

# **OKLAHOMA UNIFORM BUILDING CODE COMMISSION**

## **REGULAR MEETING MINUTES CONSTRUCTION INDUSTRIES BOARD/UNIFORM BUILDING CODE COMMISSION CONFERENCE ROOM 2401 NW 23RD STREET, SUITE 2F OKLAHOMA CITY, OK 73107 JULY 21, 2015 - 1:30 P.M.**

### **BOARD MEMBERS PRESENT:**

Amber Armstrong, Ross Barrick, Danny Hancock, Chris Henderson, Larry Herzel, Curtis McCarty, Joe McKenzie, and Cary Williamson

### **BOARD MEMBERS ABSENT:**

Jim George, David Hall, and David Timberlake

### **OTHERS PRESENT:**

Billy Pope (OUBCC Staff), Kathy Hehny (OUBCC Staff), Bryan Neal (Attorney General's Office), Steven Hawkins (Office of Management and Enterprise Services, Agency Business Services Division - OMES ABS), LaTisha Edwards (OMES ABS), Steve Funk (OMES ABS), Mike Liston (Plumbers Heaters Cooling Contractors), Sean Hutson (Simpson Strong Tie), Albert Janco, P.E., Kenny Whitson (Plumbers Training Center), Rhonda Harding-Hill (Oklahoma Department of Commerce), and Jerry King (City of Oklahoma City)

### **CALL TO ORDER:**

Mr. Larry Herzel called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:30 p.m. in the Construction Industries Board/Uniform Building Code Commission Board Room at Shepherd Mall, 2401 NW 23rd St., Suite 2F, Oklahoma City, OK 73107.

### **STATEMENT OF COMPLIANCE:**

The following statement was read into the record:

"This regular meeting of the Oklahoma Uniform Building Code Commission scheduled to begin at 1:30 p.m. on this 21st day of July, 2015, has been convened in accordance with the Oklahoma Open Meeting Act, Title 25 Sections 301 through 314.

Further, this meeting was preceded by an advance public notice that was sent to the Secretary of State electronically specifying the date, time, and place of the meeting here convened.

Notice of this meeting was given at least twenty-four (24) hours prior hereto. To date, seventy-seven (77) people have filed a written request for notice of meetings of this public body.

### **REPORTS**

#### CEO Report:

Mr. Herzel noted he was filling in for Mr. Timberlake and asked Mr. Pope for his report. Mr. Pope briefly reviewed the statuses of the technical committees. He noted there was no need to do emergency rules for HB1890 as it was vetoed. He stated the Oklahoma Department of Labor's (ODOL) emergency rules had passed and were signed by the Governor. He added Mr. Neal had worked with the Governor's office to work out conflicts between ODOL's emergency rules and the Commission's rules. He noted

he would be making a presentation to the Alarm, Locksmith, and Fire Sprinkler Conference on July 23rd. He stated he and Mr. Neal had been working with the Oklahoma Insurance Commission to deal with an issue regarding insurance companies paying for code upgrades if the code in a particular area was not being enforced. He stated the 2009 International Building Code class on Structural Provisions scheduled for October 27, 2015 was canceled as there was an issue with finding an instructor for the class. He added his last item to report was that the funds received for the month of June and for the year were listed on page four of his report. He noted the funds received were an indication that construction was good within the State. Mr. Danny Hancock asked Mr. Pope if he knew what time he was speaking at the conference on the 23rd and if it was open to anyone. Mr. Pope replied he was scheduled to speak at 1:00 and it was open to anyone. Mr. Herzel asked if there were any questions. There were no other questions and Mr. Herzel took a moment to thank Mr. Neal for all his work with the ODOL's rules on alternative fuels.

#### Financial Report:

Ms. LaTisha Edwards with OMES ABS addressed the Commission. She noted all the reports were for the period ending June 30, 2015. She reviewed each report pointing out specific items and asked if there were any questions. There were no questions and Mr. Herzel thanked her for the report.

#### Residential Building Technical Committee Update:

Mr. McCarty noted the committee was moving along well. He stated there were only a few chapters left to review. He noted thirty public comment forms had been received, but the committee was still working on submitting several more. He noted fourteen of the thirty had been approved, some had been withdrawn and some tabled. He noted the committee had two or three meetings left before they were done. Mr. Herzel asked if there were a lot of changes from the 2009 to the 2015 edition. Mr. McCarty noted there were and the committee was doing a more in-depth review than what was done to the 2009 code to make sure what was done was right for Oklahoma. He added there were errors in the code like tables and charts that didn't match up and they were working on making sure that was addressed.

#### Residential Fuel Gas, Mechanical, and Plumbing Technical Committee Update:

Mr. McKenzie noted the committee had seven more chapters they needed to take action on. He noted three of them had been reviewed and tabled. He added one of the three required discussion with another committee as there was a conflict that needed to be fixed. He noted the next meeting was July 22, 2015. He stated the committee had received ten public comment forms, two approved, three denied, and one withdrawn and several to be reviewed at the next meeting. He noted the committee was looking at everything as well to make sure it was right for Oklahoma.

#### Alternative Fuels Program Technical Committee Update:

Mr. Williamson noted the committee was still working on several issues. He noted the committee knew what a "track" was on a railroad and where to put the signs on the dispensers. He noted the committee had their work cut out for them. He added there were a lot of really bright people on the committee. He stated canopies and dispensers had been big topics. He noted for the July meeting they would be comparing NFPA 59 A® to the National Electrical Code®, International Fire Code® and International Fuel Gas Code®. Mr. Herzel asked Mr. Barrick if the Electrical Committee was finished. Mr. Barrick replied they had a meeting scheduled on September 2 to review their presentation and address anything else needed.

**ACTION AND DISCUSSION ITEMS:**

Discussion and possible approval of the June 16, 2015 regular meeting minutes

Ms. Armstrong noted she had two copies of page one and two in her book. Ms. Hehnly apologized to Ms. Armstrong for the mix up. Ms. Armstrong noted when she reviewed the minutes she didn't find any mistakes.

**MR. ROSS BARRICK MADE A MOTION WITH A SECOND BY MS. AMBER ARMSTRONG TO APPROVE THE MINUTES AS PRESENTED**

VOTING AYE: Amber Armstrong  
Ross Barrick  
Danny Hancock  
Chris Henderson  
Larry Herzel  
Curtis McCarty  
Joe McKenzie  
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Jim George  
David Hall  
David Timberlake

Discussion and possible action on a revised request from the Fire Marshal's Association of Oklahoma for continuing education sponsorship

Mr. Barrick noted the Education Committee had a teleconference on Friday, July 17, 2015 at 10:00 a.m. He noted only he and Ms. Armstrong along with Mr. Pope and Ms. Hehnly were on the call. He stated the Fire Marshal's Association of Oklahoma (FMAO) had completed their application which had been left open originally as a specific class had not been chosen. He noted when the Commission had originally reviewed the request; approval had been given to cover the cost of an instructor up to \$2000.00. He noted once the class was chosen, the cost was actually \$2,150.00. He noted it was the consensus of the Education Committee that the increase of \$150.00 be approved for a total expenditure of \$2150.00.

**MR. CURTIS MCCARTY MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO APPROVE THE REQUEST TO INCREASE THE COST TO \$2150.00**

VOTING AYE: Amber Armstrong  
Ross Barrick  
Danny Hancock  
Chris Henderson  
Larry Herzel  
Curtis McCarty  
Joe McKenzie

Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Jim George  
David Hall  
David Timberlake

Discussion and possible action on an eLearning Program Agreement with OMES Department of Human Capital Management

Mr. Herzel asked Ms. Hehnly to explain the item to the Commissioners. Ms. Hehnly noted it was the same contract the Commission had approved in previous years. She noted it allowed staff to take online classes through a portal on Microsoft Office programs. She added it allowed her to take CPO classes to keep her certification and would allow Mr. Pope to take his required state supervisory classes. She stated the cost did go from \$75.00 per license per year to \$83.00 per license per year. Mr. McCarty asked if the Commission had approved the contract last year. Ms. Hehnly replied it was. He asked Ms. Hehnly to explain what benefits staff received from it last year. Ms. Hehnly noted she was able to complete eight credit hours towards her CPO certification. Mr. McCarty asked if that was the only benefit. Ms. Hehnly noted she had also taken classes on different programs to learn more and brush up on skills. She noted she was still working on the PowerPoint classes.

MR. CURTIS MCCARTY MADE A MOTION WITH A SECOND BY MR. JOE MCKENZIE TO APPROVE THE COST OF \$249.00 FOR THE CONTRACT

VOTING AYE: Amber Armstrong  
Ross Barrick  
Danny Hancock  
Chris Henderson  
Larry Herzel  
Curtis McCarty  
Joe McKenzie  
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Jim George  
David Hall  
David Timberlake

Mr. Herzel noted that concluded all agenda items. He added to the audience to sign in on the sign-in sheet on their way out of the meeting if they had not already done so.

**NEW BUSINESS:**

Mr. Herzel asked if there was any new business and then noted he didn't think there was any. Mr. McCarty asked if he could ask a question. He referenced back on Mr. Pope's CEO report and asked if once the information was received back from the Insurance Commission, if the Construction Industries Board (CIB) would also get involved and if Mr. Pope could give a report to the outcome of everything to the Commission. Mr. Pope noted he would send the information out to the Commissioners ahead of time so they would know what was going on. He added as far as CIB, he wouldn't be able to comment on what they would do.

**PUBLIC COMMENTS:**

There were no public comments.

**ADJOURNMENT:**

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. DANNY HANCOCK TO ADJOURN

Mr. Herzel noted there was a motion and a second so the Commission was adjourned.

Minutes approved in the regular meeting on the 15th day of September, 2015

DAVID TIMBERLAKE  
David Timberlake, Chairman

PREPARED BY: KATHY HEHNLY  
Kathy Hehnly, Executive Assistant  
Oklahoma Uniform Building Code Commission

OFFICIAL COPY - *Original with signatures in office file*