

OKLAHOMA UNIFORM BUILDING CODE COMMISSION

REGULAR MEETING MINUTES CONSTRUCTION INDUSTRIES BOARD/UNIFORM BUILDING CODE COMMISSION CONFERENCE ROOM 2401 NW 23RD STREET, SUITE 2F OKLAHOMA CITY, OK 73107 APRIL 18, 2017 – 1:30 P.M.

COMMISSION MEMBERS PRESENT:

Amber Armstrong, Ross Barrick, Jim George, Danny Hancock, Chris Henderson, Larry Herzel, Curtis McCarty, Joe McKenzie, and David Timberlake

COMMISSION MEMBERS ABSENT:

Cary Williamson

OTHERS PRESENT:

Billy Pope (OUBCC Staff), Kathy Hehnly (OUBCC Staff), Lindsay Heinrichs (OUBCC Staff), Bryan Neal (Attorney General's Office), LaTisha Edwards (Office of Management and Enterprise Services – Agency Business Services), Mike Ervin (Oklahoma Capitol Strategies), Mark Roberts (International Code Council)

CALL TO ORDER:

Mr. David Timberlake called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:30 p.m. in the Construction Industries Board/Uniform Building Code Commission Board Room at Shepherd Mall, 2401 NW 23rd St., Suite 2F, Oklahoma City, OK 73107.

STATEMENT OF COMPLIANCE:

The following statement was read into the record:

"This regular meeting of the Oklahoma Uniform Building Code Commission scheduled to begin at 1:30 p.m. on this 18th day of April, 2017 has been convened in accordance with the Oklahoma Open Meeting Act, Title 25 Sections 301 through 314.

Further, this meeting was preceded by an advance public notice that was sent to the Secretary of State electronically specifying the date, time, and place of the meeting here convened.

Notice of this meeting was given at least twenty-four (24) hours prior hereto. To date, seventy-two (72) people have filed a written request for notice of meetings of this public body.

REPORTS:

CEO Report:

Mr. Billy Pope, Chief Executive Officer, reviewed his written report. Mr. Pope noted both the State Auditor's Office and the Office of Management and Enterprise Services (OMES) were increasing costs and he was still working with them to try and mitigate those costs. Mr. McCarty asked if an outside auditor could be utilized instead of the State Auditor's Office. Mr. Pope replied if one could be found that would be willing to do the audit. He stated there was not a choice in utilizing OMES, but he wanted to know what the charges were for. The Commission and Mr. Pope discussed the agency was

small and not very many outside auditors would be willing to do the job. Mr. Pope noted the monthly income had dropped a bit but was not out-of-line with the same month for the last few years.

Mr. Pope asked Mr. Mike Ervin with Oklahoma Capitol Strategies to provide a review of several legislative bills. Mr. Ervin greeted the Commission and stated he wanted to bring a few bills to their attention. He reviewed SB 283 which amended what the Commission could put on the website and some modifications regarding training. He noted it passed out of committee last week and would be going to the House floor. He noted HB 1168 which would move the OUBCC to the Department of Labor, did not get heard in Senate committee and the vehicle was dormant for the rest of the session. He reviewed HB 1720 dealt with providing insurance discounts for homes built to Fortified Home standards. He added initially the bill had language that would require homes to be built to the standards listed in Appendix "Y" of the OUBCC adoption of the 2015 International Residential Code® (IRC®, 2015). He noted with negotiation, the language was changed to require homes to be built to the IBHS fortified homes recommendations. He added the standards were tougher than what was listed in the OUBCC Appendix "Y". He noted the insurance industry still needed to work out what sort of discounts would be required. He stated it was not a mandatory building standard, and would only provide the homeowner with insurance discounts. He reviewed three other bills that related to the State's rule process that made it out of committee and could affect the Commission: HB 1552, HB 1553, and HB 1999. Mr. Ervin noted the three bills looked like they would go to conference and there would be a chance to have a voice on them. Mr. Ervin and the Commission discussed in more detail HB 1720 and the insurance industry's input on the bill; SB 283 and the removal of the six-year code adoption requirement for the Commission; SB 312 dealing with church accommodations to allow others to stay overnight within the facility; and the possibility that language in a dormant bill, or portion thereof, could be added to another bill that has passed out of committee. Mr. Ervin added if a bill was voted down, the language could not be added.

Financial Report:

Ms. LaTisha Edwards with OMES, ABS greeted the Commission. She reviewed the Budget to Actuals report pointing out the annual budget, expenses, encumbrances and remaining balances. She noted the Commission was operating under budget in both departments. She reviewed the remaining reports which included Allotment Budget and Available Cash, Summary of Receipts and Disbursements, Six Digit Object of Expenditure Report; Six Digit Expenditure Detail Report; and Outstanding Encumbrances. Mr. Timberlake asked Ms. Edwards to explain what the balance was on the Summary of Receipts and Disbursements Report in the 79901 account. Ms. Edwards stated that total was the funds received in March that had not yet been transferred out the clearing account and into the 285 Fund. Mr. Barrick asked if the amount was transferred in a timely manner each month. Ms. Edwards replied the transfers had to be done by the 20th of each month. She added once the account reconciliation was completed the transfers were done.

Storm Shelter Technical Committee Update

Mr. Larry Herzel addressed the Commission. He noted the Storm Shelter Technical Committee (SSTC) had met four times. He noted there had been a lot of in-depth discussion on topics including toilets, mechanical systems, door hardware and assemblies, signage, wind speeds, first aid kits, accessibility and siting of storm shelters. He added the committee would start making some conclusions on those items soon and added he felt the committee was on scheduled to present to the Commission for the next rules cycle. The Commission discussed the goals of the committee, which included: eliminating FEMA language from the rules and bringing in any specific FEMA requirements

into the rules if needed; modifying which version of ICC 500® would be utilized for both the 2015 Edition of the International Building Code® (IBC®, 2015) and IRC®, 2015; that FEMA was a best practice and not a code; that not every difference in FEMA would be brought forward in to the OUBCC amendments; and the small differences between the FEMA requirements and those in the ICC 500®.

ACTION AND DISCUSSION ITEMS:

Discussion and possible approval of the February 21, 2017 regular meeting minutes

Mr. Timberlake asked if there were any additions or corrections to the minutes. Mr. Herzel noted there were some very minor typos that he had given to Ms. Hehnlly. He added none of them would change the intent or content of the minutes.

MR. LARRY HERZEL MADE A MOTION WITH A SECOND BY MR. JOE MCKENZIE TO APPROVE THE FEBRUARY 21, 2017 REGULAR MEETING MINUTES

VOTING AYE: Amber Armstrong
 Ross Barrick
 Jim George
 Danny Hancock
 Chris Henderson
 Larry Herzel
 Curtis McCarty
 Joe McKenzie
 David Timberlake

VOTING NAY: None

ABSTAIN: None

ABSENT: Cary Williamson

Discussion and possible action to approve the FY18 contract with the Attorney General's Office

Mr. Pope stated the contract was the same as last year. He added it renewed the contract for FY18, from July 1, 2017 through June 30, 2018 and he recommended it for approval.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. ROSS BARRICK TO APPROVE THE FY18 ATTORNEY GENERAL CONTRACT

VOTING AYE: Amber Armstrong
 Ross Barrick
 Jim George
 Danny Hancock
 Chris Henderson
 Larry Herzel
 Curtis McCarty
 Joe McKenzie
 David Timberlake

VOTING NAY: None
ABSTAIN: None
ABSENT: Cary Williamson

Discussion, status report, and possible action on Code Academy Committee activities

Mr. Timberlake stated he had intended the item to be somewhat of a working session in case there were any questions, input or discussion on the code academy. Mr. Hancock said he would like to figure out what, if anything, the Commission was going to be able to do. He added the Commission should focus on what could be done based on the current funding available. He noted everyone was aware of the current reports regarding the loss of inspectors due to retirement in the next few years. Mr. Timberlake stated if there was any kind of direction regarding the code academy that ought to be given to the committee, now was the time to discuss it. He added if there were questions, comments or suggestions, after the meeting, those could be forwarded to Mr. Pope. Mr. Timberlake noted as the committee formulated how the code academy was going to work, it would be working at the collective discretion and direction of the Commission. The Commission discussed the current committee members and reviewed the history of the committee meetings to date. There was discussion on legislative changes in process and if those changes would have an impact on the academy and if the Commission had legislative authority to create the academy. The Commission discussed the possibility of entering into a cooperative agreement with a technology center and what requirements would need to be met in such an agreement; as well as, if such an agreement could be funded and the viability of continually funding an agreement. Mr. Herzel stated he thought the committee should go forward, schedule another meeting and start working. Mr. Timberlake noted the discussion was what he wanted to accomplish and the overall directive and direction was what he wanted the Commissioners to think about to provide input to the committee.

NEW BUSINESS:

There was no new business.

PUBLIC COMMENTS:

There were no public comments.

ADJOURNMENT: (2:17 P.M.)

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. JOE MCKENZIE TO ADJOURN

VOTING AYE: Amber Armstrong
Ross Barrick
Jim George
Danny Hancock
Chris Henderson
Larry Herzel
Curtis McCarty
Joe McKenzie
David Timberlake

VOTING NAY: None
ABSTAIN: None
ABSENT: Cary Williamson

Minutes approved in the regular meeting on the 16 day of May, 2017

DAVID TIMBERLAKE
David Timberlake, Chairman
Oklahoma Uniform Building Code Commission

PREPARED BY: KATHY HEHNLY
Kathy Hehnly, Executive Assistant
Oklahoma Uniform Building Code Commission

OFFICIAL COPY: *Original with signatures in office file.*