

Louisiana State Uniform Construction Code Council (LSUCCC)
July 10, 2007
10:00am
220 West Willow Street, Building "C"
Pineville, Louisiana

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. Lavern Bourgeois; Mr. Rickey Fabra; Mr. Tony Guthans;
Mr. Randy Lucky; Ms. Karen McKinney; Ms. Joan Mire; Mr. Randy
Noel; Mr. Wayne Touchet; Mr. Todd Trosclair; Ms. Prisca Weems

Members Absent: Mr. Kevin Derbigny; Mr. Chad Deshotel; Mr. Steven Hackworth;
Ms. Denise Jobe; Mr. Ray Kothe; Mr. Michael Landry; Mr. James
Mayo; Mr. James A. Simmons; Mr. Leroy Sullivan.

10 members present and 9 members absent constitutes a Quorum.

Mr. Deshotel, Mr. Landry, Mr. Hackworth, and Ms. Jobe had excused absence prior to meeting.

A **motion** was made by Ms. McKinney to adopt the minutes from the June 12, 2007 meeting and received a second from Mr. Lucky. 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. Touchet to conduct the next LSUCCC meeting in Calcasieu Parish and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 10 yes and 0 no and the **motion was adopted.** Details to follow.

A **motion** was made by Ms. Weems to adopt the by-law revisions and received a second from Mr. Fabra. The chair requested a vote of the members present which reflected a vote of 10 yes and 0 no and the **motion was adopted.**

Mr. Bourgeois reported that the Code Enforcement Advisory Committee (CEACOMM) meeting scheduled was not conducted due to a lack of a quorum. **No Action Required.**

A **motion** was made by Mr. Fabra to request that the LSUCCC reconsider past actions relative to the International Code Council (ICC) development of a Louisiana State Plumbing Code (LSPC) exam and received a second from Mr. Guthans. The chair requested a vote of the members present which reflected a vote of 9 yes and 1 no, with the no vote being cast by Mr. Bourgeois, and the **motion was adopted.**

Mr. Fabra addressed the LSUCCC and audience in terms of consideration for the other testing agencies.
No Action Required.

The chair opened the floor for discussion of the exclusivity requirements imposed by ICC. Mr. Jim Bax representing ICC, from the audience, indicated ICC would withdraw the exclusivity requirement.

A **motion** was made by Mr. Fabra to remove the exclusivity provision from the past LSUCCC action relative to ICC development of a LSPC exam and received a second from Mr. Guthans. The chair requested a vote of the members present which reflected a vote of 5 yes and 5 no, with the no votes being cast by Mr. Bourgeois, Mr. Lucky, Ms. McKinney, Mr. Trosclair and Ms. Weems. The **motion failed** due to lack of 2/3's affirmative vote.

A **motion** was made by Ms. McKinney to allow the LSUCCC administrator to provide informational presentations throughout the state and elsewhere through December 31, 2007 and received a second from Ms. Weems. 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. Noel to adopt the modifications to Rule 705(D) (1) to require inspection reports to be submitted by all Third-Party Providers (TPP) to the Authority Having Jurisdiction (AHJ) as required by the specific AHJ 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. Bourgeois to allow Building Code Enforcement Officers (BCEO) employed prior to January 1, 2005 to register with LSUCCC as a BCEO without being required to be certified by the ICC and received a second from Mr. Touchet. The chair requested a vote of the members present which reflected a vote of 3 yes and 7 no, with the no votes being cast by Mr. Guthans, Mr. Lucky, Ms. McKinney, Ms. Mire, Mr. Noel, Mr. Trosclair, and Ms. Weems and the **motion failed** due to a lack of 2/3's affirmative vote.

A **motion** was made by Ms. Weems to change the insurance requirements for the TPP's from General Liability at \$100,000.00 to professional liability at \$500,000.00 and received a second from Mr. Trosclair. 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 **substitute motion** was made by Ms. Mire to require Professional Liability and General Liability in the amount of \$1,000,000.00 for TPP's and received a second from Mr. Bourgeois. The chair requested a vote of the members present which reflected a vote of 4 yes and 6 no with the no votes being cast by Mr. Lucky, Ms. McKinney, Mr. Noel, Mr. Touchet, Mr. Trosclair, and Ms. Weems. The **motion failed** due to a lack of 2/3's affirmative vote.

A **motion** was made by Mr. Noel to ratify the recommendation of the Aid to Local Government and Grant Review Committee of the Aid to Local Government in the amount of \$2,533,189.93 of the 3.5 million to the existing code offices previously approved for aid funds and received a second from Mr. Lucky. 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. Noel to approve the proposed Aid to Local Government application and received a second from Mr. Lucky. The chair requested a vote of the member present which reflected a vote of 10 yes and 0 no and the **motion was adopted**.

A **motion** was made by Mr. Noel to approve the proposed FEMA Grant application and received a second from Mr. Lucky. 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. Noel to approve the revised Aid to Local Government Application from Caddo Parish and received a second from Ms. Weems. The chair requested a vote of the members present which reflected a vote of 9 yes and 0 no with Mr. Lucky recusing himself from the vote, and the **motion was adopted**.

A **motion** was made by Mr. Noel to forward a letter to all jurisdictions and TPP's clarifying the current rules, complaint process and copies of the complaint forms and received a second from Ms. McKinney. The chair requested a vote of the member present which reflected a vote of 10 yes and 0 no and the **motion was adopted**.

A **motion** was made by Mr. Noel to forward a letter to the Lafourche Parish President clarifying the requirements for the use of a single Building Official and use of TPP's with aid funds and received a second from Mr. Lucky. 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. Noel to coordinate the Technical Codes Advisory Committee (TECHCOMM) with the Office of State Fire Marshal (OSFM) to research any potential code or statute related conflicts and make recommendation to the LSUCCC and subsequently to the Louisiana State House and Senate Commerce Committees and received a second from Mr. Fabra. The chair requested a vote of the members present which reflected a vote of 9 yes and 1 no, with the no vote being cast by Mr. Bourgeois and the **motion was adopted**.

A **motion** was made by Mr. Noel to open the meeting for Other New Business and received a second from Ms. Weems. The chair requested a vote of the members present which reflected a vote of 10 yes and 0 no, and the **motion was adopted**. The meeting was open for introduction of New Business.

A **motion** was made by Ms. Weems to authorize distribution of an administrative document to provide an Information Technology (IT) questionnaire needed to assess the needs for code officials and received a second from Mr. Lucky. The chair requested a vote of the members present which reflected a vote of 10 yes and 0 no and the **motion was adopted**.

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The chair opened the floor for discussion of the application of the IMC as it relates to one and two family dwellings. After much discussion **no action required** at this time.

A **motion** was made by Mr. Trosclair to adjourn and received a second by Mr. Guthans and **the meeting was adjourned at 12:50pm.**

END OF MINUTES