

Louisiana State Uniform Construction Code Council (LSUCCC)
March 13, 2007
10:00am
Office of State Fire Marshal
Baton Rouge, Louisiana 70806
Meeting Minutes

Mr. Noel welcomed all present and **called the meeting to order at 10:03 am.**

The Pledge of Allegiance was recited.

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

Members Present: Mr. Chad Deshotel; Mr. Anthony Guthans; Mr. Steven Hackworth; Ms. Denise Jobe; Mr. Ray Kothe; Mr. Randy Lucky; Mr. Michael Landry; Ms. Karen McKinney; Mr. Randy Noel; Mr. Wayne Touchet; Ms. Prisca Weems.

Members Absent: Mr. Lavern Bourgois; Mr. James Mayo; Mr. Scott Murphy; Mr. James A. Simmons; Mr. Leroy Sullivan; Mr. Kevin Derbigny; Ms. Joan Mire; Mr. Todd Trosclair.

11 Members present and 8 members absent constitute a Quorum.

Ms. Mire arrived at 10:11 am.

Mr. Bourgeois and Mr. Trosclair provided cause to be excused prior to the meeting.

The chair addressed the LSUCCC and the audience for meeting protocol.

A **motion** was made by Mr. Touchet to adopt the minutes from the February 13, 2007 meeting and received a second from Mr. Kothe. The chair requested a vote of the members present which reflected a 11 yes and 0 no, and the **motion was adopted.**

A **motion** was made by Mr. Deshotel to conduct the April 10, 2007 LSUCCC meeting in Lafayette, Louisiana at 10:00 am and received a second from Mr. Touchet. The chair requested a vote of the members present which reflected a vote of 11 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Touchet to refer to the Code Enforcement Advisory Committee (CEAC) development and recommendation of a rule for initial employment of a Building Official and appointment of more than one (1) Building Official and received a second from Mr. Deshotel. 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 submittal of construction documents to the Office of State Fire Marshal (OSFM). Ms McKinney introduced a proposed rule that would allow architects, engineers and owners of commercial projects to make a submittal of the construction documents directly to the OSFM for plan review in jurisdictions where no code enforcement procedures are in place. Mr. Kothe suggested placing a time limitation on the rule of 12/31/07.

A **motion** was made by Ms. McKinney to promulgate an emergency rule for 120 days and permanent thereafter where absence of plan review by the Authority Having Jurisdiction (AHJ) architects, engineers and owners of commercial projects shall submit construction documents directly to the OSFM for plan review and received a second from Mr. Touchet. Mr. Kothe offered a **friendly amendment** to the motion to expire the permanent rule after 12/31/07 and received a second from Mr. Lucky. The chair requested a vote on the amendment which reflected a vote of 12 yes and 0 no and the **amendment was adopted**. The chair requested a vote on the original motion which reflected a vote of 12 yes and 0 no and the **motion as amended was adopted**.

The chair opened the floor for discussion for homeowners to contract with Third-Party Provider (TPP). Mr. Noel reminded the LSUCCC of Roberts Rule of Order relative to this issue. The chair stated that only a member who voted against this issue can propose a re-introduction of the item. A **motion** was made by Mr. Hackworth (an original opponent) to reconsider the original motion from the 2/13/07 meeting to allow TPP's to contract with home owners and received a second from Mr. Landry. The chair requested a vote of the members present which reflected a vote of 4 yes and 8 no with the no votes being cast by Mr. Deshotel, Mr. Guthans, Ms. Jobe, Mr. Kothe, Mr. Lucky, Ms. Mire, Mr. Noel and Ms. Weems and the **motion failed** for lack of a 2/3's affirmative vote.

A **motion** was made by Ms. McKinney allow TPP's who are Louisiana Licensed Architects or Engineers to provide plans review and/or inspection for single family residences without ICC Certification after 1/1/08 and received a second from Mr. Touchet. The chair requested a vote of the members present which reflected a vote of 3 yes and 9 no with no votes being cast by Mr. Deshotel, Mr. Guthans, Mr. Hackworth, Ms. Jobe, Mr. Kothe, Mr. Landry, Mr. Lucky, Ms. Mire, Ms. Weems and the **motion failed** due to a lack of 2/3's affirmative vote.

A **motion** was made by Mr. Noel to request the LSUCCC legal counsel to contact the Boards that control licensing of Architects and Engineers to determine whether application of promulgated Rule 905 is in conflict with the laws regulating these individuals, and received a second from Mr. Kothe. The chair requested a vote of the members present which reflected a vote of 12 yes and 0 no and the **motion was adopted**.

A presentation was made by Mr. Peter Rahzino from Flying Fish relative to training.

Mr. Noel presented an up-date on the grant and aid to Local Governments Funding for State Code Enforcement.

A **motion** was made by Mr. Noel to convene the Aid to Local Government Committee to review applications for the 14 million dollar FEMA Grant and received a second from Mr. Lucky. The Chair requested a vote of the members present which reflected a vote of 11 yes and 0 no with Mr. Kothe being out of the room at the time of the vote and the **motion was adopted**.

A **motion** was made by Mr. Noel to clarify that the 14 million dollar grant will be applicable to all jurisdiction and thank the Governor for the funding provided and received a second from Ms. Jobe. The chair requested a vote of the members present which reflected a vote of 11 yes and 0 no with Mr. Kothe being out of the room at the time of the vote and the **motion was adopted**.

A **motion** was made by Mr. Noel to ratify the award of \$1,043,569.36 to include \$90,300.00 to Cameron Parish and \$40,000.00 for Madison Parish and \$5,000.00 to Cameron Parish for training. The chair recapitulated the awards and received a second from Ms. Weems. The chair requested a vote of the members present which reflected a vote of 11 yes and 0 no with Mr. Touchet being excused from the meeting at this time and the **motion was adopted**.

A **motion** was made by Mr. Lucky to adopt the committee assignments to reflect the following:
Aid to Local Government and Grant Review Committee – Mr. Randy Noel (Chair) – 3 members constitutes a quorum.

Mr. Randy Lucky, Ms. Denise Jobe, Mr. Randy Noel, Mr. Tom Ed McHugh,
Roland Darte

Code Enforcement Advisory Committee – Mr. Ray Kothe (Chair) – 4 members constitutes a quorum.

Ms. Denise Jobe, Mr. Ray Koth, Mr. James Simmons, Mr. Steven Hackworth,
Mr. Mike Landry, Mr. Chad Deshotel, Ms. Karen McKinney

Administrative Advisory Committee – Mr. Lavern Bourgeois (Chair) – 4 members constitutes a quorum.

Mr. Lavern Bourgeois, Mr. Leroy Sullivan , Mr. James Mayo, Mr. Randy Lucky
Ms. Prisca Weems, Mr. Wayne Touchet

Technical Codes Study and Advisory Committee – Mr. Tony Guthans (Chair) – 5 members constitutes a quorum.

Mr. Tony Guthans, Ms. Prisca Weems, Mr. Kevin Derbigny, Ms. Joan Mire, Mr.
Todd Trosclair, Ms. Karen McKinney, Mr. Scott Murphy, Mr. Lavern Bourgeois

And received a second from Ms. Mckinney. The chair requested a vote of the memebbers present which reflected a vote of 11 yes and o no and the **motion was adopted**.

Establishment of procedures for complaint resolution for non-compliant enforcement by a jurisdiction and Third-Party Providers to be referred to the CEAC for study and recommendaiton. **No action required**.

The LSUCCC Administrator announced plans to partner with La. Public Broadcasting Co. to develop a building code public awareness program. The program will be coordinated with assistance from DPS public information office. **No action required**.

A **motion** was made by Mr. Deshotel to open the meeting for other new business and received a second from Mr. Kothe. The chair requested a vote of the members present which reflected a vote of 11 yes and 0 no and the **motion was adopted** and the meeting was open for new business items not orginally shown on the public notice.

LSUCCC Meeting Minutes
February 13, 2007
Page 4 of 4

The chair talked about the development of the statewide IT system and announced the forthcoming survey for development of a road map and workshop. **No action required.**

A **motion** was made by Mr. Deshotel to adjourn and received a second by Mr. Lucky and the meeting was adjourned at 11:52 am.