

South Central Regional Construction Code Council Meeting
Thursday, December 17, 2009
Time: 10:00AM

Location: Lafourche Parish
Old Wal-Mart Building
4876 Highway 1, Mathews, La. 70394

Meeting Minutes

Members in attendance were:

John Boudreaux - Assumption
Kristi Murray - St. John
Shane Landry – St. James
Pat Gordon – Terrebonne
Kevin Belanger – SCPDC
Deborah Moore - Lafourche

At approximately 10:00am the meeting began with the Pledge of Allegiance. Roll call followed with all members being present.

Mr. John Boudreaux opened the floor to the Home Builders Association. Mr. Rob Hamilton had no comments at this time.

It was moved by Mr. Pat Gordon, seconded by Mrs. Deborah Moore to approve and adopt the minutes of the September 24, 2009 meeting. Motion carried.

The Agenda was changed to Comments from Lafourche Parish President – Mrs. Charlotte Randolph. Mrs. Randolph explains she has a dilemma and is looking for direction. She has a constituent who is planning on building a home and wants to use a Third Party as SCP inspected her parents home and the house is now sinking due to 13 pilings missing. It is Mrs. Randolph understanding this Third Party is in danger of being suspended. What is her constituent to do?

Mr. Wich explained if her Third Party would be suspended she would have the option of choosing another Third Party Provider that is in good standing with the state code council or SCP. Anyone who is in good standing with the State Code Council could do the inspection for her.

Mrs. Randolph said if the choice is SCP and she does not want to use them as her parents have no recourse because SCP signed off on the project and it is costing them a lot of money to repair. Mr. Wich advised he has never been notified of such a big issue ever. Mrs. Randolph stated she would have her constituent contact him. Mr. Wich agreed it should definitely be looked into.

Mrs. Randolph asked if it is true that the Third Party Inspectors are found in omission of certain documents are we to assume SCP is 100% accurate? Mr. Wich explains he doesn't feel any inspection agency is 100% accurate. SCP is regulated by the Code Council just like the Third Party inspectors are.

Mrs. Denise Jobe with LSUCCC advised Mrs. Randolph the Third Party Providers being considered for suspension went through a long process. The violations were not just an isolated incident. When inspections and plan review errors were found and SCP asked the Third Parties to correct it was found the same mistakes were made over and over and over again. People do make mistakes they don't mean to but they do. Once they see a mistake they correct it. In these particular instances these mistakes were not corrected and the Code Council had to take action.

In reference to Mrs. Randolph Piling dilemma, the lady is welcome to file a complaint against SCP.

Mrs. Randolph asked Mrs. Jobe who is investigating SCP and what does her constituent do? Mrs. Jobe explains the procedure: If a formal complaint is made the code council will investigate. They will hear from the constituent as well as the code council. It will all be taken into consideration. The complaint will go before a code enforcement advisory committee. The committee recommendations will go before the full council.

The constituent can hire a third party provider, it can be anywhere in the state or can use the local code office. Mrs. Randolph stated the residents who chose to use SCP are putting their trust that everything is being done correctly. Then it becomes the responsibility of that resident to know what needs to be done with that structure. Mrs. Jobe explains if the resident is acting as their own contractor then they are responsible for knowing the code the same as a contractor would do.

Mrs. Randolph says it is apparent something was not done as there is evidence of the sinking of this home. Mrs. Jobe asked is there a report from an engineer? Mrs. Randolph explains her constituent will be bringing her all the details. Discussion ensued.

Mrs. Jobe explained the seriousness of the charges that were brought against the Third Party Providers was proven. The information the council received on the Third Party Providers in this case still to this day cannot see where they made an error. Mrs. Randolph advised she was not here to judge the Third Parties or the States decision. Discussion ensued.

Mr. Kevin Belanger stated Mrs. Randolph's statement of her constituent is a really good example of how the regional process has tried to deal with the code. At the beginning of the process it was a requirement if building on unstable soil area you must provide engineer documents that checked the soil conditions. This was met with opposition from the developers and elected officials. The Regional Code Council met and heard the objections. With approval from all the parishes the requirements were removed. It is

planned to develop and use soils mapping. Money has been acquired for this purpose but waiting on approval.

Mr. Belanger advised when a person is building with terrible soil you should put piles. When the piles are placed it is generally under the auspices of an engineer not SCP. Mr. Belanger asked to have the constituent come to SCP and let's evaluate the issue and see what we can come up with.

Mrs. Randolph feels the assumption is if SCP signs off and there is no oversight then the assumption is what SCP does is correct. Mr. Wich advised once again there is oversight on SCP. He assures Mrs. Randolph there was not one complaint filed on the Third Parties where the issue had not been addressed with them prior to. Again this is the first he is hearing of Mrs. Randolph's constituent issue. Discussion ensued.

Public wishing to address the council:

Mr. Lea Rutter – 206 Creole Lanes, Thibodaux – Have there been any other Third Parties in the State written up. Mrs. Jobe shakes her head yes.

Regarding complaints – No one goes behind SCP that is why there are none. Mr. Rutter feels the punishment does not fit the crime for the Third Parties.

Mr. Wich advises this board did not hand down the punishment the State Code Council did. Without being at the meeting and hearing all the evidence Mr. Wich doesn't feel that is a fair statement.

Mr. Rutter feels the codes themselves are open to interpretations. Discussion ensued.

Mr. Patrick Boudreaux – 1367 Bayou Blue Road – What liability does SCP take if they screw up and something happens to a person home? The Third Parties are insured. Mr. Belanger advises we are required to carry insurance for an excess of Third Party Providers.

Mr. Boudreaux states he tried to file complaints on SCP but doesn't know how. Mrs. Jobe gave him her card.

Mr. Boudreaux stated SCP is paid for by public funds. He was advised he was incorrect. He questions how many contractors were contacted in writing that this meeting was taking place. Mr. Belanger explains this is a public meeting and it has been advertised. You can also register on SCP website and all meetings will be sent to you automatically.

Mrs. Dionne Rhodes – 170 Bayou Drive, Houma – Do Third Parties have the ability to go on SCP job sites to be able to make complaints? Mr. Wich advised he has offered that to them. She has a complaint she has not been able to file. She just wants to make it clear it is very difficult to file complaints. Discussion ensued.

Jimmy Rogers – 207 Equity Blvd. – Will the Third Parties be able to complete the projects they are working on? Is there a provision in place for these suspended Third Parties or is it the brunt of the builder to have to hire another Third Party. Mr. Rogers has tried to contact other Third Parties and they don't want to come. Discussion ensued.

Mr. Randy Noel – Chairman of LSUCCC advised the complaint process is on their website there is a complaint form if anyone needs to file a complaint. Discussion ensued.

Ms. Dawn Allemand presented the board with a financial analysis. Discussion ensued. It was moved by Mr. Kevin Belanger, seconded by Ms. Kristi Murray to adopt the financial report. Motion Carried.

Third Party Disciplinary hearing update was covered in previous discussion.

Mr. Wich requested from all the parishes to please print approved plans on 11X17 papers. Printing on anything smaller would not be acceptable as it proves to be very difficult to read. SCP does require a copy of the approved plans to be on site.

Mr. Ryan Hutchinson of SCPDC, IT Department advised the board of a new utility provider notification feature that has been added to MyPermitNow. It is a power request option that proves to be very efficient and convenient for the parishes as well as the utility companies. When the parish is ready to release power all they have to do is click the power button and the utility company will be notified.

Mr. Wich reminded the board on January 1, 2010 the 2008 National Electric Code will go into effect. This will be enforced on any permit purchased after this date. Information has been distributed to the Electric Supply houses, and Home Builders Association. There was also a class held at HBA. Discussion ensued.

Mr. Wich spoke to the board in reference to setting a procedure and fee structure for the moving of houses. What is needed from a code enforcement side is a foundation plan and advise where the house coming from due to wind speed. Mr. Wich suggests too handle like a modular but either way it is decided he would like to see everyone on the same page. Discussion ensued.

Mrs. Deborah Moore prefers setting a base amount instead of per square foot charge. Mr. Boudreaux agrees. Mr. Wich advised the board of the Inspections that would be needed being, plan review, foundation, final electric, plumbing and mechanical as well as compliance once power is on.

Mr. John Boudreaux recommended \$250.00 flat rate.

It was moved by Mr. Pat Gordon, seconded by Mrs. Deborah Moore to set the fee of \$250.00 on moved homes. Motion Carried.

Mr. Belanger reminded the board the fee change has a process to notify the parishes and would not take effect immediately. Mr. Boudreaux advised we would notify the parishes of that change and adopt at the next meeting.

After the face permit fee structure – Mr. Boudreaux apologized there has been no committee meeting. Mr. Wich is requesting a uniformed decision as some Parishes are charging double the fees and some Parishes are charging nothing at all. Discussion ensued.

Mr. Wich reminded the board any fines or penalties decided does not come to SCP. These fees are strictly for the Parish.

Mr. Belanger suggests we get examples from other areas of the state and present at the next meeting. The board agrees that any information we can have to better our position would be helpful.

Concerning after the fact permits Inspections – Mr. Wich is requesting help from the permit offices. He asks to please inform the Applicant, Third Party or Contractor to contact him for a meeting. Communication is very important and they will need to meet together to see how the project will need to be handled. Mr. Wich will send out an email to the Third Party Providers. Discussion ensued.

Mr. John Boudreaux opened for discussion the possible reduction in permit fees for government projects. Discussion ensued.

Mr. Belanger will give a summary in writing that if the Parishes are willing to void their fees of 15% SCP would void there 5% fees on public facilities.

The board will propose in one procedure for Ordinances to the council, House Moving fee, Revalidate after the Fact Permits and voiding of Government Building fees.

It was moved by Mr. Pat Gordon, seconded by Mrs. Deborah Moore to have a meeting the First week in February to decide on new agreements and meeting schedule. Motion Carried.

Mr. Randy Noel of LSUCCC read the law in reference to Addition to House. Discussion ensued.

The next SCRCCC meeting will be held, February 4, 2009 in Lafourche Parish at the Old Wal-Mart Building, 4876 Highway 1, Matthews, La. 70394 at 10:00am.

There being no further information to be discussed, it was moved by Mrs. Deborah Moore, seconded by Ms. Kristi Murray, to adjourn. Motion Carried.

