

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

March 16, 2017

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallet, on Thursday, March 16, 2017 at 9:35 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

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

Members August Gallo, Jr.; Christopher N. Stuart, and Victor Weston 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; Larry Bankston, Board Attorney; and from the staff, Leann Evans, Nathan Rawls, Brent Templet, Doug Traylor, Emma Payne, Elaine Riggins, Monica Davis, Lowana Cola, Morgan Etienne and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Todd Brady, Jessie Wells, Bobbie Hughes, Dylan Bourg and William Collins; and Tarah Revette recording the minutes.

Mr. Clouatre 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 16, 2017** regular meeting. Mr. Clouatre seconded. The motion passed.

Mr. McDuff addressed the board and introduced John Morris, Assistant Attorney General with the Louisiana Department of Justice.

NEW BUSINESS

C. JUDGMENTS:

1. **SPEARS CONSULTING INC.**, 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

This matter was moved to the end of the agenda.

D. COMPLIANCE HEARINGS:

1. a) **COMPLETE CONSTRUCTION CONTRACTORS, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(2)
- b) **MATTHEW J. MORRIS**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(2)

Ms. Evans gave a summary of the allegations. Attorney Seth Smiley was present on behalf of COMPLETE CONSTRUCTION CONTRACTORS, LLC and MATTHEW J. MORRIS. Mr. Bankston stated that the company has requested a continuance. Mr. Smiley gave a statement to the board. Mr. Graham made a motion to grant the continuance request. Mr. Dupuy seconded. The motion passed.

2. **G TEMPLE CONSTRUCTION, LLC**, New Orleans, Louisiana – La. R.S. 37:2158 (A)(9)

Ms. Evans gave a summary of the allegations. George Temple was present and was sworn in. Mr. Temple entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Temple gave a statement to the board. The board questioned Mr. Temple. Mr. Graham made a motion to revoke the company's license for G TEMPLE CONSTRUCTION, LLC. Mr. Dupuy seconded. The motion passed.

3. **NORTH SOUTH RENOVATIONS, INC.**, Charlotte, North Carolina – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by NORTH SOUTH RENOVATIONS, INC. Mr. Jones made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Meredith seconded. The motion passed.

4. **4940 GROOM ROAD, LLC**, Harvey, Louisiana – La. R.S. 2160(A)(1)

Ms. Evans gave a summary of the allegations. Attorney Joseph DiRosa and Raouf Mousa was present on behalf of 4940 GROOM ROAD, LLC. Mr. Mousa was sworn in. Mr. DiRosa entered a denial plea. Investigator Bobbie Hughes was called to the stand and was sworn in. Ms. Hughes provided testimony to the board. Mr. DiRosa questioned Ms. Hughes. Ms. Hughes reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. DiRosa questioned Mr. Mousa and provided testimony to the board. Mr. DiRosa entered documents into evidence and they were admitted. Mr. DiRosa changed the initial denial plea to a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Dupuy seconded. The motion passed. After discussion, Mr. Graham made a motion to assess a \$3000 fine plus \$500 in administrative costs. Mr. Jones seconded. The motion passed with three opposed by Mr. Dupuy, Mr. Lambert and Mr. Broussard.

5. **STURGIS CONCRETE WORKS, LLC**, Sterlington, Louisiana – La. R.S. 2160(A)(1).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by STURGIS CONCRETE WORKS, LLC. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Badeaux seconded. The motion passed with one opposed by Mr. Jones.

6. **GEM ELECTRIC, LLC**, Shreveport, Louisiana – La. R.S. 37:2160(A)(1)

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

7. **PYLANT ROOFING, INC.**, Calhoun, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans stated that the company has requested a continuance. Mr. Jones made a motion to grant the continuance request. Mr. Meredith seconded. The motion passed.

E. **STATUTORY CITATIONS:**

Ms. Evans presented the statutory citations excluding DANNY MCGOUGH ROOFING, LLC. Ms. Evans stated that this company did not accept the statutory citation and will have a hearing on the alleged allegation. Mr. Dupuy made a motion to accept the statutory citations as presented excluding DANNY MCGOUGH ROOFING, LLC. Mr. Fenet seconded. The motion passed.

DANNY MCGOUGH ROOFING, LLC, Calhoun, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of DANNY MCGOUGH ROOFING, LLC. Investigator Jessie Wells was called to the stand and was sworn in. Mr. Wells reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Jones made a motion to find DANNY MCGOUGH ROOFING, LLC to be in violation. Mr. Dupuy seconded. The motion passed. Mr. Jones made a motion to assess a \$2500 fine plus \$500 in administrative costs. Mr. Dupuy seconded. The motion passed.

<Agenda item C. 1. under JUDGMENTS was heard after the Statutory Citations.>

1. **SPEARS CONSULTING INC.**, 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

Ms. Dupuy gave a summary of the allegations. Attorney Willie Stephens was present on behalf of SPEARS CONSULTING INC. Attorney Bart Hebert was present on behalf of the creditors. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Stephens and Mr. Hebert gave statements to the board regarding this matter. Mr. Talbot made a motion to give SPEARS CONSULTING INC. 30 days to pay/resolve the judgment or enter into a payment plan with the creditor. If the judgment is not satisfied or a payment plan entered into, the license will be automatically revoked by staff. If at any time within the duration of the payment plan, if the terms are not complied with, the license will be automatically revoked upon notification by the creditor. Mr. Jones seconded. The motion passed.

<Agenda item L. Review of LSLBC Legal Opinion was heard before Agenda item F. Committee Reports.>

Mr. Jones recused himself and left the room until this matter concluded. Mr. Bankston addressed the board and provided a legal opinion regarding the Request for Proposal “RFP” issued by the Louisiana Division of Administration for the flood recovery program.

The floor was opened for public comment. In response to LSLBC’s legal opinion regarding the RFP, Attorney Joseph Bruno addressed the board on behalf of Innovative Emergency Management, Inc. (IEM). Attorney Larry Roedel also addressed the board on behalf of IEM. Additional person(s) who addressed the board on behalf of IEM were: Madhu Beriwal, Attorney Robert Bruno, Thomas Richards, and Reverend Gerald Rogers. Attorney John Dunlap addressed the board on behalf of Provident Disaster Resources Management, LLC (PDRM) regarding this matter. Tim Barfield also addressed the board on behalf of PDRM. Attorney Mike McKay representing Sullivan Land Services (SLS) also addressed the board regarding this matter. Louisiana State Senator Regina Barrow addressed the board regarding this matter. Mr. McDuff also addressed the board and the audience regarding this matter.

After discussion, Mr. Lambert made a motion to concur with Mr. Bankston’s legal opinion regarding the contractor’s license requirements related to the RFP issued by the Louisiana Division of Administration for the flood recovery program. Mr. Fenet seconded. The motion passed unanimously.

F. COMMITTEE REPORTS:

1. Report from the Staff – Ms. Dupuy had no new report.
2. Building Committee –Mr. Graham provided an update on LSLBC’s new building project.
3. Classification and Testing Committee – Mr. Cloutre stated that Mr. Dupuy will given his report at a later time.
4. Legislative/Rules and Regulations Committee – Mr. Fenet and Mr. McDuff had no new report.
5. Finance Committee – Mr. Dupuy made a motion to accept the February financial statement as presented. Mr. Jones seconded. The motion passed.
6. Residential Building Committee – Mr. Jones gave the report at a later time.

- G. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations as listed and attached to the agenda, and actions of the **March 15, 2017** Residential Building Subcommittee. (Pages 3-16)

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. Dunlap with PDRM gave an objection to the approval of IEM's residential application. 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 actions taken at the March 15, 2017 Residential Building Subcommittee meeting and Mr. Meredith seconded. The motion passed.

H. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Page 17-19)

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 addition of BANCROFT PROPERTY INVESTMENTS, LLC for the exemption of Building Construction. Mr. Meredith seconded, and the motion passed.

I. Consideration of mold remediation application as listed and attached to the agenda. (Page 20)

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

J. Consideration of additional classifications as listed and attached to the agenda. (Pages 21-23)

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

K. Consideration of commercial applications as listed and attached to the agenda. (Pages 24-34)

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

L. Review of LSLBC Legal Opinion

This matter was heard before Agenda item F. Committee Reports.

ADJOURNMENT

Mr. Dupuy made a motion to adjourn at 11: 39 a.m., and Mr. Jones seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary