

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

July 16, 2020

The regular meeting of the Commercial Board was called to order by the Vice Chairman, William J. Cloutre, on Thursday, July 16, 2020, at 9:32 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- William J. Cloutre, Vice Chairman
- Lloyd "Chip" Badaeux
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- Kenneth Jones
- Donald G. Lambert
- Joel Rushing
- Christopher N. Stuart
- Elliott Temple
- Victor Weston

Chairman, Lee Mallett, and Members, Brian J. Bordelon; N.R. "Noah" Broussard; August Gallo, Jr.; Danny R. Graham 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, Brent Templet, Lowana Cola and Monica Davis; Compliance Director, Brad Hassert; Compliance Investigator, Bobbie Hughes; and Tarah Revette recording the minutes.

Mr. Cloutre 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 **June 18, 2020** regular meeting. Mr. Weston seconded. The motion passed.

Mr. Hassert introduced guests Ken Naquin with the Louisiana Associated General Contractors and Alex Reinboth with the Louisiana Attorney General's Office.

Mr. Temple presented and made a motion to approve the resolution to retain and employ Taylor, Porter, Brooks, & Phillips, L.L.P. as special counsel for the Board. Mr. Weston continued the motion to state that the resolution shall be effective August 15, 2020 and ending August 14, 2023. Mr. Jones seconded. The motion passed unanimously.

PUBLIC COMMENT

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

NEW BUSINESS

D. COMPLIANCE HEARINGS:

1. **O & A CONCRETE, LLC**, Youngsville, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by O & A CONCRETE, LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fenet seconded. The motion passed.

2. **NORMAN'S PLUMBING & MECHANICAL 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 NORMAN'S PLUMBING & MECHANICAL LLC. Mr. Fenet made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Temple seconded. The motion passed.

3. **VELOCITY BUILDERS LLC**, LaPlace, Louisiana – La. R.S. 37:2158(A)(4)

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

4. a) **HERMAN L. MCCLAIN**, New Orleans, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Section 133(A)

This matter was continued. Mr. Jones made a motion to grant the continuance. Mr. Temple seconded. The motion passed.

- b) **DAVID HAMILTON D/B/A HAMILTON AIR CONDITIONING & HEATING SERVICE**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

This matter was continued. Mr. Jones made a motion to grant the continuance. Mr. Fenet seconded. The motion passed.

5. **BARRISTER CONSTRUCTION, LLC**, Hammond, Louisiana – La. R.S. 37:2158(A)(4), 2 counts

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

6. **RUBBER FLOORING SYSTEMS, INC.**, Kemah, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations. No one was present on behalf of RUBBER FLOORING SYSTEMS, INC. Investigator Bobbie Hughes was called to the stand and was sworn in. Mr. Hughes reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Dupuy made a motion to find RUBBER FLOORING SYSTEMS, INC. to be in violation. Mr. Weston seconded. The motion passed. Mr. Dupuy made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Weston seconded. The motion passed.

Matters 7 and 8 were consolidated.

7. **ANTHONY GARNETT D/B/A ADVANCED AUDIO & INTEGRATION**, Greenwell Springs, Louisiana – La. R.S. 37:2160(A)(1)

8. **ANTHONY GARNETT D/B/A ADVANCED AUDIO & INTEGRATION**, Pierre Part, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ANTHONY GARNETT D/B/A ADVANCED AUDIO & INTEGRATION. Investigator Bobbie Hughes, who was previously sworn, was called to the stand. Brad Hassert, Compliance Director, was also called to the stand and was sworn in. Mr. Hughes reviewed the exhibit packet and provided testimony for the board relating to matter 7. Mr. Landreneau entered the exhibit packet for matter 7 into evidence and it was admitted. Mr. Hassert reviewed the exhibit packet and provided testimony for the board relating to matter 8. Mr. Landreneau entered the exhibit packet for matter 8 into evidence and it was admitted. Mr. Weston made a motion to find ANTHONY GARNETT D/B/A ADVANCED AUDIO & INTEGRATION to be in violation relating to matter 7. Mr. Jones seconded. The motion passed. Mr. Weston made a motion to find ANTHONY GARNETT D/B/A ADVANCED AUDIO & INTEGRATION to be in violation relating to matter 8. Mr. Temple seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs for each matter, matters 7 and 8. Mr. Dupuy seconded. The motion passed.

9. **DEWAYNE ROBINSON D/B/A DNR CONSTRUCTION**, Monroe, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of DEWAYNE ROBINSON D/B/A DNR CONSTRUCTION. 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. Temple made a motion to find DEWAYNE ROBINSON D/B/A DNR CONSTRUCTION to be in violation. Mr. Weston seconded. The motion passed. Mr. Temple made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Dupuy seconded. The motion passed.

10. **CHARLES IKAN CONSTRUCTION, LLC**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of CHARLES IKAN 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. Weston made a motion to find CHARLES IKAN CONSTRUCTION, LLC to be in violation. Mr. Temple seconded. The motion passed. Mr. Weston made a motion to assess an administrative penalty of a \$3000 fine plus \$500 in administrative costs. Mr. Lambert seconded. The motion passed.

11. a) **MICHAEL PARKER D/B/A PARKER CONSTRUCTION & FLOORING**, Stuart, Florida – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MICHAEL PARKER D/B/A PARKER CONSTRUCTION & FLOORING. Mr. Stuart made a motion to reject the settlement offer as presented. Mr. Jones seconded. The motion passed with opposition from Mr. Fenet and Mr. Temple.

b) **STEVE WILCZYNSKI D/B/A WILCZYNSKI CONSTRUCTION**, Marengo, Ohio – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of STEVE WILCZYNSKI D/B/A WILCZYNSKI CONSTRUCTION. 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 STEVE WILCZYNSKI D/B/A WILCZYNSKI CONSTRUCTION to be in violation. Mr. Lambert seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Rushing seconded. The motion passed.

E. STATUTORY CITATIONS:

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

OLD BUSINESS

F. COMPLIANCE HEARINGS/CONTINUANCES:

1. **POOL'S CONSTRUCTION LLC**, Walker, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of POOL'S 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. The board questioned Mr. Hassert regarding this matter. Mr. Weston made a motion to dismiss the matter. Mr. Dupuy seconded. After discussion, the motion passed with opposition from Mr. Jones.

G. 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. 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. Jones 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 **July 15, 2020** Residential Building Subcommittee.

Mr. Badeaux made a motion to approve and ratify the actions taken at the July 15, 2020 Residential Building Subcommittee meeting and Mr. Temple seconded. The motion passed.
2. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 15-17)

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 Refined Construction LLC. Refined Construction LLC will be required to take the examination(s). Mr. Weston seconded. The motion passed.
3. Consideration of mold remediation application as listed and attached to the agenda. (Page 18)

Mr. Lambert made a motion to approve the mold remediation application as listed on the agenda, and Mr. Weston seconded. The motion passed.
4. Consideration of additional classifications as listed and attached to the agenda. (Pages 19-21)

Mr. Lambert made a motion to approve the additional classifications as listed on the agenda, and Mr. Weston seconded. The motion passed.
5. Consideration of commercial applications as listed and attached to the agenda. (Pages 22-32)

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

H. REPORTS:

1. Staff Reports – Ms. Dupuy had no new report.
2. Finance Report – Mr. Dupuy asked for a motion to accept the financial statement for the period ending June 30, 2020 as presented. Mr. Weston made a motion to accept the financial statement for the period ending June 30, 2020 as presented. Mr. Jones seconded. The motion passed.

ADJOURNMENT

Mr. Weston made a motion to adjourn at 10:50 a.m., and Mr. Fenet seconded. The motion passed unanimously.

Lee Mallett, Chairman

Elliott Temple, Secretary