



# Washington State Building Code Council

*Improving the built environment by promoting health, safety and welfare*

1500 Jefferson Street SE • P.O. Box 41449 • Olympia, Washington 98504  
(360) 407-9280 • fax (360) 586-5366 • e-mail [sbcc@ga.wa.gov](mailto:sbcc@ga.wa.gov) • [www.ga.wa.gov/sbcc](http://www.ga.wa.gov/sbcc)

## SUMMARY COUNCIL MEETING MINUTES

**LOCATION:** DES Building, Room 2330  
1500 Jefferson Street  
Olympia, WA 98501

**MEETING DATE:** May 12, 2017

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	<p><b><u>Members in Attendance:</u></b> Steve Simpson, Council Chair; Dave DeWitte, Vice Chair; Diane Glenn; Leanne Guier; Robert Graper; Traci Harvey; Duane Jonlin; Andrew Klein; Phil Lemley; Doug Orth; Kevin Shetty; Jim Tinner; Eric Vander Mey; Rep. Vincent Buys; Rep. Tana Senn; Rod Mutch</p> <p><b><u>Members Absent:</u></b> Al French</p> <p><b><u>Council Staff in Attendance:</u></b> Tim Nogler, Managing Director; Krista Braaksma; Brian Faller, AAG</p> <p><b><u>Visitors Present:</u></b> Rep. Mike Chapman, Al Audette, Kim Barker, Bart Egger, Kim Katwijk, Pam Kentner, Carol Lewis, William Parmer, Jan Rohila, Joe Roszak, Jed Scheuermann, Dusty Schuler, Al Spaulding, John Williams, Ron Wright</p> <p>The meeting was called to order at 10:00 a.m. by Council Chair Steve Simpson. Introductions were made.</p>
2. Review and Approve Agenda	The <a href="#">agenda</a> was approved. Tim Nogler noted there would be a budget report under "Staff Report."
3. Review and Approve Minutes	The minutes of the <a href="#">March 10</a> and <a href="#">April 21</a> Council meetings were approved.
4. Public Comment on Items Not on the Agenda	<p><b>Kim Katwijk</b>, an Olympia area deck builder, spoke to the Council in opposition to the increased live load requirement for decks adopted as a part of the 2015 International Residential Code amendments. He felt this increased costs with no increase in safety. He was advised to either file a code change proposal or file a petition for reconsideration.</p>
5. Emergency Rulemaking <a href="#">Emergency voice alarms in schools</a>	<p>Tim Nogler presented the draft language, as discussed by the Technical Advisory Group and modified per the discussion by the Council at the March meeting, substituting "in accordance with" in the place of "compliant with" in 2.7. He noted this language would need to be filed as both an emergency rule and a proposed permanent rule with public hearings in the fall.</p> <p>Duane Jonlin pointed out a grammatical error in item 2, which Tim said would be corrected.</p> <p>Andrew Klein felt the language in 907.10.3 should include a professional engineer as an alternative to the NICET certification. Tim said that was a separate issue,</p>

	<p>with the language included here to keep the revised date consistent with the previous emergency rule voted on at the last meeting. Andrew felt that addition should be included in this emergency rule. Traci Harvey pointed out the language was there for the designer, but it was felt the engineer would not be the one out doing the testing and maintenance. Andrew said they could be doing the commissioning and testing on the system, and so should be included. Tim suggested adding it to the proposed permanent rule. Jim Tinner agreed that would be a more appropriate time to discuss the addition.</p> <p><i>Motion:</i> <b>Jim Tinner</b> moved approval of the emergency rule, with the grammatical fix in item 2. <b>Traci Harvey</b> seconded the motion. The <b>motion carried</b>.</p>
<p>6. Committee Reports</p> <p><i>Executive Committee</i></p> <p><i>BFP Committee</i></p> <p><i>Residential Treatment Facilities</i></p> <p><i>Public Comment:</i></p>	<p>Tim Nogler reported that the Memorandum of Understanding for the recruitment of the managing director has been signed and the announcement has gone out. The initial screening of candidates will be on May 22, but the timeline may need to be extended depending on the candidates applying for the position. The interview panel still needs to be assembled, which will include two Council members. Steve asked that members interested in participating contact him. He will be selecting the two members.</p> <p>There was no public comment offered.</p> <p>Jim Tinner reported the Committee looked at several interpretation requests and provided a brief overview. Steve noted that the interpretation regarding toilet facilities for carwashes was tabled for further research.</p> <p>Jim said the biggest issue at the meeting was residential treatment facilities and how the code impacts existing buildings being converted to those uses. Tim noted the Council received a few letters from legislators on the subject, asking that the Council take action. The Committee recommended the issue be reviewed by a technical advisory group to determine what changes may be necessary. Doug Orth asked if the Council should instead look at an emergency rule.</p> <p>The Council discussed the issue, the basis for the change at the national level, and the differences between the occupancy types. Kevin Shutty agreed with Doug that the Council should look at an emergency rule. Jim felt it would be premature to take any action at this time. Right now the problem seems to be with existing buildings being converted, and he thinks there are adequate fixes within the International Existing Building Code already.</p> <p><b>John Williams</b>, DOH Construction Review Services. He said he has been an active TAG member for over 10 years, dealing with these types of issues. He is also the chair of the International Code Council’s Ad Hoc Committee on Healthcare, which has been working over the last three code cycles to provide some solutions for these types of facilities, looking at cost effective construction balanced with the appropriate mitigation of risks. At one time, these facilities, housing people receiving psychiatric or chemical dependency treatment or recover services, were classified as hospitals and nursing homes. The state created the Licensed Care occupancy to treat them more as a residential occupancy, with added safety features to help mitigate any risks. He noted that Section 420 fire and smoke safety requirements, would apply to all residential occupancy types and Group I-1, and that has been consistent throughout the history of the codes. He agreed that the issues brought forward by Mr. Wright are mainly with existing buildings, and agreed with the Committee recommendation that this needs to be examined by a TAG to ensure risks are mitigated appropriately.</p>

Doug Orth asked if reverting to the model code language would help. John said he did not feel it would, since Section 420 would still apply. He also noted he has worked with others to use different occupancy classifications where appropriate.

Duane Jonlin asked if Group I-1 included lock-in type facilities. John replied it does.

**Ron Wright**, Ron Wright and Associates. Problems are arising primarily because voluntary and involuntary treatment facilities are being treated the same and all being classified as Group I-1, Condition 2. Typical provisions for psychiatric treatment facilities is a centralized desk/nursing station with adjacent common areas and sleeping areas, keeping as much openness as possible for supervisory purposes. Per the code, the sleeping rooms are required to be fire rated, which greatly increases the cost—adding as much as \$150,000 to each project. The code requirements are also driving a design that is contrary to treatment protocols.

When asked how he would like the code changed, Mr. Wright said he would like to use the occupancy classification appropriate to the facility, or use a hybrid to design the facility for the treatment needs. Doug said, in that case, it sounds like a TAG process would be necessary. Ron agreed, but noted there was a facility that needed attention now. Jim Tinner still maintained that the issue was primarily with existing buildings and the IEBC has a path that solved those problems.

**Laurie Tebo**, Behavioral Health Resources. She noted that annually 4,000 people die in fires while 43,000 die through suicide, so this is a community health/safety risk. The facility in question is a pregnancy and parenting center for individuals with a substance abuse disorder. The clients have already gone through a detox program and no nursing is provided. It's just a safe place to stay sober and clean during pregnancy.

**Joe Roszak**, Kitsap Mental Health Services. The issue is the intersection between prevention and safety through structural design and through operations and treatment protocol. Over the last 10 years there has been a 25% reduction in fire deaths. These facilities are intended to provide services and treatments to individuals while providing safety for both staff and clients. Potentially, when providing a fire proofed room, we're providing a very dangerous environment for individuals to engage in aberrant behavior undetected. There is a need to see and hear what's going on to provide that level of safety from suicide or acts of aggression. That's the crux of the issue.

*Motion:*

**Duane Jonlin** moved to form an **ad hoc committee** to examine the issue and report back to the Council. **Jim Tinner** seconded the motion. **The motion carried.**

7. Technical Advisory Group  
Membership

Tim took the Council through a report of the members of the TAGs during the last code cycle, which groups were represented and what attendance had been. He asked that people contact him if they had suggestions on additional representations. He also noted there was a need for TAG chairs. Steve said the focus should be on the first group of codes reviewed: the building code, fire code and commercial energy code.

Jim Tinner volunteered to chair one of the TAGs.

Eric Vander May suggested that someone from the International Building Performance Simulation Association (IBPSA) or some other building modeling group would be a helpful addition to the energy code TAG.

There was no public comment offered.

<p>8. Accessible Van Parking – <a href="#">HB 1262</a></p>	<p>Tim reported this bill passed the legislature unanimously in both the house and senate. The bill does require the Council to adopt the requirements for the increased aisle width and no parking sign by January 2018. The language can be developed through the TAG process or drafted by staff. There was some discussion as to whether the requirement would be retroactive. Tim said the issue would come up when the lot was re-stripped. Brian Faller said he could research the intent and how it may apply to existing parking areas.</p> <p>No public comment was offered.</p> <p><i>Motion:</i> <b>Duane Jonlin</b> moved to have staff draft language for the building code, to be considered at the June meeting, and to solicit an opinion as to how it would apply to existing parking. <b>Jim Tinner</b> seconded the motion. <b>The motion carried.</b></p>
<p>9. Council Bylaws</p>	<p>Tim Nogler provided a recap of the actions already taken on the suggested changes to the <a href="#">Bylaws</a>. The following items have already been acted on: Item 6, officer terms (March 2017, with modifications); Item 8 on the role of the Legislative Committee (Jan. 2017); Item 15, meeting minutes (Jan. 2017); and Item 19 on majority approval of code actions (March 2017).</p> <p>Steve suggested the most expedient method of moving forward was to allow public comment on the Bylaws first, then go through the items. The items are not intended to be taken as a whole, but discussed item by item to determine if they should be incorporated into the Bylaws.</p> <p><i>Public Comment</i> None.</p> <p>The Council discussed the suggested changes to the Bylaws. The Council declined to take any action on Items 1, 2, 3, 5, 7, 11 and 12. Items 1, 2 and 3 were deemed unnecessary.</p> <p>The Council debated Item 4, and whether the current language clarified the transition between appointments or introduced a level of liability since it did not mirror the statute. It was noted that there are times when it takes the Governor’s office 6 to 8 months to reappoint existing members. There was also discussion on attempting to have the underlying statute amended for clarification.</p> <p><i>Motion:</i> <b>Jim Tinner</b> moved to accept the change to the Bylaws noted in <b>Item 4</b>. <b>Duane Jonlin</b> seconded the motion. <b>The motion carried</b> unanimously.</p> <p>Item 5 was briefly discussed, but it was felt the modified language may adversely impact funds coming from areas other than the state budget.</p> <p>Item 7 was felt to be unnecessary.</p> <p>It was debated whether the change in Item 9 was necessary, since it was already common practice.</p> <p><i>Motion:</i> <b>Duane Jonlin</b> moved to adopt the change noted in Item 9. <b>Diane Glenn</b> seconded the motion. <b>The motion carried</b> with one abstention. With noted concerns that this may have not achieved the necessary two-thirds majority vote, it was re-voted and passed with 10 aye votes.</p> <p>Item 10 was discussed, with a motion for approval by Dave DeWitte and Duane Jonlin. Krista Braaksma asked the AAG if requiring a list of all attendees could cause a problem with the open public meetings act. Brian answered in the affirmative. The motion was subsequently withdrawn.</p> <p>Item 11 was felt to be unnecessary; it is not the current practice and wouldn’t</p>

	<p>necessarily add any value. Item 12 was seen as unnecessary, since the TAG members are all volunteers and are not a decision-making body. Everything comes back to the Council for a vote.</p> <p>The Council discussed Item 13. While the first part of the change was felt to be overly subjective and ambiguous, some Council members felt the second part had merit. There was concern voiced that it may not be practical to put out agendas two weeks in advance of any TAG meeting, or that it would need to be fairly generic and thus not provide much information. Brian noted that TAGs are advisory to the Council and thus would not fall under the OPMA. The Council felt that, rather than crafting new language at the meeting, the change could be discussed at a later date.</p> <p>Item 14 was felt to be common sense.</p> <p><i>Motion:</i> <b>Duane Jonlin</b> moved to approve the changes in <b>Item 14</b>. <b>Doug Orth</b> seconded the motion. The <b>motion carried</b> unanimously.</p> <p>Item 16 was discussed, with Council members concluding that the suggested language provided a good clarification of achieving a quorum.</p> <p><i>Motion:</i> <b>Duane Jonlin</b> moved the adoption of the modification in <b>Item 16</b>. <b>Diane Glenn</b> seconded the motion. The <b>motion carried</b> unanimously.</p> <p>Item 17 was felt to be similar to Item 16, and members discussed the necessity of the modification.</p> <p><i>Motion:</i> <b>Leanne Guier</b> moved the adoption of the modification in <b>Item 17</b>. <b>Jim Tinner</b> seconded the motion. The <b>motion failed</b> to achieve the necessary two-thirds majority, with two opposing votes and one abstention (7-2-1).</p> <p>The Council debated the language suggested in Item 18. It was determined the most recent version was the 11<sup>th</sup> edition, which included some changes dealing with technological advancements. Jim felt the Bylaws should reference a specific edition, as with the codes or any law.</p> <p><i>Motion:</i> <b>Jim Tinner</b> moved to reference the 11<sup>th</sup> edition of Robert’s Rules of Order in the Council Bylaws. <b>Doug Orth</b> seconded the motion. The <b>motion carried</b>.</p>
10. Executive Session	None.
<p>11. Staff Report</p> <p><i>Email</i></p> <p><i>Budget Report</i></p>	<p>The Council briefly discussed the benefit of having a dedicated email account for Council business for all members versus the cost of providing such accounts. Brian Faller agreed to survey other agency practices and report back.</p> <p>Tim reported that there was an increase in revenue to date in the current fiscal year, and a decrease in expenditures due to the vacancies in staffing. Currently, the Council is operating in the black. DES is currently working with staff on the allotments for the next biennium, although the Legislature has not yet approved a budget. Steve asked Tim if the state auditor’s office has looked into the jurisdiction payments. Tm said that was an ongoing process.</p>
12. Other Business	None. The next Council meeting is scheduled for Friday, June 9.
13. Adjourn	There being no further business, the meeting was adjourned at 1:41 p.m.