

Louisiana State Uniform Construction Code Council (LSUCCC)
January 9, 2007
10:00am
City of Houma

Meeting Minutes

Mr. Noel welcomed all present and **called the meeting to order at 10:00 am.**

The Pledge of Allegiance was recited.

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

Members Present: Mr. Lavern Bourgeois; Mr. Chad Deshotel; Mr. Anthony Guthans; Mr. Steven Hackworth; Mr. Ray Kothe; Mr. Randy Lucky; Mr. Michael Landry; Mr. Randy Noel; Mr. Wayne Touchet; Mr. Todd Trosclair;

Members Absent: Mr. Kevin Derbigny; Ms. Denise Jobe; Mr. James Mayo; Ms. Karen McKinney; Ms. Joan Mire; Mr. Scott Murphy; Mr. James A. Simmons; Mr. Leroy Sullivan; Ms. Prisca Weems

10 Members present and 9 members absent constitute a Quorum.

Ms. Jobe arrived at 10:06 am and Ms. Weems arrived at 10:09am.

Excused absence from Ms. McKinney and Ms. Mire.

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

A **motion** was made by Mr. Kothe to adopt the minutes from the December 20, 2006 meeting and received a second from Mr. Deshotel. The chair requested a vote of the members present which reflected a 10 yes and 0 no, and the **motion was adopted.**

A **motion** was made by Mr. Randy Lucky to conduct the February 13, 2007 LSUCCC meeting in Monroe, La 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 10 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Kothe to replace the council administrator with the LSUCCC chair or his designee on the Local Aid Review Committee with two (2) additional designees appointed by the chair and received a second from Ms. Weems. After much 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 the ratification procedure by the LSUCCC for the review Committee recommendation. The LSUCCC legal counsel stated that the Undersecretary of DPS will award funds based on the DPS protocol and established criteria.

A **motion** was made by Mr. Touchet to have the LSUCCC ratify all recommendations from the Review Committee and received a second from Mr. Lucky. The chair requested a vote from the members present which reflected a vote of 12 yes and 0 no and the **motion was adopted**.

A **motion** was made by Mr. Noel (see Exhibit No. 1 for motion language) and received a second from Mr. Lucky. The chair requested a vote from the members present which reflected a vote of 11 yes and 0 no and the **motion was adopted**.

Exhibit No. 1
Update on \$8 million Aid to Local Government Award

1. Award Committee now consists of 5 members: 3 council members, the Louisiana Municipal Association representative and the Police Jury Association Representative.
2. Council officially adopted the Police Jury Association "Grant Program" outline as a guideline only and not legally binding.
3. Council was informed that even though this money has in the past been referred to as a "grant" that it is not a grant, but instead, Aid to Local Government Funding.
4. Council was informed that this money is in DPS's budget (not the Council's), therefore DPS is the agency that must insure that all of the proper procedures and protocols are followed as far as budgetary and audit matters are concerned.
5. Council is the official body that will submit the funding recommendations to DPS. Once the Council meets after each committee award to ratify, then the Council will submit to the Undersecretary.
6. Council officially adopted "Section II. Criteria" of the Police Jury Association's "Grant Program" outline as the criteria, subject to the removal of any provisions by DPS legal/Office of the Undersecretary that are not in compliance with state law.
7. Council was informed that the DPS Undersecretary will develop an inter-governmental agreement that will be sent to any jurisdiction that receives an award. This agreement must be signed by the jurisdiction prior to receipt of the funds. The agreement will set forth certain information and stipulations relating to the spending of the money and the auditing of the money.
8. Council will utilize the current application and all applications will have the same criteria applied by the committee in making the awards.

Timelines for award (\$8 million):

First phase-\$3 million:

Second phase-\$5 million:

January 17-Applications must be received or
Postmarked by this date.

February 9-Applications must be
Received or postmarked by this date.

January 22-Committee will meet and make the
Award determinations.

February 12-Committee meets to make
Award determinations.

January 23-Council will have a special meeting
At 8:00 a.m. to ratify awards.

February 13-Council has its regular
Meeting to ratify awards.

A **motion** was made by Mr. Kothe to clarify the minutes on the December 20, 2006 meeting to reflect adoption of the DPS/LSUCCC document developed by the PJAL as a guideline and received a second from Mr. Touchet. The chair requested a vote from the members present which reflected a vote of 11 yes, and 0 no and the **motion was adopted**.

LSUCCC recess at 11:17 am and reconvened at 11:28 am.

A **motion** was made by Mr. Deshotel to adopt the PJAL DPS/LSUCCC document relative to Part II, Criteria, subject to requirements of state law and received a second from Mr. Lucky. The chair requested a vote from 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 homeowners' ability to contract with a Third-Party Provider.

A **motion** was made by Mr. Touchet to remove discussion relative to home owners' ability to contract from the floor as tabled at the last meeting, and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 9 yes and 3 no with the no vote being cast by Mr. Deshotel, Ms. Jobe and Mr. Kothe and the **motion was adopted**.

A **motion** was made by Mr. Kothe to stop debate on amendments to the home owner requirements and received a second from Mr. Noel. The chair requested a vote of the members present which reflected a vote of 11 yes and 1 no with the not vote being cast by Mr. Bourgeois and the **motion was adopted**.

A **motion** was made by Mr. Touchet to allow home owners to contract with Third-Party Providers where no code enforcement measures are in effect and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 3 yes and 9 no with the no votes being cast by Mr. Bourgeois, Mr. Guthans, Mr. Hackworth, Ms. Jobe, Mr. Kothe, Mr. Landry, Mr. Noel, Mr. Trosclair, Ms. Weems and the **motion failed** for a lack of a 2/3's affirmative vote.

A **motion** was made by Mr. Touchet to allow a home owner to comply with act 12 and received a second from Mr. Lucky. The chair requested a vote from the members present which reflected a vote of 5 yes and 7 no with the no votes being cast by Mr. Deshotel, Mr. Guthans, Mr. Hackworth, Ms. Jobe, Mr. Kothe, Mr. Noel, Ms. Weems and the **motion failed** due to a lack of a 2/3's affirmative vote.

A **motion** was made by Mr. Kothe to authorize the LSUCCC administrator to forward the proposed changes to Act 12 based on the proposed changes as submitted by the LSUCCC staff, except for Items #3, 5, and 6, and received a second from Mr. Bourgeois. 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 **motion** was made by Mr. Kothe to require a single B.O. and revisit the issue at the next meeting to establish hardship circumstances by rule and received a second from Mr. Noel. 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 **motion** was made by Mr. Deshotel to open the meeting for other new business and received a second from Mr. Touchet. The chair requested a vote of the members present which reflected a vote of 12 yes and 0 no and the **motion was adopted** and the meeting was open for new business.

No action required on any other new business items.

A motion was made by Mr. Trosclair to adjourn and received a second from Mr. Touchet and with no action required the meeting was adjourned at 1:42 pm.