

STATE LICENSING BOARD FOR CONTRACTORS
COMMERCIAL BOARD MEETING MINUTES

May 21, 2015

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallet, on Thursday, May 21, 2015 at 9:32 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- Victor Weston, Vice Chairman
- Lloyd "Chip" Badaeux
- N.R. "Noah" Broussard
- William J. Cloutre
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- Danny R. Graham
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Christopher Stuart
- Byron Talbot
- Art O. Walker

August Gallo, Jr. was 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, Tricia Wood, Doug Traylor, Nathan Rawls, and John Dixon; Compliance Director, Marianne Sullivan; Compliance Investigators, Frank Vaughan, Johnny Rogers, Todd Brady, and Dylan Bourg; and Tarah Barbier recording the minutes.

Mr. Mallett 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 **April 16, 2015** regular meeting, and Mr. Cloutre seconded. The motion passed.

Mr. McDuff introduced Ronald Burrough with the Attorney General's office, Ken Naquin with Louisiana Associated General Contractors, and Julien Petit and Ian Simrod with the Brezeale, Sachse & Wilson law firm.

Mr. Mallett recognized Mr. Ken Naquin and Mr. Vic Weston for their recent meeting with the LSU Board of Supervisors. Mr. Naquin thanked the board in their furtherance of the construction management programs in the state.

NEW BUSINESS

C. QUALIFYING PARTY HEARING(S):

1. **BLG INNOVATIVE SOLUTIONS, LLC**, Houma, 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 BLG INNOVATIVE SOLUTIONS, LLC. Ms. Sims entered into evidence the exhibit packet and it was admitted. Mr. Meredith made a motion to suspend the commercial license for BLG INNOVATIVE SOLUTIONS, LLC. Mr. Cloutre seconded. The motion passed.

2. **E-1 ENTERGIZE LLC**, New Orleans, 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 E-1 ENTERGIZE LLC. Ms. Sims entered into evidence the exhibit packet and it was admitted. Mr. Meredith made a motion to suspend the commercial license for E-1 ENTERGIZE LLC. Mr. Clouatre seconded. The motion passed.

D. JUDGMENT(S):

1. **JBS CONSTRUCTION AND DEVELOPMENT, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2150-2192, 2158(A)(8) and (A)(9), 2156.1(D)(1) and Section 115 of the Board's Rules and Regulations.

Ms. Dupuy gave a summary of the allegations. Blake Seguin was present on behalf of JBS CONSTRUCTION AND DEVELOPMENT, LLC and was sworn in. Attorney Craig L. Kaster was present to represent Signature Southern Accents, LLC and gave a statement. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Seguin gave a statement. Mr. Clouatre made a motion to allow JBS CONSTRUCTION AND DEVELOPMENT, LLC 30 days to satisfy the judgment allowing staff to automatically revoke the commercial and residential licenses if the matter is not satisfied in those 30 days. Mr. Jones seconded. The motion passed.

E. COMPLIANCE HEARING(S):

1. a) **HILL-ROM COMPANY, INC.**, Batesville, Indiana – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by HILL-ROM COMPANY, INC. Attorney Jean-Paul Perrault was present on behalf of HILL-ROM COMPANY, INC and gave a statement. Mr. Meredith made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Clouatre seconded. Mr. Perrault gave an additional statement. The motion passed. Mr. Meredith made a motion to allow the company to continue the work on the East Jefferson Nurse Call Station Replacement Phase 1 & 2 project after the company obtains a license. Mr. Graham seconded. The motion passed.

- b) **COMMUNICATIONS PLUS OF MOBILE, LLC**, Semmes, Alabama – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by COMMUNICATIONS PLUS OF MOBILE, LLC. Mr. Meredith made a motion to accept the settlement offer as presented. Mr. Clouatre seconded. The motion passed. Mr. Meredith made a motion to allow the company to continue the work on the East Jefferson Nurse Call Station Replacement Phase 1 & 2 project after the company obtains a license. Mr. Graham seconded. The motion passed.

2. **SOUTHERN HERITAGE HOMES, INC.**, West Monroe, Louisiana – La. R.S. 37:2158 (A)(3) and Rules and Regulations Section 101.

Ms. Hughes stated that this matter has been satisfied.

3. a) **FULCRUM CONSTRUCTION GROUP, LLC**, Daphne, Alabama – La. R.S. 37:2158(A)(4).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by FULCRUM CONSTRUCTION GROUP, LLC. Ron Yaeger was present on behalf of FULCRUM CONSTRUCTION GROUP, LLC and was sworn in. Mr. Yaeger gave a statement. Mr. Badeaux made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Talbot seconded. The motion passed.

- b) **T & M STEEL ERECTORS, INC.**, Columbus, Mississippi – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by T & M STEEL ERECTORS, INC. Mr. Badeaux made a motion to accept the settlement offer as presented. Mr. Talbot seconded. The motion passed.

4. a) **BJ'S RESTAURANTS, INC.**, Huntington Beach, California – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by BJ'S RESTAURANTS, INC. Mr. Cloutre made a motion to accept the settlement offer as presented. Mr. Stuart seconded. The motion passed.

- b) **JAVIA/V, LLC**, San Antonio, Texas – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by JAVI A/V, LLC. Mr. Cloutre made a motion to accept the settlement offer as presented. Mr. Stuart seconded. The motion passed.

- c) **HOST COMMUNICATIONS, LLC**, Mandeville, Louisiana – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by HOST COMMUNICATIONS, LLC. Mr. Cloutre made a motion to accept the settlement offer as presented. Mr. Stuart seconded. The motion passed.

5. a) **NEW MYRTLE PLACE APARTMENTS, LLC**, Gretna, Louisiana – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by NEW MYRTLE PLACE APARTMENTS, LLC. Mr. Talbot made a motion to accept the settlement offer as presented. Mr. Fenet seconded. The motion passed.

- b) **REINALDO LOPEZ**, Gretna, 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. Ms. Hughes made a correction to the agenda to remove “permitted the contractor’s license to be used by another when the other contractor does not hold a license” and to add in its place “entering into a contract with an unlicensed contractor”. Ms. Hughes also read the settlement offer presented by REINALDO LOPEZ. Mr. Talbot made a motion to accept the settlement offer as presented. Mr. Fenet seconded. The motion passed.

6. a) **POWERHOUSE RETAIL SERVICES, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4).

Mr. Meredith recused himself from this matter. Ms. Hughes gave a summary of the allegations and read the settlement offer presented by POWERHOUSE RETAIL SERVICES, LLC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Cloutre seconded. The motion passed.

- b) **FOXFIELD CONSTRUCTION, LTD**, Barlett, Illinois – La. R.S. 2160(A)(1).

Mr. Meredith recused himself from this matter. Ms. Hughes gave a summary of the allegations and read the settlement offer presented by FOXFIELD CONSTRUCTION, LTD. Attorney Matthew R. Emmons was present on behalf of FOXFIELD CONSTRUCTION, LTD and gave a statement. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea and to obtain a license within 120 days. Mr. Cloutre seconded. The motion passed.

- c) **GRL CONTRACTING & LIGHTING, LLC**, Bethalto, Illinois – La. R.S. 2160(A)(1).

Mr. Meredith recused himself from this matter. Ms. Hughes gave a summary of the allegations. No one was present on behalf of GRL CONTRACTING & LIGHTING, LLC. 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. Bourg gave a

statement. Mr. Dupuy made a motion to find GRL CONTRACTING & LIGHTING, LLC to be in violation. Mr. Cloutre seconded. The motion passed. Mr. Dupuy made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Cloutre seconded. The motion passed.

7. **TROY ANDREW FRICK**, Lake Charles, Louisiana – La. R.S. 37:2158 (A)(9).

This matter was heard after item G.1. listed on the agenda. Mr. Mallett recused himself from this matter. Ms. Hughes gave a summary of the allegations. TROY ANDREW FRICK was present and sworn in. Brett Hinton was also present and sworn in. Mr. Frick entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Frick gave a statement. Investigator Frank Vaughan was called to the stand and was sworn in. Mr. Vaughan gave a statement. Mr. Frick gave an additional statement and offered to voluntarily surrender his licenses until March 15th, 2016. Mr. Cloutre made a motion to accept Mr. Frick's offer to voluntarily surrender his licenses until such time the commercial license is set to expire on March 15th, 2016 the board will then reconsider this matter, as a dismissal without prejudice. Mr. Lambert seconded. The motion passed.

F. **STATUTORY CITATIONS R.S. 37:21621:**

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

OLD BUSINESS

G. **COMPLIANCE HEARING(S)/CONTINUANCES:**

1. **MADR PLUMBING, LLC**, Prairieville, Louisiana – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations. Randolph "Randy" Lee was present on behalf of MADR PLUMBING, LLC and was sworn in. Mr. Lee entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Lee gave a statement. Mr. Talbot made a motion to accept the previously denied settlement offer presented at the April 16th board meeting. Mr. Stuart seconded. The motion passed.

H. **COMMITTEE REPORTS:**

1. Report from the Staff –Ms. Dupuy had no new report.
2. Building Committee –Mr. Graham had no new report.
3. Classification and Testing Committee – Mr. Cloutre had no new report.
4. Legislative/Rules and Regulations Committee – Mr. Fenet and Mr. McDuff summarized legislative activity for 2014.
5. Finance Committee – Mr. Dupuy introduced Ken Alford, the financial auditor. Mr. Alford gave a summary on the 2014 Audit Report and the 2014 Audited Financial Statement. Mr. Dupuy made a motion to accept the 2014 audit as presented. Mr. Cloutre seconded. The motion passed. Mr. Dupuy made a motion to accept the April 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 **May 20, 2015** Residential Building Subcommittee. (Pages 5-11)

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, 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 May 20, 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 12-15)

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

Mr. Dupuy made a motion to approve the Exemptions as listed on page of the agenda. Mr. Clouatre seconded, and the motion passed.

K. Consideration of mold remediation application as listed and attached to the agenda. (Page 16)

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

L. Consideration of additional classifications as listed and attached to the agenda. (Pages 17-20)

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. (Pages 21-29)

• **PENDING ALL REQUIREMENTS BEING MET**

Mr. Lambert made a motion to approve the commercial applications as listed on the agenda with the correction to page 26 for the company **MID-SOUTH MEDICAL IMAGING, LLC** and its classification to be changed to **SPECIALTY: RADIATION AND MAGNETIC SHIELDING SYSTEMS, AND X-RAY AND RADIOGRAPHIC EQUIPMENT**. Mr. Fenet seconded. The motion passed.

ADJOURNMENT

Mr. Clouatre made a motion to adjourn at 11:27 a.m., and Mr. Dupuy seconded. The motion passed.

Lee Mallett, Chairman

Nelson A. "Andy" Dupuy, Jr., Treasurer