

Louisiana State Uniform Construction Code Council (LSUCCC)

November 14, 2006

10:00am

**Office of State Fire Marshal
Baton Rouge, Louisiana 70806**

Meeting Minutes

Mr. Noel opened the meeting by welcoming all present and **called the meeting to order at 10:10 am.**

The Pledge of Allegiance was recited.

Mr. Noel requested a roll call of the members present which reflected the following.

Members Present: Mr. Lavern Bourgeois; Mr. Kevin Derbigny; Mr. Chad Deshotel; Mr. Tony Guthans; Ms. Denise Jobe; Mr. Ray Kothe; Ms. Karen McKinney; Ms. Joan Mire; Mr. Scott Murphy; Mr. Randy Noel; Mr. Todd Trosclair; Ms. Prisca Weems

Members Absent: Mr. Steven Hackworth; Mr. Randy Lucky; Mr. Michael Landry; Mr. James Mayo; Mr. James Simmons; Mr. Leroy Sullivan; Mr. Wayne Touchet.

12 members present and 7 members absent constitute a quorum.

The next regular scheduled meeting will be in Lake Charles, Louisiana at 10:00am at the Calcasieu Police Jury meeting room located at 1015 Pithon Street, Lake Charles, Louisiana 70601-5244.

A **motion** was made by Mr. Deshotel to adopt the meeting minutes from the October 9, 2006 meeting. The motion received a second from Ms. Weems and with no further discussion the chair requested a vote of the members present which reflected a vote of 12 yes and 0 no and the **motion was adopted.**

The chair opened the floor for discussion of adoption of the Administrative Chapter. The chair requested the status of the Attorney Generals office. Ms. Burkett, staff legal counsel, stated that, by email, she was informed that the opinion has been rendered but is not available for release at this time. Mr. Bourgeois, for the last time, expressed his concern with the Administrative Chapter being removed from the Louisiana State Uniform Construction Code Statute.

A **motion** was made by Ms. McKinney to convey the Administrative Study and Development Committee to develop and Administrative Chapter as a recommended guide for Authority Having Jurisdiction (AHJ) to adopt. The motion received a second from Mr. Kothe to include notification of the Attorney General Opinion status. With no further discussion 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 schedule the public hearing for substantive rule changes on December 20, 2006 at 10:00 am at the Office of State Fire Marshal.

The motion 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.**

A **motion** was made by Mr. Kothe to authorize the LSUCCC legal counsel to declare the rule revisions and emergency and take whatever action is necessary, and sign the necessary documents, and received a second from Ms. Jobe and with no further discussion 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 and the LSUCCC Administrator discussed the status of the two (2) grant programs. **No action required.**

A **motion** was made by Mr. Noel to authorize distribution of the LSUCCC public comment response letter and received a second from Mr. Deshotel. 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 discussion of the Building Official's (BO) duties and responsibility. Mr. Frank Morris, from the audience, requested a clarification for scenario No. 1 relative to the BO continuing to perform the job functions/tasks that he/she was allowed to perform prior to January 1, 2007. Ms. Jobe stated that the BO can conduct plan review and inspections in addition to administrative duties.

After much confusion relative to the BO recommended duties and responsibilities a **motion** was made by Mr. Kothe to revisit the written duties as compared to the published rules and come back to the LSUCCC thereafter and received a second from Mr. Bourgeois. With no further discussion 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 discussion of approval of the proposed Building Code Enforcement Officer (BCEO) registration form. The LSUCCC Administrator discussed the details with the development and need for approval of the form. Mr. Kothe suggested adding the continuing education unit requirements (CEU) on the form. Mr. Todd Trosclair requested adding the line for residential plumbing inspector classification. A **motion** was made by Ms. Weems to approve the form after incorporation of the requested revisions by Mr. Kothe and Mr. Trosclair and authorize the LSUCCC Administrator to begin the registration process. The motion received a second from Mr. Guthans and with no further discussion the chair request 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 discussion of the proposed alternate enforcement method to require the permit applicant to take responsibility for compliance with the requirements of plan review and inspection of their permitted structures. Ms. McKinney expressed her concern with this enforcement method. Mr. Kothe expressed his concern with this enforcement method.

Mr. Mark Joiner, from the audience, requested the LSUCCC to request an Attorney General opinion as to whether the requirements of Act 12 requires the AHJ to provide plan review and inspection services prior to issuance of a permit and issuance of a certificate of occupancy respectively. Mr. Dan Garrett with the Louisiana Police Jury Association (LPJA), from the audience, expressed his members' frustration with the requirements of Act 12 and the inability of some of his members to comply due to lack of funding resources. A **motion** was made by Mr. Kothe to request an Attorney General opinion relative to the above discussion and received a second from Mr. Bourgeois. With no further discussion 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 presentation was made by Mr. Robert Wible and Mr. Paul Watkins relative to information technology available for the permitting and inspection process.

There being no further business a **motion** was made by Mr. Deshotel to adjourn and received a second from Mr. Guthans and with no action required the **meeting was adjourned at 1:18 pm.**