

# STATE LICENSING BOARD FOR CONTRACTORS

## COMMERCIAL BOARD

### MEETING MINUTES

November 15, 2018

The regular meeting of the Commercial Board was called to order by the Vice Chairman, William J. Cloutre, on Thursday, November 15, 2018 at 1:44 p.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

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

Chairman Lee Mallett 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, Wendy Loup, Carrie Morgan, Lowona Cola and John Dixon; Compliance Director Brad Hassert; Compliance Investigator Marianne Sullivan and Tarah Revette recording the minutes.

Mr. Stuart 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 **October 18, 2018** regular meeting. Mr. Gallo seconded. The motion passed.

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

Mr. Weston presented a resolution to the board to retain and employ Seale & Ross, A Professional Law Corporation, through Kevin P. Landreneau, partner, as special counsel for the board effective January 1, 2019 and ending December 31, 2021. Mr. Weston made a motion to accept the resolution as presented. Mr. Gallo seconded. The motion passed.

Mr. Weston presented a resolution to the board to retain and employ Darrell White, Retired Judge, as Hearing Officer for the board effective January 1, 2019 and ending December 21, 2021. Mr. Weston made a motion to accept the resolution as presented. Mr. Jones seconded. The motion passed.

### NEW BUSINESS

#### C. COMPLIANCE HEARINGS:

1. a) **BORDERS POULTRY OF LOUISIANA, LLC**, Center, Texas – La. R.S. 37:2158(A)(4); 2158(A)(3) and Rules and Regulations of the Board Sec. 109; 2158(A)(3) and Rules and Regulations of the Board Sec. 1109
- b) **FILEMON GONZALEZ-REYES**, Nacogdoches, Texas – La. R.S. 37:2160(A)(1)
- c) **TOM DRAMBERGER**, Center, Texas – La. R.S. 37:2160(A)(1)

- d) CHARLES WINDHAM, Center, Texas – La. R.S. 37:2160(A)(1)
- e) MIKE RAWSON, Martinsville, Texas – LA. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offers presented by BORDERS POULTRY OF LOUISIANA, LLC, FILEMON GONZALEZ-REYES, TOM DRAMBERGER, CHARLES WINDHAM and MIKE RAWSON. Mr. Stuart made a motion to accept the settlement offers as presented for matters 1a-1e all included no contest pleas. Mr. Meredith seconded. The motion passed.

2. BRYANT BUILDING AND CONSTRUCTION, INC., Donaldsonville, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Sec. 115(C); 2167(A); 2185(A)

This matter was continued.

3. EXTERIOR CONSULTING SERVICES, LLC D/B/A ECS EXTERIOR SOLUTIONS, Rocky Face, Georgia – La. R.S. 37:2163(A)(4)

Staff requested to accept this matter as a field citation. Mr. Gallo made a motion to accept the field citation. Mr. Meredith second. The motion passed.

#### D. REQUEST FOR REHEARING:

1. DANNY LEE CONSTRUCTION, LLC, Senatobia, Mississippi – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by DANNY LEE CONSTRUCTION, LLC. Mr. Gallo made a motion to rehear the case and to accept the settlement offers, as presented, which included a no contest plea. Mr. Meredith seconded. The motion passed.

#### E. REQUEST FOR JUDGMENT HEARING/RECONSIDERATION OF PENALTY:

1. W. ALLEN CONSTRUCTION, LLC, Baton Rouge, Louisiana – La. R.S. 37:2150-2192; 37:2158(A)(8) and (A)(9), 37:2156.1(D)(1) and Section 115 of the Board's Rules and Regulations

Ms. Evans gave a summary of the allegations. Wallace Allen was present on behalf of W. ALLEN CONSTRUCTION, LLC and was sworn in. Mr. Lambert made a motion to reconsider the matter. Mr. Talbot seconded. The motion passed. Mr. Stuart made a motion to reinstate W. ALLEN CONSTRUCTION, LLC's commercial license, to allow the company to renew the residential license and to allow staff to revoke the licenses if the company defaults on payments to the creditor. Mr. Meredith seconded. The motion passed.

#### OLD BUSINESS

#### F. REPORTS:

1. Staff Reports – There was no new report.
2. Building Report – Mr. Graham gave a status on the new LSLBC 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 – There was no new report.
5. Finance Report – Mr. Dupuy said the 2019 budget draft is to be reviewed. Mr. Weston made a motion to accept the October 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 residential applications, home improvement registrations and actions of the **November 15, 2018** Residential Building Subcommittee. (Pages 4-9)

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 November 15, 2018 Residential Building Subcommittee meeting and Mr. Dupuy seconded. The motion passed.

H. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 10-12)

Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on the agenda. Mr. Dupuy continued his motion to amend the agenda to add CCS Mechanical Services pending approval. Mr. Weston seconded. The motion passed.

Mr. Dupuy made a motion to approve the Exemptions as listed on the agenda with the exception of Rise Construction Group LLC which were denied. Mr. Weston seconded. The motion passed.

I. Consideration of mold remediation application as listed and attached to the agenda. (Page 13)

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 14-15)

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 16-26)

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 2:10 p.m., and Mr. Lambert seconded. The motion passed.

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Lee Mallett, Chairman

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Byron E. Talbot, Secretary