

Louisiana State Uniform Construction Code Council (LSUCCC)
May 8, 2007
10:00am
Office of Management and Finance
Baton Rouge, Louisiana 70806
Meeting Minutes

The chair 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 which reflected the following:

Members Present: Mr. Bourgeois; Mr. Deshotel; Mr. Guthans; Mr. Hackworth; Ms. Jobe; Mr. Kothe; Mr. Lucky; Mr. Landry; Ms. McKinney; Mr. Noel; Mr. Touchet; Mr. Trosclair;

Members Absent: Mr. Derbigny; Mr. Mayo; Ms. Mire; Mr. Murphy; Mr. Simmons; Mr. Sullivan; Ms. Weems

12 Members present and 7 members absent constitute a Quorum.

Ms. Weems arrived at 10:12 am.

Ms. Mire arrived at 10:14 am.

A **motion** was made by Mr. Lucky to adopt the minutes from the April 10, 2007 meeting and received a second from Mr. Deshotel. The chair requested a vote of the members present which reflected a 13 yes and 0 no, and the **motion was adopted.**

The chair opened the floor for discussion of the location of the June 12, 2007 LSUCCC meeting, and reminded all present about the action adopted at the April 10, 2007 LSUCCC meeting relative to adoption of a motion to conduct the June LSUCCC meeting in Baton Rouge due to the legislative session schedule. **No action required.**

The chair opened the floor for discussion on LSUCCC registration requirements for current commercial plans examiners conducting residential plans examination relative to the future requirements to be tested and certified as a residential plans examiner once the residential plans examiner test is available through the International Code Council (ICC). After much discussion a **motion** was made by Mr. Touchet to instruct the LSUCCC staff to accept commercial plans examiners, so certified, prior to the residential plans examiner test being available by ICC, to register with the LSUCCC for both commercial and residential plans examiner and thereafter all registrants shall be required to obtain both certificates and received a second from Mr. Kothe. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

The chair opened the floor for discussion of proposed changes to promulgated Rule 505. The LSUCCC legal counsel introduced proposed changes by the Office of State Fire Marshal (OSFM) relative to required documentation from the authority having jurisdiction (AHJ) indicating non-compliance by the jurisdiction. After much discussion the LSUCCC did not entertain any action relative to the OSFM proposed changes and chose to retain the current rule. **No action required.**

A **motion** was made by Mr. Kothe to adopt the by-law revisions, as proposed, and received a second from Mr. Deshotel. Ms. McKinney requested consideration be given to incorporate into the by laws notification to the absent members relative to their absenteeism and requested LSUCCC staff to investigate and report at the next meeting. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted**.

The chair opened the floor for discussion of status of Aid and Grant funding and provided an oral report to the LSUCCC.

The Chair opened the floor for discussion of the information technology workshop conducted on April 25, 2007. The chair reported the activities of the workshop and presented the preliminary report as developed by Mr. Bob Wible with Wible & Associates.

The chair opened the floor for discussion of problems associated with relocation of existing buildings. Ms. McKinney explained this situation to the LSUCCC relative to some duplication requirements and Mr. Kothe discussed how diverse this issue could be Ms. McKinney offered no solutions at this time, but requested that the LSUCCC consider some alternative solutions. A **motion** was made by Mr. Kothe to refer this issue to the Technical Code Study and Advisory Committee (TECHCOMM) for further study and recommendation to the LSUCCC and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted**.

The Chair opened the floor for discussion of the letter received from Louisiana State Senator Reggie Dupre requesting the LSUCCC consider adopting an administrative rule which excludes the foundation requirements for existing homes being elevated. The chair suggested responding to Senator Dupre to provide the understanding of the prescriptive requirements of the IRC, and to explain those provisions to Senator Dupre. A **motion** was made by Mr. Lucky to respond to Senator Dupre explaining the prescriptive requirements of the IRC and the foundation requirements and have the LSUCCC Administrator draft a response letter for the LSUCCC chair to approve for the LSUCCC prior to issuance of the formal document, and received a second from Ms. McKinney. The Chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted**.

The chair announced that an emergency situation exists with the presenter for the development of the wind speed map. The presentation will be rescheduled.

The chair opened the floor for discussion of proposed legislation to amend the state uniform construction code.

A **motion** was made by Mr. Kothe to oppose HB 215 and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted**.

A **motion** was made by Ms. McKinney to oppose HB 267 and received a second from Ms. Weems. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted**.

A **motion** was made by Mr. Deshotel to oppose HB 278 and received a second from Mr. Landry. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Kothe to oppose HB 320 due to duplication of the requirements of Appendix G of the IRC and recommended adoption of the appendix G in lieu of HB 320 and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Bourgeois to oppose HB 486 due to the fact that the affidavit process conflicts with the intent of Act 12 relative to the public health, safety, welfare, and liability issues and received a second from Ms. Weems. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Guthans to oppose HB 601 and received a second from Mr. Lucky. A **substitute motion** was made by Mr. Kothe to adopt the plumbing chapter of the IRC and the International Plumbing Code (IPC) and take no position on HB 320 with exception of the substitute motion and to include the grey water provisions of the IPC and received a second from Ms. McKinney. After much discussion on the motion and the substitute motion a call for the question was requested by Mr. Kothe and the chair requested a vote of the members present. A vote was made on the substitute motion, first, which reflected a vote of 13 yes and 1 no with the no vote being cast by Mr. Guthans and the **substitute motion was adopted.**

A **motion** was made by Mr. Deshotel to take no position on HB 629 and received a second from Mr. Landry. The chair requested a vote from the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Noel to address HB 704 item by item and received a second from Mr. Kothe. The chair opened the floor for discussion and recommendation of each item in HB 704:

1730.22(B) – A **motion** was made by Mr. Noel to support but only for excessive absenteeism, and received a second from Mr. Kothe. The Chair requested a vote from the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

1730.23(A) – A **motion** was made by Mr. Touchet to support with the addition of the regional area planning commissions and third party language, and received a second from Mr. Bourgeois. The Chair requested a vote from the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

1730.22(B) – A **motion** was made by Mr. Guthans to oppose language regarding driveways, steps, decks etc. because life safety needs to be the primary consideration, and received a second from Mr. Touchet. The Chair requested a vote from the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

1730.24(B) – A **motion** was made by Mr. Touchet to support the proposed legislation, and received a second from Mr. Bourgeois. The Chair requested a vote from the members present which reflected a vote of 5 yes and 9 no with the no votes being cast by Mr. Deshotel, Mr. Guthans, Mr. Hackworth, Ms. Jobe, Mr. Kothe, Mr. Lucky, Ms. Mire, Mr. Noel, and Ms. Weems as this motion would be in conflict with the current rule, and the **motion failed due to a lack of a 2/3's affirmative vote.**

1730.28(A) (3) (a) – A **motion** was made by Mr. Bourgeois to oppose provisions for deletion of appendix J, because this conflicts with the uniformity of the application of the code, and received a second from Ms. Mire. The Chair requested a vote from the members present which reflected a vote of 12 yes and 2 no, with the no votes being cast by Mr. Guthans and Mr. Touchet, and the **motion was adopted.**

1730.28(A) (3) (b) - oppose due to the subjective nature of a cost evaluation. **This a companion item with 1730.28 (A) (3) (a) above, with like action.**

1730.28(C) – A **motion** was made by Mr. Bourgeois to takes no position, and received a second from Mr. Touchet. The Chair requested a vote from the members present which reflected a vote of 14 yes and 0 no, and the **motion was adopted.**

1730.39(D) – A **motion** was made by Mr. Noel to oppose due to lack of specificity relative to commercial structures, and received a second from Ms. Weems. The Chair requested a vote from the members present which reflected a vote of 14 yes and 0 no, and the **motion was adopted.**

A **motion** was made by Mr. Lucky to oppose HCR 63 and received a second from Ms. McKinney. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Kothe to open the meeting for other new business and received a second from Mr. Noel. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted** and the **meeting was open for other new business.**

A **motion** was made by Mr. Noel to promulgate an emergency rule to become a permanent rule to adopt Part V Mechanical and Part VIII Electrical from the IRC and received a second from Mr. Kothe. The chair requested a vote of the members present which reflected a vote of 14 yes and 0 no and the **motion was adopted.**

A **motion** was made by Mr. Lucky to adjourn and received a second from Mr. Deshotel and with **no action required** the meeting was adjourned at **1:40pm.**

END OF MINUTES