

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 SEPTEMBER 19, 2017 – 1:30 P.M.

COMMISSION MEMBERS PRESENT:

Amber Armstrong, Ross Barrick, Jim George, David Hall, Danny Hancock, Chris Henderson, Rick Lueb, Curtis McCarty, Joe McKenzie, David Timberlake, and Cary Williamson

COMMISSION MEMBERS ABSENT:

None

OTHERS PRESENT:

Billy Pope (OUBCC Staff), Kathy Hehnly (OUBCC Staff), Bryan Neal (Attorney General's Office), LaTisha Edwards (Office of Management and Enterprise Services "OMES" – Agency Business Services "ABS"), Mike Ervin (Oklahoma Capitol Strategies), Kelly Sadler (International Code Council), David Nichols (International Code Council), Lee Davis (OMES - ISD)

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 19th day of September, 2017, has been convened in accordance with the Oklahoma Open Meeting Act, Title 25 O.S. 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-eight (78) 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. He noted four continuing education classes had been held so far during the fiscal year. He added attendance for each class was between twelve to eighteen people. He stated the next class would be on the 2015 IBC means of egress, on October 11, 2017 in Broken Arrow. He added there were many more planned throughout the year. He stated he would like to bring the Commission up to speed on something the staff was looking at creating, which was a survey to send out to the construction industry to find out what the pulse in industry was as far as the code adoption process for the remainder of the codes. He added the Commission had dealt with the 2017 National Electrical Code but they needed to look at and make a

decision on what to do with the remainder of the package. Mr. Pope stated revenue was down a bit, but still holding steady for the month of August. He noted his report was complete unless there were questions. There was discussion on which categories of industry the survey would be sent to, which would include: all the jurisdictions, contractors, inspectors, the insurance industry, architects, and any other interest group staff could reach. There was discussion about revenue received for the continuing education classes and how that was a pass through recouping cost not additional revenue. Mr. Williamson asked where the classes were advertised. Mr. Pope replied they were posted on the agency's website.

Financial Report:

Ms. LaTisha Edwards with OMES, ABS greeted the Commission. She reviewed each report for the month of August, 2017. She noted the agency was doing well on the budget for this point in the fiscal year. She reviewed the cash balance and August revenue received by the agency. There were no questions at the end of her presentation.

Storm Shelter Technical Committee Update

Ms. Armstrong noted the committee had been meeting monthly, however they had added an additional meeting trying to wrap up the review. She noted the committee had all their comment forms in, with just a couple of things still in process. She noted Ms. Hehnly had provided a draft presentation for the committee to review. She added the plan was to present at the October Commission meeting. She stated the committee had some modifications, similar to what was there before, but there had also been quite a bit of public input and that was nice to see. She added there had been several people from the industry who had regularly attended the meetings and contributed to the work of the committee. She noted the committee should be wrapping up soon. Mr. Timberlake asked what that meant. Ms. Armstrong replied the plan was to have the presentation ready and given at the October Commission meeting to start the rulemaking process.

ACTION AND DISCUSSION ITEMS:

Acknowledgement of Jim George's service on the Oklahoma Uniform Building Code Commission

Mr. Timberlake noted this was both a pleasant and sad item for him. He noted Mr. Jim George had been on the Commission for a long time and had served well and honorably. He added he had enjoyed working with him and appreciated the contribution Mr. George had made. Mr. Timberlake noted Mr. George was one of the last original members of the Commission and with him, went a legacy. Mr. Timberlake thanked Mr. George for his service and presented a plaque to Mr. George.

Mr. Danny Hancock stated he had had the honor of working with Mr. George since he was a student plumber and it had been fun being around Mr. George for many years. He added he appreciated Mr. George.

Mr. George stated he had enjoyed his time on the Commission and it had been a good experience. He stated he knew sometimes he was thorn in the side and sometimes he had been on the right side. He added it had been a joy and he wished the Commission continued success.

Discussion and possible approval of the June 20, 2017 regular meeting minutes

Mr. Timberlake asked if there were any additions or corrections. Ms. Armstrong stated she had a few grammatical corrections that did not change the intent of the minutes, and had already given those corrections to Ms. Hehnly.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. CURTIS MCCARTY TO APPROVE AS AMENDED

VOTING AYE: Amber Armstrong
Ross Barrick
David Hall
Danny Hancock
Chris Henderson
Curtis McCarty
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: Jim George
Rick Lueb

ABSENT: None

Discussion and possible action on the FY19 Budget Request

Mr. Hancock stated the budget committee had a conference call recently and reviewed the proposed budget. He noted it was the preliminary FY2019 budget to be sent to the legislature in October. He noted as it had before, it included a fourth position if needed. He noted there were some increases reflected in professional services and administration sections, and some decreases in the furniture and travel sections. He noted there was a budget line item for computers that would no longer be needed as OMES was now going to be renting computers instead of the agency purchasing them. Mr. Timberlake asked if there were any questions and added the committee had reviewed it closely. There were no questions.

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

VOTING AYE: Amber Armstrong
Ross Barrick
Jim George
David Hall
Danny Hancock
Chris Henderson
Rick Lueb
Curtis McCarty
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: None

Discussion and possible action modifying the assignment of commissioners to the standing Commission committees

Mr. Pope noted the document under tab G listed the assignments currently listed for each commissioner along with their assigned positions. He noted both Mr. Herzel and Mr. George's positions had been highlighted as they were no longer going to be serving. He added he wasn't sure if there was a desire for anyone to change which committees they were on as well as address our new members and get them on committees. Mr. Timberlake asked if anyone would like to be on another committee or not be on a committee they currently served on. Mr. Hancock noted it made sense to keep that committee as it was since they had a few more steps left in the budget process was finalized for FY2019. He stated he would like to stay where he was at on the legislative committee, unless needed elsewhere. Mr. McCarty stated he was fine where he was assigned. Mr. Lueb stated he would serve wherever the Commission needed him.

Mr. McCarty asked if there should be a chairman for each committee since it seemed like no one was really in charge of the committees. He cited for example, usually one person headed up the personnel committee. Mr. Timberlake noted it was his understanding that it was up to the committee to elect someone when they met to be the leader, each year. Ms. Armstrong asked if Mr. Timberlake would entertain a suggestion that Mr. Lueb had some education background and might be a good addition to the education committee. Mr. Timberlake agreed and asked if that was acceptable to Mr. Lueb. Mr. Lueb agreed. Mr. Timberlake asked if there were any other areas that Mr. Lueb was interested in or stay in reserve until his services were needed. Mr. Lueb suggested staying in reserve, but background wise, he had started out in life as a contractor and served as a Treasurer on a number of committees and as the committee moved forward, they were aware of his background.

Mr. Hall stated he was not currently assigned to any committees. Mr. McCarty asked where he would like to serve. Mr. Hall stated he was looking at where he saw openings and they were two tough places, noting he would probably be good in the legislative area if there was a spot there, otherwise he would defer to the commission and if there was a need, he would go there. Mr. McCarty stated he felt there should be one more person on the audit committee and one more on the personnel committee. There was further discussion on the open positions and at the end of the discussion, Mr. Lueb agreed to serve on the Audit and Education committees and Mr. Hall agreed to serve on the Personnel committee.

MR. CARY WILLIAMSON MADE A MOTION WITH A SECOND BY MR. DANNY HANCOCK TO APPROVE THE AMENDED COMMITTEE ASSIGNMENTS

VOTING AYE: Amber Armstrong
Ross Barrick
Jim George
David Hall
Danny Hancock
Chris Henderson
Rick Lueb
Curtis McCarty
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: None

Discussion and possible action on meeting dates for 2018

Mr. Timberlake noted the meeting dates followed the usual third Tuesday of each month except for November with Thanksgiving. He noted it had worked for a number of years and asked for any objections or comments.

MR. DAVID HALL MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO APPROVE

VOTING AYE: Amber Armstrong
Ross Barrick
Jim George
David Hall
Danny Hancock
Chris Henderson
Rick Lueb
Curtis McCarty
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: None

Discussion and possible action on the approval of a slate of positions for an Electrical Technical Committee assigned to review the 2017 Edition of the National Electrical Code®

Mr. Pope noted he had created the list with Mr. Barrick on the committee makeup. He added he was suggesting Mr. Barrick as the commission liaison. He noted they felt like it would be a good committee makeup and was similar to past committees. Ms. Armstrong asked about the makeup of the committee, noting there were two commercial contractors, but no residential contractor listed. Mr. Barrick noted generally the NEC looked at industrial and commercial, even though it does have residential requirements in it. He noted most contractors were going to do both, and there was room for the public to input into the meetings. Mr. Pope noted it was just the structural makeup of the committee, not any people serving on the committee. Mr. Timberlake stated he didn't see a problem to add another position. Mr. McKenzie recommended changing one of the contractor positions to add residential to it so it could either way. Mr. McCarty noted one of the positions needs to be large and the other small contractors that does both. He added there were many commercial contractors that did not do any residential work at all and the people on the committee needed to be able to do both. Mr. Timberlake noted they should be two separate positions, so that one each had a primary business. The Commission discussed several possible ways to modify the slate of positions and the reasons behind some of the proposed positions. At the end of the discussion the Commission agreed to modify the

third position listed from "Commercial" to "Residential," modifying the first alternate position to read "Alternate - Contractor or Journeyman (Commercial)," and adding another alternate position for an "Alternate Contractor or Journeyman (Residential)."

Mr. McCarty asked if the committee would start their review of NEC® this fall. Mr. Pope stated they would start asking for volunteers. Mr. McCarty noted typically when they approved a slate, there was a layout for the review and adoption process, and since it was already September and was the Commission thinking the review would be done for the next legislative session this coming year. Mr. Pope stated no. Mr. McCarty stated the review would then be for the 2019 legislative session. The Commission discussed concerns with the current adopted codes referencing the 2014 NEC® and how changes in the 2017 NEC® might affect those adopted codes and create conflicts in the field. The example used for the discussion was the change in the NEC® regarding the voltage or amperage changes for panic hardware on emergency exit doors. Mr. Timberlake stated that might be an agenda item for another meeting; but the Commission needed to stick to the current agenda which was to review a slate of positions for the NEC® review committee.

MR. CURTIS MCCARTY MADE A MOTION WITH A SECOND BY MR. ROSS BARRICK TO APPROVE THE COMMITTEE SLATE OF POSITIONS FOR THE ELECTRICAL TECHNICAL COMMITTEE AS MODIFIED TO ADD ONE MORE ALTERNATE CONTRACTOR OR JOURNEYMAN WHICH WAS RESIDENTIAL, CHANGING COMMERCIAL ON ITEM THREE TO RESIDENTIAL AND ADDING TO THE ALTERNATE CONTRACTOR OR JOURNEYMAN TO SPECIFY COMMERCIAL

VOTING AYE: Amber Armstrong
 Ross Barrick
 Jim George
 David Hall
 Danny Hancock
 Chris Henderson
 Rick Lueb
 Curtis McCarty
 Joe McKenzie
 David Timberlake
 Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS:

Mr. Pope noted he would like to introduce Ms. Kelly Sadler, who was the new Government Relations Manager for the International Code Council. Ms. Sadler thanked the committee. She noted she was covering the State of Oklahoma and was excited. She commended Commissioner George for his service and each of them for their service to the Commission. She stated she hoped to be a resource for the Commission in the future. She noted ICC's primary membership was comprised of state and local government officials. She stated she met Commissioner Armstrong at the ICC conference in Columbus

and she wanted to congratulate her and her service to WICED (Women in Code Enforcement and Development), which received the ICC community service award. She wanted to let them know ICC was in good financial shape with a new President, Jay Elbettar. She added there was international interest in the I-codes. She noted use of the I-codes continued to grow.

PUBLIC COMMENTS:

There were no public comments.

ADJOURNMENT: (4:04 P.M.)

MR. CURTIS MCCARTY MADE A MOTION WITH A SECOND BY MR. ROSS BARRICK TO ADJOURN

VOTING AYE: Amber Armstrong
 Ross Barrick
 Jim George
 David Hall
 Danny Hancock
 Chris Henderson
 Rick Lueb
 Curtis McCarty
 Joe McKenzie
 David Timberlake
 Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: None

Minutes approved in the regular meeting on the 14 day of November, 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 signature in office file.