

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 20, 2021 – 1:30 P.M.**

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS ABSENT

Daniel Favata

OTHERS PRESENT:

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); Amber Armstrong (A&E Code Professionals); Lee Davis (OMES); and Stephanie Tomlinson (OMES)

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. 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 20th day of July 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, 4289 (four thousand two hundred eighty-nine) people have filed a written request for notice of meetings of this public body."

REPORTS:

CEO Report:

Chairman Williamson noted Mr. Pope was ill and would not be at the meeting. He reviewed Mr. Pope's report regarding the status of the technical committees and that they should be ready to

present to the Commission in August. He noted the Governor's office was still working to fill the new positions approved by the passage of SB148.

Financial Report:

Ms. LaTisha Edwards with OMES ABS greeted the Commission. Ms. Edwards noted the reports they were reviewing were as of June 30, 2021. She added it was the last month of the fiscal year so starting next month, everything would look different. She reviewed the annual budget for the administrative department. She noted the budget was set at \$655,377 and there were total expenditures and encumbrances of \$380,875, which left a remaining budget of \$274,501. She noted the IT department budget began the year with a budget of \$51,300. She added funds were expended or encumbered in the amount of \$30,950 and there was a remaining budget of \$20,349. She noted there was an available cash balance of \$1,252,340. Ms. Edwards noted the revenue received for the year was \$593,073 and the total expenditures was \$402,770 which left a net gain of \$190,303. She noted there was \$71,039 in the treasurer's clearing account that would be transferred to the 285 fund once reconciliation occurred. She reviewed the details by category for all expenditures. She noted for the month of June the total expenditures were \$24,561.

Mr. Donny Williamson asked about the 6-Digit Object of Expenditure Report. He noted it looked like the Commission had the detail of everything except for salaries and benefits and how that information broke down. He added since the commission looked at the finances, he wanted to see the back numbers on those items. Ms. Edwards stated she could provide for him. She noted the Finance side of the state system didn't get payroll details, but she could reach out to payroll and get that breakdown for him.

Ms. Edwards reviewed the final report, the Outstanding Encumbrances Report, which showed all the outstanding purchase orders on file. She noted the total encumbrances right now were \$72,586. After her report there were no further questions for Ms. Edwards.

New Lease Update:

Chairman Williamson read an email from Mr. Pope related to the office move. He noted the previous configuration of Suite 82 had been demolished and build out was starting on the OUBCC configuration. He stated there was a closet that was approximately 6' x 9' that contained equipment and the builder did not know if that equipment was in use or what to do with the area. He noted OUBCC was working with Carie Carman with OMES, the mall owner, and the builder to address the issue. He added if the equipment was left where it was currently located, that space would come out of the conference room and the lease would be adjusted to reflect the reduction in usable office space. He noted colors for the walls, carpet, and cabinets has been selected for the new space and the projected date for move in would be October 1, 2021. There some discussion on how the equipment closet would impact the conference room space.

Technical Committee Review Updates:

1. Residential Building Technical Committee

Mr. Shackelford noted the committee met yesterday to review the slides for the presentation in August. He noted there were a few little changes, mostly typo type stuff. He added the committee was ready to present.

2. Residential Fuel Gas, Mechanical and Plumbing Technical Committee

Mr. Hancock noted the meeting scheduled for last week did not have a quorum, but the committee was going to review their slides for the final presentation. He noted their next meeting was scheduled for August 12, 2021.

4. Electrical Technical Committee

Ms. Hehnly noted the committee had their first meeting last week. She noted they had eight changes from the 2015 modifications for the electrical portion of the IRC®. She noted the committee felt they would be ready to present in August.

4. Energy Conservation Technical Committee

Mr. Gunderson noted they had their last video conference on July 12, 2021 at 2:00 p.m. He noted the meeting went well and they were making progress, and they were moving forward. He added they had voted on several comment forms and they would be continuing to move forward at their next meeting.

ACTION AND DISCUSSION ITEMS:

Discussion and possible approval of the May 18, 2021, regular meeting minutes

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. KYLE LOMBARDO TO APPROVE THE MAY 18, 2021, REGULAR MEETING MINTUES

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

VOTING NAY: None

ABSTAIN: None

ABSENT: Daniel Favata

Discussion and possible action to approve the FY22 contract for legal services with the Oklahoma Attorney General's office

Ms. Hehnly noted the contract was for the same price as previous years and it was the same contract used last year.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. PAUL GUNDERSON TO APPROVE THE FY22 CONTRACT FOR LEGAL SERVICES WITH THE OKLAHOMA ATTORNEY GENERAL'S OFFICE

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

VOTING NAY: None

ABSTAIN: None

ABSENT: Daniel Favata

Discussion and possible action to approve the FY22 Rose Rock audit contract renewal to audit FY21

Ms. Hehnlly stated it was the same price as previous years. She reminded the Commission the contract had been bid out a few years ago and the contract would be the third renewal. She noted the audit would be for fiscal year 2021 and was currently scheduled for November.

MR. KYLE LOMBARDO MADE A MOTION WITH A SECOND BY MS. STEPHANIE CLIFF TO RENWEW THE ROSE ROCK AUDIT CONTRACT RENEWAL TO AUDIT FY21

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

VOTING NAY: None

ABSTAIN: None

ABSENT: Daniel Favata

Discussion and possible action to update the OMES/OUBCC Master Service Agreement with the Office of Management and Enterprise Services – Appendix "C" for Information Services Division (ISD) fees for FY22

Ms. Hehnlly noted the pricing was comparable to what the agency had been paying. She noted there were some people in the audience from OMES Information Services Division if there were any questions, they could help answer. She added the costs would change after the agency moved as some of the items were shared costs with the Construction Industries Board (CIB) and the Commission would be carrying that on their own once the office moved. She confirmed the costs had already been figured into the FY22 budget.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. PAUL GUNDERSON TO APPROVE THE APPENDIX "C" FOR THE OMES ISD FEES FOR FY22

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

VOTING NAY: None

ABSTAIN: None

ABSENT: Daniel Favata

Discussion and possible action on moving technical committees to in-person only

Mr. Donny Williamson stated with regards to the committee he was serving on, the Energy Conservation Technical Committee, it was challenging to communicate with that many people on a video call. He noted there was a good mixture of people, ideas, and philosophy on what directions the Commission should take. He added his concern was they were trying to cram a lot of information in a short amount of time, with a poor communication system. He added, he felt they were trying to guide the Commissioners to make important decisions that were going to be impactful for residential home builders and users for a good amount of time, financially and otherwise. He added some of the changes approved by the committee, he disagreed with on a personal level and he thought they might be getting the cart before the horse. He stated he thought the committee would have better discussions and have clarifications of those discussions if they were in person. He stated he knew there were some logistical issues with that, but he had been in contact with OMES and have been assured there is space available. He added they had not contacted him back yet to know where the space was located. He noted Ms. Hehnly had pointed out there was a challenge with space sizing, but his question to the Governor's office was out of all the square footage that the state had, there wasn't some place for them to meet every once in a while. He noted they said there was, so he was waiting to hear back on that.

Chairman Williamson stated he was shocked by the amount of passion from everyone on that committee and he agreed it was important for them to meet in person. He asked Ms. Hehnly what the logistical issues were. Ms. Hehnly noted if the Commission or a committee utilized the current meeting space, it had to be professionally sanitized after, as requested by CIB. She added CIB did the same thing after each of their meetings. She noted one of the issues she ran into, for example the current meeting, was that she had to have people out the door by 3:15 because the vendor who did the sanitizing had to be in the room at 3:30, that was the latest they could come. She added having them come the next morning didn't work when CIB had the room scheduled the next day. She noted the other issue was making sure there was recording equipment and making sure everyone could be heard in whatever meeting space was used. She added it would be better if they were in person, but she didn't have a portable recording system. She added if a space could be

found that was available at the time the committee was scheduled to meet, she was happy to do that.

There was further discussion on the issue of meeting space related to recording equipment; social distance space allowances for the public and those on the committee; availability at the time the committee was scheduled to be meeting; that the issue would be resolved when the new office was ready; timelines for rulemaking; and that the new office space would have the ability to accommodate the technical meetings. There was discussion on some of the aspects of the committee decisions and how that would impact the industry for residential structures; if the meetings could be a combination of both in person and virtual; broadcasting meetings live; legal impacts for specifying how the meetings should be held; that the technical committees were advisory only, so were not subject to the open meeting act; facilitating the public input into the committees; and timelines for the codes under review and making sure that if the committee wasn't done with the energy portion of the IRC that the remainder of the IRC was held until the entire code could be submitted at one time. There was discussion on deadlines, code enforcement and how what the Commission did impacted the jurisdictions and other agencies; and that the Commission might be going off tangent from what was on the agenda. Consensus at the end of the discussion was that Ms. Hehnlly would work with Mr. Williamson to find a location to host the meetings in person until the new space was available.

MR. KYLE LOMBARDO MADE A MOTION WITH A SECOND BY MR. PAUL GUNDERSON TO TABLE MOVING TECHNICAL COMMITTEES TO IN-PERSON ONLY

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

VOTING NAY: None

ABSTAIN: None

ABSENT: Daniel Favata

Discussion and possible action on modifying the August 17, 2021 meeting to be a daylong meeting or scheduling a few special meetings in August for technical committee presentations

Ms. Hehnlly noted the Residential Building Technical Committee's presentation was 131 slides long, addressing 79 different comment forms and the RFGMP presentation was shorter. She noted depending on when the meetings were scheduled, if CIB had the room the next day, the OUBCC needed to cut off the meeting by 3:15 so the cleaning people could sanitize the room at 3:30. She added if the Commission picked additional meeting dates where there wasn't anyone in the room the next day, there was a little more flexibility. She noted she gave the commissioners a calendar that blocked off existing meeting dates for the conference room in August and September. She noted she doubled checked them that morning and CIB did have the room booked for the 12th of

August which wasn't marked on their calendars. She noted if the Commission scheduled the August 17th meeting to go all day, not all the committees would be able to give their presentations in one day. The Commission discussed that the meetings had to be in person; what actions the Commission could take on the presentations; what information would be provided on the presentations; how many meetings should be scheduled; requirements for Secretary of State notices for regularly scheduled meeting changes and for special meetings; and the starting and ending times for any scheduled meetings.

MR. DANNY HANCOCK MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO CHANGE THE START TIME OF THE AUGUST 17, 2021 MEETING TO 9:30 A.M. AND ADD A SECOND SPECIAL MEETING ON AUGUST 26, 2021 TO BEGIN AT 9:30 A.M.

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

VOTING NAY: None

ABSTAIN: None

ABSENT: Daniel Favata

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT: (2:15 P.M.)

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

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

VOTING NAY: None
ABSTAIN: None
ABSENT: Daniel Favata

Minutes approved in the regular meeting on the 17 day of August, 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.