

OKLAHOMA UNIFORM BUILDING CODE COMMISSION

REGULAR MINUTES

UNIFORM BUILDING CODE COMMISSION CONFERENCE ROOM

2401 NW 23RD STREET, SUITE 82

OKLAHOMA CITY, OK 73107

APRIL 18, 2023 – 1:30 P.M.

COMMISSION MEMBERS PRESENT:

Wayne Allen, Daniel Favata, Bradley Flatt, Warren Goldmann, Dee Hays, Mitchell Hort, Scott Tucker, and Cary Williamson

COMMISSION MEMBERS ABSENT

Paul Gunderson, Kyle Lombardo, Lonnie Shackelford, Zachary Tippet, and Donny Williamson

OTHERS PRESENT:

David Adcock (OUBCC Staff), Kathy Hehny (OUBCC Staff), Lindsay Heinrichs (OUBCC Staff), Bryan Neal (Oklahoma Attorney General's Office), Megan Patton (OMES – ABS), Brian Braley (City of Edmond), Amber Armstrong (A & E Code Professionals), Dusty Schuler (Burgess Company) and Bill Kite (MEPO of Oklahoma)

CALL TO ORDER:

Mr. Mitchell Hort, Chairman of the Commission called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:32 p.m. in the Oklahoma Uniform Building Code Commission Board Room at Shepherd Center, 2401 NW 23rd St., Suite 82, Oklahoma City, OK 73107.

STATEMENT OF COMPLIANCE:

The following statement was read into the record:

"This regular meeting of the Oklahoma Uniform Building Code Commission scheduled to begin at 1:30 p.m. on this 18th day of April 2023, has been convened in accordance with the Oklahoma Open Meeting Act, Title 25 O.S. Sections 301 through 314.

Further, this meeting was preceded by an advance public notice that was sent to the Secretary of State electronically specifying the date, time, and place of the meeting here convened.

Notice of this meeting was given at least twenty-four (24) hours prior hereto. To date, 5150 (five thousand one hundred fifty) people have filed a written request for notice of meetings of this public body."

REPORTS:

CEO Report

Mr. David Adcock addressed the Commission and provided an update on a list of items that included: commission committee meetings that had been held; a MABO meeting he attended where he gave a presentation on the OUBCC; and training and legislative updates. He noted May was Building Safety Month and he had requested a proclamation to that effect from the

Governor's office. He noted he was working on scheduling some classes for CEUs in the near future and that the agency was moving forward.

Financial Report

Ms. Megan Patton with the Office of Management and Enterprise Services (OMES ABS) greeted the Commission. She reviewed each of the six financial reports provided. On the Six-Digit Expenditure Detail report, she noted there was one expense she saw coded to the wrong accounting code but that she would email Ms. Hehnly to work on correcting it. At the end of her review there were no questions for Ms. Patton.

ACTION AND DISCUSSION ITEMS:

Discussion and possible approval of the March 21, 2023, regular meeting minutes

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. SCOTT TUCKER TO APPROVE THE MARCH 21, 2023, REGULAR MEETING MINUTES

VOTING AYE:	Wayne Allen Daniel Favata Bradley Flatt Warren Goldmann	Dee Hays Mitchell Hort Scott Tucker Cary Williamson
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VOTING NAY: None

ABSTAIN: None

ABSENT:	Paul Gunderson Kyle Lombardo Lonnie Shackelford	Zachary Tippet Donny Williamson
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Discussion and possible action to on the results of the fiscal year 2022 (FY22) annual audit

Ms. Hehnly noted there was a scheduling conflict, and the auditor would need to present the information at the May meeting. No further action was taken.

Discussion and possible action to approve the fiscal year 2024 (FY24) final budget

Mr. Adcock reviewed the changes between the FY24 budget request sent in October and the final budget before the Commission. There was discussion related to the length of time the fourth, currently vacant position had been budgeted and the process to complete a budget revision if one was necessary.

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. WAYNE ALLEN TO APPROVE THE FY24 FINAL BUDGET

VOTING AYE:	Wayne Allen Daniel Favata Bradley Flatt Warren Goldmann	Dee Hays Mitchell Hort Scott Tucker Cary Williamson
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VOTING NAY: None

ABSTAIN: None

ABSENT: Paul Gunderson Zachary Tippet
 Kyle Lombardo Donny Williamson
 Lonnie Shackelford

Discussion and possible action on authorizing a reimbursement to the Chief Executive Officer for the payment to the Construction Industries Board (CIB) for the annual renewal fees of State Licensure as an Electrical Journeyman and Electrical Contractor, which payment was due to CIB no later than March 31, 2023

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. WARREN GOLDMANN TO APPROVE THE AGENCY TO REIMBURSE THE CHIEF EXECUTIVE OFFICER FOR ANNUAL RENEWAL FEES OF STATE LICENSURE AS AN ELECTRICAL JOURNEYMAN AND ELECTRICAL CONTRACTOR FOR PAYMENT MADE TO THE CONSTRUCTION INDUSTRIES BOARD (CIB)

VOTING AYE: Wayne Allen Dee Hays
 Daniel Favata Mitchell Hort
 Bradley Flatt Scott Tucker
 Warren Goldmann Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Paul Gunderson Zachary Tippet
 Kyle Lombardo Donny Williamson
 Lonnie Shackelford

Discussion and possible action to start the review of the 2023 National Electrical Code® (NEC®, 2023)

Mr. Adcock stated the 2023 NEC was the latest edition of the code and there was another item for other codes later in the meeting. He recommended the Commission start the review. He added there was a timeline document in the commission books for rulemaking. He noted there was an April 1st deadline for filing with the Legislature and the document provided walked that backwards for when the review needed to be finished and still meet all the steps required for rulemaking. He added the last deadline for the committee to finish their review was November 14th, but he would push for way earlier as things always came up that could cause delays. He noted the code had been out since last fall. He added he would always push for review of every code, but that didn't mean every code had to be adopted, but made sure the Commission was not behind in reviewing code changes. Mr. Neal clarified the April 1st deadline Mr. Adcock had addressed was for submitting the rules to the Legislature and it was not the date those rules, if approved, would go into effect.

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. CARY WILLIAMSON TO START THE REVIEW OF THE 2023 NATIONAL ELECTRICAL CODE® (NEC® 2023)

VOTING AYE:	Wayne Allen Daniel Favata Bradley Flatt Warren Goldmann	Dee Hays Mitchell Hort Scott Tucker Cary Williamson
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VOTING NAY: None

ABSTAIN: None

ABSENT:	Paul Gunderson Kyle Lombardo Lonnie Shackelford	Zachary Tippet Donny Williamson
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Discussion and possible action to approve a slate of positions for the Electrical Technical Committee (ETC) tasked with reviewing the 2023 National Electrical Code® (NEC® 2023)

Mr. Adcock reviewed the proposed slate of positions, and clarified the Commission was only approving the positions, not appointing anyone to the committee. He further clarified there would be a call for volunteers, and they would be approved by the Commission at a later date.

MR. CARY WILLIAMSON MADE A MOTION WITH A SECOND BY MR. BRADLEY FLATT TO APPROVE THE SLATE OF POSITIONS FOR THE ELECTRICAL TECHNICAL COMMITTEE TASKED WITH REVIEWING THE 2023 NATIONAL ELECTRICAL CODE® (NEC® 2023)

There was some discussion regarding the residential electrical contractor position and that it was not a title for a specific licensed contractor, but that the position would be for someone that did that type of work.

VOTING AYE:	Wayne Allen Daniel Favata Bradley Flatt Warren Goldmann	Dee Hays Mitchell Hort Scott Tucker Cary Williamson
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VOTING NAY: None

ABSTAIN: None

ABSENT:	Paul Gunderson Kyle Lombardo Lonnie Shackelford	Zachary Tippet Donny Williamson
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Discussion on the review of either the 2021 or 2024 Editions of the International Building Code®, International Existing Building Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code®, and International Plumbing Code®

Mr. Adcock stated he was going to push to review every code. He noted the 2024 codes by the International Code Council were expected to be published in October and based on the timeline

they discussed earlier, it was not likely that those codes could be reviewed, and changes presented to the Commission by November 14th to meet all the rulemaking deadlines. He noted the discussion was if the commission wanted to adopt the 2021 codes, they could start now and the committees could be finished by the fall, but to adopt the 2024 codes, they would not be adopted next year, rather the following year based on timelines. He added the decision was where to move next. He stated either way they went, his opinion was to put the technical committees together, review the 2021 codes. He added if the Commission then decided to review the 2024 codes, that review became much less of a job. There was discussion on what the Commission should do, if they should skip a code cycle or review the 2021 codes; the number of changes between code cycles and if the committees would be doing double work to look at the 2021 and then looking at the 2024; and problems that get missed if a code isn't reviewed.

MR. SCOTT TUCKER MADE A MOTION WITH A SECOND BY MR. WARREN GOLDMANN TO START THE REVIEW OF THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE®, INTERNATIONAL EXISTING BUILDING CODE®, INTERNATIONAL FIRE CODE®, INTERNATIONAL FUEL GAS CODE®, INTERNATIONAL MECHANICAL CODE®, AND INTERNATIONAL PLUMBING CODE®

VOTING AYE:	Wayne Allen	Dee Hays
	Daniel Favata	Mitchell Hort
	Bradley Flatt	Scott Tucker
	Warren Goldmann	Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT:	Paul Gunderson	Zachary Tippet
	Kyle Lombardo	Donny Williamson
	Lonnie Shackelford	

There was some discussion on having the committees review the significant changes published books rather than the codes themselves. At the end of the discussion it was determined, while copies of the significant changes would be available to the committees, they will review the codes themselves as not all the changes are listed in the significant change books.

Discussion and possible action to approve a slate of positions for the Building, Existing Building and Fire Technical Committee (BEBF) tasked with reviewing the International Building Code®, International Existing Building Code® and International Fire Code®

MR. WARREN GOLDMANN MADE A MOTION WITH A SECOND BY MS. DEE HAYS TO APPROVE A SLATE OF POSITIONS FOR THE BUILDING, EXISTING BUILDING AND FIRE TECHNICAL COMMITTEE (BEBF) TO REVIEW THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE®, INTERNATIONAL EXISTING BUILDING CODE®, AND INTERNATIONAL FIRE CODE®

VOTING AYE: Wayne Allen Dee Hays
Daniel Favata Mitchell Hort
Bradley Flatt Scott Tucker
Warren Goldmann Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Paul Gunderson Zachary Tippett
Kyle Lombardo Donny Williamson
Lonnie Shackelford

Discussion and possible action to approve a slate of positions for the Fuel Gas, Mechanical and Plumbing Technical Committee (FGMP) tasked with reviewing the International Fuel Gas Code®, International Mechanical Code® and International Plumbing Code®

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. SCOTT TUCKER TO APPROVE A SLATE OF POSITIONS FOR THE FUEL GAS, MECHANICAL AND PLUMBING TECHNICAL COMMITTEE (FGMP) TO REVIEW THE 2021 EDITIONS OF THE INTERNATIONAL FUEL GAS CODE®, INTERNATIONAL MECHANICAL CODE®, AND INTERNATIONAL PLUMBING CODE®

VOTING AYE: Wayne Allen Dee Hays
Daniel Favata Mitchell Hort
Bradley Flatt Scott Tucker
Warren Goldmann Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Paul Gunderson Zachary Tippett
Kyle Lombardo Donny Williamson
Lonnie Shackelford

NEW BUSINESS:

There was no new business

PUBLIC COMMENT:

Mr. Tim Yaciuk, Executive Director of the Independent Electrical Contractors Association addressed the Commission. He thanked the Commissioners for their time and service to the state, noting it was greatly appreciated. He stated with the approval of a committee to look at the NEC, the IEC looked forward to helping them in any way possible and to reach out to them and let them know what they could do to help. He added they looked forward to working with the Commission going forward.

ADJOURNMENT: (2:22 P.M.)

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR WAYNE ALLEN TO ADJOURN

VOTING AYE:	Wayne Allen	Dee Hays
	Daniel Favata	Mitchell Hort
	Bradley Flatt	Scott Tucker
	Warren Goldmann	Cary Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT:	Paul Gunderson	Zachary Tippet
	Kyle Lombardo	Donny Williamson
	Lonnie Shackelford	

Minutes approved in the regular meeting on the 16th day of May 2023

DONNY WILLIAMSON
Donny Williamson, Vice Chairman
Oklahoma Uniform Building Code Commission

PREPARED BY: KATHY HEHNLY
Kathy Hehnly, Executive Assistant
Oklahoma Uniform Building Code Commission

Official Copy: Original with signatures in office file.