

# STATE LICENSING BOARD FOR CONTRACTORS

## COMMERCIAL BOARD

### MEETING MINUTES

March 18, 2021

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, March 18, 2021, at 9:30 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- William J. Cloutre, Vice Chairman
- Lloyd “Chip” Badeaux
- Ronald Barron
- Brian J. Bordelon
- N.R. “Noah” Broussard
- Nelson A. “Andy” Dupuy, Jr.
- Courtney Fenet, Jr.
- Danny R. Graham
- Kenneth Jones
- Curtis Joseph
- Donald G. Lambert
- Garland Meredith
- Joel Rushing
- Elliott Temple
- Keith Tillage
- Victor Weston

Lee Mallett, Chairman, and members August Gallo, Jr. and Christopher N. Stuart 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; Kevin Landreneau, Board Attorney; and from the staff, Leann Evans, Carrie Morgan, Elaine Riggins, Lowana Cola and Monica Davis; Compliance Director, Brad Hassert; and Tarah Revette recording the minutes.

Mr. Jones 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 asked for a moment of silence to recognize the passing of former LSLBC compliance investigators from the New Orleans region: Lynwood Allemore, Charlie Richardson, and Charles Ullo; and former LSLBC board member, George Crain, representative of the Louisiana Oilfield Contractors Association, who served for ten years.

Mr. Lambert made a motion to accept the Minutes of the **December 17, 2020** regular meeting. Mr. Meredith seconded. The motion passed.

Mr. Hassert introduced guest Alex Reinboth with the Louisiana Attorney General’s office.

### **PUBLIC COMMENT**

No requests were received from the public to address the Licensing Board.

### **NEW BUSINESS**

Leann Evans and Brad Hassert with the Compliance Department were sworn in.

**D. JUDGMENTS:**

1. **COASTAL BRIDGE COMPANY, L.L.C.**, Baton Rouge, Louisiana – La. R.S. 37:2150-2192, La. R.S. 37:2158(A)(8) and (A)(9), La. R.S. 37:2156.1(D)(1) and Section 707 of the Board’s Rules and Regulations

Ms. Evans requested this matter be removed from the agenda. Mr. Lambert made a motion to remove this matter from the agenda. Mr. Graham seconded. The motion passed.

2. **JAMES BRILLINGER**, Franklinton, Louisiana – La. R.S. 37:2150-2192, La. R.S. 37:2158(A)(8) and (A)(9), La. R.S. 37:2156.1(D)(1) and Section 707 of the Board’s Rules and Regulations

Ms. Evans gave a summary of the allegations. No one was present on behalf of JAMES BRILLINGER. Attorney Creighton Abadie was present on behalf of the creditor, Coburn Supply Company, Inc. 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 questioned Mr. Abadie. The board questioned Mr. Landreneau and Mr. Abadie. After discussion, Mr. Weston made a motion to find JAMES BRILLINGER to be in violation, to give Mr. Brillinger 30 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 30 days, the qualifying party status for Mr. Brillinger will be automatically suspended by staff. If a payment plan is agreed upon, the Board further ordered that any deviation from or default of the payment plan will result in the qualifying party status for Mr. Brillinger being automatically suspended by staff. If at any time the qualifying party status for Mr. Brillinger is suspended by staff related to this matter, staff can reinstate the qualifying party status for Mr. Brillinger after the judgment has been paid in full. Mr. Graham seconded. The motion passed.

**E. COMPLIANCE HEARINGS:**

1. **JUAN ALLAROE D/B/A PERFORMANCE DRYWALL AND PAINTING**, Brandon, Mississippi – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of JUAN ALLAROE D/B/A PERFORMANCE DRYWALL AND PAINTING. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Lambert made a motion to find JUAN ALLAROE D/B/A PERFORMANCE DRYWALL AND PAINTING to be in violation. Mr. Graham seconded. The motion passed. Mr. Graham made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Dupuy seconded. The motion passed.

2. **TEXAS ALLIANCE GROUP INC.**, Houston, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by TEXAS ALLIANCE GROUP INC. Mr. Graham made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

3. a) **STEVE WIER, INC.**, Houston, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by STEVE WIER, INC. Mr. Tillage made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

- b) **KADEX MASONRY, LLC**, Tomball, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of KADDEX MASONRY, LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Lambert made a motion to find KADDEX MASONRY, LLC to be in violation. Mr. Weston seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Broussard seconded. The motion passed.

4. **SEAL ENTERPRISES, INC. OF MISSISSIPPI**, Carriere, Mississippi – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by SEAL ENTERPRISES, INC. OF MISSISSIPPI. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Meredith seconded. The motion passed.

5. a) **J & J ELECTRICAL & CONSTRUCTION, L.L.C.**, Duson, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by J & J ELECTRICAL & CONSTRUCTION, L.L.C. Ms. Evans also corrected the total project amount listed on the agenda from \$375,000.00 to \$33,923.00. Mr. Tillage made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Jones seconded. The motion passed.

- b) **SHANNON SMITH CONSTRUCTION, LLC**, Lake Charles, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans requested this matter be removed from the agenda. Mr. Lambert made a motion to remove this matter from the agenda. Mr. Dupuy seconded. The motion passed.

6. a) **MARKO CONSTRUCTION, INCORPORATED**, Metairie, Louisiana – La. R.S. 37:2158(A)(5)

- b) **L&L SLIDELL, LLC**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

- c) **GULF COAST CONTRACTORS LA LLC**, Slidell, Louisiana – La. R.S. 37:2160(A)(1)

Mr. Hassert requested matters 6a – 6c be continued. Mr. Jones made a motion to grant the continuance for matters 6a – 6c. Mr. Dupuy seconded. The motion passed.

7. **RITNOUR WELDING & CUSTOM FABRICATION, INC.**, Dayton, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of RITNOUR WELDING & CUSTOM FABRICATION, INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. After discussion, Mr. Jones made a motion to find RITNOUR WELDING & CUSTOM FABRICATION, INC. to be in violation. Mr. Broussard seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Broussard seconded. The motion passed.

8. a) **PROVIDENCE ENGINEERING AND ENVIRONMENTAL GROUP LLC**, Baton Rouge, Louisiana – La. R.S. 37:2159(B) and 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PROVIDENCE ENGINEERING AND ENVIRONMENTAL GROUP 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.

- b) **MANSFIELD OIL COMPANY OF GAINESVILLE, INC.**, Gainesville, Georgia – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MANSFIELD OIL COMPANY OF GAINESVILLE, INC. Mr. Tillage made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Temple seconded. The motion passed.

9. **VENTURE CONSTRUCTION COMPANY**, Norcross, Georgia – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by VENTURE CONSTRUCTION COMPANY. The board questioned staff regarding this matter. After discussion, Mr. Tillage made a motion to deny the settlement offer as presented. Mr. Graham seconded. The motion passed.

10. a) **PIONEER GENERAL CONTRACTORS, INC.**, Amarillo, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PIONEER GENERAL CONTRACTORS, INC. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Tillage seconded. The motion passed.

- b) **CLIMATE PROS, LLC**, Glendale Heights, Illinois – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by CLIMATE PROS, LLC. Mr. Broussard made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Badeaux seconded. The motion passed.

- c) **H.A.I. SERVICES INC. OF ARKANSAS**, Fort Worth, Texas – La. R.S. 37:2158(A)(4), 2158(A)(3) and Rules and Regulations of the Board Section 133(A)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by H.A.I. SERVICES INC. OF ARKANSAS. Mr. Tillage made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

- d) **ALBERTSONS COMPANIES, INC.**, Boise, Idaho – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by ALBERTSONS COMPANIES, INC. Mr. Graham made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed with opposition from Mr. Jones.

11. **WINTERS CONSTRUCTION LLC-LA**, Oxford, Mississippi – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by WINTERS CONSTRUCTION LLC-LA. Mr. Tillage made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

12. **BILLY'S STRUCTURES, LLC**, Patterson, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by BILLY'S STRUCTURES, LLC. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Tillage seconded. The motion passed.

**F. STATUTORY CITATIONS:**

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

**OLD BUSINESS**

**G. REQUEST FOR REHEARING:**

1. **P&L GAS DISPENSERS, LLC**, Houston, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans stated that staff requested the rehearing due to a clerical error. Mr. Meredith made a motion to grant the rehearing. Mr. Graham seconded. The motion passed. Ms. Evans gave a summary of the allegations and read the settlement offer presented by P&L GAS DISPENSERS, LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Temple seconded. The motion passed.

<Agenda item 9. under Compliance Hearings was reconsidered by the board.>

9. **VENTURE CONSTRUCTION COMPANY**, Norcross, Georgia – La. R.S. 37:2158(A)(4)

Mr. Landreneau brought forward information to the board regarding agenda item 9. under Compliance Hearings to answer the board's outstanding questions related to this matter. The board questioned Mr. Landreneau. Mr. Fenet made a motion to reconsider agenda item 9. under Compliance Hearings, VENTURE CONSTRUCTION COMPANY. Mr. Rushing seconded. After discussion and a roll call vote, the motion passed with opposition from Mr. Badeaux, Mr. Graham, Mr. Jones, Mr. Joseph, Mr. Temple, Mr. Tillage and Mr. Weston. Ms. Evans read the settlement offer presented by VENTURE CONSTRUCTION COMPANY. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Rushing seconded. After discussion and a roll call vote, the motion passed with opposition from Mr. Graham, Mr. Jones, Mr. Joseph, Mr. Temple, Mr. Tillage and Mr. Weston.

H. **APPLICATIONS; ADDITIONAL CLASSIFICATIONS; RECIPROCITY**

1. Residential Building Report – Mr. Badeaux gave the report at a later time.

- a. Consideration of additional classifications for residential licenses, residential applications and home improvement registrations as listed and attached to the agenda. (Pages 5-38)

Mr. Badeaux made a motion to approve the additional classifications for residential licenses as listed on the agenda, and Mr. Jones seconded. The motion passed.

Mr. Badeaux made a motion to approve the residential applications as listed on the agenda, and Mr. Temple seconded. The motion passed.

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

- b. Consideration of the actions of the **March 17, 2021** Residential Building Subcommittee.

Mr. Badeaux made a motion to approve and ratify the actions taken at the March 17, 2021 Residential Building Subcommittee meeting and Mr. Broussard seconded. The motion passed.

2. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 39-46)

Based on Staff recommendations, Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on the agenda. Mr. Weston seconded. The motion passed.

Based on Staff recommendations, Mr. Dupuy made a motion to approve the Exemptions as listed on the agenda with the exception of 21 Construction, LLC 21 Construction, LLC will be required to take the examination(s). Mr. Rushing seconded. The motion passed.

3. Consideration of mold remediation application as listed and attached to the agenda. (Page 47)

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

4. Consideration of additional classifications as listed and attached to the agenda. (Pages 48-54)

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

5. Consideration of commercial applications as listed and attached to the agenda. (Pages 55-88)

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

**I. REPORTS:**

1. Staff Reports – Ms. Dupuy reminded the Board Members of the May 15<sup>th</sup> date for filing Ethics Reports and provided a handout. Ms. Dupuy also provided to the board a copy of the 2020 LSLBC Administrative Report.
2. Finance Report – Mr. Dupuy asked for a motion to accept the financial statement for the period ending February 28, 2021 as presented. Mr. Weston made a motion to accept the financial statement for the period ending February 28, 2021 as presented. Mr. Lambert seconded. The motion passed. Mr. Dupuy also made a motion to accept the 2020 Louisiana Compliance Questionnaire for Audit Engagements of Government Entities as presented for the agency audit. Mr. Weston seconded. The motion passed.

Mr. McDuff addressed the board regarding the upcoming 2021 legislative session. The board questioned staff regarding the 2019 changes to the definition of residential construction. Mr. Hassert and Mr. McDuff addressed the board regarding these changes.

**ADJOURNMENT**

Mr. Weston made a motion to adjourn at 10:42 a.m., and Mr. Lambert seconded. The motion passed unanimously.

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Lee Mallett, Chairman

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Elliott Temple, Secretary