

**OKLAHOMA UNIFORM BUILDING CODE COMMISSION**

**REGULAR MINUTES**

**UNIFORM BUILDING CODE COMMISSION CONFERENCE ROOM**

**2401 NW 23<sup>RD</sup> STREET, SUITE 82**

**OKLAHOMA CITY, OK 73107**

**MAY 17, 2022 – 1:30 P.M.**

**COMMISSION MEMBERS PRESENT:**

Stephanie Cliff, Daniel Favata, Warren Goldmann, Paul Gunderson, Danny Hancock, Mitchell Hort, Kyle Lombardo, and Lonnie Shackelford

**COMMISSION MEMBERS ABSENT**

Wayne Allen, Dee Hays, Scott Tucker, Cary Williamson, and Donny Williamson

**OTHERS PRESENT:**

Billy Pope (OUBCC Staff), Kathy Hehnly (OUBCC Staff), Bryan Neal (Oklahoma Attorney General's Office), Amber Armstrong (A & E Code Professionals), Jennifer Shackelford, Garrett Morelock (Rose Rock CPA's), Kelly Sadler (International Code Council), Christina Selby (City of Duncan), David Timberlake (Timberlake Construction Company), Joe McKenzie (Harrison-Orr A.C. LLC), Ross Barrick, and Larry Herzel (HSE Architects)

**CALL TO ORDER:**

Mr. Danny Hancock, Chairman of the Commission called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:30 p.m. in the Oklahoma Uniform Building Code Commission Board Room at Shepherd Center, 2401 NW 23rd St., Suite 82, Oklahoma City, OK 73107.

**STATEMENT OF COMPLIANCE:**

The following statement was read into the record:

"This special meeting of the Oklahoma Uniform Building Code Commission scheduled to begin at 1:31 p.m. on this 17th day of May 2022, 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 forty-eight (48) hours prior hereto. To date, 4,731 (four thousand seven hundred thirty-one) people have filed a written request for notice of meetings of this public body."

**REPORTS:**

CEO Report:

Mr. Pope noted the Commission would need to make a decision at one of the upcoming meetings in June, July or August as to which edition year of the codes they wanted to review next. He noted it would need to be either the 2021 or 2024 codes. He added the discussion needed to wait until the rules currently submitted for approval were acted upon. He stated the other big important thing the Commission needed to deal with was getting the Fire and Rural Water District Committee going.

He noted the Commission had already approved the positions, but they needed to get them filled and have the committee start meeting. There was some discussion between Mr. Pope and the commissioners related to who would be on the committee.

Financial Report:

Ms. Hehnly noted Mr. Funck had another commitment and could not provide his normal review of the financials. She noted if anyone had any questions, she would try to answer them. She added if she didn't know the answer she would communicate with Mr. Funck and send the answer out to the commission at that time.

**ACTION AND DISCUSSION ITEMS:**

Discussion and possible approval of the March 22, 2022, regular meeting minutes

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. WARREN GOLDMANN TO APPROVE THE MARCH 22, 2022, REGULAR MEETING MINUTES

|             |                 |                    |
|-------------|-----------------|--------------------|
| VOTING AYE: | Stephanie Cliff | Danny Hancock      |
|             | Daniel Favata   | Mitchell Hort      |
|             | Warren Goldmann | Kyle Lombardo      |
|             | Paul Gunderson  | Lonnie Shackelford |

VOTING NAY: None

ABSTAIN: None

|         |              |                  |
|---------|--------------|------------------|
| ABSENT: | Wayne Allen  | Cary Williamson  |
|         | Dee Hays     | Donny Williamson |
|         | Scott Tucker |                  |

Discussion and possible approval of the March 31, 2022, special meeting minutes

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. LONNIE SHACKELFORD TO APPROVE THE MARCH 31, 2022, SPECIAL MEETING MINUTES

|             |                 |                    |
|-------------|-----------------|--------------------|
| VOTING AYE: | Stephanie Cliff | Danny Hancock      |
|             | Daniel Favata   | Mitchell Hort      |
|             | Warren Goldmann | Kyle Lombardo      |
|             | Paul Gunderson  | Lonnie Shackelford |

VOTING NAY: None

ABSTAIN: None

|         |              |                  |
|---------|--------------|------------------|
| ABSENT: | Wayne Allen  | Cary Williamson  |
|         | Dee Hays     | Donny Williamson |
|         | Scott Tucker |                  |

Discussion and possible action on the results of the fiscal year 2021 (FY 2021) annual audit

Mr. Garrett Morelock with Rose Rock CPAs greeted the commission and reviewed the FY21 audit documents. He noted the first document was the audited financial statement and the report was on page one. He stated there were no findings on the audit report. He noted the audit was a little different as it

was not technically GAP it was done on a regulatory basis, which was a cash basis financial statement. He noted it was materially correct in accordance with regulatory accounting. He reviewed the financial statement, noting overall it was similar to the prior year. He noted the receipts were in line to the prior year. He noted the expenses were down from the prior year. He added the two biggest components of that decrease were in the professional and legal services and library equipment categories. He stated that receipts over expenditures, resulting in \$200,000 added to the cash balance giving a total balance of \$1.3 million for year ending 2021.

Mr. Morelock noted following the financial statement were the footnotes that were similar to prior years. He reviewed each of the footnotes. He stated the second part of the report was issued with every governmental audit which addressed the internal controls over finance as well as compliance and other matters. He stated there could be an instance in an audit where they issued an un-modified opinion, but they did identify internal control issues that maybe there were weaknesses in the internal controls, so they would be required to report them. He noted they found none during the OUBCC audit. He added the next document was what they called the SAS letter. He added auditing standards required them to provide the report anytime they issued an audit. He stated they had to communicate certain things to the governance, board of directors, or the governing body and the report just summarized several things they were required to communicate, such as significant audit matters and any difficulties encountered. He noted they did not have any. He noted if there were any adjustments that were proposed during the audit, they would provide them to the Commission. He noted there were no disagreements with management and no other audit findings or issues. He stated it was a very uneventful audit which was good.

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MS. STEPHANIE CLIFF TO ACCEPT THE FISCAL YEAR 2021 AUDIT

|             |   |   |
|-------------|---|---|
| VOTING AYE: | Stephanie Cliff<br>Daniel Favata<br>Warren Goldmann<br>Paul Gunderson | Danny Hancock<br>Mitchell Hort<br>Kyle Lombardo<br>Lonnie Shackelford |
| VOTING NAY: | None  |   |
| ABSTAIN:    | None  |   |
| ABSENT:     | Wayne Allen<br>Dee Hays<br>Scott Tucker                               | Cary Williamson<br>Donny Williamson                                   |

Discussion and possible action on the fiscal year 2023 (FY2023) final budget

Mr. Hancock noted the way the budget was laid out, they could see the changes between the budget request and the final budget in the green column. He added they had reviewed the budget previously. Ms. Hehnlly noted there were a few extra items in the budget with Mr. Pope leaving as far as if he had any annual leave that would need to be paid out. She noted she had included those types of things and that normally they wouldn't budget for them. Mr. Hancock reviewed the final budget total and asked if there were any questions.



electrical classes in the late 80s. He added he had known Mr. Pope for a long time and were both from Western Oklahoma. He added it had been a pleasure working with him.

Mr. David Timberlake, former Chairman of the OUBCC addressed the Commission. He noted he couldn't compete with all of the guys that had known Mr. Pope for a long time. He added he met him when they started the Commission. He thanked Mr. Pope for all the effort he had done to make the Commission what it was, and to do a lot of the behind-scenes-work, in the early phases, which was the hardest time. He added once a flow was created, it was easier to keep going. He added Mr. Pope was a big part of the process in the first place. He stated he enjoyed working with him, both professionally and personally as a friend. He congratulated Mr. Pope for his fabulous career and wished him well in the future and to enjoy his retirement.

Mr. Warren Goldmann stated he didn't know he predated everyone else, as he knew Mr. Pope when he worked for Southwestern Refrigeration before he was a Building Official in Weatherford. He noted he endured that and wished him well.

Mr. Jerry Weir addressed the Commission. He stated he had not known Mr. Pope for very long and had met him right before COVID. He added he could tell from what had been said that Mr. Pope had done great things and thanked him for that. He added he was there to speak on something else. He handed out a one-page document to all of the Commissioners. He stated he understood the Commission was working on the 2018 International Residential Code (IRC), and the handout he had put together a list from the State of Oklahoma's website of severe winter weather events. He added he was speaking specifically regarding ice and water barrier and making it a requirement in Oklahoma on the eaves of roofs. He noted in the past, the issue regarding Ice and Water Shield had been kicked to the local municipalities, but research showed that more than 40 percent of the residents in Oklahoma did not have any sort of representation with a local building department. He added they lived in the country or in an unincorporated area of the state. He added he didn't feel that the OUBCC has been doing justice to those members of the community that didn't have the possibility of having a local jurisdiction mark the box in the table with a "Yes" related to requiring ice and water shield. He noted he listed all the weather events on the website. He noted there were 20 winter storm emergencies in the last 17 years in Oklahoma. He stated he personally, his neighbor across the street and a friend in Ardmore, who didn't live in the city, had ice and water damming, him personally in his 10:12 pitched roof. He stated he had damage on his house in Oklahoma City in 2015. He noted his neighbor when he lived in Norman had ice damming. He stated with himself that was 3 people who had it as a problem. He reviewed the footnote for the table related to the box for Ice and Water Shield and that it said where there had been a history of local damage from the effects of ice damming. He stated he wanted to talk about that verbiage. He asked, "What is history?" He stated the Declaration of Independence was in history books and it was a one-time event. He added the bombing of Pearl-Harbor in the history books which was a one-time event. He noted the section in the IRC did not say a recurring history. He noted even though he had shown from the State's own website, winter weather emergencies, the state did have repetitive events. He added he knew there was some contention between the one part of the state with roofers and one part of the state with home builders where they didn't agree about it. He stated from personal experience, the Christmas Eve storm from 2009, he had gone down to Texas to be with family and when he drove back more than a week later, there was still 6-8 inches of ice chunks on Interstate 35 where he was traveling 12-15 miles an hour. He pointed out the language in the footnote to the table said the jurisdiction shall fill in the box with a yes. He added if in an area of the state with a history

of damage from the effects of ice damming, and he had already listed three, he was sure if they asked everyone in the state, there might be a few more.

Mr. Hancock noted that there was a time limit for public comments and Mr. Weir had already exceeded it. He asked him to wrap up his comments. Mr. Weir noted if the commission chose to not put a "yes" in the table and put "no" instead, he asked them to add in Section R908.7, to add a requirement for re-roofing, not new construction, to include ice and water barrier 24 inches inside the warm wall. He asked the Commission to give their citizens that kind of protection.

Ms. Christina Selby, with the City of Duncan addressed the commission. She noted she met Mr. Pope when she was 26 years old as fourth generation journeyman plumber. She added Mr. Pope had mentored her and she had recently passed the test for her unlimited license. She added to Mr. Weir there was a committee that was set up that had reviewed the residential roofing and ice barrier issue. She added there were committees that worked on those issues. She added in south-central Oklahoma, they didn't have the same weather that the north-east part of the state. She added the OUBCC did try to address those things.

**ADJOURNMENT: (2:04 P.M.)**

MR. WARREN GOLDMAN MADE A MOTION WITH A SECOND BY MR. DANIEL FAVATA TO ADJOURN

|             |   |   |
|-------------|---|---|
| VOTING AYE: | Stephanie Cliff<br>Daniel Favata<br>Warren Goldmann<br>Paul Gunderson | Danny Hancock<br>Mitchell Hort<br>Kyle Lombardo<br>Lonnie Shackelford |
| VOTING NAY: | None  |   |
| ABSTAIN:    | None  |   |
| ABSENT:     | Wayne Allen<br>Dee Hays<br>Scott Tucker                               | Cary Williamson<br>Donny Williamson                                   |

Minutes approved in the regular meeting on the 21st day of June 2022

DANNY HANCOCK  
Danny Hancock, 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.*