

STATE LICENSING BOARD FOR CONTRACTORS
COMMERCIAL BOARD MEETING MINUTES

March 17, 2016

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallet, on Thursday, March 17, 2016 at 9:31 a.m. at 777 Ave L'Auberge, Lake Charles, Louisiana.

Members of the Board present:

- Lee Mallet, Chairman
- Victor Weston, Vice Chairman
- Lloyd "Chip" Badeaux
- N.R. "Noah" Broussard
- William J. Clouatre
- 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
- Art O. Walker

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, Nathan Rawls, Emma Payne, Elaine Riggins, and John Dixon; Compliance Investigators, Tommy Mimnaugh, Scott Corley, Frank Vaughn, and Jessie Wells; and Tarah Revette recording the minutes.

Mr. Dupuy 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 **February 18, 2016** regular meeting, and Mr. Dupuy seconded. The motion passed.

Mr. McDuff introduced guests Ronald Burrough with the Attorney General's office; John DeRosier with the Calcasieu Parish District Attorney's office; and Ed Guillory with Home Depot.

NEW BUSINESS

C. JUDGMENT:

1. **MARK DUNN BUILDERS, LLC**, Minden, 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. No one was present on behalf of MARK DUNN BUILDERS, LLC. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Talbot made a motion to revoke the licenses for MARK DUNN BUILDERS, LLC and to issue a cease and desist order. Mr. Graham seconded. The motion passed.

D. COMPLIANCE HEARINGS:

1. Matters 1a and 1b were consolidated.

- a) **FRANCIS FIRE SPRINKLER, LLC**, Opelousas, Louisiana – La. R.S. 37:2158 (A)(4)

Ms. Hughes gave a summary of the allegations. Chris Francis was present on behalf of FRANCIS FIRE SPRINKLER, LLC and was sworn in. Mr. Francis entered a no contest plea. Mr. Meredith made a motion to accept the no contest plea. Mr. Gallo seconded. The motion passed. Mr. Francis gave a statement. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Dupuy seconded. The motion passed.

- b) **BRUNGART FIRE PROTECTION, LLC**, Montgomery, Alabama – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of BRUNGART FIRE PROTECTION, LLC. Investigator Tommy Mimnaugh was called to the stand and was sworn in. Mr. Mimnaugh reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Francis provided testimony regarding this matter. Mr. Dupuy made a motion to find BRUNGART FIRE PROTECTION, LLC to be in violation. Mr. Weston seconded. The motion passed. Mr. Dupuy made a motion to assess the maximum fine plus \$500 in administrative costs and to notify the Alabama contractor's board of this matter. Mr. Stuart seconded. The motion passed.

2. a) **HALEY CONSTRUCTION, INC.**, Daytona Beach, Florida – La. R.S. 37:2158 (A)(4)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by HALEY CONSTRUCTION, INC. Mr. Weston made a motion to accept the settlement offer as presented. Mr. Stuart seconded. The motion passed.

- b) **FLORIDA BRICK & BLOCK, INC.**, Orlando, Florida – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by FLORIDA BRICK & BLOCK, INC. Mr. Weston made a motion to accept the settlement offer as presented. Mr. Stuart seconded. The motion passed.

3. **R. BRYAN, INC.**, Vidalia, Louisiana – La. R.S. 37:2158 (A)(4)

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

4. a) **CB BOVENKAMP, INC.**, Miami, Florida – La. R.S. 37:2158(A)(4)

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

- b) **INTRANET COMMUNICATIONS GROUP, INC.**, Boca Raton, Florida – La. R.S. 37:2160 (A)(1)

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

5. a) **DLP CONSTRUCTION COMPANY, INC. OF GEORGIA**, Alpharetta, Georgia – La. R.S. 2158(A)(3)(4) and Rules and Regulations Section 109(A)

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by DLP CONSTRUCTION COMPANY, INC. OF GEORGIA. Mr. Cloutre made a motion to accept the settlement offer as presented. Mr. Gallo seconded. The motion passed.

- b) **REBEL STEEL VENTURES AND ERECT, INC.**, Dacula, Georgia – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of REBEL STEEL VENTURES AND ERECT, INC. 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. Dupuy made a motion to find REBEL STEEL VENTURES AND ERECT, INC. to be in violation. Mr. Graham seconded. The motion passed. Mr. Dupuy made a motion to assess a fine of \$2000 plus \$500 in administrative costs. Mr. Gallo seconded. The motion passed.

6. Matters 6a and 6b were consolidated. Mr. Meredith recused himself from these matters.

a) **ZERNCO, INC.**, Wichita, Kansas – La. R.S. 37:2158 (A)(4)

Ms. Hughes gave a summary of the allegations. Jason Boling was present on behalf of ZERNCO, INC. and was sworn in. Mr. Boling entered a no contest plea. Mr. Weston made a motion to accept the no contest plea. Mr. Dupuy seconded. The motion passed. Mr. Weston made a motion assess a fine of \$1000 plus \$500 in administrative costs. Mr. Dupuy seconded. The motion passed.

b) **RONNIE UNDERWOOD**, West Monroe, Louisiana – La. R.S. 2160(A)(1)

Ms. Hughes gave a summary of the allegations. RONNIE UNDERWOOD was present and was sworn in. Mr. Underwood entered a no contest plea. Mr. Talbot made a motion to accept the no contest plea. Mr. Weston seconded. The motion passed. Mr. Weston made a motion to waive the fine and administrative costs. Mr. Stuart seconded. The motion passed.

*Agenda amended to add item 7.

7. **J & M HOME SOLUTIONS, LLC**, Vidalia, Louisiana – La. R.S. 37:2160 (A)(1)

Ms. Hughes gave a summary of the allegations. No one was present on behalf of J & M HOME SOLUTIONS, LLC. Investigator Scott Corley was called to the stand and was sworn in. Mr. Corley reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Weston made a motion to find J & M HOME SOLUTIONS, LLC to be in violation. Mr. Stuart seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Stuart seconded. The motion passed.

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

Ms. Hughes presented the statutory citations and stated that J & M HOME SOLUTIONS, LLC needs to be removed from E. Statutory Citations and moved to D. Compliance Hearings due to failure to pay the statutory citation. Mr. Weston made a motion to amend the agenda accordingly. Mr. Gallo seconded. The motion passed unanimously. Mr. Gallo made a motion to accept the remaining statutory citation as presented. Mr. Talbot seconded. The motion passed.

OLD BUSINESS

F. **COMPLIANCE HEARING/CONTINUANCE:**

1. **CURD WALKER, JR. D/B/A CURD WALKER CONSTRUCTION, INC.**, DeRidder, Louisiana – La. R.S. 2160(A)(1).

Ms. Hughes gave a summary of the allegations. Curd Walker was present on behalf of CURD WALKER, JR. D/B/A CURD WALKER CONSTRUCTION, INC. and was sworn in. Mr. Walker presented documents to the board and they were admitted. Mr. Walker presented a settlement offer to the board. Mr. Talbot made a motion to accept the settlement offer as presented. Mr. Gallo seconded. The motion passed.

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

1. **BOOTH ELECTRICAL, LLC**, Palmetto, Florida – La. R.S. 37:2160 (A)(1).

Ms. Hughes gave a summary of the allegations and read the settlement offer presented by BOOTH ELECTRICAL, LLC. Mr. Dupuy made a motion to accept the settlement offer as presented. Mr. Gallo seconded. The motion passed.

H. COMMITTEE REPORTS:

1. Report from the Staff – Ms. Dupuy stated that the 2016 Legislative Directory will be handed out after the meeting.
2. Building Committee –Mr. Graham provided an update on the plans for a new building.
3. Classification and Testing Committee – Mr. Gallo reported that Mr. Dupuy will present the exemptions.
4. Legislative/Rules and Regulations Committee – Mr. Fenet had no new report
5. Finance Committee – Mr. Dupuy made a motion to accept the February financial statement as presented. Mr. Talbot 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 **March 16, 2016 Residential Building Subcommittee. (Pages 4-11)**

Mr. Jones made a motion to approve the additional classifications for residential licenses as listed on the agenda, and Mr. 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 March 16, 2016 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 12-14)

Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on pages 12-13 of the agenda, and Mr. Weston seconded. The motion passed.

Mr. Dupuy made a motion to approve the Exemptions as listed on page 14 of the agenda with the exceptions of the following: CONNER ELECTRIC SERVICE INC. was not approved; and THE PIPELINE LINER COMPANY LIMITED PARTNERSHIP to be approved by staff pending receipt of resume. Mr. Weston 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. Talbot seconded. The motion passed.

L. Consideration of additional classifications as listed and attached to the agenda. (Pages 17-19)

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 20-28)

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

ADJOURNMENT

Mr. Weston made a motion to adjourn at 10:25 a.m., and Mr. Talbot seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary