

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

December 15, 2022

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, December 15, 2022, at 9:32 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- Lee Mallett, Chairman
- William J. Clouatre, Vice Chairman
- Ronald Barron
- N.R. "Noah" Broussard
- Kristen Brown
- Nelson A. "Andy" Dupuy, Jr.
- Courtney Fenet, Jr.
- August Gallo, Jr.
- Kenneth Jones
- Curtis Joseph
- Donald G. Lambert
- Joel Rushing
- Christopher N. Stuart
- Victor Weston

Members, Lloyd "Chip" Badeaux, Brian J. Bordelon, Garland Meredith and Keith Tillage, were absent. Finding a quorum present, the regular order of business began. Members, Donald G. Lambert and August Gallo, Jr., arrived late.

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, Tarah Revette, Emily Laprarie, Shannon Sagona and Eysia Howard; Compliance Director, Brad Hassert; Compliance Investigators, Laurie LaRose, Sean Beavers and Robert Mehrtens; and Trulisa Hollinds recording the minutes.

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

Mr. Hassert introduced guests, Ken Naquin with the Louisiana Associated General Contractors and Alex Reinboth with the Louisiana Attorney General's Office.

Mr. Weston made a motion to accept the Minutes of the November 17, 2022, regular meeting. Mr. Joseph seconded. The motion passed.

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

Leann Evans and Brad Hassert with the Compliance Department were sworn in.

PUBLIC COMMENT

No requests were received from the public to address the Licensing Board.

<Matter D. 8. under New Business, Compliance Hearings, was heard before all other matters.>

D. 8. **MICHAEL L. GAINES**, Franklinton, Louisiana – La. R.S. 37: 2160(A)(1)

MICHAEL L. GAINES was present and was sworn in. Ms. Evans gave a summary of the allegations. Mr. Gaines entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Dupuy seconded. The motion passed. Investigator Brad Hassert, 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. Gaines gave a statement to the board regarding this matter and presented a settlement offer to the board. The board questioned Mr. Gaines. Mr. Stuart made a motion to accept the settlement offer as presented. Mr. Broussard seconded. The motion passed.

<The meeting returned to the order as listed on agenda.>

NEW BUSINESS

D. COMPLIANCE HEARINGS:

1. LEXUS CONCRETE LLC, Houston, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of LEXUS CONCRETE 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 LEXUS CONCRETE LLC to be in violation. Mr. Rushing seconded. The motion passed. Mr. Joseph made a motion to assess the maximum fine plus \$1000 in administrative costs. Ms. Brown seconded. The motion passed.

2. PROFESSIONAL FONE MANAGEMENT, INC., Houston, Texas – La. R.S. 37:2158(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PROFESSIONAL FONE MANAGEMENT, INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Rushing made a motion to accept the settlement offer as presented, which included a no contest plea. Ms. Brown seconded. The motion passed.

3. a) BOUMA USA MANAGEMENT, LLC, Grand Rapids, Michigan – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by BOUMA USA MANAGEMENT, LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Temple made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

b) GRAND RAPIDS GLASS AND DOOR INC., Grand Rapids, Michigan – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by GRAND RAPIDS GLASS AND DOOR INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Broussard made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Barron seconded. The motion passed.

4. a) ALLIANCE BUILDERS CORPORATION, Metairie, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by ALLIANCE BUILDERS CORPORATION. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Broussard made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Temple seconded. The motion passed.

- b) **HJD CONSTRUCTION SOLUTIONS LLC**, McKinney, Texas – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by HJD CONSTRUCTION SOLUTIONS LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Stuart made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Jones seconded. The motion passed.

5. a) **CARRIERE-STUMM, 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 CARRIERE-STUMM, L.L.C. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Ms. Brown seconded. The motion passed.

- b) **SM ALAMO SYSTEM, LLC**, Nesbit, Mississippi – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by SM ALAMO SYSTEM, LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Broussard made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

6. a) **HOLYFIELD CONSTRUCTION, INC.**, Monroe, Louisiana – La. R.S. 37: 2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by HOLYFIELD CONSTRUCTION, INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

- b) **BAUEN SOLUTIONS LLC**, Sparta, Tennessee – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by BAUEN SOLUTIONS LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Broussard made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Joseph seconded. The motion passed.

7. **CM ELECTRIC, LLC**, Ferriday, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by CM ELECTRIC, LLC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Broussard seconded. The motion passed.

8. **MICHAEL L. GAINES**, Franklinton, Louisiana – La. R.S. 37: 2160(A)(1)

This matter was heard earlier in the meeting.

9. **MR A/C MAN LLC**, New Orleans, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of MR A/C MAN 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. Jones made a motion to find MR A/C MAN LLC to be in violation. Mr. Rushing seconded. The motion passed. Mr. Jones made a motion to assess the maximum fine plus \$1000 in administrative costs. Mr. Rushing seconded. The motion passed.

10. **BALLI PLUMBING INC.**, Chalmette, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of BALLI PLUMBING INC. 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. Temple made a motion to find BALLI PLUMBING INC. to be in violation. Mr. Jones seconded. The motion passed. Mr. Temple made a motion to assess the maximum fine plus \$1000 in administrative costs. Mr. Jones seconded. The motion passed.

11. **ADVANCED BUILDING SPECIALTIES, INC.**, Petal, Mississippi – La. R.S. 37: 2158(A)(7)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by ADVANCED BUILDING SPECIALTIES, INC. Brad Hassert, Compliance Director, who was previously sworn, was called to the stand and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Jones seconded. The motion passed.

E. STATUTORY CITATIONS:

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

OLD BUSINESS

F. COMPLIANCE HEARINGS/CONTINUANCES:

1. **360 RAIL SERVICES, LLC**, Englewood, Colorado – La. R.S. 37:2158(A)(6) and Rules and Regulations of the Board Section 135(A)

Michael Murray was present on behalf of 360 RAIL SERVICES, LLC and was sworn in. Ms. Evans gave a summary of the allegations. Mr. Murray entered a no contest plea. Mr. Temple made a motion to accept the plea. Mr. Broussard seconded. The motion passed. Compliance Investigators, Laurie LaRose and Sean Beavers, were called to the stand and were sworn in. Ms. LaRose reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Murray gave a statement to the board. The board questioned Mr. Murray. Mr. Hassert, Compliance Director, who was previously sworn, was called to the stand and provided testimony to the board. Mr. Clouatre made a motion to assess an administrative penalty of a \$1000 fine plus \$1000 in administrative costs, to give staff 5 days to review the records provided by 360 RAIL SERVICES, LLC and if the documents are not to the satisfaction of staff, to allow staff to suspend the company's license. Mr. Clouatre continued the motion to allow staff to reinstate the company's license once the requested documents are received to the satisfaction of staff. Mr. Joseph seconded. The motion passed.

2. **ALLEN MILLER D/B/A AK CONSTRUCTION**, Sulphur, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ALLEN MILLER D/B/A AK CONSTRUCTION. 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. Jones made a motion to find ALLEN MILLER D/B/A AK CONSTRUCTION to be in violation. Mr. Joseph seconded. The motion passed. Mr. Joseph made a motion to assess the maximum fine plus \$1000 in administrative costs. Mr. Jones seconded. The motion passed.

G. 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 5-14)

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

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

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

- b. Consideration of the actions of the **December 14, 2022**, Residential Building Subcommittee.

Mr. Temple made a motion to approve and ratify the actions taken at the December 14, 2022, Residential Building Subcommittee meeting and Mr. Jones seconded. The motion passed.

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

Based on Staff recommendations, Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on the agenda. Mr. Clouatre 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 18)

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 19-22)

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

5. Consideration of commercial applications as listed and attached to the agenda. (Pages 23-32)

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

H. **REPORTS:**

1. Finance Report (budget-to-actual comparisons) –

Mr. Dupuy asked for a motion to accept the financial statement for the period ending November 30, 2022, as presented. Mr. Weston made a motion to accept the financial statement for the period ending November 30, 2022, as presented. Mr. Broussard seconded. The motion passed.

Mr. Dupuy asked for a motion to adjust the items on the 2022 Operating Budget as listed on the accounting handout. Mr. Weston made a motion to adjust the items on the 2022 Operating Budget as listed on the accounting handout. Mr. Joseph seconded. The motion passed.

Mr. Dupuy asked for a motion to accept the Proposed 2023 Louisiana State Licensing Board for Contractors Operating Budget as presented. Mr. Clouatre made a motion to accept the Proposed 2023 Louisiana State Licensing Board for Contractors Operating Budget as presented. Mr. Broussard seconded. The motion passed.

2. Staff Report – Mr. McDuff addressed the board regarding the LSLBC Business and Law course.

<The following adjusts were made to the 2022 Operating Budget.>

REVENUES:

Increase:

Miscellaneous Fees	\$ 355,000.00
Exam Fees	\$ 342,000.00
License Fees	\$ 290,000.00
Interest-Invested License Fees	\$ 7,000.00

EXPENDITURES:

Increase:

Construction in Progress	\$ 144,938.00
Computer Supplies	\$ 50,000.00
Office Equipment	\$ 42,837.00
Other Professional Fees	\$ 25,000.00
Travel – Field Personnel	\$ 20,000.00
Terminal Leave Paid	\$ 20,000.00
Air Conditioning & Electrical Repair Services	\$ 16,000.00
Telephone	\$ 11,000.00
Supplies – Office	\$ 10,000.00
Travel – Board Members	\$ 10,000.00
Utilities	\$ 9,285.00
Janitorial, Lawn, Trash & Pest Control Services	\$ 7,000.00
Equipment Maintenance	\$ 5,600.00
Deferred Compensation	\$ 3,700.00
Postage	\$ 3,000.00
Automotive (Fuel, Oil Changes, Tires, Batteries)	\$ 2,000.00
Supplies – Building	\$ 1,500.00
General Insurance	\$ 1,200.00

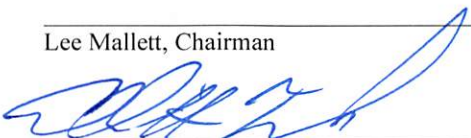
Decrease:

Salaries	(\$180,000.00)
Exam Program	(\$100,000.00)
Retirement	(\$ 90,000.00)
Rental Equipment	(\$ 20,000.00)
Computer Equipment	(\$ 20,000.00)
Attorney Fees	(\$ 17,000.00)
Building Repairs & Maintenance	(\$ 13,000.00)
Employment Security	(\$ 5,000.00)
Professional Development	(\$ 5,000.00)
Dues & Software Subscriptions	(\$ 4,000.00)

ADJOURNMENT

Mr. Broussard made a motion to adjourn at 10:25 a.m., and Mr. Cloutre seconded. The motion passed unanimously.

Lee Mallett, Chairman



Elliott Temple, Secretary