STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

December 16, 2021

The regular meeting of the Commercial Board was called to order by the Vice Chairman, William J. Clouatre, on Thursday, December 16, 2021, at 9:40 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:
William J. Clouatre, Vice Chairman
Lloyd "Chip" Badeaux
Ronald Barron
Brian J. Bordelon
N.R. "Noah" Broussard
Nelson A. "Andy" Dupuy, Jr.
Courtney Fenet, Jr.
August Gallo, Jr.
Danny R. Graham
Kenneth Jones
Curtis Joseph
Donald G. Lambert
Joel Rushing
Christopher N. Stuart
Elliott Temple
Keith Tillage
Victor Weston

Lee Mallett, Chairman and Garland Meredith, Member 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, Monica Webster, Lowana Cola and Monica Davis; Compliance Director, Brad Hassert; Sean Beavers, Compliance Investigator; and Tarah Revette recording the minutes.

Mr. Rushing 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 **November 18, 2021,** regular meeting. Mr. Stuart seconded. The motion passed.

Mr. Hassert introduced guests Austin Holliday, Jeffery Wale and Alex Reinboth with the Louisiana Attorney General's office.

Mr. McDuff announced to the board that, beginning January 2022, Elliott Temple will be assuming the role of Chairman of the Residential Building Subcommittee, and that Chip Badeaux will serve as Vice Chairman. Mr. McDuff presented Mr. Badeaux with a plaque commending him for his service as Chairman.

Mr. McDuff reported to the board that, beginning January 2022, representatives of the Louisiana Attorney General's office will be assigned to the role of hearing officer for LSLBC's board meetings. Mr. McDuff thanked Judge White for serving as hearing officer for LSLBC since 2009, and presented him with a plaque commending him for his service to the board. Judge White thanked the board for the recognition of service plaque.

RESOLUTION TO RETAIN THE LOUISIANA ATTORNEY GENERAL - HEARING OFFICER

Mr. Clouatre presented a resolution to the board to retain the services of the Louisiana Attorney General to act as Hearing Officer for the board effective January 1, 2022 and ending December 21, 2024. Mr. Weston made a motion to accept the resolution as presented. Mr. Temple seconded. The motion passed with no opposition.

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.

E. **COMPLIANCE HEARINGS:**

1. a) **KALIMERA 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 KALIMERA GROUP LLC. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Tillage seconded. The motion passed.

b) **MIGUEL PEDRO DIAZ,** Kenner, Louisiana – La. R.S. 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 MIGUEL PEDRO DIAZ. 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) **EFFECTIVE IMAGES, INC.,** Watertown, South Dakota – La. R.S. 37:2160(A)(1)

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

b) **HILLIS OUTDOOR SPECIALIST, INC.,** Silver Creek, Georgia – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by HILLIS OUTDOOR SPECIALIST, INC. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Tillage seconded. The motion passed.

3. a) **JOHN W. ADAMS III, L.L.C.,** Mandeville, Louisiana – La. R.S. 37:2158(A)(4)

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

b) **MTS HOME SOLUTIONS LLC,** Denham Springs, Louisiana – La. R.S. 37:2160(A)(1)

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

4. a) **MICHAEL HOLLYWOOD D/B/A HOLLYWOOD ELECTRIC,** Franklinton, Louisiana – La. R.S. 37:2160(A)(1)

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

b) **ERIC INGRAM D/B/A INGRAM AIR INC.,** Franklinton, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ERIC INGRAM D/B/A INGRAM AIR 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. Temple made

a motion to find ERIC INGRAM D/B/A INGRAM AIR INC. to be in violation. Mr. Graham seconded. The motion passed. Mr. Temple made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Graham seconded. The motion passed.

5. **PATRICK ELLIS D/B/A PRIME SOUTHERN ROOFING,** Houston, Texas – La. R.S. 37:2160(A)(1)

   Mr. Stuart recused himself from this matter. Ms. Evans gave a summary of the allegations. No one was present on behalf of PATRICK ELLIS D/B/A PRIME SOUTHERN 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. Rushing made a motion to find PATRICK ELLIS D/B/A PRIME SOUTHERN ROOFING to be in violation. Mr. Temple seconded. The motion passed. Mr. Rushing made a motion to assess the maximum fine plus $500 in administrative costs. Mr. Tillage seconded. The motion passed.

Matters 6a and 6b were consolidated.

6. a) **SHORT CIRCUIT ELECTRIC LLC,** Lacombe, Louisiana – La. R.S. 37:2160(A)(1)
   b) **MALCOLM JOHN SKEINS, JR.,** Slidell, Louisiana – La. R.S. 37:2158(A)(3), Rules and Regulations of the Board Section 133(A) and 2158(A)(5)

   Ms. Evans gave a summary of the allegations. Dwight Guyot was present on behalf of SHORT CIRCUIT ELECTRIC LLC and was sworn in. MALCOLM JOHN SKEINS, JR. was also present and was sworn in. Mr. Skeins entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Guyot also entered a no contest plea. Mr. Jones made a motion to accept the plea. Mr. Tillage seconded. The motion passed. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packets for matters 6a and 6b and provided testimony for the board for both matters. Mr. Landreneau entered the exhibit packets into evidence and they were admitted. Mr. Skeins gave a statement to the board. The board questioned Mr. Guyot and Mr. Skeins. Mr. Dupuy made a motion to assess an administrative penalty of a $1000 fine plus $500 in administrative costs for SHORT CIRCUIT ELECTRIC LLC and to assess an administrative penalty of a $1000 fine plus $500 in administrative costs for MALCOLM JOHN SKEINS, JR. Mr. Temple seconded. The motion passed.

7. **SOUTHERN OUTFITTERS DESIGN LLC,** Sulphur, Louisiana – La. R.S. 37:2160(A)(1)

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

8. **LIGHT GAUGE SYSTEMS, L.L.C.,** 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 LIGHT GAUGE SYSTEMS, L.L.C. Mr. Lambert made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Tillage seconded. The motion passed.

9. a) **MIGUEL HERNANDEZ D/B/A H AN R ELECTRICAL,** Dallas, Texas – La. R.S. 37:2160(A)(1)

   Ms. Evans gave a summary of the allegations and read the settlement offer presented by MIGUEL HERNANDEZ D/B/A H AN R ELECTRICAL. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Graham seconded. The motion passed.

   b) **AIR CONDITIONING INNOVATIVE SOLUTIONS, INC.,** McKinney, Texas – La. R.S. 37:2160(A)(1)

   Ms. Evans gave a summary of the allegations and read the settlement offer presented by AIR CONDITIONING INNOVATIVE SOLUTIONS, 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.

10. **CAPITAL CONSTRUCTION GROUP LLC,** Lafayette, Louisiana – La. R.S. 37:2160(A)(1)

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

11. a) **COLLINS AND ARNOLD CONSTRUCTION COMPANY, LLC,** Atlanta, Georgia – La. R.S. 37:2158(A)(4)

    Ms. Evans gave a summary of the allegations and read the settlement offer presented by COLLINS AND ARNOLD CONSTRUCTION COMPANY, LLC. Mr. Bordelon made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

    b) **SIBERTON FENCE SALES, INC.,** Attalla, Alabama – La. R.S. 37:2160(A)(1)

    Ms. Evans gave a summary of the allegations and read the settlement offer presented by SIBERTON FENCE SALES, INC. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

12. **RICHARD FOUNTAIN D/B/A C & R ELECTRICAL,** Alexandria, Louisiana – La. R.S. 37:2160(A)(1)

    Ms. Evans gave a summary of the allegations and read the settlement offer presented by RICHARD FOUNTAIN D/B/A C & R ELECTRICAL. Mr. Tillage made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Jones seconded. The motion passed.

13. **504 REMODELS LLC,** Kenner, Louisiana – La. R.S. 37:2158(A)(1)

    Ms. Evans gave a summary of the allegations. No one was present on behalf of 504 REMODELS 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. Joseph made a motion to revoke the license/registration for 504 REMODELS LLC. Mr. Stuart seconded. The motion passed.

F. **STATUTORY CITATIONS:**

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

OLD BUSINESS

G. **COMPLIANCE HEARING/CONTINUANCE:**

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

    Mr. Hassert requested that matter G. 1. be moved to the end of the agenda. Mr. Temple made a motion to move matter G. 1. to the end of the agenda. Mr. Joseph seconded. The motion passed.

H. **REQUEST FOR REHEARINGS:**

1. **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. Ms. Evans confirmed service of the hearing notice for this matter. Mr. Tillage made a motion to deny the rehearing request. Mr. Badeaux seconded. The motion passed.

2. **JAMES HENDRICK/JAMES HENDRICK LLC,** Baton Rouge, Louisiana – La. R.S. 37:2158(A)(2); 2158(A)(3), Rules and Regulations of the Board Section 707(C)

Mr. Stuart and Mr. Dupuy recused themselves from this matter. Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. James Hendrick was present on behalf of JAMES HENDRICK/JAMES HENDRICK LLC and was sworn in. Mr. Temple made a motion to grant the rehearing request. 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. Hendrick entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Jones seconded. The motion passed. Mr. Hassert and Ms. Evans provided testimony to the board. Mr. Landreneau questioned Mr. Hendrick. Mr. Hendrick gave a statement to the board. Mr. Lambert made a motion to reinstate the license for JAMES HENDRICK/JAMES HENDRICK LLC and to not assess an administrative penalty. Mr. Badeaux seconded. The motion passed.

<Matter G. 1. under COMPLIANCE HEARING/CONTINUANCE was moved to the end of the agenda.>

G. 1. **RIVERA A/C SERVICES INC,** Kenner, Louisiana – La. R.S. 37:2158(A)(5), 3 counts

Ms. Evans gave a summary of the allegations. Miguel Rivera was present on behalf of RIVERA A/C SERVICES INC and was sworn in. Mr. Rivera entered a denial plea. Investigator Sean Beavers was called to the stand and was sworn in. Mr. Beavers reviewed three exhibit packets and provided testimony to the board. Mr. Landreneau entered the three exhibit packets into evidence and they were admitted. Mr. Landreneau questioned Mr. Beavers. Mr. Rivera gave a statement to the board. The board and Mr. Landreneau questioned Mr. Rivera. Mr. Rivera gave an additional statement. Mr. Rushing made a motion to find RIVERA A/C SERVICES INC to be in violation. Mr. Graham seconded. The motion passed. Mr. Tillage made a motion to revoke the licenses for RIVERA A/C SERVICES INC and qualifying party status for Miguel Rivera. Mr. Lambert seconded. Mr. Rushing made a motion to amend the original motion to include an administrative penalty of a $10,000 fine plus $500 in administrative costs. Mr. Weston seconded. The board questioned Mr. Beavers. After discussion, the amendment to the original motion passed without opposition. Mr. Rivera addressed the board regarding Mr. Beavers additional testimony. After further discussion, the amended motion was called to a vote, which was to revoke the licenses for RIVERA A/C SERVICES INC and qualifying party status for Miguel Rivera and to assess an administrative penalty of a $10,000 fine plus $500 in administrative costs. The amended motion passed without opposition.

<The board was notified that a representative of P&T TURTLE FARM, INC., which was matter H. 1. under REQUEST FOR REHEARINGS arrived late.>

H. 1. **P&T TURTLE FARM, INC.,** Pierre Part, Louisiana – La. R.S. 37:2158(A)(5)

Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. Paul Hebert was present on behalf of P&T TURTLE FARM, INC. and was sworn in. Mr. Lambert made a motion to vacate the previous action taken by the board during this meeting regarding P&T TURTLE FARM, INC. and to grant the rehearing request. Mr. Temple seconded. The motion passed. Mr. Hebert entered a denial plea. 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. Landreneau questioned Mr. Hebert. Mr. Hebert gave a statement to the board. Mr. Joseph made a motion to dismiss this matter. Mr. Tillage seconded. After discussion, the motion passed.

I. APPLICATIONS; ADDITIONAL CLASSIFICATIONS; RECIPROCITY

1. Residential Building Subcommittee Report

a. Consideration of additional classifications for residential licenses, residential applications and home improvement registrations as listed and attached to the agenda. (Pages 6-20)

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

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

Mr. Jones 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 **December 15, 2021,** Residential Building Subcommittee.

Mr. Jones made a motion to approve and ratify the actions taken at the December 15, 2021, 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 21-25)

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.

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. Joseph 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. Joseph seconded. The motion passed.

5. Consideration of commercial applications as listed and attached to the agenda. (Pages 30-39)

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

J. **REPORTS:**

1. Finance Report

Mr. Dupuy asked for a motion to accept the financial statement for the period ending November 30, 2021, as presented. Mr. Weston made a motion to accept the financial statement for the period ending November 30, 2021, as presented. Mr. Tillage seconded. The motion passed.

Mr. Dupuy asked for a motion to adjust the items on the 2021 Operating Budget as listed on the accounting handout. Mr. Weston made a motion to adjust the items on the 2021 Operating Budget as listed on the accounting handout. Mr. Tillage seconded. The motion passed.

Mr. Dupuy asked for a motion to accept the Proposed 2022 Louisiana State Licensing Board for Contractors Operating Budget as presented. Mr. Weston made a motion to accept the Proposed 2022 Louisiana State Licensing Board for Contractors Operating Budget as presented. Mr. Tillage seconded. The motion passed.

<The following adjusts were made to the 2021 Operating Budget.>

REVENUES:

Increase:

Exam Fees	$400,000.00
License Fees	$200,000.00

Miscellaneous Fees	$180,000.00

Decrease:

Interest-Invested License Fees	($4,500.00)

EXPENDITURES:

Increase:

Advertising & Publicity	$150,000.00
Computer Supplies	$100,000.00
Construction in Progress	$80,000.00
Automobile	$63,969.00
Terminal Leave Paid	$15,000.00
Janitorial, Lawn, Trash, & Pest Control Services	$10,000.00
Building Repair & Maintenance	$10,000.00
Office Equipment	$5,000.00

Decrease:

Retirement	($100,000.00)
Exam Program	($73,000.00)
Attorney Fees	($40,000.00)
Professional Fees	($24,000.00)

ADJOURNMENT

Mr. Dupuy made a motion to adjourn at 11:38 a.m., and Mr. Weston seconded. The motion passed unanimously.

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Lee Mallett, Chairman

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Elliott Temple, Secretary