

Louisiana State Uniform Construction Code Council (LSUCCC)

June 12, 2012

10:00AM

8181 Independence Boulevard

Baton Rouge, Louisiana 70806

Meeting Minutes

The Chair welcomed all present and **called the meeting to order at 10:02 a.m.**

The Pledge of Allegiance was recited.

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

Members Present: Mr. W. Barry; Mr. Boudreaux; Mr. Brown; Mr. Byrd; Mr. Courouleau;
Mr. Gadberry; Mr. Herbert; Mr. Hoffman; Ms. McKinney; Mr. Metcalf;
Ms. Mire; Mr. Price; Mr. Thibodeaux.

Members Absent: Mr. J Barry; Mr. J. Henderson; Mr. M. Henderson; Mr. Trosclair; Mr.
Holden; Mr. Gil

Excused Absence: Mr. Holden; Mr. Gil

13 members present and 6 members absent constitute a Quorum.

The Chair requested to add an agenda item under New Business to include a discussion of litigation. A **motion** was made by Mr. Chris Brown to Add Discussion of Litigation Item under New Business and received a second from Mr. David Thibodeaux. 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. Hoffman to adopt the minutes from the May 8th, 2012, LSUCCC meeting and received a second from Ms. Karen 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 Ms. Karen McKinney to not meet in July and add to the agenda an item under the discussion of proposed changes to the By-Laws under New Business to include this change and received a second from Mr. Bobby Byrd.

Discussion was then opened by Mr. Wilford Barry to question if this change had to do with the frequency of meetings set forth by the By-Laws. This was confirmed by Ms. McKinney and she proposed a change from “shall hold regular monthly meetings”, to “shall be a minimum of once per quarter, with a total of 8 meetings per year.”

The **motion** was then revised by Ms. Karen McKinney to table her previous motion until such time as the By Laws could be reviewed later in the meeting and discussed. Second was received by Mr. Bobby Byrd. The previous **motion was tabled**.

June 12, 2012

Page 2 of 5

The Chair opened the floor for a Technical Codes Study and Advisory committee report from Ms. McKinney. Ms. McKinney then requested that the chairs of the sub-committees give their updates of chapters reviewed and their next subcommittee meetings. Mr. Jerry Hebert, IBC, stated his sub-committee meeting was to be held after the regular council meeting on June 12th, 2012 to review Chapters 2 through 6, and then they are scheduled to meet after every council meeting in order to be finished by the end of the year.

Mr. Phil Hoffman, IRC, stated his sub-committee has meet twice previously and would meet again after the council meeting on June 12th, 2012. They had already reviewed the first two chapters of "Significant Changes" and would be finishing up Chapter 3. Their review is proposed to be finished by November to include a full report.

Mr. David Thibodaux then stated that he has not had a formal meeting due to member attendance issues. Ms. McKinney requested he keep her informed so she could look to assist in this matter.

Ms. McKinney stated no meeting has been scheduled for the Technical Committee at this time.

The Chair opened the floor for an Administrative Advisory Committee report from Mr. Brown. Mr. Brown noted there had been no meeting held in the previous month, no action needed.

The Chair opened the floor for a Code Enforcement Advisory Committee report from Mr. Gill. Mr. Gill was not present; however, Mr. Joiner noted that there had been no meeting held in the previous month, no items present to be discussed by the committee, and no action needed.

Legislative Update - no bills passed through the last session. Suggestion made to lessen the content of the bills. Heavy content may have caused the bill to get bogged down and meet resistance. Mr. Wilford Barry, open discussion on the bill and how it was initiated. House Resolution 53 was discussed with Mr. Joiner and Rep. Ponti and what changes were proposed. It was the understanding that the bill had become to large, with added items by others, therefore it was not pushed through the session. Mr. Barry then suggested forming a special Ad Hoc committee to find ways to have the items and bill moved through during the next session. Also, suggested that there be more support by Legislators and there be a minimum of three (3) to help with the passage of the items listed on HR53, if this was a bill that the Council still was interested in pursuing. Mr. Hoffman discussed putting together the committee first and then how to pursue individuals that could help move these concerns to the legislative body the concerns brought forth by the council. The Chair referred to Mr. Brown and his input on the issue. It was expressed that due to his job affiliation that he would be limited as to the scope of help he could provide. It was suggested that the Ad Hoc committee then be placed under his Administrative Advisory Committee; therefore, members could be from the council or outside of the council for advisement purposes. If it is set up as a "new" committee then it has to be comprised only of council members.

A **motion** was made by Mr. Phil Hoffman to form a Legislative Ad Hoc Committee formed under the Administrative Advisory Committee and received a second from Mr. Al Courouleau. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

June 12, 2012

Page 3 of 5

The Ad Hoc Legislative Committee will be comprised of – Chair – Phil Hoffman, Co-Chair – Bobby Byrd, other council members included Mr. Boudreaux, Mr. Barry, Mr. Gadberry, Ms. McKinney, and Mr. Courouleau with no opposition.

A **motion** was made by Ms. McKinney to set the first meeting of the Legislative Ad Hoc Committee meeting for 8:30 a.m., August 14th, 2012 and received a second from Mr. Hoffman. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

1. Discuss proposed changes to LSUCCC By-Laws.

A **motion** was made by Ms. Karen McKinney to make changes to the By-Laws from the current wording of “shall hold regular monthly meetings” to “shall hold regular quarterly meetings but not less than eight (8) times per year and received a second from Mr. Hoffman. The Chair requested a vote, after discussion and question was called, of the members present which reflected a vote of 2 yes and 11 no, and the **motion failed**.

Discussion opened to the proposed changes to the By-Laws: Mr. Joiner pointed out that this was only discussion on the proposed changes, but that the changes had to be sent out to all members of the council prior to 72 hours of the next meeting and then a vote would be taken to approve the changes at the next meeting. Mr. Metcalf expressed concerns and caution that this change may be due to downsizing because in a later date those areas that have been downsized may be re-staffed. Mr. Joiner voiced concerns about getting information back to the council if too many changes in the number of meetings took effect, but that some months had less to cover. However, during the Legislative session and the few months prior to that were important to get information to the council. Mr. Brown then clarified that Ms. McKinney’s motion was to give more freedom to the council to set meetings. Mr. Hoffman wanted to make sure that the decision did not demise the value of the council in the eyes of the Governor and the State Legislature. Concerns expressed that fewer meetings would reflect the minimizing of the council and less duties. Ms. McKinney noted that committees had been set up to help with the many detailed items and then to bring those decisions to the council. The complaint process was questioned by Mr. Barry and if any changes in the number of meetings would affect the handling of complaints. Mr. Joiner stated that if a complaint was made then the investigation and meeting of the committee to discuss the complaint, prior to the council being presented with the recommendations of the committee to the council, would not be affected by any changes. Question was called by Mr. Wilford Barry; Objected by Mr. Metcalf for clarification to see if a vote was even required. Clarification was noted that a vote did need to be made. Question was only called to stop discussion.

A **motion** was made by Mr. Lloyd Price to have regular monthly meetings except for the month of December and received a second from Mr. Mike Metcalf. Motion was withdrawn without a vote.

Floor opened for discussion included adding July into the motion. Mr. Boyd noted that there were allowances in the By-Laws for absences if a member needed to use them. According to the By-Laws there must be a meeting every month. Mr. Joiner noted that in some months he has issues getting a quorum and has to call for a special meeting. The way the By-Laws are written if there is not enough to be present for the regular meeting then a special meeting has to be called. Mr. Courouleau referred to Mr. Schnexyder which noted that By-Laws are imposed by the council on the council, by law a meeting is to be set when 3 or 4 members request a meeting and The Chair shall set a meeting.

LSUCCC Meeting Minutes

June 12, 2012

Page 4 of 5

A **motion** was made by Mr. Bobby Byrd to add the option to the By-Laws to vote to cancel a regular monthly meeting due to not having a quorum and received a second from Mr. Phil Hoffman. 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 noted that those that have missed meetings are being looked at and action is being taken to address the issues and concerns. Attendance records have been sent by Mr. Joiner to the Governor's Office of members that have not attended meetings and the attendance records of meetings by each member of the council.

A **motion** was made by Ms. McKinney to cancel the meeting in July and received a second from Mr. Phil Hoffman. The Chair requested a vote of the members present which reflected a vote of 13 yes and 0 no, and the **motion was adopted**.

If Sub-Committees would still like to meet the accommodations can be made for rooms to meet at the State Fire Marshal's Office, Baton Rouge, LA. Mr. Joiner asked that he be notified so he could make those arrangements.

A **motion** was made by Mr. Barry to move that the next meeting be held on August 14th, 2012 and that the location be Alexandria, as long as there is no expense to the council and received a second from Mr. Hebert. 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. Barry discussion to have meeting in other areas of the state other than Baton Rouge, LA. Mr. Joiner agreed that he would like to see the meetings move around the state. Mr. Joiner will check on the conference room at the airport in Alexandria and confirm its availability.

Mr. Michael Wich, South Central Planning, offered an open invitation to Terrebonne Parish for the council to meet.

Mr. Metcalf also suggested that the council take Mr. Wich up on his offer to provide a meeting spot for the council in the future.

Mr. Barry noted that the Legislative Committee was meeting at 8:30 a.m. on August 14th, 2012, prior to the council meeting. Mr. Barry stated that meeting could be held at their offices, if the airport cannot accommodate the earlier meeting.

New Business

Item 1 – Discuss proposed changes to LSUCCC By-Laws.

Proposed change by Mr. Joiner to change the By-Laws to state that agenda set and items to be placed on the agenda by the Monday week (8 days) prior to the Tuesday council meeting. Therefore, he can provide an agenda to the council members and have it posted by Monday morning (24 hrs.) prior to the council meetings.

A **motion** was made by Mr. Bobby Byrd to change the By Laws to state that agenda items are to be presented to Mr. Joiner eight (8) days prior to the next meeting. It received a second from Mr. Hoffman. 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. Byrd to change the By Laws to state that the President give six (6) days' notice, prior to the next meeting, of any changes to the agenda to Mr. Joiner. It 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**.

Item 2. Discuss Litigation of attendant.

Legal counsel advised Council to move to Executive Session. All participants that were not on the council were requested to leave the meeting room during this session.

Council convened into Executive Session at 11:22 a.m.

The Chair called the regular meeting back to order at 11:48 a.m. There was no vote in the Executive Session and the Executive Session was closed.

With no other items on the agenda, and no motion to accept other business. A **motion** was made by Mr. Hoffman to adjourn and received a second from Ms. McKinney, with no objection the regular meeting was adjourned at 11:50 A.M.

END OF MINUTES