Chairman Andrew Bick called the meeting to order at 9:30 a.m. (MT).

**Board Members Present:**
Andrew Bick, Chairman  
Carol Alexander, Vice-Chairman  
Chuck Bleth  
Scott Buck  
Michael Arrington  
Dan Hunter  
Jan Welch  
Dennis Schaffner

**DBS Staff Members Present:**
C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Janice Foster, Deputy Administrator, Administration  
Patrick Grace, Deputy Attorney General  
Rod Freligh, Regional Manager, Region 1  
Chris Jensen, Regional Manager, Region 3  
Dave Decker, Financial Specialist  
Renee Bryant, Administrative Assistant 2/Board Secretary

**Board Members Absent:**
Bobby Ball  
Mike Tracy

**Open Forum**
2009 Energy Code – Casey Bryntesen, president of Ironstone Distributors in Hayden, Idaho, questioned the effect the 2009 energy code would have on his business and the HVAC industry with regard to gasketed doors for wood burning fireplaces.

This topic was addressed under agenda item 4c “Public Testimony--2009 Code Amendments--2009 International Energy Conservation Code (IECC) 402.4.3”.

**Approval of the April 10, 2012 Agenda**
Steve Keys requested item 6 “2012 Codes” be addressed immediately after item 3 “Negotiated Rulemaking Process”. This allows DBS staff to address the changes in the codes prior to testimony being heard to amend the current codes.

*MOTION:* Scott Buck made a motion to accept the agenda as amended. Dan Hunter seconded. All in favor, motion carried.

**Approval of the February 14, 2012 Board Meeting Minutes**
*MOTION:* Dan Hunter made a motion to approve the February 14, 2012 Board meeting minutes as written. Scott Buck seconded. All in favor, motion carried.
Negotiated Rulemaking Process
As of 2009, the Idaho Building Code Board is required to adopt and amend editions of the codes through a negotiated rulemaking process. Patrick Grace provided an overview of said process.

2012 Codes
The Board has not made a decision whether to support amendments to the 2009 codes or adopt the 2012 codes. The following staff provided changes reflected in the codes: Arlan Smith, building code; Lisa Stover, residential code; and Jerry Peterson, energy code.

Carol Alexander supports the adoption of the 2012 codes and is of the opinion that the 2012 International Building Code (IBC) and International Residential Code (IRC) have significant changes with improved modifications/clarifications to better serve contractors, rather than the vagueness and arbitrariness of some items in the 2009 code.

Public Testimony – 2009 Code Amendments
2009 IRC-R315.2 – Jason Blais, city of Boise building official, stated the enforcement to install carbon monoxide detectors in every home is a challenge for code officials since there are no exceptions to section R315.2 “Where required in existing dwellings” in the 2009 IRC. For that reason, Mr. Blais proposed the following two exceptions be added to the code:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or electrical outlets, are exempt from the requirements of this section.

2. Installation, alteration or repairs of noncombustion plumbing or mechanical systems are exempt from the requirements of this section.

2009 IBC-Table 2902.1 – The largest number of complaints is the cost and requirements to install high-low drinking fountains and service sinks in small businesses and mercantile occupancies. The 2009 code has an exemption that an occupant load of 15 or fewer does not require a drinking fountain. States surrounding Idaho have amended their codes to reflect the occupant load of 30; doubling the size and matching the 2009 Uniform Plumbing Code. Currently, there are no exceptions for service sinks in the 2009 code.

Mr. Blais proposed the following changes/additions to table 2902.1:

1. Amend footnote “f” to require occupant load for drinking fountains from 15 to 30.

2. Add footnote “g” to read, “For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of 30 or fewer, service sinks shall not be required.”

Board members Dan Hunter and Carol Alexander are in support of the amendments presented by Mr. Blais.

2009 IECC 402.4.3 – Casey Bryntesen stated the 2009 code specifies gasketed doors, not glass doors on fireplaces; thus the code conflicts with the safety requirements of UL listed products.
Mr. Bryntesen suggested the following verbiage from section R402.4.2 of the 2012 code be incorporated into section R402.4.3 of the 2009 code: “New wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.”

Patrick Grace offered to integrate the suggested amendments into the 2009 codes for the Board’s review at the June 12, 2012 Board meeting.

**ACTION:** For the June 2012 meeting, Patrick Grace will present, in rule format, the suggested amendments to the 2009 IRC, section R315.2; 2009 IBC, table 2902.1; and 2009 IECC, section 402.4.3.

**Significant Changes to the IBC and IRC—2012 Edition** – Carol Alexander expressed that although the booklets *Significant Changes to the International Building Code* and *Significant Changes to the International Residential Code* are not all inclusive, many pages direct attention to modifications, clarifications, and some outright changes and additions to the 2012 code. Those changes are enhancements for contractors, ease of inspections for building inspectors, and added safety and comfort for homeowners.

♦ **Proposed Code Change—IBC Section 903.2.7**

Andrew Bick reiterated the objective and background on the proposed change to IBC section 903.2.7. The modified clause reads, “A Group M occupancy is used for the display and sale of upholstered furniture or mattresses and exceeds 5000 square feet (464 m²) in area.”

The Board will vote on the above rule change at the June 2012 Board meeting. If approved, it will be promulgated as a temporary rule to coincide with the effective date of the Idaho Fire Code.

♦ **Deputy Administrator Report**

**Financial Payback Analysis** – In the future, a cost benefit analysis of any change has to be presented to the legislature. The Board was asked to help gather any information that would support the action it wants to take relative to the adoption or amendment of codes.

**DBS and Building Program** – Based on the figures in the financial statements, it has been a slow winter. DBS is currently in the process of hiring a building inspector to be stationed in Moscow.

**Homeland Security Disaster Drill** – The Idaho Bureau of Homeland Security will put on a disaster drill April 10th and 11th. DBS is the supporting agency for the Department of Administration, Division of Public Works; providing building inspections, structural assessments, etc.

**Modular Program** – The Modular program continues to struggle with units produced in Idaho plants increasingly being shipped to other states.

**Manufactured Housing Program** – Lack of activity in the manufactured housing industry is causing strain on the program.
Administrator Report


Future Public Works Building Projects – Expansion of the following Idaho colleges/universities will commence in the near future: Football stadium at Boise State University, Boise; University of Idaho, Moscow; Lewis Clark State College, Lewiston; North Idaho College, Coeur d’Alene; housing and two new buildings at College of Southern Idaho, Twin Falls; and remodel or replacement of Colonial Hall at Idaho State University, Pocatello.

Manufactured and Modular Industries – The largest Canadian builder of modular housing will open a plant in Pocatello. It is anticipated 150 will be employed.

Electrical, HVAC, and Plumbing Programs – With regard to revenue, the last several months the Division has seen an upturn in electrical, a slight upturn in HVAC, and plumbing has hit bottom.

State Employee Raises – The 2012 legislature passed a 2% across-the-board salary increase for all state employees. This is the first raise since 2008, and will become effective July 1, 2012.

New Business

There was no new business to discuss.

Executive Session

An executive session was not required.

MOTION: Scott Buck made a motion to adjourn the meeting. Dennis Schaffner seconded. All in favor, motion carried. The meeting adjourned at 11:55 a.m. (MT).

ANDREW BICK, CHAIRMAN
IDAHO BUILDING CODE BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

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