

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

May 16, 2019

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, May 16, 2019 at 9:28 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- William J. Clouatre, Vice Chairman
- Lloyd "Chip" Badeaux
- Brian J. Bordelon
- 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
- Elliott Temple
- Victor Weston

Member Christopher N. Stuart 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; Kevin Landreneau, Board Attorney; and from the staff, Leann Evans, Carrie Morgan, Brent Templet, Elaine Riggins, Wendy Loup and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Todd Brady, Frank Vaughn, Dylan Bourg, Jessie Wells, Nathan Rawls and Scott Corley; 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. Dupuy made a motion to accept the Minutes of the **April 18, 2019** regular meeting. Mr. Talbot seconded. The motion passed.

Mr. McDuff introduced guest Alex Reinboth with the Louisiana Attorney General's office.

NEW BUSINESS

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

C. JUDGMENTS:

Leann Evans with the Compliance Department for the board was sworn in.

1. **CHARLES WELSEY LAUGHLIN**, DeQuincy, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. No one was present on behalf of CHARLES WELSEY LAUGHLIN. 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. Mr. Talbot made a motion to find CHARLES WELSEY

LAUGHLIN to be in violation, to give the company 30 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 30 days, the license 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 license being automatically suspended by staff. If at any time the license is suspended by staff related to this matter, staff can reinstate the license after the judgment has been paid in full. Mr. Gallo seconded. The motion passed.

2. **DEBOSE CONSTRUCTION, LLC**, Gonzales, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

Ms. Dupuy gave a summary of the allegations. Willis Debose was present on behalf of DEBOSE 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. Debose gave a statement to the board regarding this matter. Mr. Graham made a motion to find DEBOSE CONSTRUCTION, LLC to be in violation, to give the company 30 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 30 days, the license 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 license being automatically suspended by staff. If at any time the license is suspended by staff related to this matter, staff can reinstate the license after the judgment has been paid in full. Mr. Jones seconded. The motion passed.

3. **GABRIELLE BUILDERS INC.**, Longview, Texas – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. No one was present on behalf of GABRIELLE BUILDERS 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. Talbot made a motion to find GABRIELLE BUILDERS INC. to be in violation, to give the company 30 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 30 days, the license 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 license being automatically suspended by staff. If at any time the licenses are suspended by staff related to this matter, staff can reinstate the licenses after the judgment has been paid in full. Mr. Gallo seconded. The motion passed.

4. **MAURICIO AND SONS PLUMBING LLC**, Kenner, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

This matter was removed from the agenda.

5. **COVASA CONSTRUCTION LLC**, Baton Rouge, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. No one was present on behalf of COVASA CONSTRUCTION LLC. 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. Graham made a motion to find COVASA CONSTRUCTION LLC to be in violation, to give the company 30 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 30 days, the license 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 license being automatically suspended by staff. If at any time the license is suspended by staff related to this matter, staff can reinstate the license after the judgment has been paid in full. Mr. Talbot seconded. The motion passed.

6. **COLDEWY CORPORATION**, Metairie, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. No one was present on behalf of COLDEWY CORPORATION. Vernon Boudreaux, the creditor in this matter, was present 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. Boudreaux provided testimony to the board. Mr. Talbot made a motion to find COLDEWY CORPORATION to be in violation, to give the company 30 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 30 days, the license 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 license being automatically suspended by staff. If at any time the license is suspended by staff related to this matter, staff can reinstate the license after the judgment has been paid in full. Mr. Gallo seconded. The motion passed.

7. **L B ELECTRIC, LLC**, West Monroe, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

This matter was removed from the agenda.

8. **SAHENE CONSTRUCTION LLC**, Baton Rouge, Louisiana – La. R.S. 37:2156.1(D)(1), Sec. 115 Rules and Regulations of the Board

Ms. Evans gave a summary of the allegations. Caleb Morrow was present on behalf of SAHENE CONSTRUCTION LLC and was sworn in. Brennan Baldrige and Attorney Christopher Vitenas were present on behalf of the creditor, Baldrige Holdings, LLC. Mr. Baldrige 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. Morrow gave a statement to the board regarding this matter. Mr. Vitenas addressed the board. Mr. Jones made a motion to find SAHENE CONSTRUCTION LLC to be in violation, to give the company 45 days to pay the judgment or enter into/comply with the payment plan. If these terms are not satisfied within 45 days, the license 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 license being automatically suspended by staff. If at any time the license is suspended by staff related to this matter, staff can reinstate the license after the judgment has been paid in full. Mr. Talbot seconded. The motion passed.

D. COMPLIANCE HEARINGS:

1. a) **J.A. WHEELER & ASSOCIATES LLC**, St. Francisville, Louisiana – La. R.S. 37:2158 (A)(4)
b) **JOE COX CUSTOM HOME BUILDERS, LLC**, Zachary, Louisiana – La. R.S. 37:2160 (A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by J.A. WHEELER & ASSOCIATES LLC and JOE COX CUSTOM HOME BUILDERS, LLC. Mr. Lambert made a motion to accept both settlement offers as presented, which both included a no contest plea. Mr. Gallo seconded. The motion passed.

2. a) **ACE ROOFING, INC.**, Lafayette, Louisiana – La. R.S. 37:2158 (A)(4), 2 Counts

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

- b) **ACTIVE ROOFING, LLC**, Bryan, Texas – La. R.S. 37:2160 (A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ACTIVE ROOFING, LLC. Investigator Frank Vaughn was called to the stand and was sworn in. Mr. Vaughn reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Graham made a motion to find ACTIVE ROOFING, LLC to be in violation. Mr. Jones 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 with opposition from Mr. Fenet.

3. **DANTIN BRUCE CONSTRUCTION LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158 (A)(4)

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

4. a) **TURN KEY REALTY, L.L.C.**, Gretna, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans stated that the company has requested a continuance. Mr. Gallo made a motion to grant the continuance. Mr. Graham seconded. The motion passed.

- b) **THE TUNNEL COMPANY, INC.**, New Orleans, Louisiana – La. R.S. 2160(A)(1)

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

5. a) **NEW CONCEPT DEVELOPERS, LLC**, New Orleans, Louisiana – La. R.S. 37:2158(A)(4)

- b) **PLUMBLINE PLUMBING, L.C.**, Gretna, Louisiana – La. R.S. 2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by NEW CONCEPT DEVELOPERS, LLC and PLUMBLINE PLUMBING, L.C. Mr. Lambert made a motion to accept both settlement offers as presented, which both included a no contest plea. Mr. Gallo seconded. The motion passed.

6. a) **ROOFING BY MARTINEZ, LLC**, Shreveport, Louisiana – La. R.S. 37:2158(A)(4)

- b) **CODE PLUS CONSTRUCTION, LLC**, Shreveport, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by ROOFING BY MARTINEZ, LLC and CODE PLUS CONSTRUCTION, LLC. Mr. Meredith made a motion to accept both settlement offers as presented, which both included a no contest plea. Mr. Graham seconded. The motion passed.

7. a) **DLP CONSTRUCTION COMPANY, INC. OF GEORGIA**, Alpharetta, Georgia – La. R.S. 37:2158(A)(4), 2 Counts

- b) **GEORGIA DIVERSIFIED SERVICES, LLC**, Cumming, Georgia – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by DLP CONSTRUCTION COMPANY, INC. OF GEORGIA and GEORGIA DIVERSIFIED SERVICES, LLC. Mr. Lambert made a motion to accept both settlement offers as presented, which both included a no contest plea. Mr. Meredith seconded. The motion passed.

8. **TODD RALEY'S PLUMBING REPAIR, LLC**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by TODD RALEY'S PLUMBING REPAIR, LLC. Mr. Gallo made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Meredith seconded. The motion passed.

9. **VENTURE STEEL, FABRICATION AND CONSTRUCTION, LLC**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by VENTURE STEEL, FABRICATION AND CONSTRUCTION, LLC. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Weston seconded. The motion passed.

10. **DAVID CALVO D/B/A ENERGY SPECIALTY SOLUTIONS**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. David Calvo was present on behalf of DAVID CALVO D/B/A ENERGY SPECIALTY SOLUTIONS and was sworn in. Mr. Calvo entered a no contest plea. Mr. Graham made a motion to accept the plea. Mr. Temple seconded. The motion passed. Mr. Calvo gave a statement to the board regarding this matter. The board questioned Mr. Calvo. Mr. Badeaux made a motion to assess \$500 in administrative costs. Mr. Dupuy seconded. The motion passed.

11. **CLEOTHUS GATSON**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by CLEOTHUS GATSON. Mr. Weston made a motion to accept the settlement offer, which included a no contest plea, with the amendment to reduce the settlement offer to \$500 in administrative costs only. Mr. Lambert seconded. The motion passed with opposition from Mr. Badeaux.

12. **FRANK CHAMBERS D/B/A C & C CONCRETE**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of FRANK CHAMBERS D/B/A C & C CONCRETE. Investigator Jessie Wells was called to the stand and was sworn in. Mr. Wells reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Jones made a motion to find FRANK CHAMBERS D/B/A C & C CONCRETE to be in violation. Mr. Gallo seconded. The motion passed. Mr. Dupuy made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Graham seconded. The motion passed.

13. **SUIRE'S PLUMBING, LLC**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

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

14. **SULLIVAN LAMAUER MICHAEL**, Marrero, Louisiana – La. R.S.37:2158(A)(3) and Rules and Regulations of the Board Section 133(A)

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

OLD BUSINESS

F. REQUEST FOR REHEARING:

1. **A1 ROOF SAVERS, INC.**, Jackson, Mississippi – La. R.S. 37: 2160(A)(1)

Ms. Evans gave a summary of the allegations and the previous action taken by the board. Charlene Milnik was present on behalf of A1 ROOF SAVERS, INC. and was sworn in. Ms. Milnik addressed the board regarding the rehearing request. Mr. Badeaux made a motion to grant the rehearing request. Mr. Temple seconded. The motion passed. Ms. Milnik entered a no contest plea and presented a settlement offer to the board. Mr. Lambert made a motion to accept the no contest plea and the settlement offer as presented. Mr. Meredith seconded. The motion passed.

2. **EJA PARTNERS, LLC**, Baton Rouge, 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. Elmore Jones was present on behalf of EJA PARTNERS, LLC and was sworn in. Mr. Elmore Jones addressed the board regarding the rehearing request. Mr. Badeaux made a motion to grant the rehearing request. Mr. Jones seconded. The motion passed. Mr. Elmore Jones entered a no contest plea. Mr. Lambert made a motion to accept the plea. Mr. Temple seconded. The motion passed. Mr. Elmore Jones gave a statement regarding this matter. The board questioned Elmore Jones. Mr. Lambert made a motion to assess \$500 in administrative costs. Mr. Gallo seconded. The motion passed.

G. PRESENTATION OF AUDIT – KEN ALFORD

Mr. Ken Alford, with Provost Salter Harper & Alford, addressed the board regarding the 2018 Audit Report and the 2018 Audited Financial Statement. Mr. Dupuy made a motion to accept the 2018 Audit Report and the 2018 Audited Financial Statement as presented. Mr. Weston seconded. The motion passed.

H. APPLICATIONS; ADDITIONAL CLASSIFICATIONS; RECIPROCITY

1. Residential Building Report – Mr. Badeaux gave the report at a later time.
2. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and actions of the **May 15, 2019** 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. Fenet seconded. The motion passed.

Mr. Badeaux made a motion to approve the residential applications as listed on the agenda, and Mr. Fenet 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 May 15, 2019 Residential Building Subcommittee meeting and Mr. Jones seconded. The motion passed.

3. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 14-15)

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. Mr. Weston seconded. The motion passed.

4. Consideration of mold remediation application as listed and attached to the agenda. (Page 16)

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

5. Consideration of additional classifications as listed and attached to the agenda. (Pages 17-19)

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

6. Consideration of commercial applications as listed and attached to the agenda. (Pages 20-29)

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 that there will be no hearings held in June due to the agency’s relocation to its new building. Ms. Judy also reminded the board that on July 18, 2019 there will be an Open House held at 9:00 a.m. and the Commercial Board meeting will start at 10:00 a.m.
2. Building Report – Mr. Graham gave an update regarding LSLBC’s new building at 600 North Street.
3. Legislative/Rules and Regulations Report – Mr. Fenet and Mr. McDuff gave a summary of the 2019 legislative session in relation to LSLBC.
4. Finance Report – Mr. Dupuy asked for a motion to accept the April financial statement as presented. Mr. Weston made a motion to accept the April financial statement as presented. Mr. Fenet seconded. The motion passed.

ADJOURNMENT

Mr. Weston made a motion to adjourn at 10:54 a.m., and Mr. Fenet seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary