

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

April 19, 2018

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, April 19, 2018 at 9:33 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
- August Gallo, Jr.
- Jaclyn S. Hotard
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Byron Talbot
- Victor Weston

Members Danny R. Graham and Elliott L. Temple 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, Brent Templet, Elaine Riggins, Lakiesha Butler, Wendy Loup, Lowana Cola and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Frank Vaughn, Jessica Jones, William Valentine, and Dylan Bourg; and Tarah Revette recording the minutes.

Mr. Cloutre 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 **March 15, 2018** regular meeting. Mr. Weston seconded. The motion passed.

Mr. Hassert introduced guest Alicia Wheeler with the Louisiana Attorney General's office.

NEW BUSINESS

C. JUDGMENTS/QUALIFYING PARTY HEARINGS:

1. **A/C MECHANICAL CONTRACTORS, INC.**, West Monroe, 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 A/C MECHANICAL CONTRACTORS, INC. Attorney Creighton Abadie was present on behalf of the creditor, Coburn Supply Company, Inc. Ms. Dupuy, Board Administrator, was sworn in. Ms. Dupuy 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. Mr. Weston made a motion to give A/C MECHANICAL CONTRACTORS, INC. 30 days to pay the judgment or enter into a payment plan. If these terms are not satisfied within 30 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 will result in the license being automatically revoked by staff. Mr. Gallo seconded. The motion passed.

2. **LOUISIANA CABIN COMPANY, LLC**, Lakeland, 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 LOUISIANA CABIN COMPANY, LLC. Attorney Creighton Abadie was present on behalf of the creditor, Coburn Supply Company, Inc. Mr. Abadie addressed the board regarding this matter and reported that a payment plan to satisfy the judgment was in place. The board asked Mr. Abadie to report to the board if there is ever a deviation from or default of the payment plan by LOUISIANA CABIN COMPANY, LLC. No action was taken on this matter.

D. COMPLIANCE HEARINGS:

1. **HUDA, LLC**, Harvey, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Sec. 109

This matter was continued.

2. **LAKE AREA INDUSTRIAL GROUP, LLC**, Sulphur, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by LAKE AREA INDUSTRIAL GROUP, LLC. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed.

3. **GUTIERREZ CONTRACTORS, LLC**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of GUTIERREZ CONTRACTORS, LLC. Investigator Dylan Bourg was called to the stand and was sworn in. Mr. Bourg reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Jones made a motion to find GUTIERREZ CONTRACTORS, LLC to be in violation. Mr. Gallo seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Jones seconded. The motion passed.

4. Matters 4a and 4b were consolidated.

- a) **WESLEY MONTGOMERY COMPANY, INC.**, Lake Charles, Louisiana – La. R.S. 37:2158(A)(5)
- b) **ALBERT HOPKINS**, Vinton, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. Wesley Montgomery was present on behalf of WESLEY MONTGOMERY COMPANY, INC. and was sworn in. ALBERT HOPKINS was present and was sworn in. Mr. Montgomery addressed the board. Mr. Hopkins addressed the board. The board questioned Mr. Montgomery and Mr. Hopkins. After discussion, Mr. Landreneau suggested to the board to dismiss the matter against WESLEY MONTGOMERY COMPANY, INC.

Mr. Hopkins entered a no contest plea. Mr. Gallo made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Hopkins gave a statement regarding this matter. Mr. Lambert made a motion to dismiss the matter against ALBERT HOPKINS. Ms. Hotard seconded. The motion passed with 3 opposed by Mr. Badeaux, Mr. Jones and Mr. Talbot.

5. a) **H. B. NEILD AND SONS, INC. (OF TEXAS)**, Beaumont, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by H. B. NEILD AND SONS, INC. (OF TEXAS). Mr. Meredith made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Gallo seconded. The motion passed.

- b) **ALCODE PLUMBING, LLC**, Beaumont, Texas – La. R.S. 2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ALCODE PLUMBING, LLC. Investigator Frank Vaughn was called to the stand and was sworn in. Mr. Vaughn reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau

entered the exhibit packet into evidence and it was admitted. After discussion, Mr. Gallo made a motion to find ALCODE PLUMBING, LLC to be in violation. Mr. Weston seconded. The motion passed. Mr. Gallo made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Meredith seconded. The motion passed.

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

- a) **POWERHOUSE RETAIL SERVICES, LLC**, Crowley, Texas – La. R.S. 37:2158(A)(4)
- b) **MR. G'S CARPETS, LLC**, Fort Worth, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations for POWERHOUSE RETAIL SERVICES, LLC and MR. G'S CARPETS, LLC. Ms. Evans also read the settlement offer presented by MR. G'S CARPET, LLC. Joshua Hargrave was present on behalf of POWERHOUSE RETAIL SERVICES, LLC and was sworn in. Mr. Hargrave entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Talbot seconded. The motion passed. Mr. Hargrave gave a statement to the board. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Jones seconded. The motion passed with one opposed by Mr. Badaux. Mr. Dupuy made a motion to accept the settlement offer as presented for MR. G'S CARPETS, LLC, which included a no contest plea. Mr. Fenet seconded. The motion passed.

7. Matters 7a – 7e were consolidated.

- a) **DOUCET SHEETMETAL, L.C.**, Lake Charles, Louisiana – La. R.S. 37:2158(A)(3), 2158(A)(4) and Rules and Regulations of the Board Sec. 1113(A)
- b) **ED W. MOBBS D/B/A S.R.E.EQUIPMENT CO. A/K/A SOUTHERN RESTAURANT EQUIPMENT**, Lafayette, Louisiana – La. R.S. 37:2160(A)(1)
- c) **EXPERT CLIMATE CONTROL, LLC**, The Woodlands, Texas – La. R.S. 37:2158(A)(4)
- d) **SJS CONSTRUCTION, LLC**, Breaux Bridge, Louisiana – La. R.S. 37:2158(A)(4)
- e) **E&A CONSTRUCT-ALL, LLC**, Scott, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations for matters 7a – 7e. Ms. Evans also read the settlement offers presented by the entities for 7a – 7d.

Eduardo Arellano was present on behalf of E&A CONSTRUCT-ALL, LLC and was sworn in. Mr. Arellano entered a no contest plea. Mr. Jones seconded. The motion passed. Mr. Arellano gave a statement to the board. Mr. Weston made a motion to assess a fine of \$3000 plus \$500 in administrative costs and to allow the fine to be reduced to \$500 plus \$500 in administrative costs if the company obtains a license within 90 days. Mr. Jones seconded. The motion passed.

Mr. Weston made a motion to reject the settlement offer as presented for DOUCET SHEETMETAL, L.C. and to allow staff to accept an amended settlement offer of a \$2000 fine plus \$500 in administrative costs. Mr. Talbot seconded. The motion passed.

Mr. Weston made a motion to accept the settlement offers as presented for matters 7b, 7c and 7d, which all included no contest pleas. Mr. Jones seconded. The motion passed.

- 8. a) **SOUTHERN MEDICAL IMAGING CONSULTANTS, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2160(A)(1)
- b) **ALBERT S. WINDHAM D/B/A CLINICAL ENGINEERING SERVICES**, West Monroe, Louisiana – La. R.S. 37:2160(A)(1)
- c) **MEDICAL LOGISTICS, LLC**, Kaplan, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by matters 8a – 8c. Ms. Evans also read the settlement offers presented by the entities for 7a – 7c. Mr. Meredith made a motion to accept the settlement offers as presented, which all included no contest pleas. Mr. Talbot seconded. The motion passed.

- 9. a) **MARTIN HOMES, LLC**, Lacombe, Louisiana – La. R.S. 37:2160(A)(1)
- b) **DESIGNERS CHOICE KITCHEN LA., LLC**, Kenner, Louisiana – La. R.S. 37:2160(A)(1)
- c) **PROTECH FIXTURE & DISPLAY, LLC**, Mandeville, Louisiana – La. R.S. 37:2158 (A)(3) and Rules and Regulations Section 101

The matter for 9c for PROTECH FIXTURE & DISPLAY, LLC was continued. Ms. Evans gave a summary of the allegations for matters 9a and 9b. Ms. Evans also read the settlement offers presented by both 9a and 9b. Mr. Gallo made a motion to accept the settlement offers as presented, which both included no contest pleas. Mr. Jones seconded. The motion passed.

10. **C & A CONSTRUCTION, LLC TEXAS**, Houston Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by C & A CONSTRUCTION, LLC TEXAS. Mr. Fenet made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Talbot seconded. The motion passed.

11. a) **A-J-K RENOVATIONS, LLC**, Metairie, Louisiana – La. R.S. 37:2158(A)(4)
- b) **NOLA A/C & HEATING, LLC**, River Ridge, Louisiana – La. R.S. 37:2160(A)(1)
- c) **HELIO CONSTRUCTION, LLC**, Chalmette, Louisiana – La. R.S. 37:2160(A)(1)

The matter for NOLA A/C & HEATING, LLC was continued. Ms. Evans gave a summary of the allegations for matters 11a and 11c. Ms. Evans also read the settlement offers presented by both 11a and 11c. Mr. Lambert made a motion to accept the settlement offers as presented, which both included no contest pleas. Mr. Dupuy seconded. The motion passed.

E. 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

H. REPORTS:

1. Staff Reports –Ms. Dupuy reminded the board that the deadline for filing the ethics report is May 15, 2018 and a handout was provided to the board members.
2. Building Report – Mr. McDuff and Mr. Weston updated the board on the progress of the agency’s 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 asked for a motion to accept the March financial statement as presented. Mr. Weston made a motion to accept the March financial statement as presented. Mr. Talbot seconded. The motion passed.
6. Residential Building Report – Mr. Badeaux gave the report at a later time.

I. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and actions of the **April 18, 2018** Residential Building Subcommittee. (Pages 6-13)

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

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

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

Mr. Badeaux made a motion to approve and ratify the actions taken at the April 18, 2018 Residential Building Subcommittee meeting and Mr. Jones seconded. The motion passed.

J. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 14-17)

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

Mr. Dupuy made a motion to approve the Exemptions as listed on the agenda with the exception of ALG Services, LLC, which was approved pending resume and letters. Mr. Weston seconded. The motion passed.

K. 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. Clouatre seconded. The motion passed.

L. Consideration of additional classifications as listed and attached to the agenda. (Pages 19-20)

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

M. Consideration of commercial applications as listed and attached to the agenda. (Pages 21-32)

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

ADJOURNMENT

Mr. Dupuy made a motion to adjourn at 10:47 a.m., and Mr. Weston seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary