

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

May 20, 2021

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, May 20, 2021, at 9:32 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- William J. Cloutre, Vice Chairman
- Lloyd "Chip" Badeaux
- Ronald Barron
- N.R. "Noah" Broussard
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- August Gallo, Jr.
- Danny R. Graham
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Christopher N. Stuart
- Elliott Temple
- Victor Weston

Members Brian Bordelon, Curtis Joseph, Joel Rushing, and Keith Tillage 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, Elaine Riggins, Lowana Cola and Monica Davis; Compliance Director, Brad Hassert; and Tarah Revette recording the minutes.

Mr. Mallett 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 **April 15, 2020** regular meeting. Mr. Meredith seconded. The motion passed.

Mr. Hassert introduced guest Ken Naquin with the Louisiana Associated General Contractors and 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.

D. COMPLIANCE HEARINGS:

1. **COTTON COMMERCIAL USA, INC.**, Katy, Texas – La. R.S. 37:2158(A)(4)

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

2. a) **CHART CONSTRUCTION, L.L.C.**, Broussard, Louisiana – La. R.S. 37:2158(A)(4)

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

- b) **STEEL & SUPPLY COMPANY INC.**, Tuscaloosa, Alabama – La. R.S. 37:2163(A)(4)

Ms. Evans gave a summary of the allegations. No one was present on behalf of STEEL & SUPPLY COMPANY INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. The board questioned Mr. Landreneau regarding this matter. Mr. Weston made a motion to find STEEL & SUPPLY COMPANY INC. to be in violation. Mr. Jones seconded. The motion passed. Mr. Weston made a motion to assess an administrative penalty of a \$1000 fine plus \$500 in administrative costs. Mr. Fenet seconded. The motion passed.

3. **OSMAN CONSTRUCTION LLC**, 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 OSMAN CONSTRUCTION LLC. Mr. Meredith made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Lambert seconded. The motion passed.

4. **BABB CONSTRUCTION, INC.**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4)

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

5. **BLUSKY RESTORATION CONTRACTORS, LLC**, Signal Hill, California – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by BLUSKY RESTORATION CONTRACTORS, LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

6. a) **AMERICAN BUILDING CONTRACTORS RESTORATION SERVICES, INC.**, Burnsville, Minnesota – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by AMERICAN BUILDING CONTRACTORS RESTORATION SERVICES, INC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

- b) **CLEAN PRO CARPET & UPHOLSTERY CARE, INC.**, Kenner, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by CLEAN PRO CARPET & UPHOLSTERY CARE, INC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

- c) **MODERN DEVELOPMENT USA LLC**, Naples, Florida – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MODERN DEVELOPMENT USA LLC. Mr. Graham made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

- d) **LR CONSTRUCTION SERVICES 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 LR CONSTRUCTION SERVICES LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Lambert made a motion to find LR CONSTRUCTION SERVICES LLC 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. Mr. Graham seconded. The motion passed.

7. a) **JOE R. JONES CONSTRUCTION, INC.**, Weatherford, Texas – La. R.S. 37:2158(A)(4), 2 counts

Ms. Evans gave a summary of the allegations and read the settlement offer presented by JOE R. JONES CONSTRUCTION, INC. Mr. Weston made a motion to reject the settlement offer as presented. Mr. Jones seconded. After discussion, the motion passed.

- b) **PROTEK ELECTRIC INC.**, Jonesboro, Arkansas – La. R.S. 37:2160(A)(1), 2 counts

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

- c) **STEVE'S ELECTRIC, L.L.C.**, Paragould, Arkansas – La. R.S. 37:2158(A)(4), 2158(A)(3) and Rules and Regulations of the Board Section 307(A)

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

8. a) **MILLENNIUM CONSTRUCTION, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4), 2 counts

Ms. Evans gave a summary of the allegations. No one was present on behalf of MILLENNIUM CONSTRUCTION, LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Lambert made a motion to find MILLENNIUM CONSTRUCTION, LLC to be in violation. Mr. Dupuy seconded. The motion passed. Mr. Dupuy made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Graham seconded. The motion passed.

- b) **KENNETH MCCAIN**, D'Iberville, Mississippi – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of KENNETH MCCAIN. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Lambert made a motion to find KENNETH MCCAIN to be in violation. Mr. Stuart seconded. After discussion, the motion passed. Mr. Stuart made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Weston seconded. The motion passed.

- c) **WILLIAM L. HOFFMAN, JR.**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by WILLIAM L. HOFFMAN, JR. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

9. a) **P&T TURTLE FARM, INC.**, Pierre Part, Louisiana – La. R.S. 37:2158(A)(5)

Ms. Evans gave a summary of the allegations. No one was present on behalf of P&T TURTLE FARM, INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert 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 P&T TURTLE FARM, INC to be in violation. Mr. Graham 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.

- b) **LANDRY'S CONSTRUCTION SERVICES LLC**, Pierre Part – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of LANDRY'S CONSTRUCTION SERVICES LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert 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 LANDRY'S CONSTRUCTION SERVICES LLC to be in violation. Mr. Jones seconded. The motion passed. Mr. Weston made a motion to assess an administrative penalty of a \$1000 fine plus \$500 in administrative costs. Mr. Fenet seconded. The motion passed.

10. **N-TEX ROOF SYSTEMS INC.**, Melissa, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by N-TEX ROOF SYSTEMS INC. After discussion, Mr. Stuart made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

11. **BANNISTER ELECTRIC OF WEST MONROE, L.L.C.**, Calhoun, 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 presented by BANNISTER ELECTRIC OF WEST MONROE, L.L.C. Mr. Meredith made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

12. **RHODRIC RANDLE D/B/A RANDLE'S REMODELING & H.I. CONTRACTOR**, Monroe, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of RHODRIC RANDLE D/B/A RANDLE'S REMODELING & H.I. CONTRACTOR. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert 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 RHODRIC RANDLE D/B/A RANDLE'S REMODELING & H.I. CONTRACTOR to be in violation. Mr. Stuart seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Broussard seconded. The motion passed.

13. **RIVERA A/C SERVICES INC.**, Kenner, Louisiana – La. R.S. 37:2158(A)(5), 3 counts

Ms. Evans stated that staff summarily suspended this company's license. Ms. Evans also stated that the company has requested that this matter be continued and the company does not contest the suspension remaining in place during this time. Mr. Jones made a motion to grant the continuance. Mr. Badeaux seconded. The motion passed.

14. **JAMES MOHAMAD**, Kenner, Louisiana – La. R.S. 37:2158(A)(1)(3)(4) and (9), multiple counts; 2160(A)(1), multiple counts; Rules and Regulations of the Board Sections 133(A) and 135(A), multiple counts

Ms. Evans stated that staff summarily suspended this company's license. Ms. Evans also stated that the company has requested that this matter be continued and the company does not contest the suspension remaining in place during this time. Mr. Weston made a motion to grant the continuance. Mr. Broussard seconded. The motion passed.

15. **ANTHONY JAMES HENRY**, Gonzales, Louisiana – La. R.S. 2158(A)(3) and Rules and Regulations of the Board Section 135(A)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ANTHONY JAMES HENRY. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Meredith made a motion to find ANTHONY JAMES HENRY to be in violation, to assess an administrative penalty of \$500 in administrative costs, to give the company thirty (30) days to produce the requested records to the satisfaction of the board, to allow staff to suspend the license if the records are not produced within the timeframe given and to allow staff to reinstate the license once the requested records are produced to the satisfaction of the board. Mr. Stuart seconded. The motion passed. Mr. Weston also made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Lambert seconded. The motion passed.

16. **COASTAL BRIDGE COMPANY, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(9), 2158(A)(10)

Ms. Evans stated that the company requested that this matter be continued. Mr. Jones made a motion to grant the continuance. Mr. Broussard seconded. The motion passed.

E. STATUTORY CITATIONS:

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

OLD BUSINESS

F. REQUEST FOR REHEARING:

1. **DEDICATED CONSTRUCTION MANAGEMENT, LLC**, Waukesha, Wisconsin – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. Ms. Evans stated that the rehearing request was submitted by staff due to questionable service on the hearing notice. Mr. Cloutre made a motion to grant the rehearing request. Mr. Temple seconded. The motion passed. Ms. Evans read the settlement offer presented by DEDICATED CONSTRUCTION MANAGEMENT, LLC. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Barron seconded. The motion passed.

G. PRESENTATION OF AUDIT

Mr. Ken Alford and Ms. Shannon Falgout were present with Provost Salter Harper & Alford. Mr. Alford addressed the board regarding the 2020 Audit Report and the 2020 Audited Financial Statement. Mr. Dupuy asked for a motion to accept the 2020 Audit Report and the 2020 Audited Financial Statement as presented. Mr. Graham made a motion to accept the 2020 Audit Report and the 2020 Audited Financial Statement as presented. Mr. Weston 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 6-22)

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 **May 19, 2021** Residential Building Subcommittee.

Mr. Badeaux made a motion to approve and ratify the actions taken at the May 19, 2021 Residential Building Subcommittee meeting and Mr. Jones seconded. The motion passed.

2. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 23-25)

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.

Mr. Temple recused himself from this matter. Based on Staff recommendations, Mr. Dupuy made a motion to approve the Exemptions as listed on the agenda. Mr. Weston seconded. The motion passed.

3. Consideration of mold remediation application as listed and attached to the agenda. (Page 26)

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

4. Consideration of additional classifications as listed and attached to the agenda. (Pages 27-29)

Mr. Lambert made a motion to approve the additional classifications as listed on the agenda, and Mr. Meredith seconded. The motion passed.

5. Consideration of commercial applications as listed and attached to the agenda. (Pages 30-44)

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

I. REPORTS:

1. Staff Reports – Ms. Dupuy had no new report.
2. Legislative/Rules and Regulations Report – Mr. McDuff addressed the board regarding the 2021 legislative session in relation to LSLBC.
3. Finance Report – Mr. Dupuy asked for a motion to accept the financial statement for the period ending April 30, 2021 as presented. Mr. Weston made a motion to accept the financial statement for the period ending April 30, 2021 as presented. Mr. Broussard seconded. The motion passed.

ADJOURNMENT

Mr. Weston made a motion to adjourn at 10:40 a.m., and Mr. Dupuy seconded. The motion passed unanimously.

Lee Mallett, Chairman

Elliott Temple, Secretary