

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
JANUARY 21, 2020 – 1:30 P.M.**

COMMISSION MEMBERS PRESENT:

Amber Armstrong, Ross Barrick, Danny Hancock, Chris Henderson, Joe McKenzie, David Timberlake, and Cary Williamson

COMMISSION MEMBERS ABSENT:

Lonnie Shackelford

OTHERS PRESENT:

Billy Pope (OUBCC Staff), Kathy Hehnly (OUBCC Staff), Lindsay Heinrichs (OUBCC Staff), Bryan Neal (Attorney General's Office), Mike Ervin (Oklahoma Capitol Strategies), LaTisha Edwards (Office of Management and Enterprise Services "OMES" – Agency Business Services "ABS"), Rhonda Harding-Hill (Oklahoma Department of Commerce), Mike Willison (City of Oklahoma City Fire Department), Brian Braley (City of Edmond), Scott Boyle (City of Edmond)

CALL TO ORDER:

Mr. David Timberlake 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 Center, 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 January 2020, has been convened in accordance with the Oklahoma Open Meeting Act, Title 25 O.S. 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, one thousand two hundred forty-six (1246) people have filed a written request for notice of meetings of this public body."

REPORTS:

CEO Report:

Mr. Pope reported OMES had sent a notice to Landmark Towers giving them a deadline of January 31, 2020 to complete the build out of the new office space. He noted the agency was supposed to have been in the new space on November 1, 2019. He stated if Landmark Towers

didn't have the new space ready by the OMES deadline, the OUBCC would need to look for a new office space.

Mr. Pope noted he spoke with Governor Stitt on January 7, 2020 at the Governor's Leadership Summit and followed with a letter on January 13, 2020 related to passing legislation for two items. He noted the first was a mechanism to fund teaching inspectors to the point they could take their national certification tests. He added the second item was opening up the continuing education training to more than just inspectors. He stated he thought classes should be opened to inspectors first and after a set registration period, let the classes be opened up to others in the construction industry. He added he sent the same information to the agency's Cabinet Secretary, Sean Kouplen. There was further discussion on the fact there were no other state agencies providing certification training for inspectors.

Financial Report:

Ms. LaTisha Edwards greeted the Commission. After the review of the Budget to Actuals report, Ms. Edwards noted the agency was operating under budget in both the Administrative and IT departments. At the end of her review of the reports, there was discussion on the Allotment Budget and Available Cash report.

Presentation of and discussion on Legislative Report

Mr. Mike Ervin with Oklahoma Capitol Strategies greeted the Commission. Mr. Ervin noted last Thursday at 5:00 was the deadline for filing bills and resolutions in the House and the Senate. He noted there were 1361 bills and 16 resolutions filed in the House and 840 bills and 19 resolutions filed in the Senate. He noted a lot of the bills would not move forward as House members were only allowed to move eight (8) bills forward. He noted many members file 15 or 20 and pick which eight (8) they want to move forward. He noted there would be many bills that would not make it through the committee process, and many of the bills were shell bills with no language.

Mr. Ervin reviewed several bills that could affect the OUBCC, adding most of them would affect all state agencies not just the OUBCC. He noted SB1676 added two new members to the Commission. After his review, he and the Commission discussed several of the bills in greater detail.

RULEMAKING ACTION ITEMS:

Public hearing and discussion (including but not limited to the acknowledgement of receipt of and discussion of public comment forms received to date on Oklahoma Administrative Code, Title 748, Chapter 20 Adopted Codes, Subchapters 1, 2, 3, 4, and 10, if any) with a possible vote on emergency rulemaking on:

- I. Subchapters 1 and 2 - International Building Code®, 2015 (IBC®, 2015)
- II. Subchapters 3 and 4 - International Fire Code®, 2015 (IFC®, 2015)
- III. Subchapters 10 - National Electrical Code®, 2014 (NEC®, 2014)

Mr. Timberlake noted he wouldn't read all of the details listed on the agenda as it was long. He added the Commission was familiar with the rules as they had been reviewed many times. He added if there was interest in a motion he would accept one to approve Subchapters 1 and 2 as one

vote. Ms. Hehnly noted for the record, no written public comments were received on any of the emergency rules.

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO ADOPT SUBCHAPTERS 1 AND 2 ON THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE® FOR EMERGENCY RULEMAKING

Mr. Timberlake asked if there was any discussion. Mr. Neal noted since the public hearing was opened, Mr. Timberlake should ask if there were any public comment. Mr. Timberlake asked if there was any public comment. There was no public comment and the Commission proceeded to vote.

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

Mr. Timberlake noted Subchapters 3 and 4 would be entertained together.

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. DANNY HANCOCK TO ADOPT SUBCHAPTERS 3 AND 4 ON THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE® FOR EMERGENCY RULEMAKING

Mr. Timberlake asked if there was any discussion or public comment. There was no discussion or public comments and the Commission proceeded to vote.

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

Mr. Timberlake noted the last item was Subchapter 10.

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO ADOPT SUBCHAPTER 10 ON THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE® FOR EMERGENCY RULEMAKING

Mr. Timberlake asked if there was any discussion or public comments. There was no discussion or public comment and the Commission proceeded to vote.

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

ACTION AND DISCUSSION ITEMS:

Discussion and possible action to determine which edition of the International Residential Code® (2018 or 2021) should be reviewed next, based on code adoption timeline estimates

Mr. Pope noted he spoke with Mr. Shackelford who wasn't available to attend the Commission meeting. He added since Mr. Shackelford represented the Home Builders Association (HBA), and he had requested Mr. Shackelford check with the HBA to see which edition they recommended be reviewed. Mr. Pope stated Mr. Shackelford responded the HBA wanted to go with the 2018 Edition of the International Residential Code® (IRC®). There was discussion on when the 2021 code would be available. Mr. Barrick reminded everyone the 2020 ETC committee would be looking at the 2018 IRC® electrical portion as part of their committee review.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. ROSS BARRICK TO REVIEW THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE®

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

Discussion and possible action to modify the International Energy Conservation Code Evaluation Committee members to fill the newly vacant position

Mr. Pope noted Mr. Matherly, as the representative for the Construction Industries Board, was on the evaluation committee but had turned in his resignation, which made the committee short one position. He added he checked with Mr. Williamson to see if he would serve. He added Mr. Williamson noted he would. Mr. Pope noted it was his recommendation Mr. Williamson fill the position.

MR. ROSS BARRICK MADE A MOTION WITH A SECOND BY MR. JOE MCKENZIE TO APPOINT MR. CARY WILLIAMSON TO THE INTERNATIONAL ENERGY CONSERVATION CODE EVALUATION COMMITTEE

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

Discussion and possible action on authorizing OUBCC's payment to the Oklahoma Construction Industries Board of the OUBCC Chief Executive Officer's annual renewal state licensure fees as an Inspector, an Electrical Contractor, a Plumbing Contractor, and a Mechanical Contractor for calendar year 2020 due no later than January 27, 2020

Mr. Pope explained up until this year, if someone held an inspectors license as well as a contractor or journeyman's license, the Construction Industries Board (CIB) waived the fees for the license renewals. He added this had been the policy since about 1990. He added this year, the CIB changed their policy and were requiring everyone to pay all their fees. The Commission and Mr. Pope discussed the licenses would still be inactive; if the fee was for one year; and if the fee was different for an active or inactive status. Mr. Timberlake noted it was a benefit for the Commission to have the CEO hold a license in all areas. He added it was a benefit with discussions with outside people as well as within the industry and he supported this being paid.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. CARY WILLIAMSON TO AUTHORIZE THE OUBCC'S PAYMENT TO THE OKLAHOMA CONSTRUCTION INDUSTRIES BOARD FOR THE OUBCC CHIEF EXECUTIVE OFFICER'S ANNUAL RENEWAL OF STATE LICENSURE FEES

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

Ms. Armstrong asked about for the CBO fee. She asked if the OUBCC had been paying that and if Mr. Pope had been maintaining that certification. Mr. Pope noted what had been before the Commission was the only fees the state charged through the CIB. Ms. Armstrong noted she was asking about the CBO certification through the International Code Council. Mr. Pope noted anything else he paid himself.

NEW BUSINESS:

There was no new business.

PUBLIC COMMENTS:

There was no public comments.

ADJOURNMENT: (2:10 P.M.)

MS. AMBER ARMSTRONG MADE A MOTION WITH A SECOND BY MR. CHRIS HENDERSON TO ADJOURN

VOTING AYE: Amber Armstrong
Ross Barrick
Danny Hancock
Chris Henderson
Joe McKenzie
David Timberlake
Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Lonnie Shackelford

Minutes approved in the regular meeting on the 18th day of February, 2020

DAVID TIMBERLAKE
David Timberlake, Chairman
Oklahoma Uniform Building Code
Commission

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

Official Copy: Original with signatures in office file.