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LOCATION: DES Conference Center, Room 2330
1500 Jefferson St
Olympia, Washington

Members in Attendance: Steve Simpson, Council Chair; Dave DeWitte, Vice Chair; Eric Vander Mey; Jim Tinner; Leanne Guier

Visitors Present: David Hanson, Jan Rohila, Tim Herbert, Russ Thompson

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	<p>The meeting was called to order at 1:00 p.m.</p> <p>Committee/Council Chair Steve Simpson welcomed everyone and introductions were made.</p> <p>Tim reminded the Council members that only Executive Committee members could vote on items.</p>
2. Review and Approve Agenda	<p>The agenda was approved. Tim Nogler noted there were also some additional changes to the state amendment process based on the Council/Committee discussions in September.</p>
3. Review and Approve Minutes	<p>The minutes of the September 9 meeting were approved as written.</p>
<p>4. WAC 51-04 Draft Language</p> <p>Statewide Amendments</p> <p><i>Public Comment</i></p>	<p>Tim summarized the process to date, noting that what was being discussed would be filed and then go through the public hearing process.</p> <p>The Committee started with the review of the additional changes to the statewide amendment section, as discussed at the September meeting. Tim noted the sections have been numbered for ease of use.</p> <p>The first modification is an added sentence to 51-04-010, Declaration of Purpose, noting the intent is to minimize state amendments. Steve asked for comments on this section.</p> <p>Dave DeWitte asked if it was necessary to call it an “objective.” Leanne Guier suggested using the word “goal” instead. Dave felt that was just too similar to “objective.” Jim Tinner said he was concerned with calling it “The objective” and suggested revising it to “An objective.” There was general agreement to his suggestion.</p> <p>Jan Rohila, BIAW, felt the change to “An” was a good option.</p> <p>It was noted that all of the document would be reviewed, then dealt with under a single motion.</p> <p>Tim summarized the next set of changes—additions in items 3 and 4 under WAC 51-04-010 that add items the statute charges the Council to perform; under WAC</p>

51-04-025, the criteria under item 1 is reorganized with the previous items 2 and 3 consolidated as (d), items (b) and (c) as proposed by Duane Jonlin, and item (f) was taken from the statute. Item 2 specifies that proposal submittals must be complete or they will be returned and Item 5 lists the items for the Council consideration of amendment proposals, drawn from stakeholder input. Under -030 is the language on local government amendments as modified by the Council in September.

Council members voiced some concerns over the addition of item (c) under -010 [*“The amendment improves the comfort, safety, durability or efficiency of buildings constructed under the code”*], feeling it may be too broad and too specific to the energy code.

Jim Tinner felt the additional language under item 1 may be too limiting. There could be issues that were previously missed. He suggested changing “the previous edition” to “a previous edition.”

Dave DeWitte proposed eliminating item (c) and letting Duane Jonlin argue for the reinstatement at the Council level. Dave also asked about the other changes suggested by Tim that did not appear in the draft. Tim felt those could be addressed with the full Council when voting to file the rulemaking.

There was discussion of item 2 under -025 and clarifying what needed to be done with incomplete submittals. Krista Braaksma suggested “will be held until requested information is received.” Eric suggested providing a date when the items are required. Jim suggested 30 days.

Tim noted Duane had some concerns with item 5; not all of the items will be apply to all proposals. Steve shared his concern. Dave suggested adding “when available” to items (b) and (c). Tim noted item (c) has been a major issue in past rulemaking, and this would go a long way in addressing stakeholder comments. He also stated it was not a full cost-benefit analysis, but a summary of significant items similar to the Economic Committee report last cycle. There was some concern there would be an additional burden on staff. Tim felt this was basically what was already being done.

Jim Tinner suggested adding “authorized code or elected official” in -030. Eric agreed.

Public Comment

Jan Rohila, BIAW, felt item (c) was too subjective. She also felt the language on incomplete submittals should be refined.

Lisa Rosenow felt item (b) [*“The amendment clarifies the intent or application of the code”*] was a very important addition.

Motion

Jim Tinner moved to recommend the language in the document “[Revised WAC 51-04](#),” with the discussed modifications, be approved by the Council for filing. Dave DeWitte seconded the motion. The motion carried.

The Committee moved on to the rest of the modifications to 51-04-030, found in the “[Draft Changes to WAC 51-04](#)” document, and the language on Reconsideration in -040.

Eric Vander Mey asked if -040 should include at what level the required testimony should have been provided at—TAG, Committee or Council. The members felt it should be specific that the testimony is at the Council level. Dave suggested “with written or oral testimony to the Council related to the amendment on record” be added. Jan Rohila stated she supported that modification, and the other modifications shown.

<i>Motion</i>	Dave DeWitte moved to recommend the Council approve this language, as modified above, for filing. Leanne Guier seconded the motion. The motion carried.
5. Council Bylaws Draft Language	<p>Tim said the Council had received comments from the Northwest Concrete Masonry Association on terms of office. This is something the Council cannot address through their Bylaws. That authority resides with the Governor's Office. His other comment was on the posting of the minutes.</p> <p>Tim also clarified that the two draft Bylaws documents are from stakeholders—one from BIAW and the other from Dave Kokot.</p> <p>The Committee began with review of the BIAW document, but ran out of time before they could review Mr. Kokot's draft. It was noted the discussion would continue at the Council meeting.</p> <p>Tim addressed the changes regarding the approval of the budget. He noted there is a procedure established under the State Building Code Act. The Council budget is submitted as a part of the proposed agency budget, reviewed by OFM and then submitted to the legislature for approval. He suggested the language be modified to reflect that statutory process.</p> <p>Jan Rohila suggested using the same language from 51-04-010 on the purpose of the Council in Article I.</p> <p>Tim noted the modification to Article III, Item 4 was missing the State Energy Code Act, RCW 19.27A.</p> <p>Steve suggested adding in language to state that a copy of the handbook will be available at all meetings. Jim suggested providing members with links to the various statutes and have them notify the chair when they are done reviewing them.</p>
6. Staff Report	There is a Council meeting scheduled for Friday, October 14. The review of the Bylaws will be continued at that meeting.
7. Other Business	It was noted the budget would be discussed at the Council meeting on October 14.
8. Adjourn	The meeting was adjourned at 2:30 p.m.