

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

**April 21, 2016**

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallet, on Thursday, April 21, 2016 at 9:34 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- 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
- Art O. Walker

Member Byron Talbot 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, Nathan Rawls, Brent Templet, Monica Davis, Doug Traylor, and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Frank Vaughn, Todd Brady, Charmel Peterson, Scott Corley, Leann Evans and Greg Perrin; and Tarah Revette recording the minutes.

Mr. Fenet 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 **March 17, 2016** regular meeting and ratification of the actions taken by the Commercial Board and Residential Subcommittee at their respective March meetings. Mr. Lambert seconded. The motion passed.

Mr. McDuff introduced Ronald Burrough with the Attorney General's office; Sam Herpin and Jason Hardgraves with Remson Haley Herpin Architects; Ken Naquin with Louisiana Associated General Contractors; John Matthews Jr. and Stephanie Hartman with Louisiana Economic Development, Missy LaCour with Louisiana Community & Technical College System; and Tim Johnson with TJC Group.

Mr. John Matthews, Jr. with Louisiana Economic Development addressed the board regarding the Louisiana Contractor Accreditation Institute. Mr. McDuff also addressed the board. Mr. Cloutre made a motion to support LSLBC's participation in the Louisiana Economic Development program(s). Mr. Fenet seconded. The motion passed.

Mr. Ken Naquin, Sam Herpin and Jason Hargraves addressed the board regarding the planning and construction of LSLBC's new building.

**NEW BUSINESS**

**E. QUALIFYING PARTY HEARINGS:**

1. **JOHNSON INDUSTRIAL PAINTING, INC.**, Sulphur, 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 JOHNSON INDUSTRIAL PAINTING, INC. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Cloutre made a motion to suspend the company's license until such time the company has replaced the qualifying party. Mr. Gallo seconded. The motion passed.

**F. JUDGMENTS:**

1. Matters 1a and 1b were consolidated.
  - a) **FIRST MILLENNIUM CONSTRUCTION, 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
  - b) **STRATEGY CONSTRUCTION LLC**, Covington, 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. Nathian Hossley was present on behalf of FIRST MILLENNIUM CONSTRUCTION, LLC and STRATEGY CONSTRUCTION LLC. Mr. Hossley was sworn in. Ms. Sims entered the exhibit packets for the judgment matters 1a and 1b into evidence and they were admitted. Mr. Hossley affirmed that there is a judgment against FIRST MILLENNIUM CONSTRUCTION, LLC and gave a statement. Mr. Cloutre gave the company 30 days from the date of today’s hearing to pay or resolve the judgment or to enter into a written payment plan with the creditor and failure to reach an agreement within 30 days will result in automatic revocation of both company’s licenses. Mr. Cloutre also stated that if an agreement is reached within 30 days and if at any time, the terms of the payment plan are not met, the licenses for both companies will be automatically revoked. Mr. Gallo seconded. The motion passed.

**G. COMPLIANCE HEARINGS:**

1. **FIRST MILLENNIUM CONSTRUCTION, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(3)(9) and Rules and Regulations Section 101(A)

Mr. Rawls gave a summary of the allegations. Nathian Hossley, who was previously sworn in, was present on behalf of FIRST MILLENNIUM CONSTRUCTION, LLC. Ms. Hossley entered a denial plea. Investigator Brent Templet was called to the stand and was sworn in. Mr. Templet reviewed the exhibit packet regarding the compliance matter. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Hossley gave a statement to the board. Mr. Hossley submitted documents to the board and they were admitted. Mr. Templet provided testimony to the board. Mr. Lambert made a motion to find the company to be in violation; to revoke the commercial and residential license for FIRST MILLENNIUM CONSTRUCTION, LLC; to revoke the commercial license for STRATEGY CONSTRUCTION, LLC and to revoke qualifying party status for Nathian Dwayne Hossley. Mr. Weston seconded. The motion passed with two opposed.

2. **JOHN ANDREW MAGNINAT**, Denham Springs, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Sec. 109

Mr. Rawls gave a summary of the allegations. JOHN ANDREW MAGNINAT was present and was sworn in. Mr. Magninat entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Magninat gave a statement and presented documents to the board. The documents were admitted. Mr. Weston made a motion to warn Mr. Magninat about the violation and to dismiss the matter. Mr. Jones seconded. The motion passed.

3. a) **RUSTON PROPERTIES, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by RUSTON PROPERTIES, LLC. Mr. Gallo made a motion to accept the settlement offer as presented. Mr. Jones seconded. The motion passed.

- b) **JASON MEADOWS, LLC**, Pearl River, Louisiana – La. R.S. 2160(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of JASON MEADOWS, LLC. 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. Investigator Greg Perrin was called to the stand and was sworn in. Mr. Perrin confirmed service of the hearing notice. Mr. Weston made a motion to find JASON

MEADOWS, LLC to be in violation. Mr. Jones seconded. The motion passed. Mr. Weston made a motion to assess a fine of \$500 plus \$500 in administrative costs. Mr. Graham seconded. The motion passed.

4. **JODY THIBODEAUX D/B/A THIB'S A/C**, Ragley, Louisiana – La. R.S. 2160(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of JODY THIBODEAUX D/B/A THIB'S A/C. 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. Graham made a motion to find JODY THIBODEAUX D/B/A THIB'S A/C to be in violation. Mr. Gallo seconded. The motion passed. Mr. Graham made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Gallo seconded. The motion passed.

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

Mr. Rawls presented the statutory citations. Mr. Gallo made a motion to accept the statutory citations as presented. Mr. Meredith seconded. The motion passed.

**OLD BUSINESS**

I. **COMPLIANCE HEARING/CONTINUANCE:**

1. **ROY DOLLINS D/B/A AG-TECH, INC.**, Morley, Missouri – La. R.S. 2160(A)(1)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by ROY DOLLINS D/B/A AG-TECH, INC. Mr. Badeaux made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Gallo seconded. The motion passed.

2. **VISTA SOLAR CONTRACTORS, LLC**, Harahan, Louisiana – La. R.S. 37:2159(B)

Mr. Badeaux recused himself from this matter. Mr. Rawls gave a summary of the allegations. No one was present on behalf of VISTA SOLAR CONTRACTORS, LLC. Investigator Charmel Peterson was called to the stand and was sworn in. Ms. Peterson reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find VISTA SOLAR CONTRACTORS, 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 and to revoke the company's license. Mr. Gallo seconded. The motion passed.

3. **REED'S METALS, INC.**, Brookhaven, Mississippi – La. R.S. 37:2160(A)(1)

Mr. Mallett recused himself from this matter. Mr. Rawls gave a summary of the allegations. Attorney Joseph Durr and Bernard Reed were present on behalf of REED'S METALS, INC. Mr. Reed was sworn in. Mr. Durr entered a denial plea. Investigator Scott Corley was called to the stand and was sworn in. Mr. Durr requested a recess to discuss the matter with Ms. Sims. The meeting was recessed at 10:52 a.m. The meeting was called to order at 10:57 a.m. Mr. Durr presented a settlement offer along with a change in the initial denial plea to a no contest plea. Mr. Dupuy made a motion to accept the settlement offer as presented and the no contest plea. Mr. Fenet seconded. The motion passed.

J. **COMMITTEE REPORTS:**

1. Report from the Staff – Ms. Dupuy reminded the board about the annual ethics filing requirements due to the Ethics Board May 15, 2016. Mr. McDuff introduced Brad Hassert as the new Compliance Director.
2. Building Committee – Mr. Graham stated that the board has contracted with an architect for the agency's 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 gave a report about the 2016 Legislative Session and the bills related to the board. Mr. McDuff also addressed the board regarding the 2016 Legislative Session.

5. Finance Committee – Mr. Dupuy made a motion to accept the March financial statement as presented. Mr. Weston seconded. The motion passed. Mr. Dupuy also gave a report on the 2015 Audit.
  6. Residential Building Committee – Mr. Jones gave the report at a later time.
- K. Consideration of residential applications, home improvement registrations and residential licensure exemptions as listed and attached to the agenda, and actions of the **April 20, 2016** Residential Building Subcommittee. (Pages 4-13)

Mr. Jones made a motion to approve the residential applications as listed on the agenda with the exceptions of ESTESS CONSULTING SERVICES LLC and TROY ANDREW FRICK. 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 April 20, 2016 Residential Building Subcommittee meeting and Mr. Meredith seconded. The motion passed.

- L. Consideration of commercial licensure exemptions as listed and attached to the agenda. (Page 14-17)

Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on pages 14-15 of the agenda, and Mr. Weston seconded. The motion passed.

Mr. Clouatre recused himself from the vote for CAJUN ENGINEERING SOLUTIONS, LLC. Mr. Dupuy made a motion to approve the Exemptions as listed on pages 15-17 of the agenda with the exception of WAGLER CUSTOM HOMES, LLC who was only approved for the waiver of the 60 day waiting period. Mr. Weston seconded, and the motion passed.

- M. Consideration of mold remediation application as listed and attached to the agenda. (Page 18)

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

- N. Consideration of additional classifications as listed and attached to the agenda. (Pages 19-21)

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

- O. Consideration of commercial applications as listed and attached to the agenda. (Pages 22-34)

Mr. Lambert made a motion to approve the commercial applications as listed on the agenda with the exception of TROY ANDREW FLICK. Mr. Weston seconded. The motion passed.

## **ADJOURNMENT**

Mr. Fenet made a motion to adjourn at 11: 15 a.m., and Mr. Dupuy seconded. The motion passed.

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Lee Mallett, Chairman

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Byron E. Talbot, Secretary