**STATE LICENSING BOARD FOR CONTRACTORS**

**Commercial board**

**Meeting MINUTES**

**June 16, 2022**

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, June 16, 2022, at 9:30 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present: Lee Mallett, Chairman

 William J. Clouatre, Vice Chairman

 Lloyd “Chip” Badeaux

Ronald Barron

 Brian J. Bordelon

 N.R. “Noah” Broussard

 Nelson A. “Andy” Dupuy, Jr.

 August Gallo, Jr.

Curtis Joseph

Donald G. Lambert

Garland Meredith

Joel Rushing

Christopher N. Stuart

Elliott Temple

Keith Tillage

Victor Weston

Members, Courtney Fenet, Jr. and Kenneth Jones, 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; Jeffrey Wale, Hearing Officer; Kevin Landreneau, Board Attorney; and from the staff, Leann Evans, Carrie Morgan, Elaine Riggins, Monica Webster, Tarah Revette, Lowana Cola, Elysia Howard, and Emily Laprarie; Compliance Director, Brad Hassert; Compliance Investigators, Frank Vaughan, David Hamm; and Trulisa Hollinds recording the minutes.

Mr. Badeaux led the members and audience in the Pledge of Allegiance.

Mr. Wale introduced himself as the hearing officer overseeing these proceedings and addressed the audience and board on the administrative procedures for hearings.

Mr. Joseph made a motion to accept the Minutes of the **May 19, 2022,** regular meeting. Mr. Lambert seconded. The motion passed.

Mr. Hassert introduced guest, Amanda LaGroue 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, Brad Hassert, David Hamm and Frank Vaughan with the Compliance Department were sworn in.

D. **Compliance HearingS:**

* + - 1. **Nail Tite Remodeling LLC,** Bossier City, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by NAIL TITE REMODELING 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.

* + - 1. **Cathy Walker d/b/a Romel Enterprises Incorporated,** Lafayette, Louisiana – La. R.S. 37:2160(A)(1)

Daylan and Cathy Walker were present on behalf of CATHY WALKER D/B/A ROMEL ENTERPRISES INCORPORATED and were sworn in. Ms. Evans gave a summary of the allegations. Mr. Walker entered a no contest plea. Mr. Clouatre made a motion to accept the plea. Mr. Tillage seconded. The motion passed. Investigator David Hamm, who was previously sworn, was called to the stand. Mr. Hamm reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. and Ms. Walker gave statements to the board regarding this matter. The board questioned Ms. Walker. Mr. Hassert and Ms. Evans also provided testimony to the board. Mr. Clouatre made a motion to assess an administrative penalty of a $2000 fine plus $1000 in administrative costs and to allow the administrative penalty to be reduced to a $500 fine plus $1000 in administrative costs if the company obtains the proper license within 120 days. Mr. Tillage seconded. The motion passed.

* + - 1. **Pedro Vidales d/b/a JR Stucco,** Rowlett, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PEDRO VIDALES D/B/A JR STUCCO. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

* + - 1. **MB Electric of Louisiana, LLC,** Haughton, Louisiana – La. R.S. 37:2163(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MB ELECTRIC OF LOUISIANA, LLC. Mr. Weston made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

* + - 1. **Immedia, LLC,** Scottsdale, Arizona – La. R.S. 37:2160(A)(1)

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

* + - 1. **Controltex, Inc.,** Jonesboro, Arkansas – La. R.S. 37:2160(A)(1)

Ms. Evans made a correction to the agenda, correcting the name of the company to CONTROLTEK, INC. Ms. Evans gave a summary of the allegations and read the settlement offer presented by CONTROLTEK, INC. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

* + - 1. **Riley Hayes Roofing & Construction, LLC,** Little Rock, Arkansas – La. R.S. 37:2160(A)(1)

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

* + - 1. **Cortes Plumbing Service, LLC,** Jarreau, Louisiana – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations. No one was present on behalf of CORTES PLUMBING SERVICE, LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Joseph made a motion to find CORTES PLUMBING SERVICE, LLC to be in violation. Mr. Clouatre seconded. The motion passed. Mr. Joseph made a motion to assess the maximum fine plus $1000 in administrative costs. Mr. Tillage seconded. The motion passed.

* + - 1. **Blue Sky Energy Solutions,** Irving, Texas – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by BLUE SKY ENERGY SOLUTIONS. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Temple seconded. The motion passed.

* + - 1. **Parkway C&A, LP,** Lewisville, Texas – La. R.S. 37:2158(A)(4).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PARKWAY C&A, LP. Mr. Broussard made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Bordelon seconded. The motion passed.

* + - 1. **Affinity Construction Group, 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 AFFINITY CONSTRUCTION GROUP, LLC. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

12. **Lugedi Construction LLC,** Richardson, Texas – La. R.S. 37:2160(A)(1).

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

13. a) **R.S. Bernard and Associates, Inc.,** Lafayette, Louisiana – La. R.S. 37:2158(A)(4).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by R.S. BERNARD AND ASSOCIATES, INC. Mr. Bordelon made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

b) **Perry Morgan Laborde d/b/a Perry’s Paint and Drywall,** Centerpoint, Louisiana – La. R.S. 37:2160(A)(1).

Perry Laborde was present on behalf of PERRY MORGAN LABORDE D/B/A PERRY’S PAINT AND DRYWALL and was sworn in. Ms. Evans gave a summary of the allegations. Mr. Laborde entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Clouatre 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 to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Laborde gave a statement to the board regarding this matter. Mr. Landreneau questioned Mr. Laborde. The board questioned Mr. Laborde. Mr. Weston made a motion to dismiss this matter. Mr. Gallo seconded. The motion was called to a vote and the motion failed. Mr. Tillage made a motion to assess an administrative penalty of a $1000 fine plus $1000 in administrative costs and to allow the administrative penalty to be reduced to no fine and $1000 in administrative costs if the company obtains the proper license within 120 days. Mr. Joseph seconded. The motion passed.

14. a) **Rosehill Construction, L. L. C,** 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 ROSEHILL CONSTRUCTION, L. L. C. Mr. Rushing made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart seconded. The motion passed.

b) **Harold Michael Thiaville D/B/A Electronic Systems & Security, L.L.C.,** Gretna, Louisiana – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by HAROLD MICHAEL THIAVILLE D/B/A ELECTRONIC SYSTEMS & SECURITY, L.L.C. Mr. Meredith made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Lambert seconded. The motion passed.

* 1. **Evans Landscaping LLC,** Baton Rouge, Louisiana – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by EVANS LANDSCAPING LLC. Mr. Barron made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Tillage seconded. The motion passed.

15. **Mel’s A/C & Heating, LLC,** Hammond, Louisiana – La. R.S. 37:2160(A)(1).

Ms. Evans gave a summary of the allegations and read the settlement offer presented by MEL’S A/C & HEATING, LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

1. **STATUTORY CITATIONS:**

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

**OLD BUSINESS**

1. **COMPLIANCE HEARINGS/CONTINUANCES:**

1. **Judson Terrell d/b/a TRC Co.,** Bay City, Texas – La. R.S. 37: 2160(A)(1)

Judson Terrell was present on behalf of JUDSON TERRELL D/B/A TRC CO. and was sworn in. Ms. Evans gave a summary of the allegations. Mr. Terrell entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Joseph seconded. The motion passed. Investigator Frank Vaughan, who was previously sworn, was called to the stand. Mr. Vaughan reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Ms. Evans gave a summary of the actions at the taken against Mr. Terrell at the June 15, 2022, Residential Subcommittee Meeting. Mr. Terrell gave a statement to the board regarding this matter. The board questioned Mr. Terrell, Mr. Vaughan and Mr. Hassert. Mr. Clouatre made a motion to assess an administrative penalty of a $5000 fine plus $1000 in administrative costs and to allow the administrative penalty to be reduced to a $2500 fine and $1000 in administrative costs if the company obtains the proper license within 120 days. Mr. Joseph seconded. The motion passed with opposition from Mr. Tillage.

After matter F. 1. was heard, the board addressed staff and Mr. Landreneau regarding LSLBC’s hearing procedures and settlement offers. Mr. McDuff addressed the board regarding LSLBC’s hearing procedures. Mr. Ken Naquin with the Louisiana Associated General Contractors also addressed the board regarding LSLBC’s hearing procedures and settlement offers.

G. **APPLICATIONS; ADDITIONAL CLASSIFICATIONS; RECIPROCITY**

1. Residential Building Subcommittee Report

* + - * 1. Consideration of residential applications and home improvement registrations as listed and attached to the agenda. (Pages 5-18)

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

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

* + - * 1. Consideration of the actions of the **June 15, 2022,** Residential Building Subcommittee.

Mr. Temple made a motion to approve and ratify the actions taken at the June 15, 2022, Residential Building Subcommittee meeting and Mr. Badeaux seconded. The motion passed.

2. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 19-21)

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. Mr. Joseph seconded. The motion passed.

3. Consideration of mold remediation application as listed and attached to the agenda. (Page 22)

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

4. Consideration of additional classifications as listed and attached to the agenda. (Pages 23-25)

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

5. Consideration of commercial applications as listed and attached to the agenda. (Pages 26-38)

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

H. **REPORTS:**

 1. Legislative/Rules and Regulations Report – Mr. McDuff announced the resignation of Danny Graham from the Commercial Board and that there would be no commercial board meeting for the month of July. Mr. McDuff also gave a summary of the 2022 legislative session in relation to LSLBC.

 2. Finance Report (budget-to-actual comparisons) – Mr. Dupuy asked for a motion to accept the financial statement for the period ending May 31, 2022, as presented. Mr. Weston made a motion to accept the financial statement for the period ending May 31, 2022, as presented. Mr. Tillage seconded. The motion passed.

**ADJOURNMENT**

Mr. Temple made a motion to adjourn at 10:55 a.m., and Mr. Badeaux seconded. The motion passed unanimously.

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 Lee Mallett, Chairman

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 Elliott Temple, Secretary