



STATE OF WASHINGTON

**STATE BUILDING CODE COUNCIL**

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**STATE BUILDING CODE COUNCIL  
SUMMARY MEETING MINUTES**

**LOCATION:** The meeting was held via Zoom.

**MEETING DATE:** Friday, April 22, 2022

**Members in Attendance:** Tony Doan, Council Vice Chair; Kjell Anderson; Jay Arnold; Todd Beyreuther; Micah Chappell; Al French; Bob Hamlin; Roger Heeringa; Matthew Hepner; Anthony Maschmedt; Jim Millbauer; Peter Rieke; Katy Sheehan; Caroline Traube; Corey Wilker; Rep. Alex Ramel; Rep. Larry Hoff; Sen. Lynda Wilson; Sen. Joe Nguyen

**Staff In Attendance:** Stoyan Bumbalov, Managing Director; Dierk Meierbachtol, Assistant Attorney General; Krista Braaksma; Annette Haworth

**Visitors Present:** Bryan Ahee, Larry Andrews, Carson Baker, Terry Beals, Kyle Bergeron, Glenn Blackmon, Steve Blaska, Gretchan Blum, Stan Bowman, Theresa Boyer, Joseph Briscar, Ken Brouillette, Casey Brown, Gerald Brown, Mike Brown, Jeff Cappella, Kris Carlson, Ian Casey, Susan Chang, Bruce Chattin, Rupal Choksi, Cathryn Chudy, Scott Cleary, Pamela Colley, Aline Crinon, Thad Curtz, Suzanne DeBusschere, Kinley Deller, Noelani Derrickson, Beth Doglio, Jeffrey Don, Sophie Doumit, Annabel Drayton, Kevin Duell, Brian Emanuels, Cory Fong, Mike Fowler, Michael Frank, John Frankel, Nicolas Garcia, Ken Gibson, Jeff Giffin, Jenifer Gilliland, Roko Golić, Anton Grose, Mick Haggerty, Caleb Heeringa, Gary Heikkinen, Luke Howard, Scott Hultstrom, Adam Hutchinson, Ardel Jala, Albert James, Steve Johnson, Sherrie Jones, Duane Jonlin, Elizabeth Joyce, Dan Kirschner, Jonny Kocher, Dave Kokot, Rachel Koller, Eric Lacey, Scott Lang, Jon Lange, Sue Lani, Ann Larson, Candace Lau, Carolyn Logue, Brent Ludeman, Alex McGrath, Jeanette McKague, Perry McKenzie Sr., Megan McPhaden, Sarah Moore, Scott Neuman, Jenny Nickerson, Stephanie Noren, Scott Novak, Henry Odum, Scott Ongley, Anne Pernick, D. Scott Peterson, Dylan Plummer, Stan Price, Brian Raff, Shamim Rashid-Sumar, Liz Reichart, Sandra Richartz, Tena Risley, Joëlle Robinson, Brian Rogers, Julia Rosales, Kevin Rose, Lisa Rosenow, John Rothlin, James Runyan, Chris Russell, Jensen Rye, Sam Shamloo, Ray Shipman, Deepa Sivarajan, Gregg Small, Andrea Smith, Tonia Sorrell-Neal, Alyn Spector, Tammie Sueirro, Kerry Sutton, Steve Taylor, Gavin Tenold, Kevin Treend, Eric Vander Mey, Helen Walter-Terrinoni, Amy Wheelless, Zoë Whidden, Kate White Tudor, Bill Will, Christian Wright, Tom Young

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	Meeting called to order at 10:00 a.m. by Vice Chair, Tony Doan. Everyone was welcomed and roll was called. A quorum of the Committee was present.

This material in alternative formats including braille, large print, and audio recording is available on request by emailing the SBCC at [sbcc@des.wa.gov](mailto:sbcc@des.wa.gov).

2. Review and Approve Agenda	It was moved, seconded, and passed to modify the <a href="#">Agenda</a> by moving Item 7 to Item 11.
3. Executive Session	The Council recessed into executive session at 10:10 a.m. The meeting was called back to order at 11:35 a.m.
4. Public Comment on Items not on the Agenda	<p>Representative Larry Hoff inquired about a letter received from the Heating &amp; Air Conditioning Contractors and asked when items need to be submitted. Stoyan Bumbalov, Managing Director, indicated items for the agenda should be submitted at least two weeks prior to the scheduled meeting and the letter is scheduled to be on the agenda for the next Council meeting.</p> <p>Due to behavioral issues, from members of the public attending the meeting, the meeting was ended from 10:41 to 11:10 a.m. while staff worked together with IT to resolve the issues.</p> <p>At 11:10 a.m., Roll Call was taken, and a quorum was confirmed. It was moved, seconded, and passed to move Agenda Item 11 to after Agenda Item 8.</p> <p>Senator Lynda Wilson inquired about Ecotope’s Cost Benefit Analysis and the process followed for bid as required by RCW 36.26.150. Stoyan Bumbalov replied that this was a Direct Buy contract and didn’t require a bid, and he noted this item will be discussed further during Agenda Item 9.</p>
5. Review and Approve Minutes	The minutes of the <a href="#">March 18, 2022</a> , meeting were approved as written.
6. Council Leadership	Stoyan Bumbalov, provided clarification of the bylaws which appointed the Vice Chair, Tony Doan, as the Acting Chair due to the vacancy left by Andrew Klein.
7. Elevator Pit Fire Sprinklers – Emergency Rule	<p>Dave Kokot, the proponent, provided explanation of why the emergency rule was necessary.</p> <p>Gerald Brown, Washington State Elevator Program Manager at the Department of Labor &amp; Industries, expressed his concern pertaining to the emergency rule.</p> <p>Discussion was held by Council and Public comment was taken. No motion was made; therefore, the Emergency Rule stays in place.</p>
8. Request for Emergency and Off-Cycle Rules <ul style="list-style-type: none"> <li>• 2018 IBC, Section 1613.4 (Off-Cycle Rule)</li> <li>• 2018 IBC Chapter 35, ASCE-16 Supplement (Emergency Rule)</li> </ul>	<p>Stoyan Bumbalov explained the difference between Emergency Rules and Off-Cycle Rules.</p> <p>Scott Newman, proponent, introduced the 2018 IBC, Section 1613.4 proposal. The public made comments and asked questions about the proposal and the proponent provided feedback and answered questions. The Council held discussion about the proposal.</p>

	<p><b>Motion:</b> Kjell Anderson moved to adopt 2018 IBC, Section 1613.4 as an Emergency Rule, Corey Wilker seconded, and the motion passed.</p> <p>Scott Newman, proponent, introduced the 2018 IBC Chapter 34, ASCE-16 Supplement proposal. The public made comments and Council members asked clarifying questions. The proponent responded.</p> <p><b>Motion:</b> Todd Beyreuther moved to adopt 2018 IBC Chapter 34, ASCE-16 Supplement as an Emergency Rule, Corey Wilker seconded, and the motion passed.</p>
<p>9. Deliberations on Rulemaking Decisions</p> <ul style="list-style-type: none"> <li>• Motion to adopt: <ul style="list-style-type: none"> <li>➤ 2021 IBC – Non-Structural Provisions</li> <li>➤ 2021 IFC</li> <li>➤ 2021 WSEC-Commercial</li> <li>➤ 2018 WSEC – Residential – Gas Fireplace Ignition</li> </ul> </li> </ul>	<p><b>Motion:</b> Al French moved the Council defer decision on Agenda Item 9 until Thurston County Superior Court Case Number 21-2-01579-34 is dismissed with prejudice consistent with the terms of the settlement agreement, Representative Hoff seconded, and the motion failed 12 to 2.</p> <p>Al French spoke to his motion. Micah Chappell asked Al French to provide, for the record, the documents he read from as he spoke to his motion. Dierk Meierbachtol, Assistant Attorney General spoke to Al French’s motion and indicated the final date of the settlement was April 6. The Council held extensive discussion regarding the BIAW vs Inslee lawsuit and asked multiple questions of the Assistant Attorney General, Dierk Meierbachtol. The AAG responded to all questions.</p> <p>Todd Beyreuther called the question, it was seconded and passed 12 to 0.</p> <p><b>Motion:</b> Al French moved the Council defer decision on Agenda Item 9 until the Governor appoints 2 new members of the Council to replace Council members Jim Millbauer and Anthony Maschmedt, Corey Wilker seconded, and the motion failed 12 to 2.</p> <p>Al French spoke to his motion. Micah Chappell asked Al French to provide, for the record, the documents he read from as he spoke to his motion. Council held discussion regarding the motion. Stoyan Bumbalov raised his concern pertaining to the strategies delaying the code adoption process and how this effects the Council and Council staff.</p> <p>A 10-minute break was taken, and the meeting was called back to order.</p> <p><b>Motion:</b> Al French moved the Council defer action on Agenda Item 9 until an impartial and unbiased economic impact analysis is</p>

conducted in accordance with RCW 19.27A.025(1)(b), Senator Lynda Wilson seconded.

Tony Doan called the motion out of order due to it being dilatory and if someone from the Council would like to appeal, it would require majority vote to overturn. Discussion was held and Al French appealed the rejection, Representative Larry Hoff seconded, and the appeal failed 10 to 4.

**Motion:** Al French moved the Council defer action on Agenda Item 9 until the full Council and the public consider the revised economic impact analysis required by RCW 19.27A.025(1)(b), which was reviewed by the working group on April 20, but the revisions have not been submitted, so the report is incomplete, Senator Lynda Wilson seconded, and the motion failed 10 to 3.

Al French spoke to his motion. Discussion was held by the Council. Stoyan Bumbalov provided information regarding the cost benefit analysis and further discussion ensued.

**Motion:** Kjell Anderson moved to extend the Council meeting until 4:30, Micah Chappell seconded, and the motion passed 11 to 3.

**Motion:** Al French moved the Council defer action on Agenda Item 9 until the Council considers an equity impact analysis or review on the item prepared by the Council or Office of Financial Management as addressed in House Bill 1264 considered by the 2021-22 Washington State Legislature, Corey Wilker seconded, and the motion failed 10 to 3.

Al French spoke to his motion. Council held discussion regarding the motion.

**Motion:** Al French moved the Council bifurcate Agenda Item 9 and vote separately on CR102, CR103, CR104, and CR105 from the rest of the item, Corey Wilker seconded, and the motion failed 9 to 4.

**Motion:** Corey Wilker moved to reconsider Al French's motion that was previously called out of order and rejected, Micah Chappell seconded, and the motion passed 8 to 5.

**Motion:** Al French moved the Council defer action on Agenda Item 9 until an impartial and unbiased economic impact analysis is conducted in accordance with RCW 19.27A.025(1)(b), Corey Wilker seconded, and the motion failed 9 to 4.

Al French spoke to the motion, previously. Several Council members spoke to their disagreement with the Cost Benefit Analysis being impartial or unbiased.

Krista Braaksma read a summary of the code adoption process, which included data pertaining to the number of proposals and number of public comments/testimony received.

Stoyan Bumbalov reviewed the proposed edits to the CR102 for the 2021 IBC, Non-structural provisions that were discussed at the BFP Committee meeting and noted all proposed edits were editorial.

**Motion:** Micah Chappell moved to adopt the 2021 IBC, Non-Structural Provisions as shown, Kjell Anderson seconded, the motion passed.

Stoyan Bumbalov reviewed the proposed edits to the CR102 for the 2021 IFC that were discussed at the BFP Committee meeting.

**Motion:** Micah Chappell moved to adopt the 2021 IFC as shown, Bob Hamlin seconded, the motion passed.

2021 WSEC - Commercial

**Motion:** Corey Wilker moved to remove proposal 103, Jim Millbauer seconded, and the motion failed 11 to 3.

Corey Wilker spoke to the motion. Council held discussion.

**Motion:** Corey Wilker moved to remove proposal 136, Al French seconded, and the motion failed 11 to 3.

Corey Wilker spoke to the motion. Council held discussion.

**Motion:** Corey Wilker moved to remove proposal 179, Al French seconded, and the motion failed 11 to 3.

Corey Wilker spoke to the motion. Council held discussion.

**Motion:** Kjell Anderson moved to adopt the 2021 WSEC-Commercial, as amended, Jay Arnold seconded, and the motion passed 11 to 3.

	<p><b>Motion:</b> Al French moved to amend the motion by removing code change proposals GP1-207 and GP1-208, addressing concrete masonry walls, be removed, Corey Wilker seconded, and the motion passed 8 to 7.</p> <p>Al French spoke to his amendment to the motion. Discussion was held by the Council.</p> <p><b>Motion:</b> Caroline Traube moved to amend the motion by modifying proposal 136, Micah Chappell seconded, and the motion passed 9 to 4.</p> <p>Caroline Traube spoke to the motion. Discussion was held by the Council.</p> <p><b>Motion:</b> It was moved, seconded, and passed to extend the meeting until 5pm.</p> <p><b>Motion:</b> It was moved, seconded, and passed to elect Kjell Anderson as Chair pro tem.</p> <p>2018 WSEC – Residential – Gas Fireplace Ignition</p> <p>There was discussion held by the Council. Carolyn Logue provided explanation of the request and extension of the request.</p> <p><b>Motion:</b> Micah Chappell moved to approve, as written, Bob Hamlin seconded, and the motion passed.</p>
<p>10. Group 2 Code Change Proposals</p> <ul style="list-style-type: none"> <li>• IBC-Structural</li> <li>• IEBC</li> <li>• IRC</li> <li>• IMC/IFGC</li> <li>• UPC</li> <li>• WUIC</li> <li>• WSEC-R</li> </ul>	<p>Stoyan Bumbalov referenced the Group 2-2021 Code Change Proposals spreadsheet and indicated there had been no public comment received up to this point.</p> <p>There were some clarifying questions about the process asked and responses provided.</p> <p><b>Motion:</b> Micah Chappell moved to forward the proposals on to their respective TAGs for review, Bob Hamilton seconded, and the motion passed.</p>
<p>11. Appointment of Committees</p>	<p>Stoyan Bumbalov explained the process for selecting and appointing Council members to the Committees. He clarified that if a Council member want to be a voting member, one must be appointed by the Council. There was discussion held regarding the TAGs.</p> <p><b>Motion:</b> Jay Arnold moved to appoint Roger Heeringa to the IBC TAG, appoint Todd Beyreuther to the IBC TAG Chair position, and</p>

	to appoint Peter Rieke to the WUI TAG, Micah Chappell seconded, and motion passed.
12. Other Business	No other business was discussed.
13. Staff Report	Stoyan Bumbalov apologized for the public behavior displayed throughout the meeting. Stoyan Bumbalov gave appreciation to both Phil Lemley and Robert Graper for their service and time as Council members as he noted their terms had ended.
14. Adjourn	Meeting was adjourned at 4:58 p.m.

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