



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

LOCATION: The meeting was held at
DES Building – Room 1213
1500 Jefferson St SE, Olympia, WA 98504
with Zoom and teleconference options

MEETING DATE: Friday, January 19, 2024

Members in Attendance: Kjell Anderson, Jay Arnold, Todd Beyreuther, Justin Bourgault, Micah Chappell, Daimon Doyle, Tom Handy, Roger Heeringa, Craig Holt, Tye Menser, Benjamin Omura, Pete Rieke, Katy Sheehan, Senator Lynda Wilson

Members Absent: Matthew Hepner, Lorin Lathrop, Senator John Lovick, Representative Alex Ramel, and Representative Suzanne Schmidt

Staff In Attendance: Managing Director Stoyan Bumbalov, Assistant Attorney General Dierk Meierbachtol and David Merchant, Krista Braaksma, Dustin Curb, Rozanna Ghanie, Annette Haworth

Visitors Present: Ann Larson, Bryan Ahee, Ryan Albrecht, Larry Andrews, Sean Angeley, Tim Attebery, Scott Austin, Kim Barker, Michael Barth, Ken Brouillette, Ian Casey, Karen Christensen, Reeves Clippard, Ray Cockerham, Brett Conway, Cathie Coyle, Josie Cummings, Greg Davenport, Michael Dobbs, Kevin Duell, Miller Freeman, Rafik Gindy, Spencer Glubay, Anjali Grant, Patrick Hanks, Angela Haupt, Willie Hill, Luke Howard, Ardel Jala, Ty Jennings, Gregory Johnson, Jonathan Jones, John Kenney, Rob Kilmer, Jonny Kocher, Dave Kokot, Eric Lacey, Jeremy Larson, Anna Lising, Todd Myers, Scott Nelson, Scott Novak, Erik Olnon, Ana Parke, Scott Peterson, Kathleen Petrie, Sydney Phillips, Liz Reichart, Brian Robertson, Jeff Romans, Lisa Rosenow, Andrea Smith, Brian Smith, Earl Smith, Jeremy Smithson, Michael Snook, Tammie Sueirro, Kerry Sutton, Steve Tapio, Gavin Tenold, Quyen Thai, Bill Will, Ted Williams, Darin Yusi

Agenda Items	Council Actions/Discussion
1. Welcome and Introductions	The meeting was called to order at 10:01 a.m. by Council Vice Chair Daimon Doyle. Each Council member was asked to introduce themselves from which staff noted a quorum was present. Everyone was welcomed and members of the public, who wished to, introduced themselves.
2. Review and Approve Agenda	Managing Director, Stoyan Bumbalov suggested switching Agenda item's 7 and 8 in order to approve the TAG seats first and then

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	<p>determine which council members will Chair each TAG that then determines the make-up of the Committees.</p> <p>Motion: Kjell Anderson moved to approve the agenda with modification of switching agenda items 7 and 8, Roger Heeringa seconded, the motion passed.</p>
<p>3. Review and Approve Minutes</p> <ul style="list-style-type: none"> • November 17, 2023 • November 28, 2023 • December 12, 2023 	<p>Roger Heeringa moved to amend the December 12 meeting minutes which included his opinion on either agenda item 3 or 4. The proposed addition was shared on the screen.</p> <p>Motion: Kjell Anderson moved to approve the minutes with amendments to the December 12 minutes, as stated above, Tom Handy seconded, the motion passed.</p>
<p>4. Public Comment on Items Not on the Agenda</p>	<p>Ken Brouillette noted that at the November 17 meeting, he asked if the 2024 Code Adoption Schedule could be postponed for a year which wasn't approved and now is asking for a 60-day delay of the Group 1 Codes.</p> <p>Larry Andrews talked about the severe cold weather on the east side of the state and referred to a dangerous refrigerant being used and asked the Council to back off from heat pumps.</p>
<p>5. Response to Senator Wilson's Letter</p> <ul style="list-style-type: none"> • RE: Washington State Energy Code 	<p>Stoyan Bumbalov shared Senator Wilson's letter on the screen and informed he met with acting Chair, Daimon Doyle and received a legal opinion from AAG Dierk Meierbachtol. The legal opinion was forwarded to Council members under attorney client communication.</p> <p>Dierk Meierbachtol spoke to Senator Wilson's letter. The key question is (whether the vote on December 12 was limited to the stated amendment or included action that was taken on November 28. His view is the vote was to amend the previous motion, but the effect of the vote and intent of the Council was to replace, not amend the previously approved motion with the language; and that motion did receive a two-thirds vote. Several council members agreed a public response to Senator Wilson is appropriate and Dierk Meierbachtol's response would be adequate for responding to Senator Wilson's letter, as prepared by Staff.</p> <p>Motion: Jay Arnold moved to have Staff prepare a written response to Senator Wilson's letter to say the Council does not believe Legislative review is necessary and the energy code was readopted with two-thirds majority. Roger Heeringa seconded, the motion passed.</p> <p>Discussion was held on the motion, Robert's Rules and two-thirds vote.</p> <p>Public comment was heard in response to the two-thirds vote and the clarity of Robert's Rules.</p>
<p>6. Council Leadership</p>	<p>Stoyan Bumbalov shared the Bylaws, pertaining to Elections/Terms of Office, and provided a brief explanation of the process.</p>

	<p>Craig Holt nominated Daimon Doyle for Council Chair, Tom Handy seconded the nomination.</p> <p>Todd Beyreuther nominated himself, Kjell Anderson seconded the nomination.</p> <p>Procedural questions were asked and answered. Each nominee was asked to speak to their want to fill the position.</p> <p>A roll call vote for Council Chair was held and Daimon Doyle prevailed as Chair with Todd Beyreuther Vice-Chair.</p>
<p>7. TAG Seats for the 2024 Code Adoption Cycle</p> <p>Group 1 TAGs addressed</p>	<p>Stoyan Bumbalov noted the Council agreed (in previous meetings) to limit the number of TAG seats to 15 plus one or two council members. The proposed 2021 lists of TAG seats were posted on the SBCC website to allow for review and feedback. He also noted there was an agreement to combine the UPC with IMC and the IRC with the WUIC. There wasn't a lot of feedback received on the TAG seats. Stoyan Bumbalov provided the Council with options on how to proceed with the process. He also noted the application process and said the first TAG meetings should be in March.</p> <p>Discussion was held by Council members and staff on the TAG seats, member types, the application process and selection process for each TAG.</p> <p>Motion: Roger Heeringa moved to expand the number of seats to 16 with 2 council members to serve as Chair and Vice-Chair, Ben Omura seconded, the motion passed.</p> <p>Discussion was held on the idea of 2 council members and having the second council member as alternate to stand in only when the Chair is unavailable.</p> <p>Amended motion: Kjell Anderson moved to amend the motion by making the Vice-Chair an alternate, Jay Arnold seconded, the motion passed.</p> <p style="text-align: center;"><i>Plumbing, Mechanical and Ventilation TAG</i></p> <p>Further discussion was held on the member type for the seats of the TAGs. It was mentioned having requirements for seats to be licensed, where applicable, but others felt that should be left to the panel selecting the candidates and use the "license" as a guideline and not a requirement. Conversation continued on the types of seats, the application process and number of applications expected or received in the past, and the process for selecting candidates from the applications received for the specific member type.</p> <p>Motion: Ben Omura made a motion to move the Utilities position to be an SME position on hold and change the Educator position to be Educator/SME which would allow for an additional position to separate Building Officials and Cities & Counties, Justin Bourgault seconded, the motion passed.</p> <p>Ben Omura spoke to his motion.</p>

	<p>It was noted that all TAG seats are open for the 2024 Code Cycle.</p> <p style="text-align: center;"><i>Building Code TAG</i></p> <p>Roger Heeringa submitted changes for the IBC TAG, and these were reviewed, and discussion was held on these suggested changes and other suggestions.</p> <p>Motion: Roger Heeringa moved to accept his changes as modified, Tye Menser seconded, the motion passed.</p> <p>Public comment was heard on the TAG seats and further discussion was held, and friendly amendments made to the original motion which were accepted.</p> <p>Motion: Micah Chappell moved to table the rest of the TAG discussion and Agenda item 7 until Agenda items 9, 10, 11 and 12 are completed, Todd Beyreuther seconded, motion passed with 2 in opposition.</p> <p>It was suggested the Group 1 TAG seats be completed prior to moving away from this agenda item.</p> <p><i>AFTER Agenda Items 9, 10 and 11, returned to TAG Seats.</i></p> <p style="text-align: center;"><i>Fire Code TAG</i></p> <p>Motion: Roger Heeringa moved to approve the seats as amended, Tom Handy seconded, the motion passed with 1 opposition.</p> <p>Public comment was heard on the make-up of the TAG seats.</p> <p style="text-align: center;"><i>Energy Code - Commercial TAG</i></p> <p>The seats for the WSEC-C TAG were discussed and suggestions were made. It was mentioned to increase the number of seats for the energy code seats as it is difficult to determine which of the current seats should be eliminated.</p> <p>Motion: Kjell Anderson moved to extend the meeting to 4:30pm, Jay Arnold seconded, the motion passed.</p> <p>Further discussion was held on the number and types of seats. Public comments and suggestions were heard.</p> <p>Motion: Kjell Anderson moved to approve the seats as modified, with a friendly amendment to increase the number of seats to 18, Todd Beyreuther seconded, the motion passed 10 to 1.</p>
<p>8. Appointment of Committees</p>	<p>Motion: Kjell Anderson moved to continue with the existing members and chair for the Legislative Committee with Tom Handy being added as the additional council member in the absence of Tony Doan, Jay Arnold seconded, motion passed.</p>
<p>9. Petitions for Reconsideration</p> <ul style="list-style-type: none"> • Ty Jennings, CNGC • Todd Myers, WA Policy Center 	<p>Ty Jennings introduced his petition to the Council. Assistant Attorney General Dierk Meierbachtol clarified the Council's obligation to accept or deny the petition. Members of the public made comment on the petition. Clarifying information was</p>

	<p>provided by Managing Director Stoyan Bumbalov. Council members discussed the petition and were in favor of taking action.</p> <p>Motion: Kjell Anderson moved to deny both petitions for repeal because the SBEIS were submitted with the CR-102s and met the requirements of the statute, Katy Sheehan seconded, the motion passed 10 to 1.</p>
<p>10. Changes to provisions for Family Home Childcare</p> <ul style="list-style-type: none"> • Work Session • Vote to approve CR-103 Filing 	<p>Dustin Curb provided some background, noted the CR-102 has been filed and the comment period has ended as of the Public Hearing. He noted language revisions were added for clarity and reviewed the changes. It was noted that the public testimony was about 50/50 on the options provided. Discussion was held on the options and TAG involvement.</p> <p>Motion: Micah Chappell moved to accept Option 2 with Jon Siu's recommendations for section R331.1, R331.2.1 and R331.2.2 Item 2, and move to CR-103 process, Tom Handy seconded, the motion passed.</p>
<p>11. Council Opinion</p> <ul style="list-style-type: none"> • 2018 and 2021 IRC / IFC Solar Provisions 	<p>Dustin Curb introduced the updated language submitted by Dave Kokot.</p> <p>Motion: Tom Handy moved to accept the council opinion, Kjell Anderson seconded, the motion passed.</p> <p><i>BACK to Agenda item 7.</i></p>
<p>12. Legislative Committee – Initial Report</p>	<p>Stoyan Bumbalov provided a brief summary on the Legislative Bill report, and it was decided a meeting would be scheduled for next week on Thursday as 9am.</p>
<p>13. Other Business</p>	<p>No other business was discussed.</p>
<p>14. Staff Report</p> <ul style="list-style-type: none"> • Public Record Requests • Training Opportunities for Council Members 	<p>Not discussed today.</p>
<p>15. Adjourn</p>	<p>Motion: Micah Chappell moved to table all other agenda items, not discussed today, Kjell Anderson seconded, motion passed.</p> <p>Meeting was adjourned at 4:33 p.m.</p>