

**STATE LICENSING BOARD FOR CONTRACTORS**  
**COMMERCIAL BOARD MEETING MINUTES**

**June 18, 2015**

The regular meeting of the Commercial Board was called to order by the Secretary, Byron Talbot, on Thursday, June 18, 2015 at 9:33 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

- Lloyd "Chip" Badaeux
- N.R. "Noah" Broussard
- William J. Clouatre
- Courtney Fenet, Jr.
- August Gallo, Jr.
- Danny R. Graham
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Christopher Stuart
- Byron Talbot
- Art O. Walker

Chairman Lee Mallett, Vice Chairman Victor Weston, and Nelson A. "Andy" Dupuy, Jr. were absent. Finding a quorum present, the regular order of business began.

Also attending the meeting were: Michael B. McDuff, Executive Director; Judy Dupuy, Board Administrator; Judge Darrell White, Retired, Hearing Officer; Jennifer Sims, Board Attorney; and from the staff, Bobbie Hughes, Brent Templet, , Doug Traylor, Emma Payne, John Dixon, Nathan Rawls, and Tricia Wood; Compliance Director, Marianne Sullivan; Compliance Investigators, Carl Bourque, Charmel Peterson, Frank Vaughan, Jesse Wells, Johnny Rogers, Leann Evans, Scott Corley, Todd Brady, and Tommy Mimnaugh; and Judy Dupuy recording the minutes.

Mr. Clouatre led the members and audience in the Pledge of Allegiance.

Judge Darrell White gave the invocation, introduced himself, and advised those present of his duties.

Mr. Lambert made a motion to accept the Minutes of the **May 21, 2015** regular meeting, and Mr. Clouatre seconded. The motion passed.

Mr. McDuff introduced Ronald Burrough and Alberto DePuy with the Attorney General's office; Ken Naquin with Louisiana Associated General Contractors; Michael Wich with South Central Planning & Development Commission; and Rudy Babin and Norrie Falgoust with the Department of Insurance.

Mr. McDuff also introduced Frank Denton with the Orleans Parish District Attorney's office in the Economic Crimes Unit. Mr. Denton gave a presentation to the board regarding the role of the Orleans Parish District Attorney's office in investigating unlicensed contractor activity.

**NEW BUSINESS**

**C. QUALIFYING PARTY HEARING(S):**

1. **DEVERE SWEPCO JV, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Dupuy gave a summary of the allegations. No one was present on behalf of DEVERE SWEPCO JV, LLC. Ms. Sims entered into evidence the exhibit packet and it was admitted. Mr. Clouatre made a motion to suspend the commercial license for DEVERE SWEPCO JC, LLC allowing staff to administratively reinstate the license if the matter is resolved. Mr. Lambert seconded. The motion passed.

2. **PILLAR CONSTRUCTION, INC.**, Alexandria, Virginia – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Dupuy removed this item from the agenda.

3. **WARE BROTHERS CONSTRUCTION, INC.**, Hammond, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Dupuy gave a summary of the allegations. No one was present on behalf of WARE BROTHERS CONSTRUCTION, INC. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Clouatre made a motion to suspend the commercial license for WARE BROTHERS CONSTRUCTION, INC. allowing staff to administratively reinstate the license if the matter is resolved. Mr. Stuart seconded. The motion passed.

**D. COMPLIANCE HEARING(S):**

1. **BRAD PRICE D/B/A CERTAPRO PAINTERS**, Lafayette, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. Brad Price was present on behalf of BRAD PRICE d/b/a CERTAPRO PAINTERS and was sworn in. Mr. Price entered a guilty plea. Mr. Clouatre made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Price gave a statement. Mr. Clouatre made a motion to fine BRAD PRICE d/b/a CERTAPRO PAINTERS \$1500 plus \$500 in administrative costs allowing the fine to be reduced to \$1000 plus \$500 in administrative costs if the company obtains a commercial license within 90 days. Mr. Meredith seconded. The motion passed.

2. Matters 2a and 2b were consolidated.

- a) **CONSULTANTS AND BUILDERS, INC.**, Norcross, Georgia – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations. John “Buzzy” Mueller was present on behalf of CONSULTANTS AND BUILDERS, INC. and was sworn in. Mr. Mueller entered a no contest plea. Mr. Lambert made a motion to accept the plea. Mr. Clouatre seconded. The motion passed. Mr. Mueller gave a statement. Mr. Lambert made a motion to dismiss the violation. Mr. Meredith seconded. The motion passed.

- b) **JUSTIN MCNEMAR CONST. LLC**, Prairieville, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. Justin McNemar was present on behalf of JUSTIN MCNEMAR CONSTR. LLC and was sworn in. Mr. McNemar entered a guilty plea. Mr. Meredith made a motion to accept the plea. Mr. Gallo seconded. The motion passed. Mr. McNemar gave a statement and entered documents into evidence. The documents were admitted. Mr. McNemar presented a settlement offer to the board. Mr. Clouatre made a motion to accept the settlement offer as presented. Mr. Jones seconded. The motion passed.

3. **HUTTON CONSTRUCTION, INC.**, Chattanooga, Tennessee – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations. Sean Compton was present on behalf of HUTTON CONSTRUCTION, INC. and was sworn in. Mr. Compton entered a denial plea. Investigator Marianne Sullivan was called to the stand and sworn in. Ms. Sullivan reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Compton entered documents into evidence and it was admitted. Mr. Compton gave a statement and questioned Ms. Sullivan regarding this matter. Mr. Compton changed his initial denial plea to a no contest plea. Mr. Lambert made a motion to accept the plea. Mr. Stuart seconded. The motion passed. Mr. Compton gave an additional statement. Mr. Gallo made a motion to fine HUTTON CONSTRUCTION, INC. \$500 in administrative costs. Mr. Fenet seconded. The motion passed.

4. Matters 4a and 4b were consolidated.

- a) **LOWE'S HOME CONSTRUCTION, LLC**, New Orleans, Louisiana – La. R.S. 37:2158 (A)(5)
- b) **CASS SERVICES OF LOUISIANA, LLC**, New Orleans, Louisiana – La. R.S. 37:2167 (A) and/or 2175.2 (A)(1)

Ms. Hughes gave a summary of the allegations. George Lowe was present on behalf of LOWE'S HOME CONSTRUCTION, LLC and was sworn in. Attorney Jeffrey Siemssen was also present to represent LOWE'S HOME CONSTRUCTION, LLC. Greg Cass was present on behalf of CASS SERVICES OF LOUISIANA, LLC and was sworn in. Phyllis Peoples, daughter and power of attorney of the homeowners, Oliver and Terry Leblanc, was present and was sworn in. Michael Wich the chief building official in Terrebonne Parish was present and was sworn in. Mr. Lowe entered a denial plea. Mr. Lambert made a motion to accept the plea. Mr. Badeaux seconded. The motion passed. Mr. Cass entered a guilty plea. Mr. Lambert made a motion to accept the plea. Mr. Badeaux seconded. The motion passed. Investigator Charmel Peterson was called to the stand and was sworn in. Ms. Peterson reviewed the exhibit packet for matter 4a. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Siemssen questioned Ms. Peterson. Mr. Siemssen and Mr. Lowe gave a statement. Mr. Cass gave a statement. Ms. Peoples and Mr. Wich gave a statement. Mr. Stuart made a motion to dismiss the violation for LOWE'S HOME CONSTRUCTION, LLC. Mr. Meredith seconded. The motion passed. Mr. Cass gave an additional statement. Mr. Meredith made a motion to fine CASS SERVICES OF LOUISIANA, LLC \$7500 plus \$500 in administrative costs. Mr. Clouatre seconded. The motion passed with one opposed.

- 5. a) **POTTER CONSTRUCTION SERVICES, INC.**, Charlotte, North Carolina – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations and read the settlement offer as presented by POTTER CONSTRUCTION SERVICES, INC. Mr. Stuart made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Meredith seconded. The motion passed.

- b) **KNIGHT & DAVIS CONSTRUCTION GROUP, LLC**, Indian Trail, North Carolina – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations and read the settlement offer as presented by KNIGHT & DAVIS CONSTRUCTION GROUP, LLC. Mr. Gallo made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

- c) **PLAUCHE ELECTRIC SERVICE, INC.**, Kenner, Louisiana – La. R.S. 37:2158(A)(3), (A)(4), and Rules and Regulations of the Board Sec. 109(A)

Ms. Hughes gave a summary of the allegations. Richard Plauche was present on behalf of PLAUCHE ELECTRIC SERVICE, INC. and was sworn in. Mr. Plauche entered a denial plea. Investigator Dylan Bourg was called to the stand and was sworn in. Mr. Bourg reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Plauche gave a statement. Mr. Plauche changed his initial denial plea to a no contest plea. Mr. Meredith made a motion to accept the plea. Mr. Lambert seconded. The motion passed. Mr. Fenet made a motion to assess \$500 in administrative costs for PLAUCHE ELECTRIC SERVICE, INC. Mr. Stuart seconded. The motion passed.

- d) **SURGI'S HEATING AND AIR CONDITIONING, INC.**, Covington, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by SURGI'S HEATING AND AIR CONDITIONING, INC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

6. Matters 6a – 6d were consolidated.

- a) **HUDDLESTON ENTERPRISES OF WEST MONROE, INC.**, Eros, Louisiana –La. R.S. 37:2167(A), 2158(A)(3) and Rules and Regulations of the Board Sec. 113(A)

Ms. Hughes gave a summary of the allegations. Dennie Huddleston was present on behalf of HUDDLESTON ENTERPRISES OF WEST MONROE, INC. and was sworn in. Mr. Huddleston entered a denial plea for the La. R.S. 2158(A)(3) and Rules and Regulations of the Board Sec. 113(A) violations and plead no contest to the LA. R.S. 37:2167(A) violation. Mr. Cloutre made a motion to accept the pleas. Mr. Stuart seconded. The motion passed. Ms. Hughes stated that this is Mr. Huddleston's 3<sup>rd</sup> citation to appear; therefore, both commercial and residential licenses are before the board. Investigator Jesse Wells was called to the stand and was sworn in. Mr. Wells reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Huddleston gave a statement. Mr. Lambert made a motion to dismiss the violations for La. R.S. 2158(A)(3) and Rules and Regulations of the Board Sec. 113(A). Mr. Badeaux seconded. The motion passed with 3 opposed. Mr. Huddleston gave an additional statement. Mr. Cloutre made a motion to place the company's Residential license, if reinstated, on one year probation starting on the day the license becomes active. Mr. Cloutre continued the motion to place the company's Commercial license on one year probation from this date, and to fine HUDDLESTON ENTERPRISES OF WEST MONROE, INC. \$10,000 plus \$500 in administrative costs. Mr. Fenet seconded. The motion passed.

- b) **BW ELECTRIC OF LA., INC.**, Princeton, Louisiana – La. R.S. 37:2158(A)(5)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by BW ELECTRIC OF LA., INC. Mr. Badeaux made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. Mr. Meredith made a substitute motion to accept the settlement offer, no contest plea, and place the company on one year probation. Mr. Gallo seconded. The motion passed.

- c) **PHILIP BEDENBENDER D/B/A OLD SOUTH SERVICES.** West Monroe, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations and read the settlement offer as presented by PHILIP BEDENBENDER d/b/a OLD SOUTH SERVICES. Mr. Cloutre made a motion accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed.

- d) **A-PRO PLUMBING SERVICES, LLC.** West Monroe, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of A-PRO PLUMBING SERVICES, LLC. Investigator Jesse Wells, who was previously sworn in, was called to the stand and reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Lambert made a motion to revoke the license and notify the Louisiana State Plumbing Board of the action taken by the Board. Mr. Gallo seconded. The motion passed.

7. **CASTULO CORTES, LLC.** Jarreau, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. Castulo Cortes was present on behalf of CASTULO CORTES, LLC and was sworn in. Mr. Cortes entered a guilty plea. Mr. Meredith made a motion to accept the plea. Mr. Gallo seconded. The motion passed. Mr. Cortes gave a statement. Mr. Gallo made a motion to fine CASTULO CORTES, LLC \$1000 plus \$500 in administrative costs. Mr. Meredith seconded. The motion passed.

8. **AM-FINN SAUNA COMPANY INC.**, Eagle, Idaho – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of AM-FINN SAUNA COMPANY INC. Investigator Todd Brady was called to the stand and was sworn in. Mr.

Brady reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Gallo made a motion to find AM-FINN SAUNA COMPANY INC. to be in violation. Mr. Graham seconded. The motion passed. Mr. Gallo made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Stuart seconded. The motion passed.

9. **BOAZ CONSTRUCTION SERVICES, LLC**, Abbeville, Louisiana – La. R.S. 37:2158 (A)(3) and Rules and Regulations Section 101(A)

Ms. Hughes gave a summary of the allegations. Reverend Felton Colar was present on behalf of BOAZ CONSTRUCTION SERVICES, LLC and was sworn in. Mr. Colar entered a no contest plea. Mr. Cloutre made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Colar gave a statement. Mr. Lambert made a motion to give the BOAZ CONSTRUCTION SERVICES, LLC 30 days to supply the required documentation to the board and to allow staff to automatically revoke the license if the documentation is not submitted within the 30 days.

#### E. **STATUTORY CITATIONS R.S. 37:21621:**

Ms. Hughes presented the statutory citations. Mr. Gallo made a motion to accept the statutory citations as presented. Mr. Graham seconded. The motion passed.

#### **OLD BUSINESS**

#### F. **REQUEST FOR REHEARING/RECONSIDERATION:**

1. **MASTERS PROFESSIONAL PAINTING, INC.**, Lancaster, Ohio – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations and the decision rendered by the board on April 16, 2015. Attorney Bill Shea was present on behalf of MASTERS PROFESSIONAL PAINTING, INC. Mr. Badeaux made a motion to rehear this matter. Mr. Cloutre seconded. The motion passed. Mr. Shea gave a statement. Mr. Shea presented a settlement offer to the board, which included a no contest plea. Mr. Jones made a motion to reject the settlement offer as presented. Mr. Meredith seconded. Mr. Shea submitted a substitute settlement offer. Mr. Meredith made a motion to accept the substitute settlement offer as presented, which included a no contest plea. Mr. Cloutre seconded. The motion passed.

2. **JOSEPH LAMB D/B/A JOE LAMB CONSTRUCTION**, Alexandria, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations and the decision rendered by the board on March 19, 2015. No one was present on behalf of JOSEPH LAMB d/b/a JOE LAMB CONSTRUCTION. Mr. Stuart made a motion to deny the rehearing request. Mr. Fenet seconded. The motion passed.

#### G. **Memorandum of Understanding-Swimming Pools**

Mr. Gallo made a motion to accept the Memorandum of Understanding-Swimming Pools. Mr. Jones seconded. The motion passed.

#### H. **COMMITTEE REPORTS:**

1. Report from the Staff –Ms. Dupuy had no new report.
2. Building Committee –Mr. Graham stated the building renovations are still in the preliminary process.
3. Classification and Testing Committee – Mr. Gallo stated that the report will be presented by Mr. Cloutre at a later time.
4. Legislative/Rules and Regulations Committee – Mr. Fenet had no new report.
5. Finance Committee – Mr. Lambert made a motion to accept the May financial statement as presented. Mr. Cloutre seconded. The motion passed.
6. Residential Building Committee – Mr. Jones gave the report at a later time.

- I. Consideration of residential applications, home improvement registrations and residential licensure exemptions as listed and attached to the agenda, and actions of the **June 17, 2015** Residential Building Subcommittee. (Pages 5-10)

Mr. Jones made a motion to approve the residential applications as listed on the agenda, and Mr. Meredith seconded. The motion passed.

Mr. Jones made a motion to approve the home improvement applications as listed on the agenda with the exception of GLOBAL EFFICIENT ENERGY, LLC and Mr. Meredith seconded. The motion passed.

Mr. Jones made a motion to approve the residential exemptions as listed on the agenda, and Mr. Meredith seconded. The motion passed.

Mr. Jones made a motion to approve the actions taken at the June 17, 2015 Residential Building Subcommittee meeting and Mr. Meredith seconded. The motion passed.

J. Consideration of commercial licensure exemptions as listed and attached to the agenda. (Page 11-13)

Mr. Clouatre made a motion to approve the Reciprocity exemptions based as listed on pages of the agenda, and Mr. Lambert seconded. The motion passed.

Mr. Clouatre made a motion to approve the Exemptions as listed on page of the agenda with the exception of GLOBAL EFFICIENT ENERGY, LLC. Mr. Lambert seconded, and the motion passed.

K. Consideration of mold remediation application as listed and attached to the agenda. (Page 14)

Mr. Lambert made a motion to approve the mold remediation application as listed on the agenda, and Mr. Stuart seconded. The motion passed.

L. Consideration of additional classifications as listed and attached to the agenda. (Pages 15-17)

Mr. Lambert made a motion to approve the additional classifications as listed on the agenda, and Mr. Stuart seconded. The motion passed.

M. Consideration of commercial applications as listed and attached to the agenda.

• **PENDING ALL REQUIREMENTS BEING MET** (Pages 18-27)

Mr. Lambert made a motion to approve the applications on pages 18-27 with the exception of GLOBAL EFFICIENT ENERGY, LLC, and Mr. Stuart seconded. The motion passed.

**ADJOURNMENT**

Mr. Clouatre made a motion to adjourn at 12:16 p.m., and Mr. Stuart seconded. The motion passed.

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Byron Talbot, Secretary