

Louisiana State Uniform Construction Code Council (LSUCCC)
May 16th, 2017
8181 Independence Blvd
Baton Rouge, Louisiana 70806
Meeting Minutes

The Chair welcomed all present and **called the meeting to order at 11:05 AM**

The Pledge of Allegiance was recited.

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

Members Present: Mr. Brown; Mr. Byrd; Mr. Cabirac; Mr. Campbell; Mr. Causey; Mr. Courouleau; Ms. Dadakis; Mr. Dhume; Mr. Gootee; Mr. Heier; Mr. Harris; Mr. Hebert; Mr. Kramer; Mr. Miller; Mr. Peers; Mr. David Robinson; Mr. Raimer; Mr. Stevens; Mr. David Thibodeaux; Mr. Wallace

Members Absent: Mr. Raimer

Excused absence: Mr. Raimer

19 members present and 1 member absent constitute a Quorum.

The Chair opened the meeting recognizing and welcoming the new members that have been appointed to the Council.

A **motion was made** by Mr. Dhume to adopt the minutes from the March 14th, 2017 meeting. The **motion received a second** from Mr. Jerry Hebert. The Chair asked if there were any objections to the motion. There were no objections and the **motion was approved**.

Tentative date for the next meeting June 13th, 2017. This is to be addressed on item #4 under New Business.

Technical Codes Study and Advisory Committee Reports. (Jerry Hebert)

Mr. Hebert stated the committee has not met since the previous meeting. The Spray Foam review committee has been meeting and a summarization by Mr. Bobby Byrd was presented to the Council. Once the Spray Foam review committee has completed their review then recommendations will be presented to the Technical Committee for review and approval.

Legislation Advisory Committee Report (Jackie Dadakis)

Senate Bill 228 (SB228) is being watched by the committee. The bill has to do with Manufactured Homes. It calls for building inspectors to inspect the inside of the manufactured homes. This is a direct conflict with current revised statutes. The bill only calls out one parish, East Baton Rouge. The Manufactured Housing Commission is aware of the bill at this time. The Council cannot take a position or a stand on any legislation either way, it is information only.

Code Enforcement Advisory Committee Report (David Thibodeaux)

There has not been a meeting and no report at this time. However, there is an investigation that is underway and depending on the outcome of the investigation it may be brought to the attention of the Code Enforcement Advisory Committee at a later date.

New Business:

1. Recognition of Building Safety Month. (Bobby Byrd)

The Chair turned the floor over to Mr. Mark Roberts to speak on behalf of the proclamation by the LSUCCC recognizing May as Building Safety Month. The Chair read the proclamation to the Council members and those present in the audience. The Chair then signed the proclamation.

2. Update on NEC Training Classes presented in April. (Mark Joiner)

Mr. Mark Joiner gave an update to the Council and those present concerning that NEC Training Classes that were attended in different areas throughout the state by Building Officials and Inspectors. Mr. Jeff Sargeant was the instructor of the class and the classes were well attended in each area of the state.

3. Update on status of codes being adopted with July 1st, 2017 effective date. (Bobby Byrd/Mark Joiner)

Mr. Joiner presented the updated information on the status of the codes. Mr. Joiner stated that there had been several positive comments from the public and those in the business world that were favorable to the codes that are up for adoption. There was only one concern that was brought forth in a public hearing and that was the changes being made concerning freeboard. The amendment to the code will move the jurisdiction of freeboard to the local level since they are more aware of the needs and concerns of flooding in their area.

Mr. Heier requested to be able to make a motion to change the effective date of the code adoption from a July 1st, 2017 to July 1st, 2018 due to concerns for those individuals, municipalities, local government and businesses that are still recovering from the 2016 floods. This would allow these groups to continue their restoration and rebuilding to remain under the codes that were in affect during the 2016 flood.

Mr. Crouch, Counsel for the LSUCCC, asked if the item that Mr. Heier wanted to address was on the agenda. There was discussion concerning whether this was an agenda item or not. Mr. Joiner noted the revised statue and that the codes would have to be adopted within 5 years, which would be August 1st 2018. Mr. Roberts spoke to the council and those in attendance, stating that in order for this to be added to the agenda there would have to be a motion, the motion would need a unanimous vote of the body, and also there would need to be time given for the public to be notified in order to provide comment to the item being presented. Counsel noted that the code adoption has already been approved by the council in the past. The promulgation is just part of the process of the adoption that has already been approved. The documents are public for viewing. During discussion it was requested that the record reflect a change, the previous code adoption of the 2012 code was completed in January 1, 2016 and not January 1st, 2017, as stated during recording. Mr. Brown stated that this was a 2 year process and the agenda item was a simple update on the status of the adoption of the new codes. Counsel again cautioned the council on the need to bring a motion to amend the agenda and for the record read the law concerning take up a matter not on the agenda:

RS 42:19 Notice of meetings

(cc) Upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda. Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion in accordance with R.S. 42:14 or 15.

A **motion was made** by Mr. Heier to amend the agenda to change the effective date of the codes up for adoption from July 1, 2017 to July 1st, 2018. The **motion received a second** from Mr. Causey. The Chair asked if there were any opposition to the motion and opened the floor for discussion. There was opposition to the motion. During discussion a concern was noted that proper public notice was not being provided. The motion was moved to a vote of the members present. The vote reflected 10 Yes, 9 No. The motion requires a unanimous vote of the members present; due to opposition the motion did not pass.

Mr. Heier requested that this item be added to the agenda for the next meeting.

4. Discussion on LSUCCC meetings for summer months. (Bobby Byrd)

The Chair opened the floor for discussion concerning if the council would be meeting in the month of June or would be opting to take the month off for vacation. Typically the council has taken off a month during the summer for vacation.

A **motion was made** by Mr. Kramer to set the June meeting for June 13th, 2017. The **motion received a second** from Mr. Heier. The Chair asked if there was any opposition to the motion, there was opposition. The floor was opened for discussion. The Chair requested a vote of the members present. The vote was 16 Yes, 4 No. The motion passed. The next LSUCCC meeting will be held on June 13th, 2017 at the State Fire Marshal's Office 8181 Independence Blvd Baton Rouge, LA, in the Large Conference Room.

The Chair called a point of order on discussion during the meeting outside of the agenda items. It was noted that the process of the new code adoption went through the Technical Committee and a two year process before they were voted on and sent to the register. On June 13th there will be a Technical Committee meeting prior to the LSUCCC meeting.

With no other items on the agenda the Chair requested a motion to adjourn, which was made by Mr. Miller. There was a second to the motion by Mr. Courouveau. The meeting adjourned at 12:10 PM

END OF MINUTES