

**STATE LICENSING BOARD FOR CONTRACTORS**  
**COMMERCIAL BOARD MEETING MINUTES**  
**FEBRUARY 20, 2014**

The regular monthly meeting of the Board was called to order by the Chairman at 9:30 a.m. in the Conference Room of the Board's offices, Baton Rouge, Louisiana. Members of the Board present:

Lee Mallett, Chairman  
Byron Talbot, Vice Chairman  
Lloyd "Chip" Badeaux  
William Cloutre  
Nelson A. "Andy" Dupuy, Jr.  
Courtney Fenet, Jr.  
August Gallo, Jr.  
Danny Graham  
Donald G. Lambert  
Garland Meredith  
Christopher Stuart  
Art O. Walker

Kenneth Jones 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; John T. Andrishok, Board Attorney; and from the staff, Nathan Rawls, Bobbie Hughes, Brent Templet, Tricia Wood, Kristin Tullier, Doug Traylor, Sharon Fabre, and John Dixon; Compliance Director, Marianne Sullivan; Compliance Investigators, Carl Bourque, Todd Brady, Leann Evans, William Collins, Johnny Rogers, and Dylan Bourg; and Kara Kearney recording the minutes.

Mr. Badeaux 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 16, 2014\*** regular meeting. Mr. Cloutre seconded, the motion passed.

Mr. McDuff introduced executive director of the Mississippi State Board of Contractors (MSBOC) Stephanie Lee, MSBOC investigators Kelly Lavinghouse, Charles Sharman, and Jamie Cushman, and attorney Marjorie McKeithen.

**NEW BUSINESS**

**C. COMPLIANCE HEARING(S):**

1. **JOSEPH ARENALES D/B/A GARDEN OF EDEN, LLC**, Belle Chasse, Louisiana - La. R.S. 37:2163(A)(4).

Mr. Rawls gave a summary of the allegations. Joseph Arenales was present on behalf of JOSEPH ARENALES D/B/A GARDEN OF EDEN, LLC and sworn in. Mr. Arenales entered a no contest plea. Mr. Cloutre made a motion to accept the plea, and Mr. Stuart seconded. The motion passed. Mr. Arenales made a statement. Mr. Cloutre made a motion to fine JOSEPH ARENALES D/B/A GARDEN OF EDEN, LLC \$1,500 plus administrative costs, reduced to \$500 plus administrative costs if licensed within 90 days. Mr. Graham seconded, and the motion passed.

2. **JOSE ANTONIO GARCIA VELAZQUEZ D/B/A MI RANCHO MEXICAN RESTAURANT**, DeRidder, Louisiana – La. R.S. 37:2160(A)(1).

Mr. Rawls gave a summary of the allegations. Jose Antonio Garcia Velazquez was present on behalf of JOSE ANTONIO GARCIA VELAZQUEZ D/B/A MI RANCO MEXICAN RESTAURANT and sworn in. Mr. Velazquez entered a no contest plea. Mr. Fenet made a motion to accept the plea, and Mr. Cloutre seconded. The motion passed. Mr. Velazquez made a statement. Mr. Lambert made a motion to assess no fine or administrative costs, and Mr. Dupuy seconded. The motion passed.

3. **KEVIN DUFRENE D/B/A ACTION TILE**, Livingston, Louisiana – La. R.S. 37:2160(A)(1).

Mr. Rawls gave a summary of the allegations. Kevin Dufrene was present on behalf of KEVIN DUFRENE D/B/A ACTION TILE and sworn in. Mr. Dufrene entered a no contest plea. Mr. Lambert made a motion to accept the plea, and Mr. Stuart seconded. The motion passed. Mr. Dufrene made a statement. Mr. Badeaux made a motion to charge KEVIN DUFRENE D/B/A ACTION TILE administrative costs only, and Mr. Lambert seconded. The motion passed.

\*Administrative Correction

4. **REB STEEL EQUIPMENT CORP. D/B/A REB STORAGE SYSTEMS INTERNATIONAL**, Lake Forest, Illinois – R.S. 37:2160(A)(1).

Mr. Rawls gave a summary of the allegations. Matthew Myers was present on behalf of REB STEEL EQUIPMENT CORP. D/B/A REB STORAGE SYSTEMS INTERNATIONAL and sworn in. Mr. Myers entered a no contest plea. Mr. Meredith made a motion of accept the plea, and Mr. Talbot seconded. The motion passed. Mr. Myers made a statement. Investigator Leann Evans was called to the stand and sworn in to give testimony on the case. Mr. Meredith made a motion to fine REB STEEL EQUIPMENT CORP. D/B/A REB STORAGE SYSTEMS INTERNATIONAL \$1,500 plus administrative costs. Mr. Talbot seconded, and the motion passed.

5. a) **GC DEVELOPMENT CORP. OF NORTH CAROLINA**, Raleigh, North Carolina – La. R.S. 37:2158(A)(4).

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by GC DEVELOPMENT CORP. OF NORTH CAROLINA, which did not have a representative present. Mr. Graham made a motion to accept the settlement offer, which included a no contest plea, and Mr. Clouatre seconded. The motion passed.

- b) **DSB CONTRACTING, LLC**, Pineville, Louisiana – La. R.S. 37:2160 (A)(1).

Mr. Rawls gave a summary of the allegations. Doug Selman was present on behalf of DSB CONTRACTING, LLC and sworn in. Mr. Selman entered a no contest plea. Mr. Lambert made a motion to accept the plea, and Mr. Stuart seconded. The motion passed. Mr. Talbot made a motion to fine DSB CONTRACTING, LLC \$2,000 plus administrative costs, reduced to \$500 plus administrative costs if licensed within 90 days. Mr. Graham seconded, and the motion passed.

Mr. Meredith recused himself from items 6 a, b and c.

6. a) **MCDONALD CONSTRUCTION, INC.**, Ball, Louisiana – La. R.S. 37:2160(A)(1) and 2163(A)(4).

Mr. Clouatre made a motion to move this item to the end of the agenda, and Mr. Graham seconded. The motion passed. Mr. Rawls gave a summary of the allegations. Jay McDonald was present on behalf of MCDONALD CONSTRUCTION, INC. and sworn in. Mr. McDonald entered a no contest plea. Mr. Lambert made a motion to accept the plea, and Mr. Stuart seconded. The motion passed. Mr. McDonald made a statement. Mr. Clouatre made a motion to fine MCDONALD CONSTRUCTION, INC. \$2,500 plus administrative costs, reduced to \$1,000 plus administrative costs if licensed within 90 days. Mr. Stuart seconded, and the motion passed.

- b) **TUDOR, INC. (OF DELAWARE)**, Alexandria, Louisiana – La. R.S. 37:2158(A)(4).

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by TUDOR, INC. (OF DELAWARE), which did not have a representative present. Mr. Stuart made a motion to accept the settlement offer which included a no contest plea, and Mr. Badeaux seconded. The motion passed.

- c) **WESTERCHIL CONSTRUCTION COMPANY**, Alexandria, Louisiana – La. R.S. 37:2158(A)(4).

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by WESTERCHIL CONSTRUCTION COMPANY, which did not have a representative present. Mr. Stuart made a motion to accept the settlement offer which included a no contest plea, and Mr. Clouatre seconded. The motion passed.

7. a) **LHCC CONTRACTORS, L.L.C.**, Baton Rouge, Louisiana – La. R.S. 37:2158(A)(4).

Mr. Rawls gave a summary of the allegations. Angela Courville was present on behalf of LHCC CONTRACTORS, L.L.C. and sworn in. Ms. Courville entered a no contest plea. Mr. Meredith made a motion to accept the plea, and Mr. Talbot seconded. The motion passed. Ms. Courville made a statement and requested that the license be surrendered. Mr. Clouatre made a motion to revoke the license of LHCC CONTRACTORS, L.L.C., and Mr. Talbot seconded. The motion passed. Mr. Dupuy made a motion to fine LHCC CONTRACTORS, L.L.C. \$1,000 plus administrative costs, and Mr. Badeaux seconded. The motion failed after a vote. Mr. Fenet made a motion to fine LHCC Contractors, L.L.C. administrative costs only, and Mr. Stuart seconded. The motion passed.

- b) **GERALD HEINEMANN D/B/A AIR MASTERS**, Metairie, Louisiana – La. R.S. 37:2160(A)(1).

Mr. Rawls gave a summary of the allegations. Gerald Heinemann was present on behalf of GERALD HEINEMANN D/B/A AIR MASTERS and sworn in. Mr. Heinemann entered a no contest plea. Mr. Meredith made a motion to accept the plea, and Mr. Talbot seconded. The motion passed. Mr. Heinemann made a statement. Ms. Evans was called to the stand to give a statement. Mr. Talbot made a motion to fine GERALD HEINEMANN D/B/A AIR MASTERS \$1,000

plus administrative costs, reduced to administrative costs only if licensed within 90 days. Mr. Fenet seconded, and the motion passed.

## **OLD BUSINESS**

### **D. COMPLIANCE HEARING/CONTINUANCE:**

1. **BUCKHAVEN CONSTRUCTION SERVICES-SOUTH CAROLINA, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2160(A)(2)(1).

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by BUCKHAVEN CONSTRUCTION SERVICES – SOUTH CAROLINA, LLC, which did not have a representative present. Mr. Lambert made a motion to accept the settlement offer, which included a no contest plea, and Mr. Talbot seconded. The motion passed.

### **E. COMMITTEE REPORTS:**

1. Report from the Staff – Ms. Dupuy made a statement about the 2013 Annual Report.
2. Building Committee – Mr. Graham gave a report on the completion of the building generator project.
3. Classification and Testing Committee – Mr. Gallo gave his report at a later time.
4. Legislative/Rules and Regulations Committee – Mr. Fenet gave a report regarding legislative updates.
5. Finance Committee – Mr. Dupuy made a motion to accept the January financials as presented, and Mr. Cloutre seconded. The motion passed.  
Mr. Dupuy made a motion to authorize up to \$25,000 to budget towards a new mobile application, and Mr. Cloutre seconded. The motion passed.
6. Fines – Mr. Cloutre made a statement regarding bringing consistency to the issuing of fines.
7. Public Relations – Mr. Cloutre gave a report on the mobile application for contractor verification.
8. Residential Building Committee – Mr. Badeaux made a motion to approve the actions taken at the February 12, 2014, Residential Committee Meeting, and Mr. Gallo seconded. The motion passed,

- F. Consideration of residential applications, home improvement registrations and exemptions as listed and attached to the agenda. (Pages 4-8)

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

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

Mr. Badeaux made a motion to approve the exemptions as listed on the agenda, and Mr. Gallo seconded. The motion passed.

- G. Consideration of commercial licensure exemptions as listed and attached to the agenda. (Pages 10-13)

Mr. Dupuy made a motion to approve the exemptions as listed on the agenda, and Mr. Stuart seconded. The motion passed.

Mr. Dupuy made a motion to approve the new application exemptions as listed on the agenda, and Mr. Stuart seconded. The motion passed.

- H. Consideration of mold remediation applications as listed and attached to the agenda. (Page 15)

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

- I. Consideration of additional classifications as listed and attached to the agenda. (Pages 17-19)

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

- J. Consideration of commercial applications as listed and attached to the agenda.

• **PENDING ALL REQUIREMENTS BEING MET** (Pages 21-28)

Mr. Lambert made a motion to approve the applications as listed on pages 21-28 of the agenda, and Mr. Dupuy seconded. The motion passed.

• **REGULAR COMMERCIAL APPLICATIONS** (Page 29)

Mr. Lambert made a motion to approve the applications as listed on page 29 of the agenda, and Mr. Dupuy seconded. The motion passed.

## **ADJOURNMENT**

Mr. Stuart made a motion to adjourn at 10:58 a.m., and Mr. Cloutre seconded. The motion passed.

---

Lee Mallett, Chairman

---

Nelson A. "Andy" Dupuy, Jr., Secretary/Treasurer