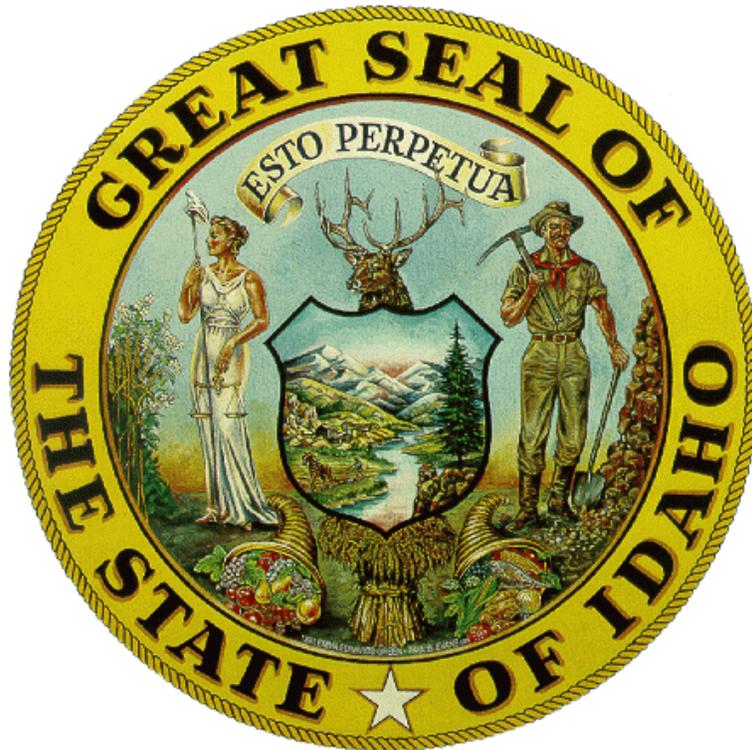


DIVISION OF BUILDING SAFETY

IDAHO BUILDING CODE BOARD
VIDEOCONFERENCE MEETING

APRIL 12, 2011



IDAHO BUILDING CODE BOARD

Agenda Item No. 01

Agenda

OBJECTIVE: To approve the Agenda for the April 12, 2011 Idaho Building Code Board meeting.

ACTION: Consent

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS: April 12, 2011 Idaho Building Code Board tentative Agenda



TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

**IDAHO BUILDING CODE BOARD
VIDEOCONFERENCE MEETING**

**Division of Building Safety
1090 East Watertower Street, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho
2055 Garrett Way, Building 2, Suite 7, Pocatello, Idaho
dbs.idaho.gov – (208) 332-7137**

***Tuesday, April 12, 2011
9:30 a.m. – 12:00 p.m. (MT)***

(Note: Meeting Time is 8:30 a.m. PT)

- 9:30 a.m. CALL TO ORDER** – Ron Whitney, Chairman
- Roll Call & Introductions
 - Open Forum

CONSENT AGENDA

1. Approval of the April 12, 2011 Agenda
2. Approval of the February 8, 2011 Board Meeting Minutes

INFORMATIONAL AGENDA

3. Board Compensation – Steve Keys
4. Possible Statutory Change to the Building Code Act – Patrick Grace
5. Legislative Update – Steve Keys
6. Deputy Administrator Report – Steve Keys
7. Administrator Report
 - a. Financial Report – C. Kelly Pearce and Kirk Weiskircher
 - b. Administrator – C. Kelly Pearce

NEW BUSINESS

EXECUTIVE SESSION (If required)

- 12:00 p.m. ADJOURN**

All times, other than beginning, are approximate and are scheduled according to Mountain Time (MT), unless otherwise noted. Agenda items may shift depending on Board preference. 03/21/11r

IDAHO BUILDING CODE BOARD

Agenda Item No. 02

Minutes

OBJECTIVE: To approve the Minutes from the February 8, 2011 Idaho Building Code Board Meeting.

ACTION: Consent

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS: Draft minutes from the February 8, 2011 Idaho Building Code Board Meeting



IDAHO BUILDING CODE BOARD VIDEOCONFERENCE MEETING

Tuesday – February 8, 2011 – 9:30 a.m. (MT)

Division of Building Safety
1090 East Watertower Street, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho
2055 Garrett Way, Building 2, Suite 7, Pocatello, Idaho

*DRAFT MINUTES OF THE FEBRUARY 8, 2011 MEETING

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

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

Board Members Present:

Ron Whitney, Chairman
Carol Alexander, Vice Chairman
(Teleconference)
Michael Arrington
Chuck Bleth
Jan Welch
Andrew Bick
Mike Tracy
Dan Hunter

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Janice Foster, Deputy Administrator, Administration
Patrick Grace, Deputy Attorney General
Kirk Weiskircher, Financial Specialist, Principal
Chris Jensen, Regional Manager, Eastern Idaho
Rod Freligh, Program Supervisor, Region 1
Brad Ziel, Inspector/Advisor
Renee Bryant, Administrative Assistant 2/Board Secretary

Board Members Absent:

Bobby Ball
Scott Buck

◆ Open Forum

No items or concerns were brought forth.

◆ Approval of the February 8, 2011 Agenda

MOTION: Carol Alexander made a motion to approve the amended Agenda as presented. Mike Tracy seconded. All in favor, motion carried.

◆ Approval of the October 19, 2010 Board Meeting Minutes

MOTION: Andrew Bick made a motion to approve the Minutes as written. Michael Arrington seconded. All in favor, motion carried.

◆ Possible Statutory Change in Building Code Act

Idaho Code § 39-4115, "Personnel", states in part, "The division shall employ a bureau chief, who shall in addition to his other duties, function as the executive director of the board ..."

As a cost-saving measure, the Division eliminated the bureau chief and plan examiner positions; merging their duties with other responsibilities within the Agency to create three new program manager positions in the HVAC, Plumbing, and Electrical Programs.

The Idaho Building Code Board is the only board in the Division with an executive director in statute. An individual must be an exempt/non-classified employee to serve in that position.

The statutes of the Division's remaining boards basically stipulates the administrator functions as the secretary and is a non-voting member of the Board.

For consistency throughout the Boards, it was recommended the Division maintain the executive director position; however, reference the administrator or his designee as the responsible party.

Ron Whitney encouraged DBS staff to provide to the Board actual statutory change and text for its review prior to the April Board Meeting.

ACTION: Prior to the April 2011 Board Meeting, the Division will provide the statutory change and text to the board members for their review.

◆ **Legislative Issues Update**

Docket # 07-0301-1001 – This temporary rule amends the International Residential Code (IRC) and the IECC relative to log buildings. It has been reviewed and approved by the Senate Commerce and Human Resources and the House Business Committees. It will become permanent and effective on the adjournment of the Legislature.

Docket # 07-0301-1002 – This rule reflects changes in the building permit and plan review fees. It has been reviewed and approved by the Senate Commerce and Human Resources and the House Business Committees. It will become permanent and effective on the adjournment of the Legislature.

◆ **Deputy Administrator Report**

Fees – Steve Keys briefly mentioned the building permit and plan review fees generated by the Division from FY 2010 through January 2011.

Construction – The Meridian School District plans to build a new elementary school. It has selected DBS to provide the plan review functions on the school instead of the local jurisdiction.

Plan Review Program – The Division's Plan Review Program has been restructured. It now has one dedicated employee. The former plumbing, electrical, and mechanical staff have been reassigned responsibilities within the Agency. They will; however, continue to review plans on an as needed basis; allocating their time appropriately.

◆ **Administrator Report**

CAS – When the Customer Access System (CAS) was originally implemented in 2009, the Division anticipated approximately 20% of its permits would be sold online. As of today, 55% of the permits are purchased online.

Website – The Division's new website went "live" in December 2010. One of the main goals for the new website was to guide customers to use the online services. Janice Foster provided a brief overview of the functions.

Electronic Telephone/Fax System – The Division has upgraded its telephone/fax system to an automation call distribution center. The three Division offices are connected to this system and are able to work amongst themselves.

Customer Resource Team (CRT) – In April 2008, the CRT team had 25 full-time and two temporary full-time employees. As of today, there are 15.5 employees, for a reduction of 40%.

Personnel – In 2007, DBS was authorized 152 full-time positions; today there are only 118 employees.

Building Remodel/Rental – The Department of Labor (DOL) will rent from DBS 47% of the Meridian office. Over the next ten years the Division anticipates saving \$1.5 million in rent. Kelly Pearce provided a description of the changes within the building.

Exams – Exams are currently administered through an independent testing institute out of Florida. The Division has received many complaints. The most common is that test information is not provided in the study guides and questions pertain to Florida laws rather than Idaho laws. There has been discussion of setting up an interim exam until DBS staff can go through the full exam development process and create an exam that would be administered internally.

City of Ketchum Contract – The Division has signed a contract with the city of Ketchum to undertake the building official duties. DBS has also regained the HVAC inspection responsibilities, which the city has been doing for the past 18 months.

Arlan Smith with DBS trained Ketchum staff in the extended use of the DOX plan review system, as well as other systems relating to plan reviews.

State of the City Address – Mike Tracy stated that on Wednesday, February 2, 2011, the city of Meridian Mayor Tammy de Weerd held the State of the City Address. In her speech, the Mayor outlined many of the construction projects currently underway in Meridian.

Poultry Plant – The construction of a poultry plant, to be built inside the city limits of Burley, is expected to begin in the spring of 2011.

AREVA – It is projected construction will commence on the AREVA facility in the spring of 2011. Upon completion of the job, approximately 150 employees will be hired, primarily security guards and technicians, to operate the plant.

Polysilicon Solar Cell Plant – HOKU, the company that plans to build a plant in Pocatello to produce polysilicon solar cells, has received an offer of infusion money from the Chinese government to expand its facilities.

High-Tech Industrial Park – There is speculation the Chinese plan to secure 10,000 to 30,000 acres south of the Boise airport to build a high-tech industrial park. There would be two large commercial and residential areas as part of the complex.

Furloughs vs. Layoffs – Kelly Pearce explained the difference between furloughs and layoffs, and why the Division has chosen layoffs. He also expressed there will be additional layoffs in the near future.

Financial Report – Kirk Weiskircher reviewed the Idaho Building Code Fund Fiscal Year 2011 Financial Statements as of December 31, 2010.

◆ **New Business**

2009 International Energy Conservation Code (IECC) – Ron Whitney reiterated that the Board approved the 2009 IECC with the understanding that DBS, OER, and Governor’s office sent a letter to the Department of Energy confirming the state of Idaho would be 90% compliant with the Code within eight years.

The 2009 IECC is currently in place. A task force, funded by OER and National Environmental Health Association (NEHA), will provide training throughout the state of Idaho to building officials and contractors on the new code.

Carbon Monoxide Poisoning – On a trial basis, the Division has purchased several CO2 detectors for HVAC inspectors to use when performing inspections. These small devices can be carried on a person’s body, and are much more sensitive than normal residential detectors currently installed in homes.

April Meeting – The next Board meeting will be held Tuesday, April 12th at 9:30 a.m. (MT). Any recommendations for code changes need to be brought to the April meeting for review.

◆ **Executive Session**

An Executive Session was not required.

MOTION: Chuck Bleth made a motion to adjourn. Andrew Bick seconded. All in favor, motion carried. The meeting adjourned at 10:55 a.m. (MT).

RON WHITNEY, CHAIRMAN
IDAHO BUILDING CODE BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

*These DRAFT minutes are subject to possible correction and final approval by the Idaho Building Code Board 03/21/11rb

IDAHO BUILDING CODE BOARD

Agenda Item No. 03

Board Compensation

OBJECTIVE: To amend the statute that provides compensation to members of the Idaho Building Code Board.

ACTION: Informational

BACKGROUND: As stated in I.C. § 59-509(h), members currently receive a \$50.00 salary for each day they perform board duties; and accordingly, are required to participate in the state's retirement plan, PERSI. It has been discovered that participation in PERSI may have adverse tax consequences to board members. A different paragraph, I.C. § 59-409(n), permits state board members to be paid an honorarium instead of a salary and such compensation does not require participation in PERSI. Several DBS boards utilize this provision and receive the honorarium compensation.

PROCEDURAL HISTORY:

ATTACHMENTS: Draft Amendment of I.C. § 39-4106



TITLE 39
HEALTH AND SAFETY
CHAPTER 41

IDAHO BUILDING CODE ACT

39-4106.IDAHO BUILDING CODE BOARD CREATED -- MEMBERSHIP -- APPOINTMENT -- TERMS -- QUORUM -- COMPENSATION -- MEETINGS. (1) The Idaho building code board is established within the division as an appeals, code adoption and rulemaking board, to be appointed by the governor, and shall consist of ten (10) members: one (1) member of the general public; one (1) local fire official; one (1) licensed engineer; one (1) licensed architect; two (2) local building officials, one (1) from a county and one (1) from a city; two (2) building contractors, one (1) residential contractor who is an active member of the Idaho building contractors association with construction knowledge based primarily on a work history of buildings regulated by the International Residential Code, and one (1) commercial contractor who is an active member of either the associated builders and contractors or the associated general contractors of America with construction knowledge based primarily on a work history of buildings regulated by the International Building Code; one (1) representative of the modular building industry; and one (1) individual with a disability from an organization that represents people with all types of disabilities. Board members shall be appointed for terms of four (4) years and until their successor has been appointed. Three (3) consecutive failures by a member to attend meetings of the board without reasonable cause shall constitute cause for removal of the member from the board by the governor. Whenever a vacancy occurs, the governor shall appoint a qualified person to fill the vacancy for the unexpired portion of the term.

(2) The members of the board shall, at their first regular meeting following the effective date of this chapter and every two (2) years thereafter, elect by majority vote of the members of the board, a chairman who shall preside at meetings of the board. A majority of the currently appointed members of the board shall constitute a quorum.

(3) Each member of the board not otherwise compensated by public moneys shall be compensated as provided by section 59-509(hn), Idaho Code, for each day spent in attendance at meetings of the board.

(4) The board shall meet for regular business sessions at the call of the administrator, chairman, or at the request of four (4) members of the board, provided that the board shall meet at least biannually.

IDAHO BUILDING CODE BOARD

Agenda Item No. 04 Possible Statutory Change to the Building Code Act

OBJECTIVE: To consider a change in the statute to reflect the Administrator of DBS or his designee as the executive director of the Board.

ACTION: Informational

BACKGROUND: Idaho Code § 39-4115, “Personnel”, states in part, “The division shall employ a bureau chief, who shall in addition to his other duties, function as the executive director of the board ...”

As a cost-saving measure, the Division eliminated the bureau chief and plan examiner positions; merging their duties with other responsibilities within the Agency to create three new program manager positions in the HVAC, Plumbing, and Electrical Programs.

For consistency throughout the Boards, it was recommended the Division maintain the executive director position; however, reference the administrator or his designee as the responsible party.

Ron Whitney encouraged DBS staff to provide to the Board actual statutory change and text for its review prior to the April Board Meeting.

PROCEDURAL HISTORY:

ATTACHMENTS: Idaho Code § 39-4115



§ 39-4115. Personnel

The division shall designate a non-classified employee to serve ~~employ an bureau chief, who shall in addition to his other duties, function~~ ~~as the~~ as the executive director of the board, and such other personnel as necessary to effect enforcement of the codes herein enumerated or otherwise prescribed by rules promulgated by the board pursuant to this chapter. ~~All such employees, except the bureau chief executive director, shall be classified as prescribed in chapter 53, title 67, Idaho Code.~~

IDAHO BUILDING CODE BOARD

Agenda Item No. 05

Legislative Update

OBJECTIVE: To inform the Board on the status of pending rules presented at the 2011 Legislature.

ACTION: Informational

BACKGROUND: At the April 2010 Idaho Building Code Board meeting, proposed amendments were presented to the Board along with public testimony. The amendments were reviewed and a final vote was made at the June 2010 meeting. The proposed rules were submitted to the Division of Financial Manager and the Governor's office for approval prior to being submitted to the 2011 Legislature.

PROCEDURAL HISTORY:

ATTACHMENTS: No documentation



IDAHO BUILDING CODE BOARD

Agenda Item No. 06

Deputy Administrator Report

OBJECTIVE: To report the recent activities within the Building Program.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Idaho Building Code Board Meetings.

PROCEDURAL HISTORY:

ATTACHMENTS: No documentation



IDAHO BUILDING CODE BOARD

Agenda Item No. 07a

Financial Report

OBJECTIVE: To review the Idaho Building Code Board Financial Report.

ACTION: Informational

BACKGROUND: This topic is discussed at all regularly scheduled Idaho Building Code Board Meetings.

PROCEDURAL HISTORY:

ATTACHMENTS: Idaho Building Code Board Financial Report





Division of Building Safety
 IDAHO BUILDING CODE FUND
 Fiscal Year 2011 Financial Statements
 As of 2/28/2011

Statement of Revenues and Expenditures

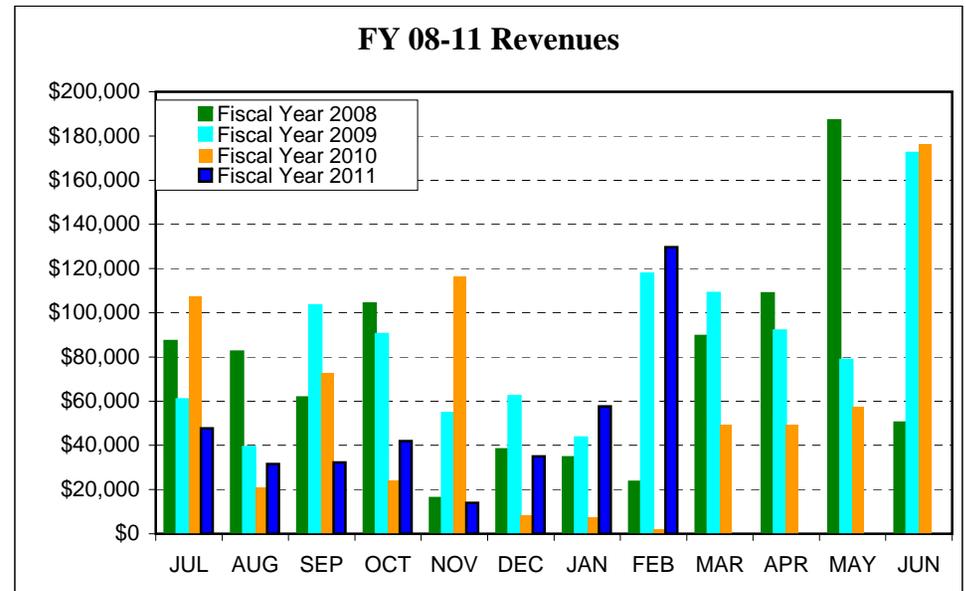
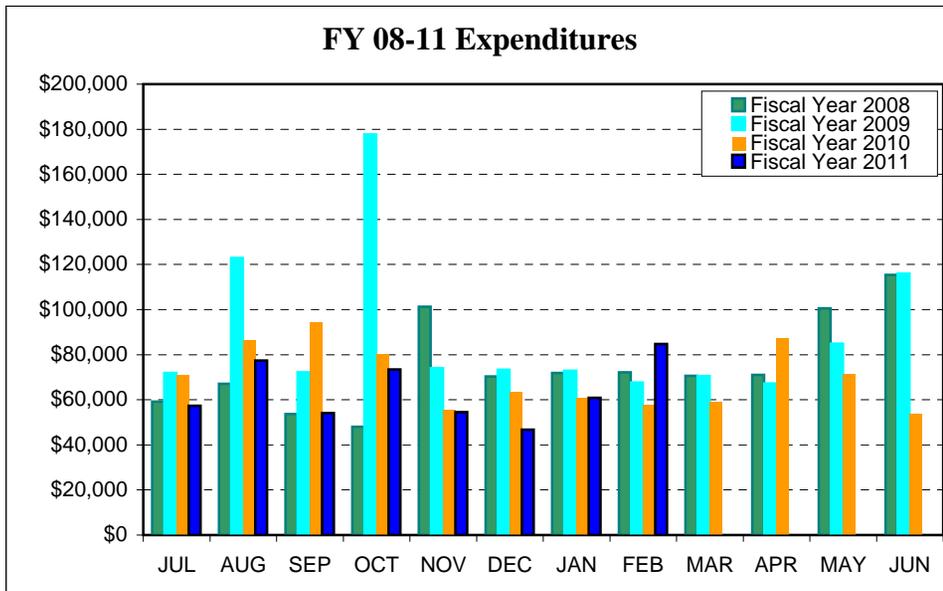
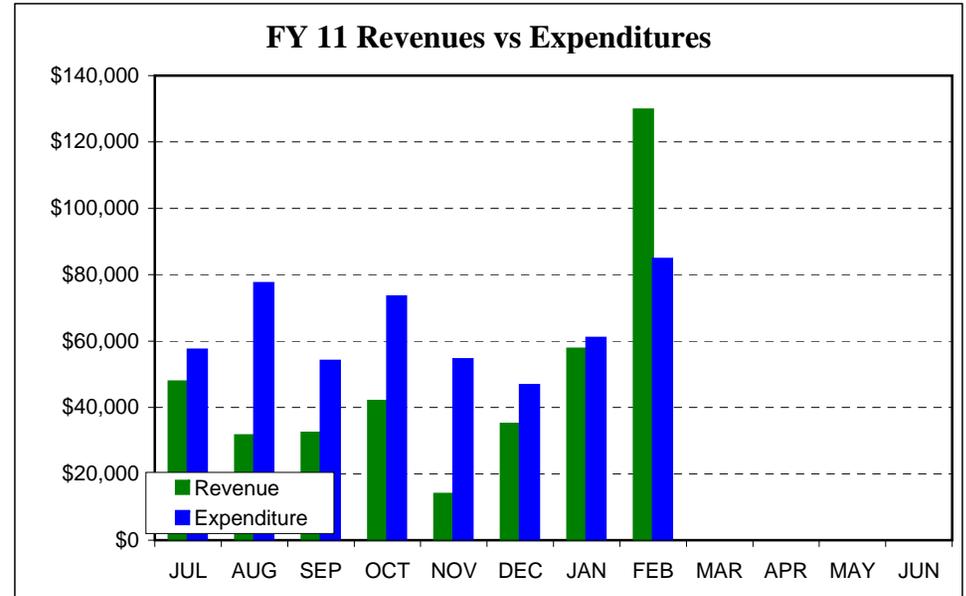
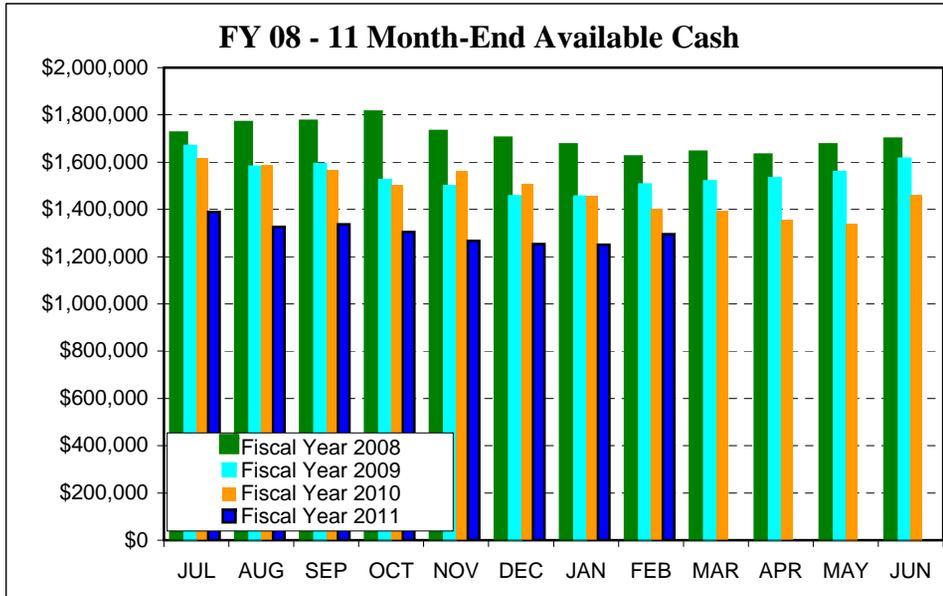
Class	Budget	Fiscal Year To Date	YTD as a % of Budget *	Remaining Budget	Projected for Remainder of Projected Year	Projected End Totals	Projected Total as a % of Budget
Revenues:	322,500	389,999	120.9%	(67,499)	135,000	524,999	162.8%
Expenditures							
Personnel:	430,000	343,102	79.8%	86,898	156,454	499,556	116.2%
Operating:	200,000	151,376	75.7%	48,624	52,000	203,376	101.7%
Capital:	15,000	14,606	97.4%	394	5,000	19,606	130.7%
Total Expenditures	645,000	509,084	78.9%	135,916	213,454	722,538	112.0%
Net for FY 2008	(322,500)	(119,086)			(78,454)	(197,540)	

Statement of Cash Balance

Beginning Cash Available	Revenues	Expenditures	Other Changes in Cash	Available Cash	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
1,413,056	389,999	(509,084)	1,204	1,295,174	(78,454)	1,216,720

* Percent of Fiscal Year Completed 50.0%
 Percent of Pay Periods Completed 50.0%

IDAHO BUILDING CODE FUND



IDAHO BUILDING CODE BOARD

Agenda Item No. 07b

Administrator

OBJECTIVE: To provide the Board with an overview of the Division's current activities.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Idaho Building Code Board Meetings.

PROCEDURAL HISTORY:

ATTACHMENTS: No documentation

