

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

February 16, 2017

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallet, on Thursday, February 16, 2017 at 9:33 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallet, Chairman
- William J. Clouatre, Vice Chairman
- Lloyd "Chip" Badeaux
- N.R. "Noah" Broussard
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- August Gallo, Jr.
- Danny R. Graham
- Jaclyn S. Hotard
- Kenneth Jones
- Donald G. Lambert
- Garland Meredith
- Christopher N. Stuart

Members Byron Talbot and Victor Weston 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; Larry Bankston, Board Attorney; and from the staff, Leann Evans, Nathan Rawls, Brent Templet, Doug Traylor, Emma Payne, Elaine Riggins, Monica Davis, Nikki Lopez-Crawford and John Dixon; Compliance Director, Brad Hassert; Compliance Investigators, Charmel Peterson, Jessie Wells, and Scott Corley; and Tarah Revette recording the minutes.

Mr. Mallet 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 **January 19, 2017** regular meeting. Mr. Stuart seconded. The motion passed.

Mr. McDuff introduced guests Ronald Burrough with the Louisiana Attorney General's office and Conrad Blanchard with the Louisiana Home Builders Association.

New Commercial Member Jaclyn Hotard was sworn in by Judge Darrell White.

NEW BUSINESS

C. **QUALIFYING PARTY HEARINGS** – La. R.S. 37:2156.1, Sec. 103 Rules and Regulations of the Board

Ms. Dupuy gave a summary of the allegations. Shondrell Perrilloux was present on behalf A QUALITY TOUCH COMMERCIAL BUILDERS, LLC and was sworn in. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Ms. Perrilloux gave a statement and requested additional time to replace the qualifying party for the company. Mr. Dupuy made a motion to allow the Qualifying Party thirty (30) days to complete and pass the testing requirements and failure to comply will result in an automatic revocation of the license. Mr. Stuart seconded. The motion passed.

Ms. Dupuy gave a summary of the allegations. No one was present on behalf of ABLE BUILDING COMPANY, INC. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Mr. Dupuy made a motion to allow the Qualifying Party thirty (30) days to complete and pass the testing requirements and failure to comply will result in an automatic revocation of the license. Mr. Gallo seconded. The motion passed.

Ms. Dupuy gave a summary of the allegations. No one was present on behalf of ADVANTACLEAN OF METRO BATON ROUGE LLC. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Mr. Dupuy made a motion to revoke the company's license. Mr. Cloutre seconded. The motion passed.

Ms. Dupuy gave a summary of the allegations. No one was present on behalf of JCC CONSTRUCTION, LLC. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Mr. Dupuy made a motion to revoke the company's license. Mr. Cloutre seconded. The motion passed.

D. JUDGMENTS:

1. **FAVALORA CONSTRUCTORS, INCORPORATED**, Kenner, Louisiana – La. R.S. 37:2150-2192, 2158(A)(8) and (A)(9), 2156.1(D)(1) and Section 115 of the Board's Rules and Regulations

Ms. Dupuy gave a summary of the allegations. Laurence Favalora was present on behalf of FAVALORA CONSTRUCTORS, INCORPORATED and was sworn in. Attorney Timothy Thriffiley was present on behalf of the creditor. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Mr. Favalora and Mr. Thriffiley gave statements to the board regarding this matter. Mr. Cloutre made a motion to give FAVALORA CONSTRUCTORS, INCORPORATED 30 days to pay/resolve the judgment or enter into a payment plan with the creditor. If the judgment is not satisfied or a payment plan entered into, the license will be automatically revoked by staff. If at any time within the duration of the payment plan, if the terms are not complied with, the license will be automatically revoked upon notification by the creditor. Mr. Graham seconded. The motion passed.

2. **LABORDE CONSTRUCTION INDUSTRIES, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2150-2192, 2158(A)(8) and (A)(9), 2156.1(D)(1) and Section 115 of the Board's Rules and Regulations

Ms. Dupuy gave a summary of the allegations. No one was present on behalf of LABORDE CONSTRUCTION INDUSTRIES, LLC. Kevin Sanford was present on behalf of the creditor and was sworn in. Mr. Sanford gave testimony to the board. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Mr. Cloutre made motion to give LABORDE CONSTRUCTION INDUSTRIES, LLC 30 days to pay/resolve the judgment or enter into a payment plan with the creditor. If the judgment is not satisfied or a payment plan entered into, the license will be automatically revoked by staff. If at any time within the duration of the payment plan, if the terms are not complied with, the license will be automatically revoked upon notification by the creditor. Mr. Jones seconded. The motion passed.

3. **PARMS CONSTRUCTION LLC**, Baton Rouge, Louisiana – La. R.S. 37:2150-2192, 2158(A)(8) and (A)(9), 2156.1(D)(1) and Section 115 of the Board's Rules and Regulations

Ms. Dupuy gave a summary of the allegations. Willie Parms was present on behalf of PARMS CONSTRUCTION LLC and was sworn. Attorney Lee LeBouef and Kenneth Jefferson were present on behalf of the creditor. Mr. Jefferson was sworn in. Mr. Parms and Mr. Jefferson both gave statements to the board. Mr. Bankston entered the exhibit packets into evidence and it was admitted. Mr. Cloutre made motion to give PARMS CONSTRUCTION LLC 30 days to pay/resolve the judgment or enter into a payment plan with the creditor. If the judgment is not satisfied or a payment plan entered into, the license will be automatically revoked by staff. If at any time within the duration of the payment plan, if the terms are not complied with, the license will be automatically revoked upon notification by the creditor.. Mr. Lambert seconded. The motion passed.

E. **COMPLIANCE HEARINGS:**

1. **PETERSON BUILDERS FRAMING CONTRACTORS, LLC**, Cornelius, North Carolina – La. R.S. 2160(A)(1)

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

2. Matters 2a and 2b were consolidated.

- a) **QUALITY BUILDERS, INC.**, Alexandria, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations. Larry Bordelon was present on behalf of QUALITY BUILDERS, INC. and was sworn in. Mr. Bordelon entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Bordelon gave a statement regarding this matter. Mr. Clouatre made a motion to assess \$500 in administrative costs for QUALITY BUILDERS, INC. Mr. Gallo seconded. The motion passed.

- b) **RUFINO GALAVIZ D/B/A RUFINOS'S CONSTRUCTION**, Alvarado, Texas – La. R.S. 2160(A)(1)

Rufino Galaviz was present on behalf of RUFINO GALAVIZ D/B/A RUFINO'S CONSTRUCTION and was sworn in. Mr. Galaviz entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Galaviz gave a statement regarding this matter. Mr. Clouatre made a motion to fine RUFINO GALAVIZ D/B/A RUFINO'S CONSTRUCTION \$500 plus \$500 in administrative costs and to allow the fine to be reduced to only the \$500 in administrative costs if the company obtains a license within 60 days. Mr. Gallo seconded. The motion passed.

3. **AQUA POOL RENOVATIONS, 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 AQUA POOL RENOVATIONS, LLC. Mr. Badeaux made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

4. a) **DESTCO, INC.**, Metairie, Louisiana – La. R.S. 2160(A)(1)

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

- b) **WARWICK CONSTRUCTION, INC.**, Houston, Texas – La. R.S. 37:2158(A)(4)

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

5. **MIKE JONES ELECTRIC, INC.**, West Monroe, Louisiana – La. R.S. 2160(A)(1).

Mr. Meredith recused himself from this matter. Ms. Evans gave a summary of the allegations. Mike Jones was present on behalf of MIKE JONES ELECTRIC, INC. and was sworn in. Mr. Jones entered a no contest plea. Mr. Dupuy made a motion to accept the plea. Mr. Clouatre seconded. The motion passed. Mr. Jones gave a statement regarding this matter. Mr. Badeaux made a motion to fine MIKE JONES ELECTRIC, INC. \$1000 plus \$500 in administrative costs and to allow the fine to be reduced to only \$500 in administrative costs if the company obtains a license within 90 days.

OLD BUSINESS

F. COMPLIANCE HEARINGS/CONTINUANCES:

1. **BERRONES REMODELING, LLC**, Metairie, Louisiana – La. R.S. 2160(A)(1)

Ms. Evans gave a summary of the allegations. Sergio Berrones was present on behalf of BERRONES REMODELING, LLC and was sworn in. Mr. Berrones entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Meredith seconded. The motion passed. Mr. Berrones gave a statement regarding this matter. Mr. Graham made a motion to fine BERRONES REMODELING, LLC \$2000 plus \$500 in administrative costs and to allow the fine to be reduced to \$1000 plus \$500 in administrative costs if the company obtains a proper license within 90 days. Mr. Dupuy seconded. The motion passed.

Mr. Conrad Blanchard, president of the Louisiana Home Builders Association, addressed the board regarding their continued partnership with the Louisiana State Licensing Board for Contractors.

G. COMMITTEE REPORTS:

1. Report from the Staff – Ms. Dupuy reported to the board regarding the volume of applications received after the flood in August. Ms. Dupuy also gave a report regarding the number of visits to the agency's website following the flood in August. Ms. Dupuy also reported on the publication of the 2016 Annual Report.
2. Building Committee – Mr. Graham gave a report regarding the progress on the agency's new building project.
3. Classification and Testing Committee – Mr. Gallo had no new report.
4. Legislative/Rules and Regulations Committee – Mr. Fenet had no new report
5. Finance Committee – Mr. Dupuy made a motion to accept the January financial statement as presented. Mr. Gallo seconded. The motion passed.
6. Residential Building Committee – Mr. Jones gave the report at a later time.

H. Consideration of additional classifications for residential licenses, residential applications, home improvement registrations and residential licensure exemptions as listed and attached to the agenda, and actions of the **February 15, 2017** Residential Building Subcommittee. (Pages 4-14)

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

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

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

Mr. Jones made a motion to approve the actions taken at the February 15, 2017 Residential Building Subcommittee meeting and Mr. Meredith seconded. The motion passed.

I. Consideration of reciprocity and exemption requests as listed and attached to the agenda. (Pages 15-17)

Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on pages of the agenda, and Mr. Lambert seconded. The motion passed.

Mr. Dupuy made a motion to approve the Exemptions as listed on page of the agenda with the exception of JET INDUSTRIAL SERVICES GROUP, LLC which was approved for only the following exemptions: 7-156 Carpentry and 7-89 Industrial Cleaning and Material/Waste Handling. Mr. Gallo seconded, and the motion passed.

J. 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. Gallo seconded. The motion passed.

K. Consideration of additional classifications as listed and attached to the agenda. (Pages 19-20)

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

L. Consideration of commercial applications as listed and attached to the agenda. (Pages 21-30)

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

ADJOURNMENT

Mr. Jones made a motion to adjourn at 10:38 a.m., and Mr. Graham seconded. The motion passed.

Lee Mallett, Chairman

Byron E. Talbot, Secretary