

OKLAHOMA UNIFORM BUILDING CODE COMMISSION

REGULAR MEETING MINUTES VIRTUAL – WEBEX MEETING SEPTEMBER 15, 2020 – 1:30 P.M.

COMMISSION MEMBERS PRESENT ON WEBEX VIDEO:

Stephanie Cliff, Paul Gunderson, Danny Hancock, Mitchell Hort, Kyle Lombardo, Lonnie Shackelford, Cary Williamson, and Donny Williamson

COMMISSION MEMBERS ABSENT:

Justin Blunt; Daniel Favata, and Scott Tucker

OTHERS PRESENT:

Billy Pope (OUBCC Staff), Kathy Hehnly (OUBCC Staff), Bryan Neal (Oklahoma Attorney General's Office), LaTisha Edwards (Oklahoma Office of Management and Enterprise Services – Agency Business Services "OMES ABS"), Robert Glass (Goodman Manufacturing Company, L.P.), Chris Van Rite, Robin Cornwell, Curtis McCarty (CA McCarty Construction), Cindy Giedratis (National Fire Sprinkler Association), Eric Lacey (Responsible Energy Code Alliance), Grason Wiggins, Jonathan Sargent (Omegaflex), Bryan Holland (National Electrical Manufacturer's Association), Lauren Vaughan (Oklahoma Board of Architecture), Andrew Bevis (National Fire Sprinkler Association), Amber Armstrong, Damien Davis (Cajun Composting), Rhonda Harding-Hill (Oklahoma Department of Commerce), Mike Willson (Oklahoma City Fire Department), Nancy Graham, and Mike Means (Oklahoma Home Builders Association)

CALL TO ORDER:

Mr. Cary Williamson, Chairman of the Commission called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:30 p.m. on the WebEx call established for the meeting.

A roll call was made, but there were some sound technical difficulties on the virtual call, and the meeting was delayed by ten minutes. At 1:40 p.m. a second roll call was completed, and a quorum was established. All commissioners listed as "present" above were in attendance for both roll calls.

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 15th day of September 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, three thousand thirty-four (3034) people have filed a written request for notice of meetings of this public body."

REPORTS:

CEO Report:

Mr. Pope reported he was working with Shepherd Center and a designer hired by them to layout a new office space. He noted the reason the Commission was meeting virtually was the meeting space at the Construction Industries Board was not large enough to provide the required 6 feet of separation needed for everyone. There was discussion on holding in-person meetings in some other location such as another meeting space owned by the state or a private entity, the need to record the meeting, and if spending funds to create a space with the current requirement for social distancing that was a temporary need, was necessary. The Commission discussed the length of time it had taken so far to find a new office space for the agency; the availability of vacant office space due to COVID where something might be more move-in ready verses being built out for the agency; and using the Tulsa Home Builders Association (HBA) to hold in-person meetings and if they had the ability to record the meetings.

Financial Report:

Ms. Edwards with OMES ABS greeted the members. She reviewed each of the monthly financial reports ending August 31, 2020. She noted the agency was currently running underbudget in every category. At the end of the review, there were no questions for Ms. Edwards.

ACTION AND DISCUSSION ITEMS:

Discussion and possible approval of the August 18, 2020 special meeting minutes

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. KYLE LOMBARDO TO APPROVE THE MINUTES

Mr. Neal asked to speak, as it had been brought to his attention, that two of the Commissioners were not visible on the call. Mr. Neal confirmed with Ms. Hehnly that Mr. Favata and Mr. Tucker were not visible, although they were on the call. Mr. Neal stated since the meeting was a video conference, and the agenda listed all members were attending via video conference, they had to be both visible and audible when motioning or casting a vote. He noted there was a quorum of Commissioners both seen and heard, but the two members were not visible to the other participants or the public and they would need to find a way to be visible or be considered not in attendance for the meeting. Both Commissioners left the meeting and returned within a minute or two, but neither were successful in getting their cameras to work.

Mr. Shackelford noted on the August minutes, he was shown as absent for one of votes, but he was there. Ms. Hehnly noted she did not have an audible vote on her recording but would notate the September minutes he was in attendance for that vote.

While waiting on the commissioners to see if they could get the cameras working, Mr. Hancock asked Ms. Hehnly if there was any timeline on a new meeting space. Ms. Hehnly stated she did not have any information on that, but the changes to the Open Meeting Act expired in November before the November commission meeting, so the only other meeting that could be held via videoconference was the October meeting. There was further discussion on the social distancing space issue in the Construction Industries Board meeting space.

After the commissioners were unable to establish a video feed, Mr. Neal noted the meeting was scheduled on the agenda as a video conference only, with all members participating via video conference. He added if there was a quorum the commission could proceed. He added Mr. Tucker and Mr. Favata could stay on the call, just would be unable to participate as Commission members.

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Discussion and possible action to approve the fiscal year 2022 budget request

Mr. Hancock noted the Budget Fees and Rules Committee met via video conference last week and went through the budget in detail. He directed everyone to look at the variance column which would show the difference between the last budget submitted (FY21 working budget), and the FY22 proposed budget. He added, the budget contained funding for an extra employee, if needed; funding for furniture and equipment for the new space, and for the continuing education classes. He noted the budget was \$1096 under the FY21 budget. He added the Commission would have another opportunity to vote on the final budget for FY22 in the spring.

MR. PAUL GUNDERSON MADE A MOTION WITH A SECOND BY MR. LONNIE SHACKELFORD TO APPROVE THE FISCAL YEAR FY22 BUDGET REQUEST

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Discussion and possible action on a proposed meeting schedule for 2021

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO APPROVE THE PROPOSED MEETING SCHEDULE FOR 2021

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Discussion and possible action to add three new commission members, (to replace the three commission members who termed off the OUBCC), to the International Energy Conservation Code Evaluation Committee

Ms. Hehnlly noted to clarify the agenda item, the committee had been made up with several commission members who were evaluating the different edition years of the IECC to make a recommendation to the Commission as to which edition year should be reviewed by a technical committee.

MR. DONNY WILLIAMSON MADE A MOTION WITH A SECOND BY MR. PAUL GUNDERSON TO APPROVE THE THREE NEW COMMISSION MEMBERS TO THE INTERNATIONAL ENERGY CONSERVATION CODE EVALUATION COMMISSION COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Discussion and possible action to modify the scope of the Ice and Water Barrier Committee to include commercial building requirements of the International Building Code in addition to reviewing the requirements of the International Residential Code

Ms. Hehly noted Mr. Pope had requested she address the issue. She noted the original scope just addressed the issues between insurance companies, roofers and contractors related to the residential code for ice and water barriers. She noted Mr. Pope recommended the change in scope to address smaller commercial buildings that were built almost like a house such as doctor's offices for example that didn't have a traditional commercial style roof. There was further discussion on the scope and providing continuity between the codes.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MS. STEPHANIE CLIFF TO APPROVE THE PROPOSED CHANGE IN SCOPE FOR THE ICE AND WATER BARRIER COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Discussion and possible action to modify the slate of positions for the Ice and Water Barrier Technical Committee to include the OUBCC Insurance Representative Stephanie Cliff as a second Commission Liaison

Ms. Hehnlly noted Mr. Pope had recommended the change as there were no positions that represented the insurance industry and the addition would address that lack. Ms. Cliff agreed and noted she was happy to be on the committee.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO APPROVE THE MODIFICATION OF THE SLATE OF POSITIONS FOR THE ICE AND WATER BARRIER TECHNICAL COMMITTEE TO INCLUDE THE OUBCC INSURANCE INDUSTRY REPRESENTATIVE AS A SECOND LIAISON TO THE COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Discussion and possible action to approve a slate of volunteers for the following committees:

I. Electrical Technical Committee (ETC) – tasked with reviewing the 2020 National Electrical Code® (NEC®, 2020) and the electrical chapters of the 2018 International Residential Code® (IRC®, 2018)

Chairman Williamson asked if there were any questions on the members presented for this committee. The Commission discussed the open position on the committee and the history of how the OUBCC handled the issue in the past. Mr. Favata volunteered to fill the open position, even though he was not officially at the meeting. There was further discussion to determine if Mr. Favata had the background to fill the position and if the Commission could appoint him as part of the committee during the meeting. Consensus after discussion was to have Mr. Favata fill out a committee application and the commission could vote on it at the next meeting.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. MITCHELL HORT TO APPROVE THE SLATE OF POSITIONS FOR THE ELECTRICAL TECHNICAL COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

II. Ice and Water Barrier, Roofing Evaluation Technical Committee (IWRETC) – tasked with reviewing issues related to Ice and Water Barrier Roofing requirements

Chairman Williamson asked if there were any questions. Mr. Hancock asked if the issue could be handled by the committee they already had. Ms. Hehnlly noted it was a separate committee the Commission had previously created to look at the specific issued.

MR. DONNY WILLIAMSON MADE A MOTION WITH A SECOND BY MR. DANNY HANCOCK TO APPROVE THE SLATE OF POSITIONS FOR THE ICE AND WATER BARRIER TECHNICAL COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

III. Residential Building Technical Committee (RBTC) – tasked with reviewing Chapters 1 – 10 of the 2018 International Residential Code® (IRC®, 2018)

Chairman Williamson asked if there were any questions on this list of candidates.

MR. DANNY HANCOCK MADE A MOTION TO APPROVE THE SLATE OF POSITIONS FOR THE RESIDENTIAL BUILDING TECHNICAL COMMITTEE

Mr. Shackelford asked about the application for Mr. Ramseyer. Mr. Pope noted there was only one engineering position and Mr. Kelly Parker was the proposed engineer. Mr. Shackelford stated that answered his question.

MR. PAUL GUNDERSON SECONDED MR. HANCOCK'S MOTION TO APPROVE THE SLATE OF POSITIONS FOR THE RESIDENTIAL BUILDING TECHNICAL COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

IV. Residential Fuel Gas, Mechanical and Plumbing Technical Committee (RFGMP) – tasked with reviewing the Fuel Gas, Mechanical and Plumbing chapters of the 2018 International Residential Code® (IRC®, 2018)

Chairman Williamson asked if there were any questions on the slate of positions.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MS. STEPHANIE CLIFF TO APPROVE THE SLATE OF POSITIONS FOR THE RESIDENTIAL FUEL GAS, MECHANICAL AND PLUMBING TECHNICAL COMMITTEE

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

NEW BUSINESS:

There was no new business.

PUBLIC COMMENTS:

There were no public comments.

ADJOURNMENT: (2:39 P.M.)

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO ADJOURN

Mr. Hancock asked if there was any clarification on meeting at the Tulsa HBA. Mr. Shackelford stated he had received an answer regarding recording the meeting and asked if Ms. Hehnly could coordinate with them. Ms. Hehnly noted she would. She then asked if there was anyone on the call who had not entered in their name into the call, if they would please email her that they attended so she could record it in the minutes.

VOTING AYE: Stephanie Cliff
Paul Gunderson
Danny Hancock
Mitchell Hort
Kyle Lombardo
Lonnie Shackelford
Cary Williamson
Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Justin Blunt
Daniel Favata
Scott Tucker

Minutes approved in the regular meeting on the 20 day of October, 2020

CARY WILLIAMSON
Cary Williamson, 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 files.