

OKLAHOMA UNIFORM BUILDING CODE COMMISSION

REGULAR MEETING MINUTES VIRTUAL – WEBEX MEETING MAY 18, 2021 – 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 (logged onto the call at 1:32 p.m.)

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 (Office of Management and Enterprise Services (OMES), Agency Business Services Division (ABS)), Rhonda Harding-Hill (Oklahoma Department of Commerce)

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.

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 18th day of May 2021, 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, 4176 (four thousand one hundred seventy-six) people have filed a written request for notice of meetings of this public body."

REPORTS:

CEO Report:

Mr. Pope stated on April 27, 2021 Governor Stitt signed Senate Bill 148 into law, which added both an electrical and mechanical engineer to the Commission. He noted the individuals for those positions will be appointed by the Governor. He stated they would not be officially confirmed until the next legislative session, but they would be full members with the full activities as the other Commissioners but will have to wait to be sworn in by the Senate until the next session. He added he did not have a date as to when those people would be added. Mr. Hancock asked how the number of commissioners needed for a quorum would relate to those additional positions. Mr.

Pope replied as soon as those positions were filled, they would become a part of the Commission and at that time the quorum number would increase.

Mr. Pope noted House Bill 1818 passed the house on March 2nd with 94 "yes" votes and no "no" votes. He added unless action occurred soon, it would fail with the end of the legislative session. He stated that concluded his report unless there were any questions.

Mr. Donny Williamson asked to confirm that he was visible and considered as part of the call. Ms. Hehny confirmed that she had recorded him as present. She noted she had received an email from Mr. Blunt who was on the phone but was having trouble getting video to work. She added he would not be considered as present as he was not visible.

Financial Report:

Ms. LaTisha Edwards with OMES ABS greeted the Commission. She reviewed the Commission's budget and expenditures through the month of April 2021. She noted the commission began the year with a budget of \$655,377 and there had been expenditures and encumbrances of \$331,995 through April. She stated the remaining balance was \$323,382. She added with 2 months remaining in the fiscal year the administrative division budget was good. She noted the commission began the year with an IT budget of \$51,300 and there have been encumbrances and expenditures in the amount of \$27,369, that left a remaining budget of \$23,930. She added she didn't anticipate any issues with the budget for the remainder of the fiscal year. She noted the cash balance for the Commission was \$1,230,068. She noted the total revenue to date was \$512,294. She noted total expenditures for the year were \$344,263. She stated that had resulted in a net gain to the cash balance of \$168,031 in the fiscal year-to-date. After the end of her review, there were no questions for Ms. Edwards, but there was a question for Mr. Pope. Mr. Donny Williamson asked if there was going to be any sweep of agency surplus of funds to cover for a budget shortfall. Mr. Pope replied there wasn't anything direct from anyone, but with the session almost at the end, he didn't think that would happen. He added he thought they had the funds they needed without doing that.

New Lease Update:

Mr. Pope noted he had been working with Mr. Neal to move through the lease to make sure the agency got what they needed. He added they had asked several questions and the last set of questions were answered just this morning. He noted based on those answers he would be signing the lease shortly. He added one thing they had asked about was what the current rental rate was. He noted the response was \$12.50 per square foot. He added once the buildout was paid for in five years, the lease rate would revert to a much lower per-square-foot rate. Mr. Neal added there was some language in the lease he had concerns with. He added it was drafted by the staff at the Office of Management and Enterprise Services (OMES), who were the "them" that Mr. Pope had referred to. He added OMES had provided answers to his concerns regarding what the lease rate would be when the buildout was paid off. He added there was no way for anyone to know what the rate would be five years from now, but there was language that indicated that lease rate would be the standard state rate, and since he wasn't sure what that was or where it was published or posted, he wanted something in writing, which was why they emailed and got a response in writing. He recommended keeping a copy of the questions and responses with the minutes for this meeting so they would be easy to find in the future. The commission discussed the timeline for move-in which was expected to take 60-90 days and when the commission could start meeting in person.

Technical Committee Review Updates:

1. Residential and Commercial Ice and Water Barrier Technical Committee

Ms. Cliff noted the committee meet virtually on May 6, 2021 and went through several comment forms discussing if the committee wanted to proceed with mandating that every roof should have the ice and water barrier shield. She added right now the committee was more focused on if it should be added to the reroofing section only. She stated they had reviewed and discussed the forms but instead of taking action, there were quite a few of the forms that were grouped together but the language varied slightly between all of them so they were tabled until the June 3, 2021 meeting.

2. Residential Building Technical Committee

Mr. Shackelford noted the committee met again on May 17, 2021 to finish the review of Chapters 6 through 10. He noted the meeting went long and they were still working on items in Chapter 9. He stated they had to table some stuff from Chapter 6 that had to do with some forms that were turned in on some products that are being sold and used in the State right now, that the submitter of the form doesn't feel like they should be used as a structural component on the house.

Mr. Pope added there were two universities that had tested the products that were under review. He noted the two universities were saying the products didn't meet the standard set by ICC, but the producer of the product had an evaluation done that stated it met the standard. He noted Mr. Ramseyer, on the OUBCC committee, was the head of the review of the products conducted at the University of Oklahoma. He added what the committee was trying to bring more people in from both the manufacturer and other individuals to get a better look and understanding of exactly what the committee was evaluating and how the evaluation fell out. He stated the committee wanted to do what was right for the State of Oklahoma.

Mr. Shackelford stated that was a long discussion item during yesterday's meeting. He noted the rest of the meeting went well. He added they were still going back and forth with some of the roofing stuff coming over from the Ice and Water Barrier committee and issues the roofers were having with some of the dimensional lumber used as sheathing. He noted the issue seemed to do with shrinkage of the lumber and insurance companies not wanting to pay for re-decking the roof if there was more than a 1/4-inch in the lapped deck. There was some further discussion about the roof decking and spacing issues; over how the roof decking was attached; gapping and shrinkage in lumber; and manufacturer's instructions.

3. Residential Fuel Gas, Mechanical and Plumbing Technical Committee

Mr. Hancock noted he couldn't attend the last meeting, but it was going to be a short meeting as there were only four chapters to address related to four remaining comment forms. He added as far as he knew, as of the last meeting met, they wrapped up all the chapters and comment forms as of that date. Ms. Hehnlly stated the committee didn't have that meeting as there wasn't a quorum available.

4. Energy Conservation Technical Committee

Mr. Gunderson noted the committee had a meeting last Wednesday, May 12th at 1:30 p.m. He added they had a good turnout. He stated the meeting went well and there were more people for the Commission to approve later in the meeting for some of the open positions. Mr. Donny Williamson added they had voted for a committee chairman and it seemed to him there would be

some differences of opinion between the members. He added he thought that was good and that there was a good balance of members. Mr. Gunderson agreed that there was a lot for the committee to review and it would take some time as they wanted to be thorough.

ACTION AND DISCUSSION ITEMS:

Discussion and possible approval of the April 7, 2021, special meeting minutes

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. LONNIE SHACKELFORD TO APPROVE THE APRIL 7, 2021, SPECIAL MEETING MINTUES

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 update the scope of the Energy Conservation Committee to review additional chapters/section (along with Chapter 11), of the 2018 IRC® to include:

- 1. Chapter 3, Section R327, Stationary Storage Battery Systems*
- 2. Chapter 19, Section M1903, Stationary Fuel Cell Power Plants*
- 3. Chapter 23, Solar Thermal Energy Systems*
- 4. Chapter 28, Section P2802, Solar Water Heating Systems*

Mr. Pope stated he went through the 2018 IRC® and he felt the added sections should be reviewed by the Energy Conservation Technical Committee since they had experts who could have added knowledge in those areas. Mr. Neal stated he wanted to clarify the action was to modify the scope of the committee, not the code. Mr. Gunderson added he felt each item should be discussed separately by the committee, but the Commission could vote on them as one item to incorporate them into the scope of the committee.

MR. PAUL GUNDERSON MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO APPROVE ALL FOUR ADDITIONAL SECTIONS FOR REVIEW BY THE ENERGY CONSERVATION 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

Discussion and possible action on approving volunteer applications for vacant positions, if any, for the following committees:

Mr. Pope asked Ms. Hehnlly to review which committees had new applications.

1. Residential Building Technical Committee

There were no added members for the committee.

2. IRC and IBC Ice and Water Barrier Technical Committee

3. Residential Electrical Technical Committee

Ms. Hehnlly noted there was one applicant to the committee, who the commission had approved to serve as a jurisdictional representative, however he had retired and was reapplying as the commercial contractor. She noted the person in question was Mr. John Staires who had served on several different electrical committees for both commercial and residential reviews.

4. Residential Fuel Gas, Mechanical, and Plumbing Technical Committee

5. Energy Conservation Technical Committee

Ms. Hehnlly stated there were several applications for the committee to fill some of the open positions. She noted all the applications and the cover sheets with the current and proposed committee representatives were previously sent to the Commissioners. She added the yellow highlighted names were all the new additions to be approved.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. PAUL GUNDERSON TO APPROVE THE ADDITIONAL VOLUNTEERS

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

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT: (2:15 P.M.)

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. MITCHELL HORT TO ADJOURN

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 July, 2021

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.