

# **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 NOVEMBER 13, 2018 – 1:30 P.M.**

### **COMMISSION MEMBERS PRESENT:**

Ross Barrick, David Hall, Danny Hancock (arrived at 1:31 p.m.), Chris Henderson, Rick Lueb, Curtis McCarty, Joe McKenzie (arrived at 1:35 p.m.), David Timberlake and Cary Williamson

### **COMMISSION MEMBERS ABSENT:**

Amber Armstrong and Robert Soder

### **OTHERS PRESENT:**

Billy Pope (OUBCC Staff), Kathy Hehnly (OUBCC Staff), Lindsay Heinrichs (OUBCC Staff), Bryan Neal (Attorney General's Office), Owen Laughlin (Oklahoma Capitol Strategies), LaTisha Edwards (Office of Management and Enterprise Services "OMES" – Agency Business Services "ABS")

### **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 Center, 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 13th day of November, 2018, 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, six hundred seventy-eight (678) people have filed a written request for notice of meetings of this public body."

### **REPORTS:**

#### CEO Report:

Mr. Pope introduced former Senator, Owen Laughlin, who was standing in for Mr. Mike Ervin. Mr. Pope added Mr. Ervin was currently out-of-state. He added he appreciated Senator Laughlin attending the meeting and looked forward to having him around on occasion. Mr. Timberlake thanked Senator Laughlin for joining them and for his distinguished twelve years of service with the State. Mr. Pope noted he spoke with Francis Tuttle Vo-Tech and they did not have any space

to spare for the OUBCC. He noted staff was waiting to start the revamp of the website as OMES was working on some issues they had with the website. He stated Rose Rock was in the process of performing first the 2017 then the 2018 audits. There was some discussion on the timeline to complete the audits. Mr. Pope noted he had gone before the GTARB Board (Government Technology Applications Review Board) and had received approval to increase the office space size and fourth employee that had been in the budget for a while. There was discussion on what the next steps would be; which included finding a location and the timeline to complete an office move. Mr. Pope and the Commission discussed the variances between the monthly amounts collected and the reasons for them. Mr. Pope noted the main reason was that some jurisdictions didn't always get their payments in by the cutoff date. There was discussion regarding the dates when funds were due to the OUBCC each month.

#### Financial Report:

Ms. LaTisha Edwards with OMES ABS greeted the Commission. She reviewed each of the reports for the month ending October 31, 2018. She noted the OUBCC was operating under budget for both the Administration and IT departments. She noted so far there was a gain of about \$45,000 to the existing cash totals. There were no questions for Ms. Edwards at the end of her report.

Mr. Timberlake noted the Commission had neglected, during Mr. Pope's report, to hear an update on legislative issues from Senator Laughlin. Senator Laughlin and the Commission discussed term limits, the number of new legislators at the state, as well as the change in the fifth district representation to the United States Congress. There was discussion on new governance philosophies; if any of the five state questions that were voted on would affect the agency; and if the passage of medical marijuana would have any effect on the building code or the agency. At the end of the discussion Mr. Timberlake asked that Senator Laughlin and Mr. Ervin keep an eye on legislative items that could affect the OUBCC during the next legislative session. Mr. Timberlake thanked Senator Laughlin for his time.

#### Electrical Technical Committee Report:

Mr. Barrick noted the committee continued to meet one Wednesday a month. He noted the last meeting was October 17, 2018. He noted the committee was through Chapters 1 through 4 and had acted on all the comment forms submitted to date. He noted one form was rejected and the others had been accepted. He stated most of the forms were staff generated from previous code review changes that were brought forward. He noted the next meeting would be Wednesday November 28, 2018 and they would be discussing Chapters 5 & 6. He noted Chapter 5 dealt with hazardous locations and Mr. Timberlake's last comment regarding the new industry would have an effect on some of that. He noted Chapter 6 has some alternative energy in it. He noted the next meeting after that meeting was Wednesday, December 5, 2018. He reviewed the meeting schedule and stated it looked like they might be through Chapter 9 by the end of December. Mr. Barrick noted there was a good makeup of members on the committee with open discussion. Mr. Timberlake asked how many were on the committee. Mr. Barrick noted there were ten, with one open position.

#### **ACTION AND DISCUSSION ITEMS:**

##### Discussion and possible approval of the August 21, 2018 regular meeting minutes

Mr. Timberlake noted this was item "D" in the commission books.

MR. CURTIS MCCARTY MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO APPROVE THE AUGUST 21, 2018 MINUTES

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

VOTING NAY:        None

ABSTAIN:            None

ABSENT:             Amber Armstrong  
                          Robert Soder

Discussion and possible action on the annual election of Commission officers (January 1, 2019 through December 31, 2019), per rule 748:1-1-3(b).

Mr. Timberlake noted there was an error on the agenda and the dates for the offices should be January 1, 2019 through December 31, 2019. He noted the floor was now open for those two officer positions.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. CARY WILLIAMSON TO RETAIN THE CURRENT CHAIRMAN AND VICE-CHAIRMAN

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

VOTING NAY:        None

ABSTAIN:            None

ABSENT:             Amber Armstrong  
                          Robert Soder

Discussion and possible action on the technical committee make-up for the review of the 2018 Editions of the International Building Code® (IBC®), International Existing Building Code® (IEBC), and International Fire Code® (IFC®) - BEBF Committee

Mr. Pope noted behind tab "F" was a suggested makeup of the committee. He noted there were some commissioners listed to the right, but they were suggestions and those positions could be open to any of the Commissioners who wanted to serve on the committee. He noted the commissioners listed could withdraw as well. Mr. Timberlake asked Mr. Lueb and Mr. Williamson if they wanted to withdraw from the committee. Both indicated they were willing to serve on the committee. The Commission and Mr. Pope discussed if the proposed committee make-up was similar to the previous committee, with the only difference, the addition of a representative from the Department of Labor; how a large and small jurisdiction would be based on the applications received not necessarily defined by the size or number of people in a jurisdiction; if applications had already been sought for the committees; and if the definition of a contractor included sub-contractors. Commission consensus was for the BEBF committee, previously the contractor was a general contractor.

**MR. CURTIS MCCARTY MADE A MOTION WITH A SECOND BY MR. ROSS BARRICK TO ADOPT THE PROPOSED LIST OF POSITIONS FOR THE COMMITTEE**

There was further discussion on the number of positions, if the commission liaisons had an ability to vote committee meetings, and that there was an approved policy that addressed how the committees would work and who could do what. Staff was asked to resend the procedure to the members after the meeting.

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

VOTING NAY:        None

ABSTAIN:            None

ABSENT:             Amber Armstrong  
                          Robert Soder

Discussion and possible action on the technical committee make-up for the review of the 2018 Editions of the International Fuel Gas Code® (IFGC®), International Mechanical Code® (IMC), and International Plumbing Code® (IPC®) - FGMP Committee

Mr. Pope noted the make-up was behind tab "G" and were the staff's suggested positions. There was discussion regarding the positions for the Oklahoma Liquefied Gas Administration and the Department of Labor and if those positions had to apply or were appointed by the individual

agencies and that mechanical and plumbing contractor positions should be updated to allow journeymen as well as contractors to serve on the committee.

**MR. JOE MCKENZIE MADE A MOTION WITH A SECOND BY MR. CURTIS MCCARTY TO ADOPT THE PROPOSED LIST PRESENTED IN AGENDA ITEM "G" AS MODIFIED TO ADD THE WORDING "AND OR JOURNEYMAN" TO THE MECHANICAL AND PLUMBING CONTRACTOR POSITIONS**

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

**VOTING NAY:** None

**ABSTAIN:** None

**ABSENT:** Amber Armstrong  
Robert Soder

**NEW BUSINESS:**

There was no new business.

**PUBLIC COMMENTS:**

There were no public comments.

**ADJOURNMENT: (2:03 P.M.)**

**MR. ROSS BARRICK MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO ADJOURN**

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

**VOTING NAY:** None

**ABSTAIN:** None

ABSENT: Amber Armstrong  
Robert Soder

Minutes approved in the regular meeting on the 15th day of January, 2019

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.*