

FINAL
State of Oregon

Building Codes Structures Board

Regular meeting minutes

November 1, 2006

Members present: Martin Brown, acting chairman/vice-chairman
Chris Davis
Terry Dieter
Bruce Dobbs
Jim Schwager

Members absent: Blair Bubenik
Lawrence Hite
Michael Steffen

Staff present:

Twyla Knowles, policy and technical services assistant manager
Ravi Mahajan, P.E., code facilities engineer
Shane Sumption, ADA fire and life specialist
Rick Blackwell, policy analyst
Marianne Manning, boards coordinator

Guests Present: Lori Graham, City of Portland
James Bela, Oregon Earthquake Awareness

I. Board business

A. Call to order.

Acting Chairman Martin Brown called the Building Codes Structures Board meeting to order at 9:30 a.m. The meeting was held at Building Codes Division, Conference Room "A," 1535 Edgewater NW, Salem, Oregon.

B. Roll call.

Lawrence Hite, Blair Bubenik and Michael Steffen were absent, excused.

C. Approval of agenda and order of business.

Acting Chairman Brown **RULED** the agenda approved.

D. Approval of the August 2, 2006 regular board meeting minutes.

Acting Chairman Brown **RULED** the August 2, 2006 regular board meeting minutes approved.

E. Date of the next regularly scheduled meeting.

February 7, 2007.

F. Review of the 2007 board meeting schedule.

No comments from the board members.

II. Public comment

James Bela, of Oregon Earthquake Awareness signed up to speak on each item on the agenda. Acting Chairman Brown advised Mr. Bela that he would be allowed public comments on two items only (II and VII) as these are the only appropriate places where public comment can be provided. Mr. Bela stated it was disrespectful of the public for the board to deny comment on any agenda item. He stated that the Construction Claims Task Force and legislative committees are looking into consumer interests that revolve around seismic design provisions. He quoted the Oregon court of appeals decision that it is a "... fundamental law that a government entity and their officers must find sanction for their actions in the statute itself." Mr. Bela stated that advisory committees were not conducted appropriately. He also discussed a letter from Miller Consulting Engineers, *Exhibit "A,"* regarding a plate washer.

III. Reports

A. Administrator's report

Twyla Knowles, assistant manager of policy and technical services, reported on the October 9, 2006 [press release](#) regarding the e-permitting process. Acting Chairman Brown noted the success of the program in the metro area. The board invited Joanie Stevens-Schwenger to make a presentation at the next board meeting about the statewide e-permitting projects.

B. Program update

Richard Blackwell, policy analyst, updated the board on the work in progress by the Construction Claims Task Force. He noted some of the recommendations moving forward for inclusion in the draft legislative report: building envelope certification for supervisory personnel and graduated standards for worker training, record keeping, and work verification check lists. Mr. Blackwell reported that the task force moved to recommend continuing education, including code-change training, for responsible managing individuals under a Construction Contractors Board contractor license. Mr. Blackwell reported that changes to construction contracts, claim filing, residential certificates of occupancy and first and third party warranties are also among the concepts the taskforce voted to include in the draft legislative report. He encouraged interested parties to register for meeting notices through the [taskforce website](#).

IV. Communications

Update on hearing for the [adoption of 2007 Oregon Structural Specialty Code \(OSSC\)](#). (Late submission.)

Shane Sumption, ADA, fire life safety code specialist and hearing officer, conducted the public hearing for this code adoption. Testimony at the hearing was mostly positive. Mr. Sumption distributed and discussed correspondence, *Exhibit "B,"* from Tualatin Valley Fire and Rescue Service and the Oregon Building Officials Association regarding concerns about the current 13D sprinkler systems requirements. Mr. Sumption reported that the existing fire sprinkler amendment is a higher standard than model code. The model code does not require sprinklers be

installed during repair or major alteration in an existing building without sprinklers. Mr. Sumption recommended that the division move forward the 2007 proposed code as recommended by the Building Codes Structures Board, which would include the existing Oregon amendment requiring a 13D sprinkler system in substantially altered or damaged buildings. Mr. Sumption also recommended creating a sub-committee to study the effects of installing 13R versus 13D sprinkler systems. If a change is needed in the type of system required (13D vs. 13R), it could be captured through the mid-cycle amendment process.

MOTION by James Schwager to recommend the director adopt the language proposed by the Tualatin Fire and Rescue Service in the 2007 OSSC now instead of taking it through a separate process and changing it at mid-cycle.

Acting Chairman Brown and other board members expressed concern about taking action that would not allow public and interested parties opportunity for comment.

MOTION rescinded by James Schwager.

Board member Schwager asked how many amendments have moved forward this cycle. The division does track amendments traffic as a performance measure. Ms. Knowles volunteered to provide that information to the board when the information is tallied.

V. Appeals – None

VI. Unfinished business – None

VII. New business

Board review [Division 040 Administrative Rules and Bylaws](#)

Ms. Knowles offered historical information about the rules and bylaws created with the assistance of the board chair/vice chair group. The purpose of the rules is to address consistency across all the seven advisory boards. Acting Chairman Brown suggested that video equipment placement be designated by the presiding official and also recommended that a sign be placed at the door announcing that cell phones should be turned off during a meeting.

Board members discussed the purpose and scope of the bylaws as well as committee creation, function and rule. Ms. Knowles indicated that committee structure was set forth outside of the board bylaws and was determined by the nature of the committee or group. The board suggested that committee members be informed of their purpose and the rules under which they would operate.

Mr. Bela recommended that all committee and sub-committee meetings be conducted according to the public meetings law. He recommended that the Oregon Attorney General's Public Records and Meetings Manual along with Sturgis' Standard Code of Parliamentary Procedure be available to a chairperson for reference during a meeting. Mr. Bela stated that he does not understand the Oregon Amendments to the Oregon Structural Specialty Code. Mr. Bela did not offer any suggestions or recommendations to the proposed bylaws.

Acting Chairman Brown requested division staff provide the current status of previously constituted standing committees of the Building Codes Structures Board such as the Energy Committee and the Engineering Committees. Ravi Mahajan, code facilities engineer, informed the board that with the creation of two new boards, the Residential Structures Board and the Mechanical Board, two standing committees (Engineering and Energy Committee) were disbanded. At present, division staff has advisory groups in each of these areas comprised of individuals specialized in related fields. These groups provide their input in an advisory role to division staff on issues, when requested to do so. This is different than the earlier practice where the standing committees provided their advice directly to the board.

MOTION by Terry Dieter to adopt the rules and bylaws as proposed by staff.
MOTION CARRIED UNANIMOUSLY.

VIII. Announcements

Mr. Mahajan announced that board member Michael Steffen had resigned effective December 1, 2006. Mr. Mahajan requested staff clarification about the number of board members required to make a quorum for future meetings.

IX. Adjournment

Acting Chairman Brown adjourned the meeting at 11:10 a.m.

Respectfully submitted by,

Marianne Manning
Boards Coordinator

Exhibits:

- A. Letter from Miller Consulting Engineers, *Agenda Item II, Page 2.*
- B. Documentation from hearing officer's report, *Agenda Item IV, Page 2.*