, a breakdown of all the warnings was shown. The highest number in the warnings section was failure to comply with IPM requirements with 4. Reminder, we have 1026 School Districts and 153 Charter Schools being added to be inspected in the next 5 years looking forward, some schools being inspected more than once to help with compliance, currently at 68% compliance. There were 14 Others, a breakdown of "other" was provided. Total number of enforcement actions for 1st quarter of FY 2026 was 44, and the total penalties assessed were \$25,400, total collected \$15,900.

### b) How-to YouTube videos update: Marshall Webb

1. The Communications team is happy to help with educational videos for TDA and will reach out to SPCS for an internal meeting. These videos are a priority for their team.
  - i. The first video will be complete in the next couple of weeks; then more videos in the next couple of months.
  - ii. Some videos are almost ready with only small adjustments.
  - iii. Alison explains these will be posted on our resources page.
  - iv. Communications has ramped up public outreach. The TV show *Texas our Texas*. -Takes 3 full staffers to produce. Airs on Wednesdays.

- v. Social media generates more engagement than any other platform and has grown by 30,000 followers in the last few months.
  - i. Roger Borgelt suggests coming up with PSAs for Media.
  - ii. Dr. Bob suggests a way for educational material users to have access without internet.
  - iii. Discussion about downloading via YouTube or Screengrab.

**c) Staff Updates**

1. Allison Cuellar- Shows our Structural Pest Control Field Staff
2. Region1: Regional Director is Debbie Slocum, Asst. Regional Director is Cheryl Goswick and inspectors: David Wheaton, Debra Turner, Jason Jones, Kurtis Cavitt, Kendra West, and Michael Davilla.
3. Region 2: is our Dallas Office: Regional Director is Thomas Northcutt, Asst. Regional Director Henry Krusekopf and Inspectors: Melina Delaloza, Jodi Hodge, Suzanne Transier, Frank Rodela, Erica Graham, Kelly Curiel Johns, and Tracy Centers.
4. Region 3: The Houston Office; Regional Director is Sterling Smith, Asst. Regional Director is Brad Tullis, and Inspectors: Rebecca Hammond, Alicia Marchard, Teresa Lovett, Claritza Montero, Dayton Schimdt and Tim Davis.
5. Region 4: Central Texas (Out of San Antonio): Regional Director is Gary Stewert, Asst. Regional Director is Vick Alexander, and Inspectors: Sergio Garza, Heather Carver, Nick Jaska, and Camryn Campbell.
6. Region 5: Valley Region (San Juan): Regional Director is Michael Euler, Asst. Regional Director is George Aguilar, with Inspectors: Ernest Hernandez, Flavio Hernandez, Robbie Peters, Kalina Tostado

Question: Tommy asked about a map and Allison showed him where to find it on the website. This is the same for all our ACP programs.

**IV. Discussion and Possible Action relating to the following:**

a) Business Insurance Requirements and 1099 Contracted Employees Outreach

- Discussion with enforcement: There is an employee relationship established by laws and regulations.
- We would just like to make people more aware of the situation and that this is happening. Possibly adding a statement to insurance page on website.
- Allison is already presenting on this in her Law and Regulation presentations. It seemed well received by attendees. Should 1099 employees have a business

license? Our regulations don't require this. Only that the employees are registered with the business and the business insurance covers all the businesses operations performed during the business of structural pest control by all its employees regardless of if they are 1099 contracted or W-2 employees, The liability is on the business.

\*\*\*Need to discuss again how other industries and insurance companies handle this in the future.

b) Door to Door Sales: Summer Jobs.

- Must be licensed to do this but a lot aren't.
- Would inspectors feel comfortable approaching someone they see on the street soliciting? They would if program will write a procedure, so everyone is doing it the same.
- Thoughts on procedure: Approach the solicitor and ask if they are registered with the business for which they are selling, ask if they are trained? Yes. Great, go along your way, thank you. If they are not registered, then inspectors would perform a "for cause" inspection on the business regarding their door-to-door sales.
- Business and Commerce Code: 72 hrs. to cancel after signature. Must get a copy of the contract. The 72 hours does not begin until the customer receives a copy of the contract.
- Possibly revise rule 7.145: Require anyone who sells the job to have their name on the contract with their license number. Then have inspectors review contracts during routine inspections.

c) Call center Employees: Supervision Requirements

- Recap: Terminix call center. During Covid went to "work from home". Call center employees attempt to identify pests and provide quotes for service. Rentokil/Terminix is registering and licensing its call center staff to deal with calls professionally.
- Call center has own TPCL# and RCA does TEAMS meetings 3 times a week.
- Allison: Termite cannot be done this way.
- Absolutes: Not executing contracts, Customers always call in, Price sheets must be accurate.

Discussion: Can we use face to camera with the technology we have now?

- Traditionally we have had issues with some companies with one Branch and employees all over the state. How do you train those employees?
- 1951.301 they may need more business licenses.
- Chairman: I think until they are technicians then it should be in person.

- How does this relate to the home inspectors we have all over the state. Video diagnostics may be difficult.
- Identification of insects is difficult via camera and video.
- Should supervision be tighter on apprentices and looser for Technicians.

d) 25b products: For IPM Programs

- Where do they fit with red, yellow, and green category products?
- Currently our rule is silent on this apart from not meeting the current definition of green category.
- Rely on Signal Words for category color. And 25bs don't have Signal Words. Before we agreed if not green then automated to yellow category.
- Tommy: A lot of new products are being distributed without Signal Words.
- This is where we could consider using OSHA SDS to get the category color. This is problematic because SDS is based on 100% active ingredients. Products do not usually use 100% active.

Discussion: Dr. Puckett- Not all 25bs are required to have an SDS. My opinion they should be green. Allison- Considering complaints based on smell etc.

Actionable: Janet, Robert Puckett, Robert Thompson, Tommy to come back with a proposal for next meeting.

e) Self Assessments:

1. What do you feel were the major accomplishments of the committee in 2024?

- Clarification for standards and rules on IPM in schools and the new focus on unlicensed door-to-door sales.
- The committee continued to make meaningful progress by improving communication and providing clearer, more accessible guidance for regulated entities. The ongoing development of practical training tools, including instructional videos and refinements to the examination process, has been especially helpful for school districts working to maintain strong and compliant IPM programs.
- Getting personnel in place to get You-Tube videos, listing goals for the committee and discussing business insurance coverage challenges for sub-contracting services. Reviewing currency of licensing exams. Bringing concerns to TDA staff from PMP's for consideration.
- Helping focus enforcement regarding unlicensed PMP's. State Health Services Pesticide Exposure Data. ESA, Rodenticide, Fumigation Training & other Federal Updates.
- Glad to see the Standards for Integrated Pest Management in Schools Training will include Charter schools. Business Insurance Requirements and 1099 Contracted

Employees was a good topic and good for the PC business to be aware of. Just not sure we did a good enough job in getting this message out though.

- Reviewing new and revised regulations and providing input is the most helpful thing we do and can do. Last year it was the Certification and Training Plan Rule Revisions and Standards for Integrated Pest Management in Schools Training.

2. Considering your role as a committee member and your job to provide input, would you find it beneficial to receive training in Laws and Regulations?

- Absolutely, Laws and Regulations can be a little daunting without an explanation from someone knowledgeable. What I'd like to see: An overview of how the current system manages licenses (Both Businesses and Individuals). Overview of managing licenses, forms, payments, etc. And what is considered actionable data for enforcement and that procedure.
- Yes, additional training would be beneficial for school districts. Scenario-based training on record keeping, notifications, and contractor oversight would help IPM coordinators, and common compliance issues could be helpful helping IPM Coordinators maintain compliance.
- Nothing currently [no response from member].
- If SPCS staff could notify us about any updates ongoing with EPA: Rodenticides, herbicides, insecticides, PPE and how it affects Texas. ASPCRO updates are also helpful.
- New treatment methods and products are of interest.

3. What Specific types of Concerns would you like to see addressed moving forward?

- Action on Door-to-Door sales with more active and concerted effort to address this issue and not just waiting for a complaint to respond and more action from SPCS to shut down unlicensed businesses/individuals.
- Continued support for new IPM coordinators without past IPM background. Especially for pesticide storage, compliance requirements for school IPM and using contractors and 911 response and addressing pest control in aging facilities.
- Working on enforcement for door-to-door salesmen that are unlicensed and pressurizing residents to sign contracts at the door without letting them know they are signing a contract.
- Consideration of a centralized virtual database for licenses, VTRs, CEUs, IPM Coordinators, forms digital and storable.
- Rules and Regulations interactions with EPA - especially the endangered Species Act and any new training requirements; keep focusing on enforcement of unlicensed applicators; I would like to see inspectors have a better training with a better understanding of rules and regulations.

- Have unresolved issues with the insurance, 1099 employee problem and supervision under certain circumstances.

#### 4. How would you like to see the committee evaluate its effectiveness?

- Measure by having tangible measures from our action(s) – for instance, if we want more action on unlicensed businesses, then we should new number of enforcement cases carried out. If we set goals for the year, we should have a report yearly or at each meeting about the current outcomes of the goal from SPCS.
- The committee could benefit from gathering feedback from stakeholders, including school district IPM coordinators, to understand what information/support is most needed. Reviewing compliance trends may be helpful in determining
- Setting goals for the committee like we did in the past would help.
- Survey TDA staff to determine if we are helpful; survey licensed PMPs, IPM Coordinators, etc. and ask how our committee can serve more efficiently and provide more value.
- Revisit previous goal setting exercise and see how we did.

#### **V. Topics for the next meeting:**

- Business insurance requirements and 1099 contractors
- Unlicensed door-to-door sales and solicitation
- Call center employees working remotely supervision requirements
- 25(b) minimum risk pesticides and school IPM
- Supervision changes for licensed technicians
- Pesticide exposure data presentation
- Charter Schools education and status

#### **VI. Public Comment:**

- Janet Hurley: Has been working on the school IPM curriculum update and creating a school manual. Adding new aspects to the training materials and she is doing it alone to make these updates. She will hold 7 IPM trainings. She has experience working with 25bs. Provided information about 25(b) products and using it in sensitive areas. Janet's concern is the Charter Schools-2000 campuses with 155 Charter Schools districts. The charter's do not know what to do with IPM Coordinators. She is working with the charter school association to do a large presentation for the entire Texas Charter School Association.
- Ronnie Holder: Would like to discuss the possibility of removing guards because of the technology we have. Could we put on the agenda for next meeting?

#### **VII. Confirmation of Next Meeting Date- April 30<sup>th</sup>. 2026**

#### **VIII. Adjourn**

