



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

1500 Jefferson Street SE • P.O. Box 41449 • Olympia, Washington 98504
(360) 407-9277 • e-mail sbcc@des.wa.gov • www.sbcc.wa.gov

STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

LOCATION: The meeting was held at 1500 Jefferson St SE, Olympia, WA; Room 1213, with Zoom and teleconference options.

MEETING DATE: Friday, January 20, 2023

Members in Attendance: Council Chair Tony Doan, Vice Chair Daimon Doyle, Kjell Anderson, Jay Arnold, Todd Beyreuther, Micah Chappell, Roger Heeringa, Matthew Hepner, Craig Holt, Pete Rieke, Katy Sheehan, Corey Wilker, Senator Lynda Wilson

Members Absent: Al French

Staff In Attendance: Managing Director Stoyan Bumbalov, Assistant Attorney General Dierk Meierbachtol, Krista Braaksma, Dustin Curb

Visitors Present: Larry Andrews, Kim Barker, Rob Barker, David Baylon, Joseph Briscar, Ken Brouillette, Elliott Brown, Tom Handy, Neil Hartman, Ardel Jala, Jonathan Jones, Jason Krum, Jon Lange, Ann Larson, Jen Masterson, Joely Medina, Dave Nakagawara, David Nehren, Jenny Nickerson, Mary Pinpin, Andrea Smith, Al Spaulding, Poppy Storm, Gavin Tenold, Bill Will, Ron Wright

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	The meeting was called to order at 10:00 a.m. by Council Chair Tony Doan. Roll was called and a quorum was present. The public was welcomed and those interested introduced themselves. During roll call, Stoyan Bumbalov noted Bob Hamlin no longer qualifies, and Caroline Traube's term had expired and she is not seeking another term. Discussion ensued on the eligibility of Council members whose terms had expired. It was noted they are still active and eligible to attend and vote until their term is extended or they are replaced. Any member who no longer qualifies for appointment may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed.
2. Review and Approve Agenda	Motion: Jay Arnold moved to approve the Agenda, Kjell Anderson seconded, the motion passed.

This material in alternative formats including braille, large print, and audio recording is available on request by emailing the SBCC at sbcc@des.wa.gov.

<p>3. Review and Approve Minutes from November 4 and 18, 2022</p>	<p>Motion: Corey Wilker moved to approve the minutes from November 4 and November 18, Kjell Anderson seconded, the motion passed.</p>
<p>4. Public Comment on Items Not on the Agenda</p>	<p>No public comments were made.</p>
<p>5. Council Leadership</p>	<p>Stoyan Bumbalov noted, per the bylaws, a Council Chair and Council Vice-Chair need to be elected.</p> <p>Kjell Anderson nominated Tony Doan as Council Chair, with Tony's consent. Corey Wilker seconded the nomination, and it was approved.</p> <p>Corey Wilker nominated Daimon Doyle as Council Vice-Chair, with Daimon's consent. Kjell Anderson seconded the nomination, and it was approved.</p>
<p>6. Appointment of Committees</p>	<p>Stoyan Bumbalov reviewed the requirements for the members of the Technical Advisory Groups (TAG) and also noted that he will be asking for a workgroup to review the Council Bylaws, Policies and Procedures and the TAG composition and appointments and the Council can either appoint members to the TAGs now or wait for the workgroup to meet and bring their recommendations to the Council.</p> <p>It was decided to move on to the Committees, as the agenda reads. Stoyan Bumbalov reviewed the Building, Fire and Plumbing Codes Committee and noted as Bob Hamlin is no longer appointed to the Council, there is an open seat.</p> <p>Motion: Micah Chappell moved to table agenda item 6 until the next Council meeting or appropriate meeting here after, Corey Wilker seconded, the motion passed.</p> <p>Discussion was held on the Committees, with the Legislative Committee being of importance due to the weekly meetings being held during the Legislative session. Stoyan Bumbalov indicated the Committees would stand as they are until voted on by the Council.</p>
<p>7. Request for Emergency and Off-Cycle Rules</p> <ul style="list-style-type: none"> • 2018 IFC – Chapters 12 and 80 • 2021 IFC – Chapters 12 and 80 	<p>Stoyan Bumbalov noted there was a request for Emergency and Off-Cycle rule and the documentation was posted on the website and provided to Council members for review. He then noted that during the 2022 calendar year there were 87 filings which included 18 Emergency Rules and uncounted Off-Cycle Rules as the Emergency Rules will most likely require Off-Cycle Ruling.</p> <p>Ken Brouillette introduced his proposals for the 2018 and 2021 IFC, Chapters 12 and 80, and asked for any questions or comments from the Council members.</p> <p>Councilmembers asked clarifying questions which were addressed by Ken Brouillette. Several process questions were asked and answered.</p>

	<p>Motion: Micah Chappell moved to modify the 2018 IFC Code with the proposed verbiage and move this proposal forward as an Emergency Rule, Corey Wilker seconded, the motion passed.</p> <p>Motion: Micah Chappell moved to enter into Off-Cycle Rulemaking for the 2021 IFC Code modification as proposed, Corey Wilker seconded, the motion passed.</p> <p>Ken Brouillette introduced his proposal for R328 – Energy Storage Systems, to correlate the IFC to the IRC.</p> <p>Clarifying questions were asked and answered by Ken Brouillette. Further comments were made on the proposal.</p> <p>Motion: Micah Chappell moved to enter into Off-Cycle Rulemaking for the R328 proposal to correlate with the actions taken previously for the IFC proposals, Corey Wilker seconded, the motion passed.</p> <p>Ken Brouillette asked when will TAGs begin the review and work on these? Stoyan Bumbalov noted the list of current tasks Staff are undertaking and said these would need to be prioritized and TAGs could possibly start review in March. Discussion ensued on the process and timeline for the process of Off-Cycle and Emergency Rulemaking.</p>
<p>8. Request for Opinion</p> <ul style="list-style-type: none"> • City of Bellevue-WSEC-C Wind to Wall Ratio • City of Battle Ground-IMC H/ERV Requirements 	<p>Krista Braaksma presented the request for opinion, from the City of Bellevue, and the answer. Discussion was held by Council members with some clarifying questions asked and answered.</p> <p>Motion: Kjell Anderson moved to approve, Corey Wilker seconded, the motion passed.</p> <p>Krista Braaksma presented the request for opinion, from the City of Battle Ground, and the answer. Discussion was held by Council members and a modification was made to the answer.</p> <p>Motion: Daimon Doyle moved to approve, as modified, Kjell Anderson seconded, the motion passed.</p>
<p>9. Legislative Committee Report</p>	<p>Stoyan Bumbalov said he had provided Council members with two documents of Bills that are related to the SBCC and Bills that were discussed at the last Legislative Committee meeting.</p> <p>Todd Beyreuther reviewed the roll of the Legislative Committee and then asked Council’s opinion on granting the Council Chair and/or the Chair of the Legislative Committee authorization to represent the Council on informing or raising concerns.</p> <p>Ann Larson, Assistant Director of Policy, and Government Relations, who oversees the work of the SBCC staff, introduced herself and noted that she is present to help facilitate discussion regarding Bills affecting the SBCC.</p> <p>Stoyan Bumbalov reviewed his role in last year’s Legislative session regarding Bills affecting the SBCC.</p> <p>Discussion was held on the process for testifying on Legislative Bills as a Council member. There was further discussion held on</p>

the authorization request for either Council Chair and/or Legislative Committee Chair.

Stoyan Bumbalov reviewed the SBCC Bill Analysis Summary Report and provided further detail on a few of the bills that the Legislative Committee deemed important to bring to the Council members. Todd Beyreuther provided additional detail on HB1110/SB5190.

Motion: Jay Arnold moved to authorize the Council Chair, Legislative Committee Chair, and the Managing Director to inform and/or provide testimony on technical issues with definitions and requirements on HB1110/SB5190, Micah Chappell seconded, the motion passed.

Discussion was held by Council members on the intent of the motion.

Motion: Kjell Anderson moved to authorize the Managing Director to provide technical feedback, without taking position for or against, on bills involved in the legislative process affecting the SBCC and Codes implementation, in the state of Washington, Jay Arnold seconded, the motion passed 9 to 2.

Discussion was held by Council members on the intent of the motion.

Stoyan Bumbalov continued to provide further details on the Bills of importance to the Council.

Discussion was held HB1167. Stoyan Bumbalov noted there is an Executive Session scheduled for this bill on January 26 at 8:00 a.m.

Motion: Micah Chappell moved to have the Council oppose HB1167, Craig Holt seconded, the motion failed 8 to 3.

Discussion was held by Council members on the intent of the motion. Public comment was heard on the bill.

Motion: Jay Arnold moved to authorize the Council Chair, Legislative Committee Chair and Managing Director to provide in person and/or written testimony on HB1167 to enable a successful workgroup process to streamline six plex residences, Katy Sheehan seconded, the motion passed 8 to 3.

Discussion was held by Council members on the intent of the motion.

Stoyan Bumbalov reviewed HB1298/SB5258 with detail provided on the language in Section 13. Todd Beyreuther provided a brief description of the discussion held by the Legislative Committee members, yesterday. Assistant Attorney General Dierk Meierbachtol noted there is a meeting scheduled on January 23, for SB5258, which would provide opportunity for testimony.

Discussion was held on HB1298/SB5258.

	<p>Motion: Jay Arnold moved to oppose HB1298/SB5258 until sections requiring the SBCC to develop and approve plans are removed along with removal of the last sentence of Section 13, Kjell Anderson seconded, the motion passed 7 to 4.</p> <p>Discussion was held on the intent of the motion by Council members.</p>
<p>10. Ongoing Off-Cycle Rules</p> <ul style="list-style-type: none"> • Modify the definition of CHILD CARE, FAMILY HOME, in IBC and IRC • Adopt R-4 Occupancy Group in 2021 IBC and 2021 IFC • WSEC-R Performance Path/ERI 	<p>Stoyan Bumbalov noted Council action is not required unless Council members decide otherwise. He then indicated that staff wanted to provide an update on the ongoing Off-Cycle Rules.</p> <p>Dustin Curb provided an update on the modification of the definition of Child Care, Family Home in the IBC and IRC.</p> <p>Stoyan Bumbalov provided an update on the R-4 Occupancy Group in 2021 IBC and 2021 IFC.</p> <p>Krista Braaksma provided an update on the WSEC-R Performance Path/ERI. Daimon Doyle provided additional detail on the ERI Workgroup/Task Force members and projected timeline and intent of the workgroup. Kjell Anderson provided additional information.</p> <p>Public comment was heard on the ongoing Off-Cycle Rules as related to the WSEC-R Performance Path/ERI.</p>
<p>11. Establishing the following workgroup(s):</p> <ul style="list-style-type: none"> • TAG Composition and TAG Member Appointments • Changes to the SBCC Bylaws • Modifications to WAC 51-04 Council Policies and Procedures 	<p>Stoyan Bumbalov asked the Council to consider creating an informal workgroup of 5 to 6 Council members to assist staff in developing a plan to streamline the Council’s processes and procedures which would include the topics listed in the left column for this agenda item. Discussion was held and clarifying questions were asked. Stoyan Bumbalov indicated he would like the group to meet in early March and be completed before September, in time for the 2024 Code Cycle.</p> <p>Motion: Kjell Anderson moved to establish a workgroup to work on the 3 bullet points listed on the agenda, with intent to complete work by the end of September 2023. This would include bringing information to Council and allow for public comments, Corey Wilker seconded, the motion passed.</p> <p>Council members who volunteered to participate in the workgroup are Daimon Doyle, Micah Chappell, Roger Heeringa, Katy Sheehan, Kjell Anderson, Todd Beyreuther and Tony Doan.</p>
<p>12. Other Business</p>	<p>Motion: Micah Chappell moved to reconsider allowances under agenda item number 9, Pete Rieke seconded.</p> <p>Discussion was held in regard to the previous motion made by Kjell Anderson when discussion was held on agenda item number 9. Kjell Anderson restated his intent of that motion. Daimon Doyle indicated the previous motion would need to be restated prior to making another motion.</p> <p>Dierk Meierbachtol, Assistant Attorney General, indicated that instead of reconsidering a previous motion, the Council vote on a new motion or additional motion.</p>

	<p>Motion: Micah Chappell moved to allow the Legislative Committee to have authority to take action by providing additional or modified language to the legislation that meets the intent of the SBCC, considering the Legislative Committee is made up of Council members, Craig Holt seconded, the motion passed</p> <p>Discussion was held on the motion, the authority of and the business conducted by the Legislative Committee.</p> <p>Micah Chappell called the question, Roger Heeringa seconded.</p> <p>Motion: Daimon Doyle moved to extend the meeting 15 minutes, Kjell Anderson seconded, motion passed.</p>
13. Staff Report	Due to time constraints, no staff report was given.
14. Adjourn	Meeting was adjourned at 4:02 p.m.

DRAFT