



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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SUMMARY COUNCIL MEETING MINUTES

LOCATION: DES Building, Presentation Room
1500 Jefferson Street
Olympia, Washington

MEETING DATE: May 13, 2016

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	<p>Meeting was called to order at 10:00 a.m.</p> <p><u>Members in Attendance:</u> Steve Simpson, Council Chair; Dave DeWitte, Vice Chair; Rod Bault; Al French; Diane Glenn; Leanne Guier; Traci Harvey; Duane Jonlin; Phil Lemley; Doug Orth; Jim Tinner (ph); Eric Vander Mey; Rep. Vincent Buys</p> <p><u>Staff in Attendance:</u> Tim Nogler, Managing Director; Krista Braaksma; Joanne McCaughan; Peggy Bryden; Brian Faller, AAG</p> <p><u>Visitors Present:</u> Ann Larson, Grace Yuan, Larry Stevens, Michael Monen, Jed Scheuermann, Danelle Gillingham, Bruce Verhei, Frank O'Dell, Steve Crawford, Mike Groesch, Jan Rohila, Al Audette, John Darnall, William Parmer, Charles LeBlanc, Caron Cargill, Jeannette McKague, Brendon Inman</p> <p>Chairman Steve Simpson asked the two new council members, Traci Harvey and Phillip Lemley, to introduce themselves.</p>
2. Review and Approve the Agenda	<p>The agenda was approved with Tim noting there would be a couple of additions, with an additional interpretation request under the BFP report in Item 7 and committee appointments under Item 5.</p>
3. Public Comment on Items Not on the Agenda	<p>There was no public comment made.</p>
4. Review and Approve Minutes of March 11, 2016	<p>The minutes of March 11, 2016, were approved with a motion given by Diane Glenn and seconded by Leanne Guier.</p>
5. Council Roles and Responsibilities	<p>Tim Nogler reviewed the Council Handbook, which is linked on the SBCC website. He noted that some of the information was outdated and would need updating.</p> <p>Tim outlined the process for review of local amendments to the state building code. Another role of the Council is to provide written opinions to the local building officials. He also noted a majority of appointed members must approve any decision on adoption of rules affecting the state building code. Duane Jonlin commented on how onerous the local amendment approval process was.</p> <p>Steve then opened the topic for public comment. There were no comments</p>

<p><i>Committee appointments</i></p>	<p>offered.</p> <p>Steve then asked the Council to look at the handbook and bring back any suggestions for change.</p> <p>Steve moved on to committee appointments. Tim Nogler read through a list of the current members of the BFP Committee. Traci Harvey volunteered to serve on the BFP Committee as did Phil Lemley.</p> <p>MVE appointments were then read. Leanne Guier volunteered to serve on the MVE Committee and Phil Lemley joined Leanne on this committee.</p> <p>The Legislative Committee was next. Phil and Leanne again volunteered for this committee.</p> <p>Tim then listed the members of the Executive Committee which is made up of the leadership of the other Committees and the Council</p> <p>Finally Tim read the Economic membership. Leanne Guier and Phil Lemley volunteered to be members of the Economic Workgroup.</p> <p>Tim mentioned this was an interim year and the only TAG currently working is the Cannabis Issues TAG. Steve then noted there was a vacancy in the chairmanship of the Fire TAG. Traci Harvey volunteered to chair the Fire TAG.</p>
<p>6. ICC Code Development Process: 2018 Group B Update</p>	<p>Tim asked Duane Jonlin and Traci Harvey to report, as they were there, on the hearings held in Kentucky last month.</p> <p>Duane began with his report on the energy code committees. Steve asked how the changes would impact Washington's code and the stringency gap.</p> <p>Traci Harvey reported on the fire code discussions.</p> <p>Steve opened the discussion for public comment. No comments were offered.</p> <p>Tim had one item in particular he wanted to highlight in the residential code.</p> <p>We were successful in bringing forward an item from the state code pertaining to access to loft area. It had been brought forward previously and was not well received at the time. With some further clarifications, there will be provisions in the 2018 code for that type of access.</p>
<p>7. Committee Reports</p> <p><i>BFP</i></p> <p><i>Motion</i></p>	<p>Jim Tinner, BFP Committee Chair reported on the meeting on May 12.</p> <p>There were two statewide amendment requests reviewed. Tim summarized the discussion on amendment 16-03. The Committee felt there was sufficient leeway in the current language to provide the alternatives and recommended disapproval.</p> <p>Steve opened the item for comment. There were no comments from the Council or public.</p> <p>Traci Harvey moved to disapprove the proposal. Jim Tinner seconded the motion.</p> <p>Rep. Buys commented on the discussion and the timeline for adoption. It might be better served through the legislature.</p> <p>The motion carried with no opposition.</p> <p>The second proposal dealt with ceiling clearances under sprinkler heads. The Committee felt the clarification did not merit a state amendment and could be dealt with in another way.</p> <p>Diane Glenn asked if it could be addressed through an interpretation. Tim said that a jurisdiction could request an interpretation; it would need to come from a jurisdiction.</p>

Doug Orth mentioned that the clarification was also in the underlying standard. No public comment was offered on this topic.

Motion **Rep. Buys moved to disapprove the proposal. Duane Jonlin seconded the motion. The motion carried.**

Emergency Rule Next on the agenda was Emergency Rule, Voice Alarm in Schools. Tim summarized the discussion. A proviso to the supplemental Capital Budget (ESHB 2380 section 6012) directs the Council to adopt an emergency rule to delete the emergency voice alarm component of fire alarms in schools. The committee considered proposed language based on the 2009 code language. That proposal added some language not present in the 2015 code. The proposed language is revised, based on the 2015 code, for the Council to consider for adoption as an emergency rule.

Rep. Buys commented this does not mean the schools will be under-protected; it just points to other legislation that requires an advanced system. There is a redundancy with this requirement and a statutory requirement for the schools to develop a notification system. Doug Orth also commented on the proposal and asked Tim for some clarification on the use of the 2015 language. Traci also commented on the issue and the history of the code requirement. Steve clarified that the fire code TAG did review the changes and there were no amendments to this section. Duane asked for clarification if this had gone through Council process prior to going to the legislature.

Public Comment Grace Yuan, Puget Sound School Coalition. Grace described the systems available to meet the safe schools law. She described how the schools are going to implement emergency notification systems. She recommends the amendment before the Council.

Bruce Verhei commented another section should also be examined, 1103.7, calling for manual pull stations. Tim noted that section did not deal with emergency voice alarms.

John Darnell, City of Tumwater, asked whether this will apply to the 2015 code that they are currently allowing. If not, many districts are forging ahead with the requirement. Tim notes it would go into effect immediately.

Dave Kokot, Washington State Association of Fire Marshals. He asks if this is a plan that schools have been working on since 2013. Fire Marshals have not heard about it until recently. Schools went to the legislature to prevent the requirements that Fire Marshals had adopted. How was the language put together? None of the school districts on the east side will be using this new technology – it is too costly. Rep. Buys indicated the schools did not need to have the low tech systems, but they can. Dave Kokot, mentioned that an emergency voice system and a mass notification system are the same. Rep. Buys commented on the RCW cited.

Duane Jonlin asked if there was an expanded capacity that the voice notification doesn't address.

Doug Orth pointed out Sen. Dammeier's letter as a clarification of intent.

Ann Larson said she was trying to reach Tana Senn but had not been successful.

Comment on the phone,; Molly with Snohomish schools spoke regarding Grace Yuan's comments. There is a variety of collaboration with first responders' training. She supports the amendments as posted the website.

No further public comment.

Rod Bault commented on the issue and how it affected the safety of individuals

with disabilities during an emergency.

Duane Jonlin spoke to Dave Kokot's comments. He suggested adding language stating it included the options.

Steve Simpson spoke to the legislative mandate.

Doug Orth also commented on the underlying RCW.

Tim pointed out the proviso was fairly specific. He suggested adding language stating it included these other options.

Diane Glenn asked for clarification on how the rules would work.

Steve Simpson asked about the amendment to group I-4 and if it was outside the mandate.

Brian Faller, AAG, responded to Steve's question, replying that it would need to be specifically addressed in the emergency declaration.

Steve asked for a motion on the subject.

Motion **Jim Tinner moved the proposed amendatory language. Al French seconded the motion.**

Tim noted the filing would also include the necessary paperwork for permanent rulemaking as well.

Motion carried with no opposing votes.

Jim Tinner continued with his report, speaking to an interpretation request from Snohomish County on unisex bathrooms. The committee felt the issue should be discussed at the Council level. Tim said the Council response was edited in response to the committee discussion. Steve Simpson noted this section was revised for the 2018 code to include provisions for unisex facilities. There was some discussion by the Council on the pros and cons of the use of these facilities.

Steve opened the discussion for public comment.

Steve Carpenter, capital projects director for a school district, commented on the impact of this interpretation. Steve Simpson replied this is an interpretation of the current code requirements. It is not revising requirements.

Sandra Romero asked if there would be other opportunities to comment on the issue. Steve replied there would be opportunities in the future. Krista Braaksma clarified that the 2018 language would allow single user facilities to be included in the required number of toilet facilities, but would still allow separate sex multi-stall toilet facilities.

Doug Orth commented on the possibility for a code change proposal based on the interpretation and the current and forthcoming code requirements.

Rod Bault spoke to the need for these types of facilities.

Motion **Jim Tinner moved to accept the revised interpretation response. Diane Glenn seconded the motion. The motion carried with no opposing votes.**

Steve Simpson provided an overview of the TAG's progress to date. He noted several of the members were in attendance today.

Doug Orth asked if there was general consensus among the group thus far. Steve said they were actively working towards consensus.

Representative Buys asked if the intent was to create a new set of rules or fit them into current regulations that apply to similar extraction processes. Joanne McCaughan replied the TAG has set up a separate chapter in the fire code specific to the cannabis industry but staying cognizant of the idea that they not be treated

8. Cannabis TAG Report

differently.

Diane Glenn asked about the status of the emergency rule and if the new language would supersede that. Joanne replied that the current emergency rule expires in June after the next Council meeting. At that time, the Council could consider replacing the emergency rule with the newly developed language.

Diane asked Steve for a recap of the TAG activities to date. After holding weekly meetings, Steve said they still had some work to do. He anticipates two more meetings to complete the document. Joanne noted there is a TAG page on the website with up-to-date information on the TAG's activities and all the working documents.

Rod Bault noted that the hop industry also uses carbon dioxide extraction technology.

Public Comment

John Darnall, TAG Member representing WABO. He noted that the TAG spent a lot of time getting everyone headed in the same direction. The TAG reviewed the document section by section, and while there may have been dissention on a particular sentence in a section, they continued to move forward. His focus has been ensuring the final product is enforceable. The document does often refer you to other sections of the code. He believes the outcome will be a document that makes compliance easier for both the industry and code officials.

Frank O'Dell, TAG member representing Liquor Cannabis Board. During the work with the TAG, a number of issues surfaced with regards to the codes and the industry itself. Through the meetings, we're closer together and by the time we're done we should have a solid document. He appreciates all the efforts the Council has put into this.

Dave Kokot, Washington State Fire Marshals. He has attended a few of the meetings. He said a modified version of the originally proposed Chapter 38 has been proposed as an addition to the 2018 International Fire Code at the national level. There seems to be a very strong feeling that there should be a separate section dedicated to marijuana.

Rep. Buys asked if the Colorado rules were being looked at during the TAG process. Dave replied that there are some key differences in the way the two states deal with the issue.

Michael Monen, code analyst on the TAG. He has found it interesting to work with the variety of people involved with the TAG. He believes they need to end up with a good product that will potentially help out at a national level. He had some concerns in lumping these with other extraction processes. This is a unique industry and needs to be treated as such, maybe even a separate classification system for the various types of facilities.

Steve Simpson appointed Traci Harvey to be the primary representative for the Fire Marshals to the TAG in Dave Kokot's stead.

Tim Nogler reminded the Council they would need to take action on this issue at the June meeting so this could move forward to public hearing this fall.

9. Review of Council Bylaws, Procedures

Tim Nogler provided an overview of the Council Bylaws and Policies and Procedures for State and Local Amendments. He noted there are recommendations posted on the website for the Council and stakeholders to review and provide comment on specific topics in future Council meetings, beginning in June.

Steve Simpson felt the training of Council members should also be addressed

<p style="text-align: center;"><i>Public Comment</i></p> <p style="text-align: center;"><i>Motion</i></p>	<p>under the Bylaws.</p> <p>Representative Buys felt the state building code act provides direction to the Council in addition to the open public meetings act.</p> <p>Jan Rohila, BIAW. She felt there should be a statement of purpose included in the Bylaws. There is a purpose listed on the website, as well as something about the state building code council, and also RCW 19.27.020.</p> <p>Tim Nogler noted the Council would need to file a notice of intent to revise the Policies and Procedures in WAC 51-04. The Bylaws can be changed with a 2/3 majority vote and need not be addressed through rulemaking.</p> <p>Al French moved to direct staff to file the notice of intent and prepare the documents necessary to begin review of both the WAC and the Bylaws. Leanne Guier seconded the motion. The motion carried with no opposing votes.</p>
<p>10. Staff Report</p>	<p>Tim Nogler reported on the budget. Expenditures continue to exceed revenues and we will reach a zero fund balance in the first quarter of the next fiscal year. He stated he has been working with the state auditor's office to look at funds remitted from jurisdictions. The agency and OFM are also looking at other sources of funding.</p> <p>Rep. Buys asked about the funding received for development of the marijuana rules. Tim responded the funding has been expended and has allowed the fund balance to be maintained.</p> <p>Duane Jonlin asked if there has been an upward trend in revenue with the increase in building projects. Tim said the revenue has remained consistent, with no increases seen. Staff will continue to track the budget and keep the Council informed.</p>
<p>11. Other Business</p>	<p>None offered.</p>
<p>13. Adjourn</p>	<p>The meeting was adjourned at 12:53 p.m.</p>