

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

June 21, 2018

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, June 21, 2018 at 9:35 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
- N.R. "Noah" Broussard
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- August Gallo, Jr.
- Danny R. Graham
- Jaelyn S. Hotard
- Kenneth W. Jones
- Donald G. Lambert
- Garland Meredith
- Byron Talbot
- Elliott L. Temple
- Victor Weston

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, Lowana Cola, Wendy Loup and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Frank Vaughn, Jessica Jones, Marianne Sullivan, James Franklin, William Valentine, 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. Lambert made a motion to accept the Minutes of the **May 17, 2018** regular meeting. Mr. Fenet seconded. The motion passed.

NEW BUSINESS

C. QUALIFYING PARTY HEARING:

1. **KENNETH WAYNE YOUNG, JR.**, Jennings, Louisiana - La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Judy Dupuy gave a summary of the allegations. KENNETH WAYNE YOUNG, JR. was present and was sworn in.

Ms. Dupuy, Board Administrator, Leann Evans and Brad Hassert with the Compliance Department were sworn in.

Mr. Landreneau questioned Ms. Dupuy. Mr. Young provided a statement to the board. Mr. Talbot made a motion to allow Mr. Young 30 days to complete the required exams and to allow staff to automatically suspend the license if the exams are not passed within the timeframe given. Mr. Graham seconded. The motion passed.

D. JUDGMENTS:

1. **GEAUX ELECTRICAL AND TECHNICAL SERVICES, LLC**, Lake Charles, 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 115 of the Board's Rules and Regulations

Ms. Evans gave a summary of the allegations. No one was present on behalf of GEAUX ELECTRICAL AND TECHNICAL SERVICES, 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. Weston made a motion to revoke the license for GEAUX ELECTRICAL AND TECHNICAL SERVICES, LLC. Mr. Gallo seconded. The motion passed.

E. COMPLIANCE HEARINGS:

1. **DEAN TERRELL D/B/A IPR SOUTH CENTRAL, LLC**, Pasadena, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. Attorney Trippe Hawthorne was present on behalf of DEAN TERRELL D/B/A IPR SOUTH CENTRAL, LLC. Mr. Hawthorne entered a no contest plea. Mr. Meredith made a motion to accept the plea. Mr. Talbot seconded. The motion passed. Mr. Hawthorne gave a statement to the board and presented a settlement offer to the board. Mr. Gallo made a motion to accept the settlement offer as presented and to accept the plea. Mr. Graham seconded. The motion passed.

2. **NOLASCO PAINTING, INC.**, Marrero, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. Carlos Nolasco was present on behalf of NOLASCO PAINTING, INC. and was sworn in. Mr. Nolasco entered a no contest plea. Mr. Badeaux made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Nolasco gave a statement to the board. Mr. Badeaux made a motion to assess a \$500 fine plus \$500 in administrative costs. Mr. Jones seconded. The motion passed.

3. **ROY M. CARUBBA D/B/A CEI CONSTRUCTION**, Metairie, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by ROY M. CARUBBA D/B/A CEI CONSTRUCTION. Mr. Jones made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

4. a) **PRA-SE CONSTRUCTION, LP**, Dallas, Texas – La. R.S. 37:2158(A)(4)
b) **CROWN AMERICA INTERNATIONAL, INC.**, Lenexa, Kansas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations for matters 4a and 4b. Attorney Matthew Emmons was present on behalf of PRA-SE CONSTRUCTION, LP. Ms. Evans read the settlement offer to the board presented by PRA-SE CONSTRUCTION, LP. Ms. Evans also read the settlement offer presented by CROWN AMERICA INTERNATIONAL, INC. Mr. Meredith made a motion to accept both settlement offers as presented, which both included no contest pleas. Mr. Gallo seconded. The motion passed.

5. Matters 5a and 5b were consolidated.

- a) **FULCRUM CONSTRUCTION GROUP, LLC**, Daphne, Alabama – La. R.S. 37:2158(A)(4)
b) **LOGAN RUIZ MURRAY**, Harrahan, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Sec. 109

Ms. Evans gave a summary of the allegations. Haymes Snedeker was present on behalf of FULCRUM CONSTRUCTION GROUP, LLC and was sworn in. LOGAN RUIZ MURRAY was present and was sworn in. Mr. Snedeker entered a no contest plea and presented a settlement offer to the board. Mr. Meredith made a motion to accept the plea and to accept the settlement offer as presented. Mr. Talbot seconded. The motion passed.

Mr. Murray entered a no contest plea. Mr. Meredith made a motion to accept the plea. Mr. Graham seconded. Mr. Murray gave a statement to the board. The board questioned Mr.

Murray. Mr. Meredith made a motion to assess a \$500 fine plus a \$500 in administrative costs and for Mr. Murray to retake the Business and Law exam within 60 days. Mr. Gallo seconded. The motion passed.

6. a) **28 EAST STORAGE, LLC**, Deville, Louisiana – La. R.S. 37:2160(A)(1)
- b) **TYCO VENTURES, LLC**, Pineville, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations for matters 6a and 6b. Ms. Evans read the settlement offers presented by 28 EAST STORAGE, LLC and TYCO VENTURES, LLC. Mr. Lambert made a motion to accept both settlement offers as presented, which both included no contest pleas. Mr. Dupuy seconded. The motion passed.

7. **ALPA CONSTRUCTION, INC.**, Bedford Park, Illinois – La. R.S. 37:2158(A)(4)

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

8. a) **M. CARBINE RESTORATIONS, LTD**, New Orleans, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by M. CARBINE RESTORATIONS, LTD. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Weston seconded. The motion passed.

- b) **CHAMPAGNE ELEVATORS, LLC**, Metairie, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. Ryan Demma was present on behalf of CHAMPAGNE ELEVATORS, LLC and was sworn in. Attorney Lisa Winters was also present on behalf of CHAMPAGNE ELEVATORS, LLC. Ms. Winters entered a denial plea. Investigator Jessica Jones was called to the stand and was sworn in. Ms. Jones 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. Demma. Ms. Winters questioned Mr. Demma. Mr. Landreneau asked additional questions of Mr. Demma. Ms. Winters provided a statement. Mr. David Winters was sworn in and provided testimony to the board. After further discussion, Mr. Jones made a motion to dismiss the case. Mr. Graham seconded. The motion passed with opposition from Mr. Badeaux.

F. STATUTORY CITATIONS:

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

G. CONTINUANCES:

1. **LERMA CONSTRUCTION, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2160 (A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of LERMA CONSTRUCTION, LLC. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Dupuy made a motion to find LERMA CONSTRUCTION, LLC to be in violation. Mr. Meredith seconded. The motion passed. Mr. Dupuy made a motion to assess a maximum fine plus \$500 in administrative costs, and to deny the company's commercial application. Mr. Weston seconded. The motion passed.

2. **J.S. ALTIMORE, LLC**, Houston, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. Attorney Scott Frazier was present on behalf of J.S. ALTIMORE, LLC. Ms. Evans read the settlement offer presented by J. S. ALTIMORE, LLC. Mr. Weston made a motion to accept the settlement offer as presented which included a no contest plea. Mr. Jones seconded. Otis Carter was also present and was sworn in. Mr. Carter asked to provide testimony to the board. Mr. Mallet called for a vote regarding Mr. Carter's request. The motion

passed. Mr. Carter provided testimony to the board. After discussion, the original motion regarding the settlement offer was called to a vote. The motion passed.

OLD BUSINESS

H. REPORTS:

1. Staff Reports – Mr. Talbot made a motion to approve the proposed rule changes provided to the Board. Mr. Weston seconded. The motion passed.
2. Building Report – Mr. Graham gave a report about the new LSBLC 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. Fenet gave a summary of the 2018 legislative session in relation to LSLBC.
5. Finance Report – Mr. Dupuy asked for a motion to accept the May financial statement as presented. Mr. Weston made a motion to accept the May financial statement as presented. Mr. Lambert 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 **June 20, 2018** Residential Building Subcommittee. (Pages 4-12)

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. Lambert seconded. The motion passed.

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

Mr. Badeaux made a motion to approve and ratify the actions taken at the June 20, 2018 Residential Building Subcommittee meeting and Mr. Lambert seconded. The motion passed.

- J. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 13-16)

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

Mr. Dupuy made a motion to approve the Exemptions as listed on the agenda. Mr. Gallo seconded. The motion passed.

- K. Consideration of mold remediation application as listed and attached to the agenda. (Page 17)

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

- L. Consideration of additional classifications as listed and attached to the agenda. (Pages 18-20)

Mr. Lambert made a motion to approve the additional classifications as listed on the agenda, and Mr. Gallo 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 with the exception of Lerma Construction, LLC, which was denied. Mr. Jones seconded. The motion passed.

ADJOURNMENT

Mr. Dupuy made a motion to adjourn at 11:00 a.m., and Mr. Weston seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary