

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

**December 17, 2015**

The regular meeting of the Commercial Board was called to order by the Vice Chairman, Victor Weston, on Thursday, December 17, 2015 at 9:35 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

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

Chairman, Lee Mallett, and member Art O. Walker 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, Nathan Rawls, Emma Payne, Terry Martin, Debbie Belyeu, and John Dixon; Compliance Investigators, Marianne Sullivan, William Valentine, Todd Brady, and Leann Evans; and Tarah Revette 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. Lambert made a motion to accept the Minutes of the **November 19, 2015** regular meeting, and Mr. Talbot seconded. The motion passed.

**NEW BUSINESS**

**C. QUALIFYING PARTY HEARINGS:**

1. **SCHNEIDER ELECTRIC BUILDINGS AMERICAS INC.**, Carrollton, Texas – 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 SCHNEIDER ELECTRIC BUILDINGS AMERICAS INC. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Cloutre made a motion to revoke the company's license. Mr. Stuart seconded. The motion passed.

2. **YARGUS MANUFACTURING, INC.**, Marshall, Illinois – 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 YARGUS MANUFACTURING, INC. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Cloutre made a motion to suspend the company's license. Mr. Stuart seconded. The motion passed.

**D. JUDGMENTS:**

1. **JBS CONSTRUCTION AND DEVELOPMENT, LLC**, Greenwell Springs, 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 requested that the board continue this. Mr. Gallo made a motion to continue this matter. Mr. Graham seconded. The motion passed.

2. a) **JOSHUA PEDIGO, LLC**, Addis, 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
- b) **PEDIGO CONSTRUCTION, LLC**, Port Allen, 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 matters 2a and 2b have been satisfied. Mr. Gallo made a motion to remove items 2a and 2b from the agenda. Mr. Clouatre seconded. The motion passed.

3. **SPARK ELECTRIC A/C, HEATING & GAS, LLC**, Metairie, 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 requested the board to continue this matter to the January 21, 2016 board meeting. Mr. Meredith made a motion to continue this matter. Mr. Fenet seconded. The motion passed.

**E. COMPLIANCE HEARINGS:**

1. **VIRGIL CLIPPS D/B/A BY THE SPEC ROOFING**, Baton Rouge, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present for VIRGIL CLIPPS D/B/A BY THE SPEC ROOFING. 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. Mr. Clouatre made a motion to find VIRGIL CLIPPS D/B/A BY THE SPEC ROOFING to be in violation. Mr. Jones seconded. The motion passed. Mr. Clouatre made a motion to assess the maximum fine plus \$500 in administrative costs, to issue a cease and desist order, and to notify the local authorities about this matter. Mr. Graham seconded. The motion passed.

2. **TPI PAINTING, INC.**, Bellaire, Texas – La. R.S. 2160(A)(1)

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

3. **LOWELL LISTER D/B/A L&L ELECTRIC**, Shreveport, Louisiana – La. R.S. 37:2160(A)(1)(2)

Ms. Hughes gave a summary of the allegations. No one was present for LOWELL LISTER D/B/A L&L ELECTRIC. Investigator William Valentine was called to the stand and was sworn in. Mr. Valentine reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find LOWELL LISTER D/B/A L&L ELECTRIC to be in violation. Mr. Graham 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.

4. **A.P.B ENTERPRISES, LLC**, Dubach, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present for A.P.B. ENTERPRISES, LLC. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find A.P.B. ENTERPRISES, 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, to revoke the company's license/registration, and to issue a cease and desist order. Mr. Graham 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. Cloutre seconded. The motion passed.

**OLD BUSINESS**

**G. REQUEST FOR REHEARING/RECONSIDERATION:**

1. **A & G CONVEYORS, LLC**, Brandon, Mississippi – La. R.S. 2160(A)(1)

Mr. Meredith recused himself from this matter. Ms. Hughes gave a summary of the allegations. Nicholas Agnew and Misty Garrison were present on behalf of A & G CONVEYORS, LLC and were sworn in. Mr. Badeaux made a motion to reconsider the penalty for this matter. Mr. Lambert seconded. The motion passed. Mr. Agnew and Ms. Garrison gave a statement. Investigator Todd Brady was called to the stand and was sworn in. Mr. Brady gave a statement regarding his investigation. Mr. Cloutre made a motion to fine the company \$7000 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. Jones seconded. The motion passed.

**H. COMMITTEE REPORTS:**

1. Report from the Staff – Mr. McDuff had no new report.
  2. Building Committee – Mr. Graham had no new report.
  3. Classification and Testing Committee – Mr. Gallo had no new report.
  4. Legislative/Rules and Regulations Committee – Mr. McDuff stated that the Residential Building Committee will be submitting proposals for the upcoming 2016 Legislative session.
  5. Finance Committee – Mr. Dupuy made a motion to accept the December financial statement as presented. Mr. Cloutre seconded. The motion passed. Mr. Dupuy made a motion to accept the Proposed 2016 Louisiana State Licensing Board for Contractors Operating Budget as presented. Mr. Cloutre seconded. The motion passed. Mr. Dupuy made a motion to accept the 2015 Louisiana Compliance Questionnaire for Audit Engagements of Government Entities as presented. Mr. Cloutre seconded. The motion passed.
  6. Residential Building Committee – Mr. Jones gave the report at a later time.
- I. Consideration of new residential applications, home improvement registrations and residential licensure exemptions as listed and attached to the agenda, and actions of the **December 16, 2015** Residential Building Subcommittee. (Pages 4-9)

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 December 16, 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. (Pages 10-12)

Mr. Lambert recused himself from this matter. Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on pages 10-11 of the agenda with the exception of INDEPENDENT ROOFING SYSTEMS, INC., who is only approved for the exemption of Specialty: Roofing and Sheet Metal, Siding and not Building Construction. Mr. Cloutre seconded. The motion passed.

Mr. Dupuy made a motion to approve the Exemptions as listed on pages 11-12 of the agenda. Mr. Cloutre seconded, and the motion passed.

- K. Consideration of additional classifications as listed and attached to the agenda. (Pages 13-15)

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

L. Consideration of commercial applications as listed and attached to the agenda. (Pages 16-24)

Mr. Lambert made a motion to approve the commercial applications as listed on the agenda. Mr. Stuart seconded. The motion passed.

Mr. Weston resigned from Vice Chairman of the Commercial Board. Mr. Weston made a motion to nominate William Clouatre to become the new Vice Chairman. Mr. Lambert seconded. The motion passed unanimously.

**ADJOURNMENT**

Mr. Gallo made a motion to adjourn at 10:18 a.m., and Mr. Lambert seconded. The motion passed.

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Lee Mallett, Chairman

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Byron E. Talbot, Secretary