

# **STATE LICENSING BOARD FOR CONTRACTORS**

## **COMMERCIAL BOARD**

### **MEETING MINUTES**

**July 19, 2018**

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, July 19, 2018 at 9:39 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- William J. Cloutre, Vice Chairman
- N.R. "Noah" Broussard
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- August Gallo, Jr.
- Danny R. Graham
- Jaclyn S. Hotard
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Byron Talbot
- Elliott L. Temple
- Victor Weston

Member Lloyd "Chip" Badeaux 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, Elaine Riggins, and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Marianne Sullivan, Scott Corley, Jessie Wells, Ashleigh Scott, Dylan Bourg, Carrie Morgan, Lowana Cola and Wendy Loup recording the minutes.

Mr. Gallo led the members and audience in the Pledge of Allegiance.

Judge Darrell White gave the invocation. Judge White introduced himself, and advised those present of his duties.

Mr. Weston made a motion to accept the Minutes of the **June 21, 2018** regular meeting. Mr. Dupuy seconded. The motion passed.

Mr. Hassert introduced guest Alex Reinboth with the Louisiana Attorney General's office and Ken Naquin with Louisiana Associated General Contractors. Mr. Hassert also introduced new LSLBC compliance department employee Carrie Morgan.

### **NEW BUSINESS**

#### **C. JUDGMENTS/QUALIFYING PARTY HEARINGS:**

1. **LIQUID DESIGN GROUP, LLC**, Prairieville, 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

Leann Evans and Brad Hassert with the Compliance Department were sworn in. Ms. Evans gave a summary of the allegations. Tracy Smith was present on behalf of LIQUID DESIGN GROUP, LLC and was sworn in. Attorney Douglas Chapoton was present on behalf of Matthew and Margaret Lee. Ms. Evans reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence. Mr. Landreneau questioned Mr. Chapoton and Mr. Smith. After discussion, Mr. Gallo made a motion to give LIQUID DESIGN GROUP, LLC 30 days to pay the judgment or enter into/comply with the payment plan and to not allow both licenses to be

renewed until this matter is resolved. If these terms are not satisfied within 30 days, the license will be automatically revoked by staff or will not be renewed. 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. Talbot seconded. The motion passed.

2. **WILLIAM WHEELER**, Monroe, 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 WILLIAM WHEELER. However, Mr. Wheeler had called Ms. Evans before the meeting asking for a continuance. Mr. Meredith made a motion to deny the continuance. Mr. Gallo seconded. The motion passed. Ms. Evans gave a summary of the allegations. Attorney Willie Stephens was present on behalf of creditor Nina Hunter. Ms. Evans reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence. Mr. Landreneau questioned Mr. Stephens. Mr. Graham made a motion to give WILLIAM WHEELER 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 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. Meredith seconded. The motion passed.

#### D. COMPLIANCE HEARINGS:

1. a) **MARTIN INVESTMENTS, LA, LLC #1**, West Monroe, Louisiana – La. R.S. 37:2158(A)(4)  
b) **RICHARD COOK**, Calhoun, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MARTIN INVESTMENTS, LA, LLC #1 and RICHARD COOK. Mr. Talbot made a motion to accept both settlement offers as presented, which both included a no contest plea. Mr. Dupuy seconded. The motion passed.

2. a) **ELEVATED PLACES, LLC, NEW ORLEANS, LOUISIANA** – La. R.S. 37:2158(A)(4)  
b) **CARTER BEAVIS D/B/A L & G PLUMBING**, Kenner, Louisiana – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations for both matters and read the settlement offer presented by ELEVATED PLACES, LLC. Mr. Meredith made a motion to accept the settlement offer as presented for ELEVATED PLACES, LLC, which included a no contest plea. Mr. Fenet seconded. The motion passed. No one was present on behalf of CARTER BEAVIS D/B/A L & G PLUMBING. Investigator Dylan Bourg was called to the stand and was sworn in. Mr. Bourg reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence. Mr. Gallo made a motion to find CARTER BEAVIS D/B/A L & G PLUMBING to be in violation. Mr. Meredith seconded. The motion passed. Mr. Gallo made a motion to assess a maximum fine plus \$500 in administrative costs and to refer this matter to the State Plumbing Board of Louisiana. Mr. Graham seconded. The motion passed.

3. a) **CORESTATES CONSTRUCTION SERVICES, INC.**, Duluth, Georgia – La. R.S. 37:2158(A)(4)  
b) **JIMMY BLACKWELL FRAMING, LLC**, Winter Haven, Florida – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by CORESTATES CONSTRUCTION SERVICES, INC. and JIMMY BLACKWELL FRAMING, LLC. Mr. Dupuy made a motion to accept both settlement offers as presented, which both included a no contest plea. Mr. Meredith seconded. The motion passed.

4. **JORDAN CONSTRUCTION SERVICE, LLC**, Vidor, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of JORDAN CONSTRUCTION SERVICE, LLC. Investigator Ashleigh Scott was called to the stand and was sworn in. Ms. Scott reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence. The board questioned Ms. Scott and Mr. Landreneau regarding the matter. After discussion, Mr. Weston made a motion to find JORDAN CONSTRUCTION SERVICE, LLC to be in violation. Mr. Gallo seconded. The motion passed.

Mr. Weston made a motion to assess a maximum fine plus \$500 in administrative costs and to issue a cease and desist order. Mr. Gallo seconded. The motion passed.

5. a) **JOHNNY PORTER AND SON CONTRACTORS, INC.**, Pineville, Louisiana – La. R.S. 37:2158(A)(4).

Ms. Evans gave a summary of the allegations. Johnny Porter was present on behalf of JOHNNY PORTER AND SON CONTRACTORS, INC. and was sworn in. Mr. Porter entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Porter provided a statement to the board. Mr. Gallo made a motion to assess \$500 administrative costs. Mr. Fenet seconded. The motion passed.

Mr. Ken Naquin, of Louisiana Associated General Contractors, addressed the board regarding bidding processes of companies with “D/B/A” in the companies’ names.

- b) **GREG STRANGE D/B/A STRANGE BUILDERS**, Deville, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of GREG STRANGE D/B/A STRANGE BUILDERS. Investigator Scott Corley was called to the stand and was sworn in. Mr. Corley reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence. Mr. Talbot made a motion to find GREG STRANGE D/B/A STRANGE BUILDERS to be in violation. Mr. Gallo seconded. The motion passed. Mr. Talbot made a motion to assess a fine of \$1,000 plus \$500 in administrative costs. Mr. Lambert 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. Talbot seconded. The motion passed.

#### OLD BUSINESS

#### F. REQUEST FOR REHEARING:

1. **GURLEY'S CONCRETE, LLC A/B/A GURLEY'S CONCRETE & SIGNATURE POOLS OF LA**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

No one was present on behalf of GURLEY'S CONCRETE, LLC D/B/A GURLEY'S CONCRETE & SIGNATURE POOLS OF LA. Ms. Evans stated a representative of the company had requested a rehearing. Ms. Evans was questioned by the board. Mr. Dupuy made a motion to deny the rehearing request. Mr. Meredith seconded. The motion passed with opposition from Mr. Fenet, Mr. Temple and Mr. Jones.

#### G. REPORTS:

1. Staff Reports –Ms. Dupuy addressed the board regarding changes to the November board meetings.
2. Building Report – Mr. Graham gave a new LSLBC building update.
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 had no new report.
5. Finance Report –Mr. Dupuy presented the June financial statement and asked for a motion to approve. Mr. Meredith made a motion to accept the June financial statement as presented. Mr. Weston seconded. The motion passed.
6. Residential Building Report – Mr. Cloutre gave the report at a later time.

#### H. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and attached to the agenda. (Pages 4-12)

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

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

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

I. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 13-15)

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

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

J. 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. Jones seconded. The motion passed.

K. 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. Fenet seconded. The motion passed.

L. Consideration of commercial applications as listed and attached to the agenda. (Pages 20-31)

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

**ADJOURNMENT**

Mr. Clouatre made a motion to adjourn at 10:36 a.m., and Mr. Gallo seconded. The motion passed.

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Lee Mallett, Chairman

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Byron E. Talbot, Secretary