The meeting was called to order by Chairman Ron Whitney at 9:34 a.m. on Tuesday, June 8, 2010.

Board Members Present:  
Ron Whitney, Chairman  
Carol Alexander, Vice Chairman  
(Teleconference)  
Michael Arrington  
Scott Buck  
Jan Welch  
Chuck Bleth  
Bobby Ball  
Andrew Bick  
Mike Tracy  
Dan Hunter

DBS Staff Members Present:  
C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Janice Foster, Deputy Administrator, Administration  
Kirk Weiskircher, Financial Specialist, Principal  
Jack Rayne, Building Bureau Chief  
Arlan Smith, Plan Review Program Manager  
Renee Bryant, Administrative Assistant 2/Board Secretary  
Sharon Chisom, Office Specialist 2

DBS Staff Members Absent:  
Patrick Grace, Deputy Attorney General

Dan Hunter, County Building Inspector Representative, was welcomed to the Board.

Open Forum
No items or concerns were brought forth.

Approval of the June 8, 2010 Agenda
MOTION: Mike Tracy made a motion to approve the Agenda as written. Chuck Bleth seconded. All in favor, motion carried.

Approval of the April 6, 2010 Board Meeting Minutes
Andrew Bick noted Scott Buck’s last name was misspelled at the bottom of page four (4) under the motion to adjourn the meeting.

MOTION: Andrew Bick made a motion to approve the minutes with correction. Scott Buck seconded. All in favor, motion carried.

Public Testimony – 2009 Code Amendments
There was no new or additional testimony to the proposed 2009 code amendments.

Decision for Adoption of the 2009 Code Amendments
Chairman Whitney suggested a motion be made on each amendment.
Fire Resistance Rated Walls – (IRC) R302.2 – Chairman Whitney read the reasoning for the proposal submitted by Lynn Transtrum, Pocatello City Building Official.

The proposal for two one-hour walls is currently a default position in the code, and is redundant since the two one-hour fire walls already start at the property line.

**MOTION:** Carol Alexander made a motion the Idaho Building Code Board reject the proposed code change. Scott Buck seconded. All in favor, motion carried.

Required Inspection – (IBC) 109.3 – Chairman Whitney read the city of Nampa’s proposal to modify the second sentence on page seven (7) of section 109.3 in the IBC. The city’s reason for the proposal is as follows: “The current language does not provide consideration of the project site development, which should be included due to the fact that the permitting jurisdictions are charged with reviewing, inspecting, and enforcing requirements relative to landscaping, utilities, site drainage, storm water protections, fire department access, hydrant locations, and other requirements that may not be part of a building code review.”

Concerns arose as to the escalation of cost to inspect items that may not be part of a building code review. It was expressed the issue falls under the local jurisdictions and they should step-up and set fees accordingly across their departments.

**MOTION:** Scott Buck made a motion to reject the proposed code amendment from the city of Nampa. Mike Arrington seconded. All in favor, motion carried.

Definition for Townhouses – (IBC & IRC) 101.2, Page 1 – Carol Alexander stated if the exception is not removed a battle ensues with the sprinkler issue. However, by deleting the exception the live/work units can be built under the one and two-family dwellings without sprinklers and there will be coordination across the statutes and in the code itself.

**MOTION:** Carol Alexander made a motion to accept the proposed code amendment to section 101.2, deleting the exception. Chuck Bleth seconded. All in favor, motion carried.

Work Exempt from Permit-Prefabricated Swimming Pools – (IRC) R105.2, Page 3 – Chairman Whitney read the proposal by IDABO. There was no discussion.

**MOTION:** Andrew Bick made a motion to approve the proposal. Mike Tracy seconded. All in favor, motion carried.

Work Exempt from Permit-Fences – (IRC) R105.2, Page 3 – Chairman Whitney read the passage on this topic from the April 6, 2010 minutes. There was no discussion.

**MOTION:** Mike Tracy made a motion to accept the amendment as presented. Chuck Bleth and Carol Alexander seconded. All in favor, motion carried.

Log Homes – IDAPA 07.03.01.004.04 – There was no discussion.

**MOTION:** Chuck Bleth made a motion to accept the amendment as written. Mike Tracy seconded. All in favor, motion carried.
Proposed Rules

Plan Review and Permit Fees – Kirk Weiskircher reviewed, section by section, the proposed changes in IDAPA 07.03.01.028, “Plan Review”, and 07.03.01.029, “Fees”. The primary change, as previously addressed by Administrator Pearce, is to make sure the fees the Division charges for plan reviews and permits correspond with what the Division actually incurs in terms of their costs. It was determined the best way to accomplish this would be to charge an hourly fee.

Jack Rayne stated subsection four (4) “Systems Submittal Plan Review Fee”, in section 29 “Fees”, should be deleted as it does not pertain to state project reviews.

To address a concern brought forward, as long as the fees the local jurisdiction charges falls within the minimum and maximum range of the schedule, and they do not charge anymore per hour than what the DBS charges, they would be in accord with the statute and proposed rule.

MOTION: Mike Tracy made a motion the Board accept the revisions for the proposed rules presented by DBS, with the exception of eliminating subsection four (4) “System Submittal Plan Review Fee” from section 29 “Fees”. Andrew Bick seconded. All in favor, motion carried.

Housekeeping – The Division oversaw the clean up, removal, and transfer of all modular building requirements from the building rules, IDAPA 07.03.01 “Rules of Building Safety”, to the modular building rules, IDAPA 07.03.03 “Rules for Modular Buildings”.

MOTION: Chuck Bleth made a motion to approve the housekeeping changes as noted. Mike Tracy seconded.

During discussion, Andrew Bick suggested when approving the motion the Board take into account the revision pages, as well as the suggested deletions.

MOTION: Chuck Bleth amended his original motion to comply with Andrew Bick’s suggestion to accept the amendment changes, taking into account revised page six (6) of agenda item 5b where the investigation fee shall be charged as a technical service fee, and the removal of subsection four (4) of section 29, “Systems Submittal Plan Review Fee”. Mike Tracy seconded. All in favor, motion carried.

The Value of the Energy Codes Seminar

Ken Baker, instructor for International Energy Conservation Code (IECC), updated the Board to the educational opportunities on the 2009 residential and commercial IECC. For additional information and/or to register for the “free” two-day workshop, go to http://www.idahocities.org.

As of January 1, 2011, all Idaho jurisdictions will be required to comply with the 2009 IECC codes.

06/09 Energy Code Webcasts

As of today, IECC has presented two webinars on the differences between the 06-09 residential and commercial energy codes. Both webinars can be viewed on the Association of Idaho Cities website at http://www.idahocities.org. As the year progresses IECC will present additional webinars.

Bureau Chief Report

Seismic Listening Seminars – The Division participated in the Bureau of Homeland Security’s Seismic Listening sessions held in Meridian and Idaho Falls. The two workshops addressed how the
building codes in Idaho deal with earthquakes, particularly areas in Idaho that have the highest risk factor with earthquake exposure. Attendees were engineers, seismic experts relative to soils engineering, code officials, hospital administrators, and school district personnel.

**State Plan Reviews** – Although the Division has less work to do with schools, they have been doing more work with modular buildings.

**HUD** – The Division is required by HUD to update certifications for the four Idaho certified HUD manufactured home manufacturers.

♦ **Administrator Report**


**Building Safety Program Manager Position** – By combining the vacant Bureau Chief and Plans Examiner positions, three Building Safety Program Manager positions have been created in the HVAC, Plumbing, and Electrical Bureaus. Kelly Pearce briefly explained the responsibilities of the new positions.

**Building Inspections** – Statutorily the DBS is the responsible party for state building inspections. In the past, the Division deferred those inspections to the Division of Public Works (DPW). In the future, the Division will assume its responsibility, by statute, of building inspection of state buildings.

**Personnel** – The Division is currently down 20 percent with its full-time employee (FTE) positions.

**Areva** – This enrichment plant in Bonneville County has received a guaranteed funding source from the federal government, and is anticipated to move forward.

**HOKU** – It appears HOKU is wholly owned by the Chinese government, and is increasing the number of personnel from 150 to 200 individuals. The plant is on its way to full production to manufacture polysilicon solar cells for worldwide distribution.

**Project 60** – The Governor has intensified his efforts to bring/entice businesses to relocate to the state of Idaho. By relocating to Idaho, potential businesses will have a good business tax base and regulatory base to operate under.

The Governor is currently leading a delegation to China to introduce and possibly export Idaho’s agricultural products to China; as well as encourage Chinese Capital to come to Idaho to invest within the state.

**Pocatello Office** – The first of August the Division will reopen an office in Pocatello. The office will house one regional manager, one full-time and one part-time clerical staff members.

**Newsletter** – The Division’s newsletter has gone electronic; eliminating the cost of producing 18,000 copies twice a year.

**Call Center** – The Division’s current telephone system is being upgraded to include ‘call center’ technology. The Pocatello and Coeur d’Alene offices will become part of the same phone system as Meridian. This ‘call center’ technology will allow staff in Meridian, Coeur d’Alene, and Pocatello to
perform ‘back up’ services to the other offices. The processing of permits, licensing, etc. can be transferred as necessary between offices to better distribute personnel resources. When all offices are on-line, the Division will be able to answer calls from anywhere in the state by whomever is available at the time regardless of their physical location.

Fundamental Commissioning/Integrated Planning Design – The Plumbing/Worley school design team is utilizing the Fundamental Commissioning/Integrated Planning Design concept through the Division’s DOX program. This will give the architect and engineer for each of the trade areas an opportunity to automatically communicate with each other, and gives the opportunity for a full integration of concept in regard to energy reduction.

Deputy Attorney General – Kelly Pearce acknowledged Kay Christensen, Division Chief with the Office of the Attorney General will stand-in for Patrick Grace while he is on military duty.

CAS – As of April 1, 2010, the Division launched an upgrade to the search feature. Individuals can add multiple search criteria to narrow down a specific search and download the requested documentation in a spreadsheet.

♦ New Business

Board Meeting Date – The next Idaho Building Code Board meeting is scheduled for Tuesday, October 19, 2010.

Code Cycles – As of July 1, 2010, Oregon and Washington will be on the 09 codes.

ADA Task Force 20th Anniversary – On July 26th from 11 a.m. to 3 p.m. at the Capitol Park the ADA Task Force will celebrate its 20th anniversary. Everyone is welcome and encouraged to participate in the “Hands around the Capitol”.

♦ Executive Session

An Executive Session was not required.

Chairman Whitney adjourned the meeting at 11:50 a.m.

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RON WHITNEY, CHAIRMAN C. KELLY PEARCE, ADMINISTRATOR
IDAHO BUILDING CODE BOARD DIVISION OF BUILDING SAFETY

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DATE DATE