

Louisiana State Uniform Construction Code Council (LSUCCC)
January 12, 2010
10:00AM
7979 Independence Blvd.
Baton Rouge, Louisiana 70806
Meeting Minutes

The Chair welcomed all present and **called the meeting to order at 10:00 a.m.**

The Pledge of Allegiance was recited.

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

Members Present: Mr. Boudreaux; Mr. Bourgeois; Mr. Brown; Mr. Byrd; Mr. Courouleau; Mr. Gadberry; Mr. Gil; Mr. J. Henderson; Mr. M. Henderson; Mr. Holden; Mr. Kothe; Mr. Lucky; Ms. McKinney; Mr. Metcalf; Ms. Mire; Mr. Noel; Mr. Trosclair.

Members Absent: Mr. Barry; Mr. Bessette.

Excused absence: Mr. Barry; Mr. Bessette.

17 members present and 2 members absent constitute a Quorum.

A **motion** was made by Mr. M. Henderson to adopt the minutes from the December 8, 2009 LSUCCC meeting and received a second from Mr. Gil. The chair requested a vote of the members present which reflected a vote of 17 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Mr. Gadberry to conduct the next LSUCCC meeting in Baton Rouge, Office of Management and Finance on Tuesday, February 9, 2010, at 10:00AM and received a second from Ms. McKinney. The Chair requested a vote of the members present which reflected a vote of 17 yes and 0 no, and the **motion was adopted**.

The Chair opened the floor for a Technical Codes Study and Advisory committee report from Ms. McKinney. Ms. McKinney began with the announcement of the next Technical Committee meeting to be held on January 28, 2010 at 10a.m. in Room 308 of Office of Management and Finance, this meeting will be to receive recommendations from each of the I-codes review subcommittees. IRC subcommittee will have a meeting to be announced before January 28. IMC subcommittee has a meeting scheduled for Tuesday, January 19, at 10a.m. in Baton Rouge. The IFG committee has completed their review and will present the final report at the next Technical committee meeting. The IBC committee has a meeting at 1p.m., January 12, following the Council meeting and will probably need to schedule a meeting prior to the next Technical committee meeting. IEBC has completed the review of the significant changes and will not be recommending any amendments to the IEBC. The Technical committee will schedule a presentation regarding Wintec Security Category 3 glass at an upcoming meeting, as well as clarification of the WFCM Sections 3.1.3.3 regarding wall systems and the 10 foot wall height for bearing walls. Lastly the committee is reviewing proposed language to clarify the use of the Louisiana State Plumbing code in place of the IPC. With nothing further there is **no action required**.

The Chair opened the floor for an Administrative Advisory Committee report, with nothing to report this month there is **no action required**.

The Chair opened the floor for a Code Enforcement Advisory Committee report from Mr. Kothe, there will be an informational meeting to address complaints received in the administrative office, to be announced prior to the February Council meeting. With nothing further there is **no action required**.

The Chair opened the floor for the review and discussion of the GOHSEP grant award revisions for Terrebonne Parish Consolidated Government. A **motion** was made by Mr. Courouveau to grant the revision requested to the GOHSEP grant expenditures for Terrebonne Parish and received a second from Mr. Holdon. The Chair requested a vote of the members present which reflected a vote of 17 yes and 0 no, and the **motion was adopted**.

The Chair announced the Aid to Local Government and Grant Review Committee has a meeting scheduled for January 27, 2010, 10a.m. in Room 308 of the Office of Management and Finance to discuss the possible reallocation of funds of the GOHSEP grant. With nothing further there is **no action required**.

The Chair opened the floor for a review and discussion of the responses regarding the disciplinary proceedings received from Mr. Delvin Portier, Ms. Karen Dillard and Mr. Bernard Mayeux.

A **motion** was made by Mr. Mike Henderson to begin the formal hearing process against Mr. Delvin Portier with a hearing to be set for Tuesday, February 9, 2010, at the Office of Management and Finance in Baton Rouge and received a second from Mr. Metcalf. The Chair requested a vote of the members present which reflected a vote of 17 yes and 0 no, and the **motion was adopted**.

A **motion** was made by Mr. Lucky to begin the formal hearing process against Ms. Karen Dillard and Mr. Mayeux with the hearing for them on Wednesday, February 10, 2010, 9a.m., at the Office of Management and Finance in Baton Rouge and received a second from Mr. Metcalf. Mr. Marvin Montgomery, Attorney for Ms. Dillard stated that he objects to a hearing being scheduled for February 10, because it would not allow for discovery, and various legal motions that will need to be decided, and a hearing will, in his opinion take at least three days. The Chair asked for clarification of the procedures in the UCC Rules from Mr. Schexnayder, upon discussion the Council agreed to vote on the motion. Mr. Montgomery requested that in accordance with the Administrative Procedures Act that a copy of the formal charges, and all subsequent correspondence be sent to not only to Ms. Dillard, but also to him. The Chair requested a vote of the members present which reflected a vote of 17 yes and 0 no, and the **motion was adopted**.

Mr. Bernard Mayeux, of Crowville, Louisiana addressed the Council concerning the letter he received notifying him of the complaint. He met with the complainant on January 5, 2010 to discuss the complaint and the administrative procedures of the jurisdiction. It is his understanding that the Mr. Sandifer intends to withdraw his complaint against Mr. Mayeux. A **motion** was made by Mr. Lucky to investigate the possible withdrawal of the complaint by Mr. Sandifer, and to investigate the existence of correspondence to that effect, with the hearing to be scheduled for the March Council meeting and

received a second from Mr. Gadberry. The Chair requested a vote of the members present which reflected a vote of 17 yes and 0 no, and the **motion was adopted**.

The Chair opened the floor for the review and discussion of the promulgation of a rule for the documents required for the BCEO grandfathering provision. A **motion** was made by Mr. Gadberry to allow for building code enforcement officers who qualify under RS 40: 1730.35 C(2) to obtain registration under the grandfathering provision, and show proof of tens years of employment by providing the Council a notarized letter from the payroll authority verifying the date of hire and position held on or before December 31, 2010 and received a second from Mr. Kothe. The motion was amended by Mr. Kothe to allow for a BCEO who is currently registered to renew through December 31, 2010, furthermore a BCEO who is not currently registered with the Council shall have until April 15, 2010 to register with the Council and shall have until December 31, 2010 to meet the appropriate continuing education requirements of their provisional certificate of registration, the amendment was seconded by Mr. Lucky, the Chair requested a vote of the members present which reflected a vote of 14 yes and 3 no, and the **motion was adopted**. After a lengthy discussion Mr. Gadberry made a motion to call the question, the Chair asked for any objection to the question being called, after objections were raised the roll was called and the motion failed, discussion continued. Upon further discussion the Chair requested a vote of the members present on the motion and the amendment, which reflected a vote of 14 yes and 3 no, and the **motion was adopted**.

With no other items on the agenda, and no motion to accept other business. A **motion** was made by Mr. Holdon to adjourn and with no objection the meeting was adjourned at 11:52p.m..

END OF MINUTES