

# **STATE LICENSING BOARD FOR CONTRACTORS**

## **COMMERCIAL BOARD**

### **MEETING MINUTES**

**August 16, 2018**

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, August 16, 2018 at 9:34 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, Jr.
- August Gallo, Jr.
- Jaclyn S. Hotard
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Byron Talbot
- Elliott L. Temple
- Victor Weston

Members Danny R. Graham 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, Elaine Riggins, Wendy Loup, Carrie Morgan, Lowana Cola, John Dixon Nikki Lopez-Crawford; Compliance Director, Brad Hassert; Compliance Investigators, James Franklin, Bobbie Hughes, Marianne Sullivan; Compliance staff Maranda Legaux, Monica Davis and Tarah Revette recording the minutes.

Mr. Dupuy 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. Lambert made a motion to accept the Minutes of the **July 19, 2018**, regular meeting. Mr. Cloutre seconded. The motion passed.

Mr. McDuff introduced guest Alex Reinboth with the Louisiana Attorney General's Office and Ken Naquin with Louisiana Associated General Contractors. Mr. McDuff also recognized CETF members – Dr. Charles Charles "Chuck" Berryman, of Louisiana State University; Travis Blair and Ryan Day, of Louisiana State University and Art Favre with Performance Contractors. Mr. Weston spoke about the voluntary contributions to the LSU Construction Management Program.

### **NEW BUSINESS**

#### **D. COMPLIANCE HEARINGS:**

1. Matters 1a and 1b were consolidated.
  - a) **ONE CONSTRUCTION LLC**, Metairie, Louisiana – La. R.S. 37:2158(A)(4)
  - b) **PAUL OLSEN D/B/A PAUL'S PLUMBING REPAIRS**, Mandeville, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations for ONE CONSTRUCTION LLC and PAUL OLSEN D/B/A PAUL'S PLUMBING REPAIRS. Brad Swanford was present on behalf of ONE CONSTRUCTION LLC and was sworn in. Paul Olsen was present on behalf of PAUL OLSEN D/B/A PAUL'S PLUMBING REPAIRS and was sworn in. Mr. Swanford entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Olsen entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Swanford gave a statement to the board regarding these matters. Mr. Olsen gave a statement to the board regarding these matters. Mr. Weston made a motion for ONE CONSTRUCTION LLC to assess a \$1000 fine plus \$500 in administrative costs and for Mr. Swanford to retake and pass the Business and Law exam within 60 days. Mr. Weston continued the motion to state that if Mr. Swanford passes the Business and Law exam within the timeframe given the fine for ONE CONSTRUCTION LLC will be reduced to \$500 in administrative costs only. Mr. Meredith seconded. The motion passed. Mr. Weston made a motion for PAUL OLSEN D/B/A PAUL'S PLUMBING REPAIRS to assess \$500 in administrative costs and to allow the administrative costs to be reduced to zero if the company becomes properly licensed within 60 days. Mr. Fenet seconded. The motion passed.

2. a) **PKC CONSTRUCTION CO.**, Lenexa, Kansas – La. R.S. 37:2158(A)(4)
- b) **ELIJAH JIT D/B/A TELCOM CONTROL, LLC**, Frisco, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by PKC CONSTRUCTION CO. and ELIJAH JIT D/B/A TELCOM CONTROL, LLC. Mr. Dupuy made a motion to accept both settlement offers as presented, which both included no contest pleas. Mr. Temple seconded. The motion passed.

3. **OCMAND CONSTRUCTION COMPANY, L.L.C.**, Breaux Bridge, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations. No one was present on behalf of OCMAND CONSTRUCTION COMPANY, L.L.C. Investigator Bobbie Hughes was called to the stand and was sworn in. Ms. Hughes reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Landreneau and the board questioned Ms. Hughes regarding the matter. Mr. Jones made a motion to find OCMAND CONSTRUCTION COMPANY, L.L.C. to be in violation. Mr. Dupuy seconded. The motion passed. Mr. Dupuy made a motion to assess a \$1000 fine plus \$500 in administrative costs. Mr. Jones seconded. The motion passed.

4. **RANDY HAUSER D/B/A HAUSER TENNIS**, Fairhope, Alabama – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of RANDY HAUSER D/B/A HAUSER TENNIS. Investigator Bobbie Hughes, who was previously sworn, was called to the stand. Ms. Hughes 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 Ms. Hughes regarding the matter. Mr. Lambert made a motion to find RANDY HAUSER D/B/A HAUSER TENNIS 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 and to issue a cease and desist order. Mr. Dupuy seconded. The motion passed.

5. **JOHN LASTRAPES D/B/A FULL SERVICE MAINTENANCE**, Albany, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by JOHN LASTRAPES D/B/A FULL SERVICE MAINTENANCE. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Lambert seconded. The motion passed.

6. **DARREN DUFFY D/B/A NATIONAL FOUNDATION REPAIR OF BATON ROUGE**, 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 DARREN DUFFY D/B/A NATIONAL FOUNDATION REPAIR OF BATON ROUGE. 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. Landreneau questioned Ms. Sullivan regarding the matter. Mr. Weston made a motion to find DARREN DUFFY D/B/A NATIONAL FOUNDATION REPAIR OF BATON ROUGE 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. Gallo 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. REPORTS:**

1. Staff Reports –Ms. Dupuy addressed the board regarding changes to the number of members on the LSLBC board. The board will now have 19 members with Mr. Christopher N. Stuart being recently appointed.
2. Building Report – Mr. McDuff gave an update on the new LSLBC building project.
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 July financial statement and asked for a motion to approve. Mr. Weston made a motion to accept the July financial statement as presented. Mr. Fenet seconded. The motion passed.
6. Residential Building Report – Mr. Badeaux gave the report at a later time.

**G. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and attached to the agenda. (Pages 3-11)**

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. 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 August 15, 2018, Residential Building Subcommittee meeting and Mr. Lambert seconded. The motion passed.

**H. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 12-15)**

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 with the exception of M.I.R. International, LLC, which was denied. Mr. Dupuy continued his motion by approving the addition of Municipal and Public Works Construction to the license for Frank A. Anzalone General Contractors, Inc. and to approve the exemption of the trade exam. Mr. Weston seconded. The motion passed.

**I. 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.

J. 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.

K. 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.

**ADJOURNMENT**

Mr. Fenet made a motion to adjourn at 10:26 a.m., and Mr. Dupuy seconded. The motion passed.

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Lee Mallett, Chairman

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Byron E. Talbot, Secretary