

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

March 15, 2018

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, March 15, 2018 at 9:30 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

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

Finding a quorum present, the regular order of business began.

Also attending the meeting were: Michael B. McDuff, Executive Director; Judge Darrell White, Retired, Hearing Officer; Kevin Landreneau, Board Attorney; and from the staff, Leann Evans, Nathan Rawls, Brent Templet, Elaine Riggins, Wendy Loup, Lowana Cola, Maranda Lageaux and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Todd Brady, Johnny Rogers, and Charmel Peterson; and Tarah Revette 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. Dupuy made a motion to accept the Minutes of the **February 15, 2018** regular meeting. Mr. Jones seconded. The motion passed.

Mr. Hassert introduced guests Alex Reinboth and Alicia Wheeler with the Louisiana Attorney General's office.

Mr. Weston presented and made a motion to approve the resolution to retain and employ Seale & Ross, A Professional Law Corporation, through Kevin P. Landreneau, Partner, as counsel for the Board and the resolution shall be retroactive back to December 1, 2017. Mr. Talbot seconded. The motion passed unanimously.

NEW BUSINESS

Tarah Revette with the Administrative Department, Leann Evans with the Compliance Department and Brad Hassert with the Compliance Department were sworn in.

C. QUALIFYING PARTY HEARING – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

1. Ms. Revette gave a summary of the allegations. No one was present on behalf of PROTEUS SERVICES, LLC. After being sworn in, Ms. Revette reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Talbot made a motion to allow the company 30 days to replace the qualifying party and pass the required examinations and if the company fails to comply within the timeframe given

the company's license will be automatically suspended by staff. Mr. Gallo seconded. The motion passed.

D. JUDGMENTS/QUALIFYING PARTY HEARINGS:

1. **LOUISIANA MAINTENANCE SPECIALTIES INC.,** – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

This matter was continued.

2. **AUGUSTINO BROTHERS, INC.,** Metairie, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. Attorney Gerald Wasserman and Chris Perdomo were present on behalf of AUGUSTINO BROTHERS, INC. Attorney Phillip Ciaccio was present on behalf of the creditor, Wayne Keating. Ms. Evans reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wasserman gave a statement to the board regarding this matter. Mr. Ciaccio also addressed the board. Mr. Talbot made a motion to continue this matter to the next Commercial board meeting on April 19, 2018 if the matter remains unresolved at that time. Mr. Gallo seconded. The motion passed.

3. **B. WAMPOLD CONSTRUCTION, LLC,** Gonzales, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. Marvin Wampold was present on behalf of B. WAMPOLD CONSTRUCTION, LLC and was sworn in. Ms. Evans reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wampold gave a statement regarding this matter. Mr. Weston made a motion to give B. WAMPOLD CONSTRUCTION, LLC 60 days to pay the judgment or enter into a payment plan. If these terms are not satisfied within 60 days the license will be automatically revoked by staff. If a payment plan is agreed upon, the Board further ordered that any deviation from or default of the payment plan the license will be automatically revoked by staff. Mr. Gallo seconded. The motion passed.

4. **BOLES CONSTRUCTION, LLC,** Mandeville, Louisiana – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Dupuy gave a summary of the allegations. Attorney Frank Larre and Ricky Boles were present on behalf of BOLES CONSTRUCTION, LLC. The creditor, Frank Catalano, was also present. Mr. Boles and Mr. Catalano were both sworn in. Ms. Evans reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Larre gave a statement to the board. Mr. Catalano provided testimony to the board. Mr. Talbot made a motion to give BOLES CONSTRUCTION, LLC 30 days to pay the judgment balance. If these terms are not satisfied within 30 days the license will be automatically revoked by staff. Mr. Weston seconded. The motion passed.

D. COMPLIANCE HEARINGS:

1. **PORRIER CONSTRUCTION COMPANY, INC.,** Gonzales, Louisiana – La. R.S. 37:2158(A)(4)

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

2. Matters 2a and 2b were consolidated.

- a) **DADDY'S HANDS CONSTRUCTION, LLC,** Metairie, Louisiana – La. R.S. 37:2167(A)
- b) **GPS PLUMBING, LLC,** LaPlace, Louisiana – La. R.S. 37:60(A)(1)

Ms. Evans gave a summary of the allegations for both matters. Robert Dwyer was present on behalf of DADDY’S HANDS CONSTRUCTION, LLC and was sworn in. Gregory Knight was present on behalf of GPS PLUMBING, LLC and was sworn in. Mr. Dwyer entered a no contest plea for matter 2a. Mr. Jones made a motion to accept the plea. Mr. Gallo seconded. The motion passed. Mr. Knight entered a no contest plea for matter 2b. Mr. Jones made a motion to accept the plea. Mr. Gallo seconded. The motion passed. Mr. Dwyer gave a statement regarding these matters. Mr. Knight also gave a statement regarding these matters. Mr. Weston made a motion to assess \$500 in administrative costs and to issue and cease and desist order for DADDY’S HANDS CONSTRUCTION, LLC. Mr. Weston continued his motion and assessed \$500 in administrative costs and to issue and cease and desist order for GPS PLUMBING, LLC. Mr. Fenet seconded. The motion passed.

3. **WENDELTA, INC.**, Memphis, Tennessee – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by WENDELTA, INC. Mr. Badeaux made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hotard seconded. The motion passed with one opposed from Mr. Weston.

4. a) **GUIDRY BUILDERS, INC.**, Breaux Bridge, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by GUIDRY BUILDERS, INC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Dupuy seconded. The motion passed.

b) **MAGNOLIA STATE CONSTRUCTION, LLC**, Alexandria, Louisiana – La. R.S. 2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MAGNOLIA STATE CONSTRUCTION, LLC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Dupuy seconded. After discussion, Mr. Talbot withdrew his motion. Mr. Talbot made a motion to reject the settlement offer and for staff to notify the company that the required exams must be passed within 60 days or the company will be brought before the board for a hearing. Mr. Weston seconded. The motion passed.

5. a) **GENTRY CONSTRUCTION, INC.**, Monroe, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PORRIER CONSTRUCTION COMPANY, INC. Mr. Badeaux made a motion to reject the settlement offer as presented, which included a no contest plea. Mr. Weston seconded. The motion passed.

b) **S. G. MASONRY, LLC**, Columbia, Louisiana – La. R.S. 2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by S. G. MASONRY, LLC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea, and to authorize staff to accept an amended settlement offer of \$1000 plus \$500 in administrative costs and a no contest plea. Mr. Gallo seconded. The motion passed. Mr. made a motion

E. STATUTORY CITATIONS:

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

OLD BUSINESS

F. REQUEST FOR REHEARING:

1. **BEST CHOICE PLUMBING, LLC**, Mandeville, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. Darrell Hawkins was present on behalf of BEST CHOICE PLUMBING, LLC and was sworn in. Mr. Badeaux made a motion to grant the rehearing request. Mr. Fenet seconded. The motion passed. Mr. Hawkins entered a no contest plea. Mr. Weston made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Hawkins gave a statement regarding this matter. Mr. Hawkins presented a settlement offer to the board. Mr. Gallo made a motion to accept the settlement offer as presented. Mr. Meredith seconded. The motion passed.

G. REPORTS:

1. Staff Reports –Mr. McDuff introduced Shannon Temple, a new staff person in the Examinations Department.
2. Building Report – Mr. Graham presented a resolution and made a motion to approve the resolution to accept the lowest bid for the construction of the New Office Building for the Louisiana State Licensing Board for Contractors submitted by Ratcliff Construction Company, LLC on March 1, 2018 in the amount of \$5,360,500.00 which includes Alternate No. 1 in the amount of \$64,500.00; to ratify, confirm and approve the Award of the Contract to Ratcliff Construction Company, LLC made by Michael McDuff on behalf of the Louisiana State Licensing Board for Contractors; to authorize Lee Mallett, Chairman, or Michael McDuff, Executive Director, to execute a contract with Ratcliff Construction Company, LLC for the construction of the New Office Building for the Louisiana State Licensing Board for Contractors in the amount of \$5,360,500.00 which includes Alternate No. 1 in the amount of \$64,500.00; and to authorize Mr. Lee Mallett or Mr. Michael McDuff to perform any other acts and enter into such other agreements as necessary to accomplish and complete the construction of the New Office Building for the Louisiana State Licensing Board for Contractors. Mr. Gallo seconded. The motion passed unanimously.

Mr. Mallett thanked Mr. Graham, Mr. Stuart and Mr. McDuff for their efforts for the new building. Rob Ratcliff with Ratcliff Construction Company, LLC and Trula Remson with Remson Hailey Herpin Architects addressed the board regarding the awarding of the contract for the new building.

3. Classification and Testing Report – Mr. Gallo stated that the report will be given at a later time.
4. Legislative/Rules and Regulations Report – Mr. McDuff gave a summary of the 2018 legislative session in relation to LSLBC.
5. Finance Report – Mr. Dupuy made a motion to accept the February financial statement as presented. Mr. Gallo seconded. The motion passed.
6. Residential Building Report – Mr. Badeaux gave the report at a later time.

H. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and actions of the **March 14, 2018 Residential Building Subcommittee. (Pages 4-11)**

Mr. Badeaux made a motion to approve the residential applications as listed on the agenda with the exception of G TEMPLE CONSTRUCTION LLC, which was not approved. Mr. Dupuy seconded. The motion passed.

Mr. Badeaux made a motion to approve the home improvement applications as listed on the agenda, and Mr. Dupuy seconded. The motion passed.

Mr. Badeaux made a motion to approve and ratify the actions taken at the March 14, 2018 Residential Building Subcommittee meeting and Mr. Dupuy seconded. The motion passed.

I. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 12-14)

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

Mr. Dupuy made a motion to approve the Exemptions as listed on the agenda with the following exceptions: ARTEMIS CONSTRUCTION LLC was only approved for the exemption of Specialty:

Roofing and Sheet Metal, Siding; LESLIE HOMES, INC. was approved pending resume and letters. Mr. Lambert seconded. The motion passed.

J. Consideration of mold remediation application as listed and attached to the agenda. (Page 15)

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

K. Consideration of additional classifications as listed and attached to the agenda. (Pages 16-17)

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

L. Consideration of commercial applications as listed and attached to the agenda. (Pages 18-28)

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

ADJOURNMENT

Mr. Cloutre made a motion to adjourn at 10:32 a.m., and Mr. Weston seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary