

# **STATE LICENSING BOARD FOR CONTRACTORS**

## **COMMERCIAL BOARD**

### **MEETING MINUTES**

**August 20, 2020**

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, August 20, 2020, at 9:30 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- Lloyd "Chip" Badaeux
- 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
- Elliott Temple
- Victor Weston

Members William J. Clouatre, Vice Chairman; August Gallo, Jr.; Garland Meredith 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, Carrie Morgan, Brent Templet, Elaine Riggins, Lowana Cola and Monica Davis; Compliance Director, Brad Hassert; Compliance Investigator, Sean Beavers; and Tarah Revette recording the minutes.

Mr. Dupuy 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 **July 16, 2020** regular meeting. Mr. Weston seconded. The motion passed.

Mr. Hassert introduced guest Alex Reinboth 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. JUDGMENT:**

1. **TEAM DEVELOPMENT, LLC**, Denham Springs, 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. Kevin Keller was present on behalf of TEAM DEVELOPMENT, LLC and was sworn in. Mr. Keller gave a statement to the board and offered a suspension of his company's license to the board until the matter is resolved. Mr. Weston made a motion to suspend the commercial license for TEAM DEVELOPMENT, LLC until this judgment matter is resolved. Mr. Lambert seconded. The motion passed.

E. **COMPLIANCE HEARINGS:**

1. **GARY ALLEN CHANDLER JR. D/B/A MIRACRETE CONCRETE COATINGS & TRANFORMATIONS,** Mandeville, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of GARY ALLEN CHANDLER JR. D/B/A MIRACRETE CONCRETE COATINGS & TRANFORMATIONS. 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 GARY ALLEN CHANDLER JR. D/B/A MIRACRETE CONCRETE COATINGS & TRANFORMATIONS 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. Temple seconded. The motion passed.

2. **BRAD ALLEN D/B/A ALLEN'S CONSTRUCTION INC.,** 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 BRAD ALLEN D/B/A ALLEN'S CONSTRUCTION INC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Weston seconded. The motion passed.

3. **JESSE LADART D/B/A J & W ROOFING,** Monroe, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of JESSE LADART D/B/A J & W ROOFING. 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 JESSE LADART D/B/A J & W ROOFING 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. Dupuy seconded. The motion passed.

4. a) **BERNHARD-NORMAND CONSTRUCTION LLC,** Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4), 3 counts

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

- b) **WELNER'S CONSTRUCTION, LLC,** Denham Springs, Louisiana – La. R.S. 37:2160(A)(1), 2 counts

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

- c) **FELIPE'S FRAMING, LLC,** Thibodaux, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of FELIPE'S FRAMING, 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 FELIPE'S FRAMING, LLC to be in violation. Mr. Temple 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.

5. **3G ELECTRIC, LLC**, Lafayette, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by 3G ELECTRIC, LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

6. **TA ELECTRIC LLC**, Denham Springs, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. Teodoro Arias were present on behalf of TA ELECTRIC LLC and was sworn in. Jammilek Arias, acting as an interpreter for Mr. Arias, was also present and was sworn in. Mr. Arias entered a no contest plea. Mr. Lambert made a motion to accept the plea. Mr. Graham seconded. The motion passed. 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. Arias gave a statement to the board. Mr. Weston made a motion to assess an administrative penalty of \$500 in administrative costs. Mr. Fenet seconded. The motion passed.

7. **CHARTER SOUTH, INC.**, Birmingham, Alabama – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations. No one was present on behalf of CHARTER SOUTH, 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. Jones made a motion to find CHARTER SOUTH, INC. to be in violation. Mr. Temple seconded. The motion passed. Mr. Jones made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Weston seconded. The motion passed.

8. a) **ARTIGUES CONSTRUCTION CO., INC.**, Gretna, Louisiana – La. R.S. 37:2158(A)(4)

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

- b) **STEVE CORCORAN D/B/A STEVE'S AIR CONDITIONING & HEATING**, Harahan, Louisiana – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations. Steve Corcoran was present on behalf of STEVE CORCORAN D/B/A STEVE'S AIR CONDITIONING & HEATING and was sworn in. Mr. Corcoran entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Weston seconded. The motion passed. Mr. Corcoran gave a statement to the board. Mr. Weston made a motion to assess an administrative penalty of \$500 in administrative costs. Mr. Fenet seconded. The motion passed.

9. **INTERGRATED MANAGEMENT SOLUTIONS LLC**, LaPlace, Louisiana – La. R.S. 37:2158(A)(5)

Ms. Evans gave a summary of the allegations. Emile Lee was present on behalf of INTERGRATED MANAGEMENT SOLUTIONS LLC and was sworn in. Mr. Lee entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Fenet seconded. The motion passed. 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. Lee gave a statement to the board. Mr. Weston made a motion to assess an administrative penalty of a \$1000 fine plus \$500 in administrative costs. Mr. Jones seconded. The motion passed.

10. **ACCARDO AND LAMBERT PLUMBING AND HEATING, INC.**, New Orleans, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Section 135(A), 3 counts

Ms. Evans gave a summary of the allegations. No one was present on behalf of ACCARDO AND LAMBERT PLUMBING AND HEATING, INC. Investigator Sean Beavers was called to the stand and was sworn in. Mr. Beavers reviewed the exhibit packets and provided testimony for the board. Mr. Landreneau entered the exhibit packets into evidence and it was admitted. Mr. Dupuy made a

motion to find ACCARDO AND LAMBERT PLUMBING AND HEATING, 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 and to suspend the company's commercial license until such time adequate records are provided to the board and the administrative penalty has been paid. Mr. Broussard seconded. The motion passed.

11. **MOMO'S CONSTRUCTION LLC**, Dallas, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of MOMO'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. Mr. Weston made a motion to find MOMO'S CONSTRUCTION LLC 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. Dupuy seconded. The motion passed.

12. **C. MASON CONCRETE, LLC**, Ocean Springs, Mississippi – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of C. MASON CONCRETE, 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 C. MASON CONCRETE, LLC 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. Lambert seconded. The motion passed.

Mr. Landreneau called Investigator Sean Beavers, who was previously sworn, to the stand to discuss matter 10. ACCARDO AND LAMBERT PLUMBING AND HEATING, INC. Mr. Landreneau questioned Mr. Beavers regarding service of the hearing notice for this matter. Mr. Landreneau also called Ms. Evans to the stand, who was previously sworn, for this same matter. Mr. Landreneau questioned Ms. Evans regarding service of the hearing notice for this matter.

**E. STATUTORY CITATIONS:**

Ms. Evans presented the statutory citations. Mr. Jones made a motion to accept the statutory citations 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 4-15)

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 **August 19, 2020** Residential Building Subcommittee.

Mr. Badeaux made a motion to approve and ratify the actions taken at the August 19, 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 16-18)

Based on Staff recommendations, Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on the agenda. Mr. Jones seconded. The motion passed.

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 19)

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 20-22)

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 23-35)

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

#### **I. REPORTS:**

1. Finance Report – Mr. Dupuy asked for a motion to accept the financial statement for the period ending July 31, 2020 as presented. Mr. Weston made a motion to accept the financial statement for the period ending July 31, 2020 as presented. Mr. Fenet seconded. The motion passed.

#### **ADJOURNMENT**

Mr. Graham made a motion to adjourn at 10:30 a.m., and Mr. Dupuy seconded. The motion passed unanimously.

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Lee Mallett, Chairman

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Elliott Temple, Secretary