

STATE LICENSING BOARD FOR CONTRACTORS

COMMERCIAL BOARD

MEETING MINUTES

February 17, 2022

The regular meeting of the Commercial Board was called to order by the Chairman, Lee Mallett, on Thursday, February 17, 2022, at 9:32 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Board present:

- William J. Cloutre, Vice Chairman
- Lloyd “Chip” Badaeux
- Brian J. Bordelon
- N.R. “Noah” Broussard
- Nelson A. “Andy” Dupuy, Jr.
- Courtney Fenet, Jr.
- Kenneth Jones
- Curtis Joseph
- Donald G. Lambert
- Garland Meredith
- Joel Rushing
- Christopher N. Stuart
- Victor Weston

Chairman, Lee Mallett, and Members, Ronald Barron, August Gallo, Jr., Danny R. Graham, Elliott L. Temple and Keith A. Tillage 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, Trulisa Hollinds, Lowana Cola, and Monica Davis; Compliance Director, Brad Hassert; Compliance Investigators, Sean Beavers and Wayne Augillard; and Tarah Revette recording the minutes.

Mr. Jones 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. Lambert made a motion to accept the Minutes of the **January 20, 2022**, regular meeting. Mr. Meredith seconded. The motion passed.

Mr. Hassert introduced guests Ken Naquin with the Louisiana Associated General Contractors and Chimene St. Amant, Alex Reinboth and 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

D. COMPLIANCE HEARINGS:

1. **PERRIER ESQUERRE CONTRACTORS, LLC**, St. Rose, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PERRIER ESQUERRE CONTRACTORS, 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.

2. **ROOFING STEEL CONSTRUCTION LLC**, New Orleans, Louisiana – La. R.S. 37:2160(A)(1)

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

3. **LISCO, L.L.C.**, Abbeville, Louisiana – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by LISCO, L.L.C. Mr. Joseph made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Rushing seconded. The motion passed.

4. a) **EDNA LUMBER CO., INC.**, Edna, Texas – La. R.S. 37:2158(A)(4)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by EDNA LUMBER CO., 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) **EFRAIN MAYA**, Lafayette, Louisiana – La. R.S. 37:2160(A)(1)

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

5. **STEVEN A. MARCEL D/B/A STEVEN A. MARCEL'S ELECTRIC AND/OR MARCEL ELECTRICAL CONTRACTORS**, Houma, Louisiana – La. R.S. 37:2160(A)(1)

Ms. Evans gave a summary of the allegations and made a correction to the total project value listed on the agenda, which was corrected to \$35,000.00. No one was present on behalf of STEVEN A. MARCEL D/B/A STEVEN A. MARCEL'S ELECTRIC AND/OR MARCEL ELECTRICAL CONTRACTORS. Brad Hassert, Compliance Director, was called to the stand. Mr. Hassert, Ms. Evans and Investigator Sean Beavers were sworn in. Mr. Hassert reviewed the exhibit packet and provided testimony for the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. The board questioned Mr. Landreneau and Mr. Hassert regarding this matter. Mr. Weston made a motion to find STEVEN A. MARCEL D/B/A STEVEN A. MARCEL'S ELECTRIC AND/OR MARCEL ELECTRICAL CONTRACTORS to be in violation. Mr. Joseph seconded. The motion passed. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Joseph seconded. The motion passed.

6. **MILLS LAKE CONSTRUCTION, 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 MILLS LAKE CONSTRUCTION, 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 MILLS LAKE CONSTRUCTION, LLC to be in violation. Mr. Jones seconded. The motion passed. The board questioned Mr. Landreneau regarding this matter. Mr. Weston made a motion to assess the maximum fine plus \$500 in administrative costs. Mr. Joseph seconded. The motion passed.

7. **TIGERLAND WASHATERIA, 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 TIGERLAND WASHATERIA, LLC. Mr. Weston made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Stuart 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. Badeaux seconded. The motion passed.

OLD BUSINESS

F. COMPLIANCE HEARINGS/CONTINUANCES:

Matters 1 and 2 under Compliance Hearings/Continuances were consolidated.

1. **ACCARDO AND LAMBERT PLUMBING AND HEATING, INC.,** New Orleans, Louisiana – La. R.S. 37:2158(A)(5), 3 counts
2. **ACCARDO AND LAMBERT PLUMBING AND HEATING, INC.,** New Orleans, Louisiana – La. R.S. 37:2158(A)(5)

Ms. Evans gave a summary of the allegations and read the settlement offer for matters 1 and 2 presented by ACCARDO AND LAMBERT PLUMBING AND HEATING, INC. Ms. Evans also read into the record a letter the attorney representing ACCARDO AND LAMBERT PLUMBING AND HEATING, INC. sent to the board. Mr. Landreneau entered the letter into evidence as an exhibit and it was admitted. Mr. Dupuy made a motion to accept the settlement offer as presented, which included a no contest plea, the suspension of the company's commercial license 46652 and suspension of the qualifying party status for 8946085 for a period of two (2) years. Mr. Stuart seconded. The motion passed.

G. REQUEST FOR REHEARING:

1. **ACKEL CONSTRUCTION COMPANY, LLC,** Harahan, Louisiana – La. R.S. 37:2158(A)(3) and Rules and Regulations of the Board Section 705(A)

Mr. Lambert and Mr. Badeaux recused themselves from this matter. Attorneys, Gray Sexton and Matthew Pepper, were present on behalf of ACKEL CONSTRUCTION COMPANY, LLC. Mr. Sexton gave a statement to the board regarding the rehearing request. Mr. Dupuy made a motion to grant the rehearing request. Mr. Weston seconded. During discussion, the board questioned Mr. Landreneau regarding the board's previous action taken for this matter. The motion was then called to a vote and the motion passed. Ms. Evans gave a summary of the allegations. Mr. Sexton entered a denial plea. Investigator Sean Beavers, who was previously sworn, was called to the stand. Mr. Beavers reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Landreneau questioned Mr. Beavers. Mr. Landreneau resubmitted into evidence the previous testimony from the Commercial Meeting held on November 18, 2021, provided by Mr. Beavers into the record and it was admitted. Mr. Landreneau continued his questioning of Mr. Beavers. Mr. Sexton questioned Mr. Beavers. Mr. Landreneau requested to redirect and questioned Mr. Beavers. The board questioned Mr. Sexton. Mr. Pepper and Mr. Sexton questioned Mr. Beavers. Mr. Landreneau requested to redirect and questioned Mr. Beavers. Mr. Badeaux addressed the board. The board questioned Mr. Beavers. Mr. Sexton requested the board to recall the previous testimony from the Commercial Meeting held on November 18, 2021, provided by Mr. Ackel. Mr. Landreneau began his closing statement. Mr. Sexton addressed the board and requested to return to the evidentiary portion of the hearing. The board questioned Mr. Sexton and Mr. Pepper. Mr. Sexton entered an exhibit packet into evidence and the exhibit packet was admitted. Mr. Landreneau continued with his closing statement to the board. Mr. Meredith addressed the board. Mr. Sexton also have his closing statement to the board. The board questioned Mr. Sexton and Mr. Landreneau. Mr. Jones made a motion to find ACKEL CONSTRUCTION COMPANY, LLC to be in violation. Mr. Joseph seconded. The motion passed. Mr. Joseph made a motion to assess an administrative penalty of \$10,000 plus \$500 in administrative costs. Mr. Meredith seconded. The motion passed.

2. **SEAN'S LANDSCAPING, LLC,** New Orleans, Louisiana – La. R.S. 37: 2160(A)(1)

Ms. Evans stated that staff had requested this rehearing. Mr. Weston made a motion to grant the rehearing request. Mr. Jones seconded. The motion passed. Ms. Evans gave a summary of the allegations and read the settlement offer presented by SEAN'S LANDSCAPING, LLC. Mr. Weston made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Jones seconded. The motion passed.

H. 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 5-18)

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

Mr. Badeaux 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 **February 16, 2022**, Residential Building Subcommittee.

Mr. Badeaux made a motion to approve and ratify the actions taken at the February 16, 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 19-22)

Based on Staff recommendations, Mr. Dupuy made a motion to approve the exemptions based on Reciprocity as listed on the agenda. Mr. Joseph 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 23)

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

4. Consideration of additional classifications as listed and attached to the agenda. (Pages 24-26)

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 27-37)

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

I. REPORTS:

1. Staff Reports – Ms. Dupuy, Ms. Riggins, and Mr. McDuff gave a report on the implementation of the new LSLBC’s online application process effective February 7, 2022.
2. Finance Report – Mr. Dupuy asked for a motion to accept the financial statement for the period ending January 31, 2022, as presented. Mr. Weston made a motion to accept the financial statement for the period ending January 31, 2022, as presented. Mr. Meredith seconded. The motion passed.

Before adjournment, Mr. Weston complimented Ms. Janna Lege, Human Resources Director, for her assistance and guidance to board members regarding the mandatory annual training.

ADJOURNMENT

Mr. Dupuy made a motion to adjourn at 11:12 a.m., and Mr. Badeaux seconded. The motion passed unanimously.

Lee Mallett, Chairman

Elliott Temple, Secretary