

Louisiana State Uniform Construction Code Council (LSUCCC)
September 14, 2010
10:00AM
8181 Independence Boulevard
Baton Rouge, Louisiana 70806
Meeting Minutes

The Chair welcomed all present and **called the meeting to order at 10:00am**

The Pledge of Allegiance was recited.

The Chair requested a roll call of the members which reflected the following:

Members Present: Mr. Bourgeois; Mr. Brown; Mr. Byrd; Mr. Courouleau; Mr. Gadberry; Mr. Gil; Mr. Holden; Mr. Kothe; Ms. McKinney; Mr. Metcalf; Mr. Noel; Mr. Thibodeaux; Mr. Trosclair.

Members Absent: Mr. Barry; Mr. Boudreaux; Mr. J. Henderson; Mr. M. Henderson; Mr. Lucky; Ms. Mire.

Excused absence: Mr. Barry; Mr. Boudreaux; Mr. J. Henderson; Mr. M. Henderson; Mr. Lucky; Ms. Mire.

13 members present and 6 members absent constitute a Quorum.

In order to accommodate the meeting schedules of participants from other state agencies, the Chair decided to address items on the agenda out of order, choosing to begin with item 3 under new business.

The Chair opened the floor for a review and discussion plan review and inspection requirements for local public schools, local public and recreational facilities. Carey Chauvin, Chief Building Official, City of Baton Rouge addressed the Council. He expressed his concerns with local School Boards and public recreational facilities feeling that they are exempt from the local permitting, plan review, and inspection process. Gary Jones, Assistant Commissioner of Administration for the State of Louisiana, stated to the Council that local school systems and recreational facilities are not state buildings regulated by the Office of Facility Planning and Control. For this reason, Mr. Jones stated that these projects should be, and are subject to local jurisdictional review and inspections for compliance with the building codes, by the local jurisdictions. A **motion** was made by Ms. McKinney that the Council send a letter to the Office of Facility Planning and Control requesting confirmation of the information presented to the Council regarding the responsibility of plan review and inspection for local schools and recreational facilities and received a second from Mr. Holden. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

The Chair opened the floor for a review and discussion of the use of grease traps and interceptors. Mr. Bourgeois presented information regarding the use of interceptors in lieu of grease traps when dealing with food preparation in retail locations where the use was not determined at the time of construction. His concern is that DHH has failed inspections where interceptors were used, and that the trap requirement is not cost effective for small establishments with little use for a full grease trap. The Council heard comments from local business owners regarding this matter. The Council also heard

comments from Jake Causey, Acting Chief Engineer with the Department of Health and Hospitals, in which he presented information concerning the LA State Plumbing Code, specifically definitions of term that apply, and requirements enforced by plumbing officials. After much discussion it was determined that while all the comments were relevant to the topic, it is the responsibility of DHH and State Plumbing Board to address matters of interpretation. **No action required.**

The Chair opened the floor for a review and discussion of compliance issues for temporary construction offices. Mr. Gadberry asked the Council for some clarification on the permit, plan review and inspection requirements for temporary construction offices. Joe Delaune of the Office of the State Fire Marshal, offered information to clarify the requirements under the Industrial Modular Act, which does address temporary construction trailers prior to them being built and place on site. The manufacturer would need to submit a scope prior to the trailer being manufactured. In addition the SFM office does have an expedited process for these structures. The Chair requested that this matter be referred to the Code Enforcement Advisory committee for further clarification. **No action required.**

Returning to the beginning of the agenda, the Chair opened the floor for the review and adoption of the meeting minutes of the August meeting. A **motion** was made by Ms. McKinney to adopt the minutes from the August 10, 2010 LSUCCC meeting and received a second from Mr. Noel. The chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted.**

A **motion** was made by Mr. Noel to conduct the next LSUCCC meeting in Baton Rouge on October 12, 2010, at 10:00AM and received a second from Ms. McKinney. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted.**

The Chair opened the floor for a Technical Codes Study and Advisory committee report from Ms. McKinney. Ms. McKinney stated that the committee met on August 24, 2010 to review the response to H.R. 80. A **motion** was made by Ms. McKinney to accept the final response to H.R. 80, and forward the response to the appropriate House and Senate Committees and received a second from Mr. Noel. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted.**

The technical committee also reviewed the responses to written comments received in response to the APA rule concerning the adoption of the 2009 International codes. A **motion** was made by Ms. McKinney to accept the finalized response to be sent to the appropriate authors, and additionally the oversight committees and received a second from Mr. Noel. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted.**

The technical committee also reviewed a proposed emergency rule regarding fire wall separation in the newly promulgated 2009 International Codes, the proposed rule will provide for comparable fire protection by replacing language previously removed. A **motion** was made by Ms. McKinney to accept the finalized language of the rule regarding fire separation distance and fire resistant rated walls and received a second from Mr. Bourgeois. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted.**

The Chair opened the floor for a Code Enforcement Advisory Committee report from Mr. Noel. Mr. Noel began with information regarding complaints filed against Delvin Portier and Karen Dillard. Mr. Quidd suggested the Council go into an executive session so that he could advise his client in more detail. A **motion** was made by Randy Noel for the Council to adjourn the regular meeting to an executive session and received a second from Mr. Metcalf. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Randy Noel for the Council to adjourn the executive session and return to the regular council meeting and received a second from Mr. Brown. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

The Council took a five minute break after executive session. To resume to the meeting agenda the Chair continued to hear the CEA Committee report. Upon further discussion of the most recent complaints received on Karen Dillard and Delvin Portier. A **motion** was made by Mr. Noel to proceed with the formal proceedings against Karen Dillard and Delvin Portier and received a second from Mr. Brown. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

Continuing with the report Mr. Noel stated the Judgment on the ruling concerning the temporary restraining order has not been signed by both attorneys. And finally, the council has opened some new files on complaints received, with more information to follow at a later date. **No action required**.

The Chair opened the floor for the review and discussion of the GOHSEP grant award revisions. To begin Mr. Jobe requested that an item be added to the agenda to consider the revisions submitted by East Feliciana Parish. A **motion** was made by Mr. Noel to add an agenda item under new business to consider the request of East Feliciana Parish, and received a second from Mr. Gadberry. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**. Additionally Ms. Jobe noted that the Town of Stonewall and Parish of Richland rescinded their amendment requests.

A **motion** was made by Mr. Noel to accept the GOHSEP grant award revision for the City of Hammond and received a second from Mr. Courouveau. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Mr. Noel to accept the GOHSEP grant award revision for the City of Westlake and received a second from Mr. Gil. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Mr. Noel to accept the GOHSEP grant award revision for the Parish of Avoyelles, as amended with the office space of \$10,800 and the remaining balance in office furniture and received a second from Mr. Courouveau. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Mr. Noel to accept the GOHSEP grant award revision for Jefferson Parish and received a second from Mr. Metcalf. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Mr. Noel to accept the GOHSEP grant award revision for East Feliciana Parish, the clarification that the maximum is \$18,000 per vehicle, and the salary is for new hired positions and received a second from Mr. Courouveau. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

The chair opened the floor for a status report on the GOHSEP grant. Mr. Noel stated that an ALG did meet to review new applications. The Committee has set a deadline of October 30, 2101 for a status report from the jurisdictions on how they are spending the money. It may be possible based on those reports that money will go back into the collective to be redistributed to the applications received.

A **motion** was made by Mr. Noel to ratify the awards recommendations for the Town of Berwick in the amount of \$129,800 and the City of Patterson in the amount of \$15,000 dollars; it received a second from Mr. Gil. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

Mr. Noel asked the Council for a review and discussion as to how the application from Lafourche Parish should be considered under the original conditions of the grant. The committee decided the priority in the order of new code office, existing code offices taking in new jurisdictions and finally existing code offices. The committee was unsure how to consider Lafourche Parish in the priority based on their previous contractual relationship with South Central Planning and Development Commission. They are therefore asking the Council for some direction. After some discussion it was determined that when further reviewing applications received by the committee, they are to treat Lafourche Parish as a new code office in the priority of issuing the remaining funds. **No action required**.

The Chair announced the appointment of Lavern Bourgeois as the vice-chairman of the Aid to Local Government committee, and David Thibodeaux as a member of the Aid to Local Government committee.

With no other items on the agenda, and no motion to accept other business. A **motion** was made by Mr. Noel to adjourn and with no objection the meeting was adjourned at 12:33pm.

END OF MINUTES