STATE LICENSING BOARD FOR CONTRACTORS
COMMERCIAL BOARD MEETING MINUTES

July 16, 2015

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallet, on Thursday, July 16, 2015 at 9:36 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

Lee Mallett, Chairman
Lloyd "Chip" Badeaux
N.R. "Noah" Broussard
Nelson A. "Andy" Dupuy, Jr.
Courtney Fenet, Jr.
August Gallo, Jr.
Kenneth Jones
Donald G. Lambert
Garland Meredith
Christopher Stuart
Byron Talbot
Art O. Walker

Vice Chairman, Victor Weston, members William J. Clouatre and Danny R. Graham 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, Tricia Wood, Doug Traylor, Nathan Rawls, Emma Payne, Elaine Riggins, and John Dixon; Compliance Director, Marianne Sullivan; Compliance Investigators, Frank Vaughan, Johnny Rogers, Todd Brady, Dylan Bourg, Bobby Abraham, and Leann Evans; and Tarah Barbier recording the minutes.

Mr. Talbot 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. Jones made a motion to accept the Minutes of the **June 18, 2015** regular meeting, and Mr. Stuart seconded. The motion passed.

Mr. McDuff introduced Ronald Burrough with the Attorney General's office, and Ken Naquin with Louisiana Associated General Contractors. Mr. McDuff also introduced Bryan Zeringue as a new investigator for the board. Ms. Sims introduced Kendall Knight, Francis Boustany, and Alexandra Vozzella with the Breazeale, Sachse & Wilson law firm.

Mr. Naquin addressed the board regarding joint ventures and bid procedures. Mr. Mallett recognized Mr. Naquin and Mr. Weston in their efforts towards the Construction Management fund.

NEW BUSINESS

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

1. **BARRACUDA ELECTRIC, LLC,** Bourg, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board.

   Ms. Dupuy stated that that there was a lack of service for the hearing notice and requested to remove this item from the agenda. Mr. Lambert made a motion to remove this matter from the agenda. Mr. Stuart seconded. The motion passed.

2. **BECKNER PAINT AND DRYWALL, INC.,** Tampa, Florida – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board.

   Ms. Dupuy gave a summary of the allegations. Edison Montoya was present on behalf of BECKNER PAINT AND DRYWALL, INC. and was sworn in. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Montoya gave a statement. Mr. Talbot made a motion for BECKNER PAINT AND DRYWALL, INC. to resolve this matter within sixty (60) days or the classifications will be removed from the license. Mr. Gallo seconded. The motion passed.

3. **ROOF CRAFTERS, LLC,** Walker, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board.

   Ms. Dupuy stated that this matter has been satisfied and removed this item from the agenda.

4. **THE SAINTUARY GROUP, LLC,** New Orleans, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board.

   Ms. Dupuy stated that there was a lack of service for the hearing notice and requested to remove this item from the agenda. Mr. Dupuy made a motion to remove this matter from the agenda. Mr. Gallo seconded. The motion passed.

D. **JUDGMENT(S):**

1. **DANIEL JAMES THIBODEAUX,** Lake Charles, Louisiana – La. R.S. 37:2150-2192, (A)(8) and (A)(9), 2156.1(D)(1) and Section 115 of the Board's Rules and Regulations

   Ms. Dupuy stated that this matter has been addressed internally and requested to remove this item from the agenda. Mr. Gallo made a motion to remove this matter from the agenda. Mr. Meredith seconded. The motion passed.

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

1. a) **ENTABLATURE, LLC,** New Orleans, Louisiana – La. R.S. 37:2158(A)(4)

   Ms. Hughes gave a summary of the allegations and read the settlement offer presented by ENTABLATURE, LLC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Lambert seconded. The motion passed.

   b) **DINO'S MASONRY, INC.,** Slidell, Louisiana – La. R.S. 2160(A)(1)

   Ms. Hughes gave a summary of the allegations and read the settlement offer presented by DINO'S MASONRY, INC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Lambert seconded. The motion passed.

2. a) **ARCO NATIONAL CONSTRUCTION COMPANY, INC.,** St. Louis, Missouri – La. R.S. 37:2158(A)(4)

   Ms. Hughes gave a summary of the allegations and read the settlement offer presented by ARCO NATIONAL CONSTRUCTION COMPANY, INC. Mr. Lambert made a motion to accept the settlement offer as presented. Mr. Fenet seconded. The motion passed.

   b) **PDI GROUP, INC.,** St. Charles, Missouri – La. R.S. 2160(A)(1)

   Ms. Hughes gave a summary of the allegations and read the settlement offer presented by PDI GROUP, INC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed.

c) **4 FRONT ENGINEERED SOLUTIONS, INC.,** Carrollton, Texas – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by 4 FRONT ENGINEERED SOLUTIONS, INC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed.

3. a) **QUALITY SOLUTIONS, INC.,** Colwich, Kansas – La. R.S. 2160(A)(1)

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

b) **CLC REMODELING AND CONSTRUCTION SERVICES, LLC,** Beaumont, Texas – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of CLC REMODELING AND CONSTRUCTION SERVICES, LLC. Investigator Frank Vaughn was called to the stand and was sworn in. Mr. Vaughn reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find CLC REMODELING AND CONSTRUCTION SERVICES, LLC to be in violation. Mr. Gallo seconded. The motion passed. Mr. Meredith made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Gallo seconded. The motion passed.

c) **RAZOR CONSTRUCTION, LLC F/K/A JOSEPH HARVEYS CONSTRUCTION, LLC,** Lake Charles, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of RAZOR CONSTRUCTION, LLC F/K/A JOSEPH HARVEYS CONSTRUCTION, LLC. Investigator Frank Vaughn, who was previously sworn, was called to the stand and reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find RAZOR CONSTRUCTION, LLC F/K/A JOSEPH HARVEYS CONSTRUCTION, LLC to be in violation. Mr. Jones seconded. The motion passed. Mr. Meredith made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Jones seconded. The motion passed.

4. Matters 4a – 4d were consolidated.

a) **JDR FIXTURES, INC.,** Pottstown, Pennsylvania – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. Attorney Todd Hebert was present on behalf of JDR FIXTURES, INC. Mr. Hebert entered a no contest plea. Mr. Talbot made a motion to accept the plea. Mr. Gallo seconded. The motion passed. Mr. Hebert gave a statement. Mr. Talbot made a motion to fine JDR FIXTURES, INC. $5000 plus $500 in administrative costs allowing the fine to be reduced to $3000 plus $500 in administrative costs if the company obtains a license within 120 days. Mr. Gallo seconded. The motion passed.

b) **DAN KUYKENDALL ENTERPRISES, INC.,** Sherman, Texas – La. R.S. 37:2158(A)(3),(A)(4),(A)(5) and Rules and Regulations of the Board Sec. 109(A)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of DAN KUYKENDALL ENTERPRISES, INC. Investigator Bobby Abraham was called to the stand and was sworn in. Mr. Abraham reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Abraham gave a statement. Mr. Talbot made a motion to find DAN KUYKENDALL ENTERPRISES, INC. to be in violation. Mr. Meredith seconded. The motion passed. Mr. Talbot made a motion to assess the maximum fine plus $500 in administrative costs and to suspend the company's commercial license. Mr. Gallo seconded. The motion passed.

c) **BARCAT, LLC,** Shreveport, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations. Attorney Michael R. Delesdernier and Tony Barnes were present on behalf of BARCAT, LLC. Mr. Barnes was sworn in. Mr. Delesdernier entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Talbot seconded. The motion passed. Mr. Delesdernier and Mr. Barnes gave a statement. Mr. Delesdernier presented a settlement offer to the board. Mr. Talbot made a motion to accept the settlement offer as presented. Mr. Stuart seconded. The motion passed.

d) **BOBBY BRANNON HEATING & AIR CONDITIONING, LLC,** Bossier City, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by BOBBY BRANNON HEATING & AIR CONDITIONING, LLC. Mr. Jones made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed.

5. a) **GARRARD CONSTRUCTION GROUP, INC.,** Duluth, Georgia – La. R.S. 37:2158(A)(4)

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

b) **HELICAL SOLUTIONS, LLC,** Lafayette, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of HELICAL SOLUTIONS, 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. Meredith made a motion to find HELICAL SOLUTIONS, LLC to be in violation. Mr. Gallo seconded. The motion passed. Mr. Meredith made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Gallo seconded. The motion passed.

c) **CARTER ELECTRIC COMPANY, INC.,** Augusta, Georgia – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. Investigator Dylan Bourg, who was previously sworn, was called to the stand and reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find CARTER ELECTRIC COMPANY, INC. to be in violation. Mr. Gallo seconded. The motion passed. Mr. Meredith made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Gallo seconded. The motion passed.

d) **AJS CONSTRUCTION, INC.,** Marietta, Georgia – La. R.S. 2160(A)(1)

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

6. **TRI-STATE CONSTRUCTION, INC.,** Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of TRI-STATE CONSTRUCTION, INC. Ms. Hughes stated that the matter is a statutory citation for $500.00. Mr. Gallo made a motion to accept the statutory citation. Mr. Lambert seconded. The motion passed.

7. a) **THRASH CONSTRUCTION SERVICES, LLC,** Shreveport, Louisiana – La. R.S. 37:2158(A)(4)

Mr. Meredith recused himself from this matter. Ms. Hughes gave a summary of the allegations. Thad Thrash was present on behalf of THRASH CONSTRUCTION SERVICES, LLC. Mr. Thrash entered a denial plea. Investigator Johnny Rogers was called to the stand and was sworn in. Mr. Rogers reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence

and it was admitted. Mr. Thrash gave a statement. Mr. Lambert made a motion to dismiss this matter. Mr. Gallo seconded. The motion passed.

b) **RANDY N. KOSINSKI,** Slidell, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Sec. 109(A)

Mr. Meredith recused himself from this matter. Ms. Hughes gave a summary of the allegations. RANDY N. KOSINSKI was not present. Investigator Johnny Rogers, 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 find RANDY N. KOSINSKI to be in violation. Mr. Stuart seconded. The motion passed. Mr. Stuart made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Gallo seconded. The motion passed.

8. **GLOBAL EFFICIENT ENERGY, LLC,** Fort Worth, Texas – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. Attorney Robert W. Barton was present on behalf of GLOBAL EFFICIENT ENERGY, LLC. Abe Issa, Vanessa Applegate, and Casey Reeder were also present on behalf of GLOBAL EFFICIENT ENERGY, LLC and were sworn in. Mr. Barton entered a no contest plea. Mr. Talbot made a motion to accept the plea. Mr. Jones seconded. The motion passed. Investigator Leann Evans was called to the stand and was sworn in. Ms. Evans reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Ms. Evans gave a statement. Mr. Barton gave a statement. Mr. Barton entered an exhibit packet into evidence and it was admitted. Mr. Issa gave a statement and was questioned by Mr. Barton. Ms. Sims questioned Mr. Issa. Mr. Barton gave a closing statement. Mr. Talbot made a motion to fine GLOBAL EFFICIENT ENERGY, LLC $1000 plus $500 in administrative costs and to approve and issue the company's license/registration pending all requirements being met. Mr. Meredith seconded. The motion passed.

F. 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. Fenet seconded. The motion passed.

OLD BUSINESS

G. REQUEST FOR REHEARINGS/RECONSIDERATIONS:

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

Ms. Hughes gave a summary of the allegations and read the board's actions from the June 18, 2015 board meeting. Ms. Sims requested a rehearing and to dismiss this matter due to no violation was found. Mr. Gallo made a motion to rehear this matter. Mr. Talbot seconded. The motion passed. Mr. Meredith made a motion to dismiss this matter. Mr. Talbot seconded. The motion passed.

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

Ms. Hughes gave a summary of the allegations and read the board's actions from the June 18, 2015 board meeting. Mr. Badeaux made a motion to rehear this matter. Mr. Dupuy seconded. The motion passed. Mr. Stuart made a motion to accept the statutory citation and reinstate the commercial license for A-PRO PLUMBING SERVICES, LLC. Mr. Dupuy seconded. The motion passed.

H. COMMITTEE REPORTS:

1. Report from the Staff –Ms. Dupuy gave an update on the Residential Swimming Pool license implemented on July 1, 2015 and a report on the 2015 legislative session.
2. Building Committee –Mr. Jones gave an update on the building renovation project for the agency.
3. Classification and Testing Committee – Mr. Gallo had no new report.
4. Legislative/Rules and Regulations Committee – Mr. Fenet had no new report.
5. Finance Committee – Mr. Dupuy made a motion to accept the June financial statement as presented. Mr. Stuart seconded. The motion passed. Mr. Dupuy made a motion to authorize Mr.

Michael B. McDuff, Ms. Judy Dupuy, and Mr. Tracy Guidry to conduct banking business on behalf of the Louisiana State Licensing Board for Contractors. Mr. Gallo seconded. The motion passed.

6. Residential Building Committee – Mr. Jones gave the report at a later time.

I. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and residential licensure exemptions as listed and attached to the agenda, and actions of the **July 15, 2015** Residential Building Subcommittee. (Pages 6-15)

Mr. Jones made a motion to approve the additional classifications for residential licenses as listed on the agenda, and Meredith seconded. The motion passed.
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 July 15, 2015 Residential Building Subcommittee meeting and Mr. Meredith seconded. The motion passed.

Mr. Jones made a motion to create residential sub-classifications and labor only sub-classifications under the major classification of Residential Building Contractor to include: (1) Pile Driving; (2) Residential Foundations; (3) Framing; (4) Residential Roofing; (5) Residential Masonry/Stucco; and (6) Swimming Pools with a proposed effective date of October 1, 2015. Mr. Gallo seconded. The motion passed.

J. Consideration of commercial licensure exemptions as listed and attached to the agenda. (Page 16-20)

Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on pages of the agenda, and Mr. Fenet seconded. The motion passed.
Mr. Dupuy recused himself from the vote of the exemption request for BROWN & ROOT INDUSTRIAL SERVICES, LLC. Mr. Dupuy made a motion to approve the Exemptions as listed on page of the agenda with the exception of APOLLO CONTRACTING GROUP, LLC and GENERATORS UNLIMITED OF LOUISIANA, LLC and pending receipt of résumé for NARVEL HAMILTON GENERAL CONTRACTORS, INC. Mr. Stuart seconded, and the motion passed.

K. Consideration of mold remediation applications as listed and attached to the agenda. (Page 21)

Mr. Lambert made a motion to approve the mold remediation applications 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 22-24)

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 25-35)

Mr. Dupuy recused himself from the vote in the matter. Mr. Lambert made a motion to approve the commercial applications as listed on pages 25-35 of the agenda, and Mr.Stuart seconded. The motion passed.

ADJOURNMENT

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

Lee Mallett, Chairman

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