

# STATE LICENSING BOARD FOR CONTRACTORS

## COMMERCIAL BOARD

### MEETING MINUTES

November 21, 2019

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, November 21, 2019 at 1:35 p.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- William J. Cloutre, Vice Chairman
- Lloyd "Chip" Badeaux
- Brian J. Bordelon
- N.R. "Noah" Broussard
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- Danny R. Graham
- Kenneth Jones
- Donald G. Lambert
- Joel Rushing
- Christopher N. Stuart
- Byron Talbot
- Elliott L. Temple
- Victor Weston

Members August Gallo, Jr., Jaclyn S. Hotard and Garland Meredith 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, Carrie Morgan, Brent Templet, Elaine Riggins, Monica Davis, Maranda Legaux and Lowana Cola; Compliance Director, Brad Hassert; Compliance Investigators, James Franklin, Steve Chiasson, Jessie Wells, Frank Vaughn, Nathan Rawls, Dylan Bourg, Bobbie Hughes, Johnny Rogers; and Tarah Revette recording the minutes.

Mr. Lambert 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. McDuff introduced and welcomed Joel Rushing as a new board member. Judge White administered the oath of office to Mr. Rushing.

Mr. Lambert made a motion to accept the Minutes of the **October 17, 2019** regular meeting. Mr. Talbot seconded. The motion passed.

Mr. Hassert introduced guest Brook Myers, Scott Herrington and Ed Barrington with Home Depot; and Carey Austin Holliday with the Louisiana Attorney General's Office.

### **PUBLIC COMMENT**

No requests were received from the public to address the Licensing Board.

### **NEW BUSINESS**

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

### C. JUDGMENTS:

1. **ANDERSON HEATING & AIR CONDITIONING CO., L.L.C. AND DONALD L. ANDERSON**, Baton Rouge, 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 707 of the Board's Rules and Regulations

Ms. Evans gave a summary of the allegations. No one was present on behalf of ANDERSON HEATING & AIR CONDITIONING CO., L.L.C. AND DONALD L. ANDERSON. Ms. Evans reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Ms. Evans provided testimony to the board. Mr. Talbot made a motion to find ANDERSON HEATING & AIR CONDITIONING CO., L.L.C. AND DONALD L. ANDERSON to be in violation, to give the company and Mr. Anderson 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 and the qualifying party status 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 and the qualifying party status being automatically suspended by staff. If at any time the license and/or qualifying party status is suspended by staff related to this matter, staff can reinstate the license and/or qualifying party status after the judgment has been paid in full. Mr. Graham seconded. The motion passed.

### D. COMPLIANCE HEARINGS:

1. a) **BRANIFF CONSTRUCTION, L.L.C.**, Lafayette, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer submitted by BRANIFF CONSTRUCTION, L.L.C. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

- b) **DAIGLE'S ELECTRICAL SERVICE, L.L.C.**, Lafayette, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer submitted by DAIGLE'S ELECTRICAL SERVICE, L.L.C. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Jones seconded. The motion passed.

- c) **TRAVIS TAYLOR HARGRAVE**, Sunset, Louisiana – La. R.S. 37:2158(A)(4), 2158(A)(3) and Rules and Regulations of the Board Section 133(A)

Ms. Evans gave a summary of the allegations and read the settlement offer submitted by TRAVIS TAYLOR HARGRAVE. Mr. Talbot made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Clouatre seconded. The motion passed.

2. a) **RHODES PROPERTIES AND DEVELOPMENT, LLC**, Natchitoches, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations. Justin Rhodes was present on behalf of RHODES PROPERTIES AND DEVELOPMENT, LLC and was sworn in. Mr. Rhodes entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Temple seconded. The motion passed. Investigator William Collins was called to the stand and was sworn in. Mr. Collins reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Rhodes gave a statement to the board. The board questioned Mr. Rhodes. Mr. Weston made a motion to assess an administrative penalty of a \$1000 fine plus \$500 in administrative costs and to place the company on probation for a period of one year. Mr. Stuart seconded. The motion passed with opposition from Mr. Temple.

- b) **VIC-D CONSTRUCTION CO., INC.**, Bossier City, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of VIC-D CONSTRUCTION CO., INC. Investigator William Collins, who was previously sworn in, was called to the stand. Mr. Collins 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 find VIC-D CONSTRUCTION CO., INC. to be in violation. Mr. Dupuy seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine and to revoke the company's residential license. Mr. Talbot seconded. The motion passed. Mr. Weston made a motion to also assess \$500 in administrative costs. Mr. Talbot seconded. The motion passed.

3. a) **HOME VISIONS, INC.**, Benton, Louisiana – La. R.S. 37:2158(A)(4), 2 Counts

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

- b) **ELO CONSTRUCTION, L.L.C.**, Shreveport, Louisiana– La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations and read the settlement offer submitted by ELO CONSTRUCTION, L.L.C. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Talbot seconded. The motion passed.

- c) **JM-CO SERVICES & REPAIRS LLC**, Stonewall, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer submitted by JM-CO SERVICES & REPAIRS LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Talbot seconded. The motion passed.

4. **ALL SERVICE ELECTRICAL LLC**, Port Allen, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and made a correction to the agenda regarding the total project amount for this matter, which was \$10,160.58. No one was present on behalf of ALL SERVICE ELECTRICAL LLC. 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. Talbot made a motion to find ALL SERVICE ELECTRICAL LLC to be in violation. Mr. Graham seconded. The motion passed. Mr. Talbot made a motion to assess the maximum fine of \$1,016.06 plus \$500 in administrative costs. Mr. Graham seconded. The motion passed.

5. **JBA MANAGEMENT SERVICES LLC**, Woodstock, Illinois – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer submitted by JBA MANAGEMENT SERVICES LLC. Mr. Graham made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Temple seconded. The motion passed.

6. **ROUSSELL ENTERPRISES LLC**, Slidell, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans stated that ROUSSELL ENTERPRISES LLC requested a continuance. Mr. Weston made a motion to grant the continuance. Mr. Stuart seconded. The motion passed.

#### F. 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

#### G. REQUEST FOR REHEARING:

1. **COLMEX CONSTRUCTION LLC**, New Orleans, Louisiana – La. R.S. 37:2158(A)(4), 2 counts

Ms. Evans gave a summary of the allegations and the previous action taken by the board. Angela Rivera and Roman Lopez were present on behalf of COLMEX CONSTRUCTION LLC and both were sworn in. Ms. Rivera addressed the board regarding the rehearing request. Mr. Jones made a motion to grant the rehearing request. Mr. Talbot seconded. The motion passed. Ms. Rivera entered

a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Talbot seconded. The motion passed. Investigator Steve Chiasson was called to the stand and was sworn in. Mr. Chiasson reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Ms. Rivera gave a statement to the board. The board questioned Ms. Rivera. Mr. Talbot made a motion a motion reinstate the commercial license for COLMEX CONSTRUCTION LLC. Mr. Cloutre seconded. The motion passed. Mr. Talbot made a motion to assess the maximum fine plus \$500 in administrative costs and to place the company on probation for a period of one year. Mr. Graham seconded. The motion passed.

#### H. APPLICATIONS; ADDITIONAL CLASSIFICATIONS; RECIPROCITY

##### 1. Residential Building Report – Mr. Badeaux

- a. Consideration of additional classifications for residential licenses, residential applications and home improvement registrations as listed and attached to the agenda. (Pages 4-14)

Mr. Jones recused himself from this matter. Mr. Badeaux made a motion to approve the additional classifications for residential licenses as listed on the agenda, and Mr. Temple seconded. The motion passed.

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

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

- b. Consideration of the actions of the **November 21, 2019** Residential Building Subcommittee.

Mr. Badeaux made a motion to approve and ratify the actions taken at the November 21, 2019 Residential Building Subcommittee meeting and Mr. Temple seconded. The motion passed.

3. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 15-18)

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 with the exception of BRC Construction Group, LLC. Mr. Dupuy continued the motion to state that BRC Construction Group, LLC was approved for the exemption of Municipal and Public Works Construction and Specialty: Concrete Construction (Excluding Highways, Streets, and Bridges) but will be required to take the required examination for Heavy Construction. Mr. Weston seconded. The motion passed.

4. Consideration of mold remediation application as listed and attached to the agenda. (Page 19)
5. Consideration of additional classifications as listed and attached to the agenda. (Pages 20-22)
6. Consideration of commercial applications as listed and attached to the agenda. (Pages 23-34)

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

#### H. REPORTS:

1. Staff Reports –Ms. Dupuy had no new report.
2. Building Report – Mr. Graham had no new report.
3. Legislative/Rules and Regulations Report – Mr. Fenet had no new report.
4. Finance Report – Mr. Dupuy made a motion to accept the financial statement for the period ending October 31, 2019 as presented. Mr. Weston seconded. The motion passed.

**ADJOURNMENT**

Mr. Jones made a motion to adjourn at 2:35 p.m., and Mr. Talbot seconded. The motion passed.

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Lee Mallett, Chairman

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Byron E. Talbot, Secretary