

SUMMARY EXECUTIVE COMMITTEE MEETING MINUTES

LOCATION: DES Building, Room 2322
1500 Jefferson Street
Olympia, Washington

MEETING DATE: August 9, 2016

Agenda Items	Committee Actions/Discussion
<p><u>Members in Attendance:</u> Steve Simpson, Council Chair; Dave DeWitte, Vice Chair; Eric Vander Mey; Jim Tinner; Leanne Guier</p> <p><u>Other Council Members Present:</u> Doug Orth, Andrew Klein, Duane Jonlin, Traci Harvey</p> <p><u>Staff in Attendance:</u> Tim Nogler, Managing Director; Krista Braaksma</p> <p><u>Visitors Present:</u> Jed Scheuermann, Jeanette McKague, Stan Price, Chuck Murray, Al Audette, Roger LeBrun, David Hanson, Kraig Stevenson, Sheila McElhinney</p>	
1. Welcome and Introductions	<p>The meeting was called to order at 1:00 p.m.</p> <p>Committee/Council Chair Steve Simpson welcomed everyone and introductions were made. Steve did note the meeting needed to end promptly at 2:30 as another group would be using the meeting room at that time.</p> <p>Steve also reminded the Council members that only Executive Committee members could vote on items.</p>
2. Review and Approve Agenda	<p>The agenda was approved. Tim Nogler noted there were meeting notes from the July meeting that could be reviewed if the Committee wished.</p>
3. Public Comments on WAC 51-04 <div style="margin-left: 40px;">Local Amendments</div> <div style="margin-left: 40px;">Public Comment</div>	<p>Tim Nogler began with directing the Committee to the comments received thus far on the local amendment process. He read Mark Sniffen's comments into the record. Mr. Sniffen felt local amendments should be reviewed by the Council prior to their adoption at the local level. Jim Tinner asked if Tim knew of any instances when a local amendment was not approved Council after it had gone through the local process. Tim said a number of the sprinkler ordinances reviewed by the Council were initially turned down but eventually approved by the Council.</p> <p>The Committee debated the detail needed for local review prior to the Council process. There is a lot of work done at the local level and Jim felt there should be some compromises made. Leanne Guier suggested that the Council provide their input at the local public hearing process.</p> <p>Tim then read Jan Himebaugh's comments into the record. They present a differing opinion, feeling the Council should retain their current requirement. BIAW feels local amendments should be under the control of local elected officials rather than unelected local employees.</p> <p>None offered.</p> <p>Duane Jonlin noted that in his case, they were trying to get the amendment approved so it could be included in the full packet of code amendments for the adoption of the 2015 editions. The current process means it would have to be dealt with in a separate process.</p> <p>Leanne Guier asked what happens in the cases where the local amendment is approved by the jurisdiction but not by the Council. Tim said it is recommended there be language stating its effectiveness is dependent on approval by the</p>

	<p>Council. Both Jim and Leanne felt that was problematic, since there would be no way of knowing if that had happened.</p> <p>The Committee discussed sending the requests through the technical advisory groups or standing committees for a preliminary opinion. Duane felt they should just go to the Council and then be referred on if necessary.</p> <p>Steve summarized that there were two options in moving forward. These could be brought forward to the full Council to see which they preferred.</p> <p>Dave DeWitte moved to have staff prepare options for revising the rules for the Council to consider. One with a preliminary review by the full Council; one referring the review to the standing committee; or no change to this section of the rule. Leanne Guier seconded the motion. The motion carried.</p> <p>Reconsideration Doug Orth noted the current process only allows for an appeal by the proponent. He felt there should be some process for opponents as well, as stated in BIAW’s letter. Tim noted the reconsideration process only applied to proposals that had been denied, therefore there was no need for an opponent process. Doug clarified and said there should be a process for appealing an approval as well as a denial.</p> <p>Jim Tinner said the appeal process would be going through the court system. Tim noted there is a state process for appeals, but it only deals with rules in effect. Eric Vander Mey felt there should be some criteria set for reconsideration, such as new information, or it could be a slippery slope. Duane Jonlin felt this discussion should maybe happen after the discussion on the timeline. It’s possible a reconsideration track could be built into that.</p> <p><i>Public Comment</i> Al Audette, BIAW, agreed with Duane, and felt this issue needed some time to consider. He also agreed there needed to be some criteria set for the process.</p> <p>Chuck Murray, Commerce, noted it was only a few months from the end of the code cycle to the next submission deadline. There could be some allowance there for modified amendments or corrections.</p> <p>Jeanette McKague, WA Realtors, said she liked the option of giving equal time to those who testified. She also favored development of criteria.</p> <p>Dave DeWitte asked Tim how this was handled by other states. Tim said he didn’t know of any processes; it was just dealt with in subsequent cycles.</p> <p>Jim Tinner moved to have staff work with the chair and other interested parties to develop a list of criteria for the September meeting. Dave DeWitte seconded the motion. The motion carried.</p>
<p>4. Code Adoption Timeline</p> <p><i>Public Comment</i></p>	<p>Steve opened the issue for Committee discussion.</p> <p>Jim Tinner felt having the cycle spread out would help with the reduced staffing issue. He also expressed some concern over the impact this may have on the insurance fire rating of jurisdictions. That rating happens every 5 years and could substantially impact rates if the most recent code was not adopted yet.</p> <p>Eric Vander Mey noted there would need to be some sort of correlation process across the group 1/group 2 codes. Steve felt this would most likely happen after the review of the group 2 codes. Eric also noted the delay may impact the federal EAct compliance with the energy code.</p> <p>Duane Jonlin commented that technology changes rapidly in regards to the energy code. He also noted the delay could work against the history of Washington being a leader in the field of energy conservation.</p> <p>Chuck Murray felt there was additional time built into the group 1 cycle but not group 2. Steve Simpson noted the time extends into the next year. Chuck replied that the timeline needs more detail as to what happens at each point and by whom.</p>

	<p>He also expressed concern in retaining technical expertise over an expanded review time.</p> <p>Jim Tinner felt the timeline would allow for better training opportunities. And it would address the later publication of the UPC than the other model codes.</p> <p>Duane Jonlin suggested having two public hearings in September and then a work session in October to go over any changes or fix any problems.</p> <p>Dave DeWitte moved to direct staff to draft language, based on this proposed schedule, for discussion at the Council meeting in September in preparation of a new policy. Leanne Guier seconded the motion. The motion carried.</p> <p>Jim Tinner commented that the energy code could possibly be done on a separate cycle if it's problematic.</p> <p>Eric said he'd like to see the schedule on one page, in a more easy to read format.</p> <p>Doug Orth volunteered to put together a chart timeline.</p>
5. Staff Report	<p>Dave asked for a report on Peggy Bryden's status. Tim stated we would know at the end of August if she will be coming back to work.</p> <p>Tim said the next Executive Committee Meeting would be on the morning of September 9 before the Council meeting.</p>
6. Other Business	<p>Tim reported he received correspondence from Senator Schoesler along similar topics as those being discussed by the Committee. The letter and his response are posted on the website. Tim also pointed out there was online training available to Council members on the Open Public Meetings Act.</p> <p>Doug Orth said he would like the Council to look at the format of the meetings, especially the public comment periods. It doesn't seem like enough time is provided to hear all of the issues on a topic. Steve said he agreed with Doug's concerns.</p>
7. Adjourn	<p>The meeting was adjourned at 2:30 p.m.</p>