



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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### SUMMARY COUNCIL MEETING MINUTES

**MONITOR LOCATION:** Department of Enterprise Services, Rm. 2330  
1500 Jefferson Street  
Olympia, Washington

**MEETING DATE:** June 13, 2014

| Agenda Items  | Committee Actions/Discussion  |
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| 1. Welcome and Introductions                                    | Meeting was called to order at 10:00 a.m.<br><u>Members in Attendance:</u> Ray Allshouse, Council Chair; Dave Kokot, Vice Chair; Tom Balbo; John Chelminiak; Dave DeWitte; Paul Duffau; Duane Jonlin; Mark Kulaas; Dave Peden; Steve Simpson; Eric Vander Mey<br><u>Staff in Attendance:</u> Tim Nogler, Managing Director; Joanne McCaughan; Peggy Bryden<br><u>Visitors Present:</u> Gary Nordeen, Jan Rohila, Jan Himebaugh, Jeff Randall, Jennifer Grove, Bob Eugene  |
| 2. Review and Approve Agenda                                    | The agenda was approved as written.   |
| 3. Public Comment on Items not on the Agenda                    | None given.   |
| 4. Review and Approval of March 7, 2014 and May 9, 2014 Minutes | Dave Peden stated he was in attendance for the May 9, 2014 meeting. The May 9, 2014 minutes were approved with the modification indicated above. The minutes of March 7, 2014 were also approved.   |
| 5. Committee Reports-Possible Rulemaking MVE Committee          | Eric Vander Mey reported on the MVE Committee as the chair. The Committee met on June 9, 2014. They discussed a permanent rule for items from the interpretation request we had been reviewing. Interpretation 14-14 refers to refrigerated warehouse coolers. We are recommending adding two definitions to the 2012 Energy Code, one for refrigerated warehouse coolers, the other for refrigerated warehouse freezers. The code language was also reviewed by the Committee. They voted to move forward the two definitions into the permanent rulemaking process.<br><br>There were also interpretations 14-17 and 14-18. These referred to motorized dampers and the language in the code. Several inconsistencies needing clarification were discovered. There was an error in the 2012 IECC which is corrected in the 2015 IECC. There are also clarifications regarding return air dampers which are Washington state amendments that are not in the model code. The next item for clarification was providing a cross reference to the Mechanical Code Section for Shut off Damper Controls. There also was an editorial error |

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|               | <p>needing to be corrected in Exception 1 and Exception 4 was added. There was a cross reference in the Envelope Section for these damper requirements. These proposed amendments are in sections C402.4.5.2 Maximum Damper Leakage and C403.2.4.4 Damper Requirements.</p> <p><b><u>Public Comment</u></b></p> <p>None was given.</p> <p><b>Motion</b> <b>Duane Jonlin</b> moved to approve the rewrite as identified and move it forward to permanent rulemaking. <b>Dave DeWitte</b> seconded the motion. <b>The motion carried.</b></p> <p><b>Motion</b> <b>Eric</b> mentioned there were Committee minutes of May 7 where the Executive Order was discussed. <b>Duane Jonlin</b> moved the MVE Committee approve their minutes of May 7. <b>Ray Allshouse</b> seconded the motion. <b>The Committee passed the minutes of May 7, 2014.</b></p>   |
| BFP Committee | <p><b>Dave Peden</b> reported as the chair of the BFP Committee. The Committee discussed two different TAG reports. The first dealt with Section M2302, the Photovoltaic Solar Energy Systems portion of the code. They proposed new language for emergency rulemaking. The reason for emergency rulemaking is because of the extreme negative economic impact on the Solar PV industry throughout Washington state. The TAG developed five exceptions which in turn were modified by the Committee and then unanimously approved by the Committee. <b>Tim Nogler</b> summarized this action. This issue came to SBCC first as an exemption to requiring building permits. This modification provides a prescriptive path that would avoid the need to get structural engineering which simplifies the process of getting the permit.</p> <p><b><u>Public Comment</u></b></p> <p><b>Gary Nordeen</b> with WSU Energy Program wanted to be sure the Council is clear on the proposal. It has widespread support from multiple sources. The proposal does not exempt Solar PV from a building permit. It only removes the engineering aspect if the PV system meets the criteria listed in the rule change. It is anticipated this would be an over the counter permit. WSU and others will develop a standardized checklist to be used on a statewide level if jurisdictions choose to do so. Should this proposal pass, the solar industry estimates a 15-30% increase in installations statewide. This also reduces homeowner cost and ultimately reduces the dependency on fossil fuel.</p> <p><b>Jeff Randall</b> with Power Trip Energy speaking for the Solar Industry said they are very supportive of the proposal and appreciate the opportunity for participation in the SBCC process.</p> <p><b>Motion</b> <b>Dave Peden</b> moved the Council accept the Committee’s recommendation and move this issue into emergency rulemaking. <b>Steve Simpson</b> seconded the motion. <b>The motion passed.</b></p> <p><b>Dave Peden</b> continued his report. The IBC TAG report had a proposal regarding mechanical equipment guards which is part of the Mechanical Code, but it was</p> |

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|                                  | <p>required that guards be added where units are less than 10 ft. from the roof's edge. The TAG discussed this proposal at length. It was simplified and was resolved as a code interpretation to address the issue without entering into rulemaking. The Committee reviewed and approved the code interpretation.</p>  |
| <p>6. TAG Reports-Membership</p> | <p><b>Tim Nogler</b> reviewed the status of the TAG membership recruitment. A notice has been written to be posted on the website and we will be contacting other organizations to get the word out in order to get nominations. Individuals have until mid-August to respond to the request in anticipation of pulling the TAGs together in late September and through November to look at the 2015 Code. ICC has published the 2015 Codes which are available and by procedures under the WAC we have 60 days to enter rulemaking to consider adoption of these codes. We plan to file a notice with the State Register for a Notice of Intent that indicates the books are available and we are embarking on a review of the codes. The earliest possible adoption would be December 1, 2015.</p> <p>TAG membership is the first step in this process. We sent a notice to all TAG members of 2012 verifying interest or not. These members are eligible to continue into another cycle.</p> <p>In the Building Code TAG there are 18 positions. Ten of those positions are going to continue, the other eight are vacant. We do have some interest in a couple of the positions. We will be contacting the Council members to help reach out to the industries they represent.</p> <p>On the Fire Code TAG we have 15 positions with five vacancies. The architect position needs to be filled.</p> <p>The Residential TAG has 11 positions. This group has been very consistent, with only a couple of vacancies.</p> <p>The Mechanical Code TAG has a homebuilder vacancy. There are 12 positions on this TAG. They have a couple of other vacancies as well.</p> <p>The Plumbing Code TAG has nine positions, with a couple of vacancies.</p> <p>The Energy Code TAG has 23 positions, although they are not all different positions that are listed. Some of these positions have two people serving. There are actually fewer than 23 constituent groups. As we get interest we will look at what positions we need to have represented on that TAG.</p> <p>We are also looking at doing a Residential Energy sub-TAG and a Commercial Energy sub-TAG and possibly a Mechanical sub-TAG. We have had a lot of interest in the mechanical engineering position. Again, we will be working with Council members and stakeholders to fill these positions.</p> <p><b>Duane Jonlin</b> asked if the incumbents in these positions have preference to continue in their positions, or is it open to the most qualified applicant. <b>Tim</b> said it would be open to the most qualified. Under the SBCC bylaws it is up to the Council Chair or the Codes Committee Chair to make the decision. <b>Duane</b> then asked in the case of the mechanical engineer would we give the most weight to the mechanical association's representative or any other association's</p> |

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|                                      | <p>representatives. <b>Tim</b> answered we ask people to submit the information to us, which they sometimes do. What about their previous attendance to TAG meetings was Duane's next question. Tim said this was also considered.</p> <p><b>Dave Kokot and Ray Allshouse</b> agreed with Duane on this issue. <b>Eric Vender Mey</b> asked Tim about the mechanical engineer positions and the need for an energy analyst separate from the mechanical engineer.</p> <p><b>Jan Rohila</b> with BIAW asked where the TAG list would be posted. They would love to assist in filling the open positions. <b>Tim</b> stated the notice would be posted on the website and sent to the listserve; the deadline is August 15.</p> <p><b>Eric</b> then asked about term limits for the TAG members. <b>Tim</b> reported the bylaws indicate there is a three year term limit to TAG membership that was added in the June 2011 process. It was adopted for the 2012 cycle and a second term was allowed. TAG members have now done their first term and they are eligible for a second term. <b>Duane</b> expressed concern in replacing good TAG members after two terms; a new TAG member might not have equivalent qualifications. <b>Tim</b> stated this could be brought up again in the Spokane meetings in September.</p> |
| 7. Rulemaking Update                 | <p><b>Tim</b> gave a quick review of the rules we will have as part of our public hearings in September and October. Many were adopted as emergency rules and are currently in effect, but we need to take public testimony and make a final decisions on the permanent rulemaking. This would include the Plumbing Code, the ground cover in the IBC/IRC issue; pipe insulation under the Residential Energy Code; the Fire Code school portable issue and the voice alarms issue, and the IRC townhouse wall separation. There is also the PV solar panel structural exception. All of those will be on the docket for public hearing at our September meeting.</p>   |
| 8. Lean Report – Process Improvement | <p><b>Tim</b> reported SBCC's Value Stream Mapping is posted on the website. He encouraged people to take a look at it. Following the mapping we developed a hypothesis to improve the process. There were three hypotheses that were brought up. Once we looked at these we then distributed them to a stakeholder group which included Dave Kokot, Jeff Peterson and Jeanette McKague. Written comments were received from Maureen Traxler as well.</p> <p>Jeff gave substantial comment on how this process works. He has had experience as a Lean leader in the home building industry including partnerships with other organizations. He used an example of a hospital in Minneapolis looking at their process for charging an exam fee and the problems they were having and how they got to the root cause and solved the issue.</p> <p>Jeff feels that we need to identify a quantifiable problem statement to focus our analysis on and form the development of our hypothesis. This is the next step in this process. One of the issues we looked at was amendments being rewritten and rewritten at the TAG level and the time consumed in doing that. Jeff felt we needed to go deeper to determine the way code amendments were being rewritten.</p>  |

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|                 | <p>In collecting the data it was determined that 60% of the amendments were rewritten at the TAG level. If this could be addressed we could have a more efficient process. One hypothesis was if we mistake-proof the proposal form, and develop a checklist for screening and allow more time for review by changing the submittal deadline, then the proposals will be more complete and accurate and problematic proposals will be readily identified.</p> <p>The second hypothesis was to provide guidelines to the submittal process; people then would better understand the process and have realistic expectations.</p> <p>The third hypothesis is an issue we have discussed before; the review time for energy code proposals. If we increase the review time we achieve better acceptance and ensure more confidence in the final product.</p> <p>We need a root cause analysis to figure out what the problem is in the submittal process and work with stakeholders and proponents to improve the form and provide education. This input was received from the stakeholders to avoid unclear and inaccurate proposals coming before the Council or TAG. Proponents should receive immediate feedback on shortcomings to try to avoid inspection of the proposals which would save time for staff and Council members. There was a specific request to increase outreach, communication and to send notice to the “third house” of the legislature to get broader feedback, and improve dissemination of results.</p> <p>Working with our Lean consultant at DES we will determine the “root cause analysis,” and further identify the issues. We hope to bring more detailed information on these issues to our Spokane meeting.</p> <p><b>Duane</b> commented that the analysis assumes that the TAG rewriting the proposal was a bad thing. He feels that is what the TAG is supposed to do and will make the proposals better. He thinks the idea of receiving perfect proposals is “goofy”. His second comment of writing a perfect proposal and having all the required energy modeling and cost estimating is very difficult, not many could do that. If this is required, not many good ideas will come forward. In general the basic assumptions were flawed. Basing all future cycles on this extremely difficult cycle is not representative of what TAGs need to be doing.</p> <p><b>Ray Allshouse</b> replied the bar is high as we have all of the low hanging fruit. In order to achieve the 2031 goal things will be tougher.</p> <p><b>Jan Himebaugh</b> with BIAW appreciates the process but is a bit confused on how the stakeholder group was assembled. She would have appreciated being in the group. She was waiting for an update in an email and she never got one.</p> <p><b>Tim</b> apologized to Jan and indicated public comment is still accepted and this report will be put on the website.</p> |
| 9, Staff Report | <p><b>Tim</b> indicated there is a mandatory training for Open Public Meetings Act for Council members and staff. It is offered as an electronic program under a new the Office of the Governor. It is mandatory for all on the Council as well as staff, and</p>  |

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|                    | <p>is available through the end of September. Details will be sent to Council members for follow up.</p> <p>Tim will attend the Pediatric Falls Forum with the Dept. of Health scheduled for Monday, June 16 in Vancouver. This is an issue the Council has been involved with over the years. The goal is to prevent children from falling from windows.</p> <p>Staff continues to track our revenue and fees. The revenue was slightly up in the last month. We are working with WABO in contacting all the local jurisdictions and building departments to notify them of the recent amendment to the definition of a building permit and to gather data of the local process for remitting the fee and data for the number of permits issued.</p> <p>A final draft of the Washington State Energy Code will soon be published by ICC. Final publication will follow soon after.</p> |
| 10. Other Business | There was no other business. A reminder of the next meetings in September was given.  |
| 12. Adjourn        | The meeting was adjourned at 11:07 a.m.   |

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