

**IDAHO BUILDING CODE BOARD
VIDEOCONFERENCE MEETING**

Tuesday – February 24, 2015 – 9:30 a.m. (MT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

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

Chairman Andrew Bick called the meeting to order at 9:32 a.m. (MT).

Board Members Present:

Andrew Bick, Chairman
Jason Blais
Scott Buck
Mike Tracy
Jan Welch, P.E.
Chuck Bleth
Dan Hunter
Dennis Schaffner

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator-Operations
Ron Whitney, Deputy Administrator-Administration
Patrick Grace, Deputy Attorney General
Fred Sisneros, Financial Manager
Arlan Smith, Program Manager
Bill Hatch, Public Information Officer
Terry Blessing, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Adam Bowcutt, Regional Supervisor, Region 3
Renee Bryant, Administrative Assistant 2/Board Secretary

Board Members Absent:

Michael Arrington
Travis Beck

◆ **Introduction**

Fred Sisneros was introduced as the Division’s newly appointed Fiscal Manager.

◆ **Open Forum**

Uniform Mechanical Code (UMC) vs. International Mechanical Code (IMC) – Board Member Hunter provided a handout, originally presented at the February 2015 HVAC Board meeting, of potential modifications to Title 54 *Professions, Vocations, and Businesses*, Chapter 50 *Installation of Heating, Ventilation and Air Conditioning Systems*.

The items of concern are: 1) Change the language from the 2003 to the 2012 edition of the IMC, International Fuel Gas Code (IFGC) and parts V and VI only of the International Residential Code (IRC), published by the International Code Council (ICC), OR change the name of the International Mechanical Code to the Idaho Mechanical Code, 2) Delete the verbiage “The 2003 IFGC, and parts V and VI of the 2003 IRC”, and 3) Change to the UMC, published by the International Association of Plumbing and Mechanical Officials (IAPMO).

As explained by the Deputy Administrator-Operations, a draft proposal was provided at the February 2015 HVAC Board meeting in an attempt to address everything relative as expressed by the HVAC Board and/or legislators.

It was suggested, and DBS offered, to address the Building Code Board's concerns with the HVAC Board.

ACTION: At the May HVAC Board meeting, the Division will address the Building Code Board's concerns with regard to proposed changes to Title 54 Professions, Vocations, and Businesses, Chapter 50 Installation of Heating, Ventilation and Air Conditioning Systems.

International Code Council (ICC) – Kraig Stevenson, ICC Representative, provided brochures on ICC's new cloud-based system, cdpACCESS, for the code development process (cdp).

One minor change in the cdpACCESS pamphlet is on page 13. The second sentence in section 3.3.5.6 "Cost Impact" should read, "The proponent shall submit information ..." rather than "The proponent should submit information..."

DBS is authorized 12 delegates to vote on ICC's online code process and final action hearings. To vote, the Division will need to update its new delegates with ICC no later than March 20th.

Also distributed was information on ICC's current code development cycle and public access to ICC's legacy codes and 2015 codes.

◆ **Approval of the February 24, 2015 Agenda**

MOTION: Mike Tracy made a motion to approve the agenda as presented. Dan Hunter seconded. All in favor, motion carried.

◆ **Approval of the October 21, 2014 Board Meeting Minutes**

MOTION: Scott Buck made a motion to approve the minutes as written. Jan Welch seconded. All in favor, motion carried.

◆ **Board Meeting Dates**

Idaho Code 39-4109(5) states in part: "...the board shall conduct a minimum of two (2) public hearings, not less than sixty (60) days apart." To be in compliance, the Board agreed to move the April meeting from the 28th to the 14th.

MOTION: Jan Welch made a motion to change the April Board meeting from the 28th to the 14th. Jason Blais seconded. All in favor, motion carried.

ACTION: The Division's website and board calendar will be changed to reflect the new meeting date.

◆ **IECC 2012**

Rod Stucker, Passive House Design - Zero Net Energy Homes, requested the topic *IECC 2012* be placed on the agenda as an informational item. Mr. Stucker was not in attendance at this meeting; therefore, the topic was not addressed.

◆ **Negotiated Rulemaking**

Negotiated rulemaking is a consensus-based process to negotiate the text of a proposed rule. This process gives all stakeholders a chance to try to reach agreement about the main features of a rule before the Board approves, and the Agency submits, a proposal to the legislature in final form.

The Chairman asked the Administrative Assistant 2/Board Secretary to place the topic *Negotiated Rulemaking Submittal Dates* on the October 27, 2015 Board meeting agenda.

ACTION: The topic *Negotiated Rulemaking Submittal Dates* will be placed on the October 2015 Board meeting agenda as an informational item.

It was determined the deadline to submit proposed rule changes to DBS, for the Board's review, would be April 14, 2015. The Division will post a notice with the pertinent information for negotiated rulemaking in the April Administrative Bulletin.

ACTION: DBS will publish a notice in the April Administrative Bulletin with regard to negotiated rulemaking.

Jason Blais, Building Code Collaborative Representative, stated the following proposals will be submitted as part of the negotiated rulemaking process: 1) Amend the fire alarm "E" occupancy section, 2) Delete the fireplace amendment in the IRC and IECC; 3) Clarify townhouse wall language/ratings, and 4) Identify references in code sections with "C" for commercial and "R" for residential.

Suggestions by Board Members Hunter and Welch were: 1) Have the Board vote at the April 2015 meeting for the Collaborative to begin the review process of the 2015 codes for proposed changes, 2) At the June 23rd meeting, establish a meeting schedule for the Collaborative to begin discussion on the 2015 codes and publication dates of board meetings in the Administrative Bulletin.

The Deputy Attorney General proposed at the October 2015 meeting, when setting the 2016 Board meeting dates, possibly have a standing order for DBS to place the April and June meeting dates in the first published Administrative Bulletin of the following year.

◆ **Legislative Update**

The Board's rule dockets have been reviewed and approved by the House Business and Senate Commerce and Human Resources Committees. They are: 1) Mechanical ventilation requirements with less than five air changes an hour, 2) Exemption of fence heights up to seven feet, and 3) Correction of the lodging house provisions back to five guest rooms for fire sprinkler exemption.

S1001 “Workplace Safety” – This bill relates to workplace safety. Should it pass the 2015 legislature, the authority for school safety and building safety inspections will transfer to DBS from the Industrial Commission.

◆ **Program Manager Report**

Rule Change – DBS will present one proposed rule change to the Board. The proposal will only affect the Division and will allow large institutions; i.e., universities, capitol mall, etc. to purchase an annual permit to perform minor work. As part of the proposal, the organizations will not have to submit plans or purchase separate permits.

◆ **Operational Report**

Tiny Homes and Park Model RVs – DBS has ongoing concerns relative to requirements for tiny homes and park model RVs. Local jurisdictions are asked to provide any ideas on how that process could be improved. In many circumstances tiny homes and park model RVs, over 8’ 6” in width, fall under the modular requirements.

Mobile Home Rehabilitation – The Deputy Administrator-Operations asked local jurisdictions’ for their input in setting limits on mobile home rehabs being brought into Idaho. Currently, the homes are 40-plus years old. The state of Idaho does not restrict individuals from bringing mobile homes into Idaho from other states; however, adjoining states have deemed it illegal to relocate pre-HUD homes in their states.

◆ **Administrator Report**

Financial Manager – Fred Sisneros, the Division’s newly hired Fiscal Manager, provided a summary of his career.

Financial Report – The Idaho Building Code fund, FY 2015 financial statement as of December 31, 2014, was reviewed.

Statewide Compliance Program – Effective March 15, 2015, DBS will focus on a statewide compliance program. The vision is for compliance to be the responsibility of one compliance manager, not the program managers.

Videoconferencing – Currently, regularly scheduled board meetings are held via videoconference between the Division’s Meridian, Coeur d’Alene, and Pocatello offices. For negotiated rulemaking purposes, the two meetings/hearings will be broadcast from three additional locations in Lewiston, Twin Falls, and Idaho Falls.

ACTION: Moving forward, DBS will videoconference the two statutorily required board meetings/hearings for negotiated rulemaking between the Division’s Meridian, Pocatello, and Coeur d’Alene offices, as well as three additional locations in Lewiston, Twin Falls, and Idaho Falls.

Construction – Following are new or existing construction projects throughout the state of Idaho: 1) 5-star/5-story hotel, Hailey; 2) Magnida Fertilizer Plant, American Falls; and 3) Fort Hall Casino, Fort Hall.

◆ **Adjournment**

MOTION: Mike Tracy made a motion to adjourn the meeting. Dennis Schaffner seconded. All in favor, motion carried.

The meeting adjourned at 10:52 a.m. (MT).

ANDREW BICK, CHAIRMAN
IDAHO BUILDING CODE BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

03/11/2015rb

DATE