

# **OKLAHOMA UNIFORM BUILDING CODE COMMISSION**

## **REGULAR MINUTES**

### **UNIFORM BUILDING CODE COMMISSION CONFERENCE ROOM**

**2401 NW 23<sup>RD</sup> STREET, SUITE 82**

**OKLAHOMA CITY, OK 73107**

**DECEMBER 12, 2023 – 1:30 P.M.**

#### **COMMISSION MEMBERS PRESENT:**

Todd Booze, Daniel Favata, Paul Gunderson, Dee Hays, Mitchell Hort, Kyle Lombardo, Zachary Tippet, Scott Tucker, Cary Williamson, and Donny Williamson

#### **COMMISSION MEMBERS ABSENT:**

Wayne Allen, Bradley Flatt, and Warren Goldmann

#### **OTHERS PRESENT:**

David Adcock (OUBCC Staff), Kathy Hehny (OUBCC Staff), Alisha Davidson (OUBCC Staff), Bryan Neal (Oklahoma Attorney General's Office), Tim Yaciuk (IEC-OKC), Amber Armstrong (A & E Code Professionals), Steve Davis (City of Oklahoma City), Robert Lane (City of Oklahoma City), Larry Buxton (Buxton Electric), Taylor Story, Deborah Torres (Governor's Office)

#### **CALL TO ORDER:**

Mr. Mitchell Hort, Chairman of the Commission, called the regular meeting of the Oklahoma Uniform Building Code Commission to order at 1:30 p.m. in the Oklahoma Uniform Building Code Commission Board Room at Shepherd Center, 2401 NW 23rd St., Suite 82, Oklahoma City, OK 73107.

#### **CONFIRMATION OF COMPLIANCE WITH THE OPEN MEETING ACT:**

Mr. Adcock confirmed the meeting was in compliance with all requirements of the Open Meeting Act.

#### **REPORTS:**

##### CEO Report

Mr. David Adcock gave a report on different meetings he had attended to include both the OKC and Tulsa MABO groups; a meeting in Duncan that included the Summit Gas Utility, area plumbers, him, and the LP Gas Association; and a meeting with Independent Electrical Contractors Association. He noted that his messaging out to all the different industries to become more involved in the OUBCC and providing more communication with industries. He reported on the increased number of people signed up for agenda notices, noting an increase of 205 since his first meeting in April 2023 to December 2023. He updated the agency had received a "Preferred Provider" designation from ICC so any classes the agency did would get ICC CEUs. He added he had been working on classes with Generac, Uponor, and Navien, a Fireplace Installation Class and with ICC to set up classes for spring of 2024. Mr. Adcock noted he was still working to get changes to the OUBCC legislation to open the training up to industry other than just inspectors. He added staff was working with OMES on the agency website, noting the new website was about 75 percent completed and it was scheduled to go live in mid-January.

The Commission, Mr. Adcock, and staff discussed meeting with the Association of General Contractors; permit fees and the number of jurisdictions that were not reporting, the number of jurisdictions in total and the number that were current in reporting; code adoption and options the agency was working on with ICC to publish digital versions of the codes with the OUBCC amendments that will be posted on the website. The plan was to have that launch with the new website. There was further discussion on what the agency could link on the website and plans to link to the jurisdiction adoptions of the codes on the website.

Financial Report

OMES ABS was not in attendance for the meeting. Ms. Hehnly noted if anyone had any questions, she would try to answer them or would reach out to OMES for an answer. There were no questions for Ms. Hehnly.

Technical Review Committee Reports

*Building, Existing Building and Fire Technical Committee*

Mr. Adcock noted there had not been a meeting since the last Commission meeting. Mr. Gunderson noted at the last meeting, they got sidetracked by storm shelter discussions, but the committee was doing well.

*Fuel Gas, Mechanical, and Plumbing Technical Committee*

Mr. Tippett noted the committee had not met since the last commission meeting and there was nothing new to report. He added there was a meeting scheduled for Thursday, December 14th, but they were still waiting to confirm if they would have a quorum for it.

**ACTION AND DISCUSSION ITEMS:**

Discussion and possible approval of the November 14, 2023, regular meeting minutes

MR. SCOTT TUCKER MADE A MOTION WITH A SECOND BY MR. DANIEL FAVATA TO APPROVE THE NOVEMBER 14, 2023, REGULAR MEETING MINUTES

VOTING AYE:	Todd Booze	Kyle Lombardo
	Daniel Favata	Zachary Tippett
	Paul Gunderson	Scott Tucker
	Dee Hays	Donny Williamson
	Mitchell Hort	

VOTING NAY: None

ABSTAIN: Cary Williamson

ABSENT:	Wayne Allen	Warren Goldmann
	Bradley Flatt	

Discussion and possible action to approve a volunteer application for a vacant position on the Building, Existing Building, and Fire Technical Review Committee.

Mr. Donny Williamson noted he spoke with the applicant, and he felt he would be a good addition to the committee.

MR. TODD BOOZE MADE A MOTION WITH A SECOND BY MR. DANIEL FAVATA TO APPROVE A VOLUNTEER APPLICATION FOR A VACANT POSITION ON THE BUILDING, EXISTING BUILDING AND FIRE TECHNICAL REVIEW COMMITTEE

VOTING AYE:	Todd Booze	Kyle Lombardo
	Daniel Favata	Zachary Tippett
	Paul Gunderson	Scott Tucker
	Dee Hays	Cary Williamson
	Mitchell Hort	Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT:	Wayne Allen	Warren Goldmann
	Bradley Flatt	

Discussion and possible action on the election of Commission officers (January 1, 2024, through December 31, 2024), per rule Oklahoma Administrative Code, 748:1-1-3(b)

MR. TODD BOOZE MADE A MOTION WITH A SECOND BY MR. KYLE LOMBARDO TO NOMINATE MITCHELL HORT AS CHAIRMAN

Mr. Hort asked if there were any other nominations. There were no other nominations.

VOTING AYE:	Todd Booze	Kyle Lombardo
	Daniel Favata	Zachary Tippett
	Paul Gunderson	Scott Tucker
	Dee Hays	Cary Williamson
	Mitchell Hort	Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT:	Wayne Allen	Warren Goldmann
	Bradley Flatt	

MR. TODD BOOZE MADE A MOTION WITH A SECOND BY MR. KYLE LOMBARDO TO NOMINATE MR. DONNY WILLIAMSON AS VICE-CHAIRMAN

Mr. Hort asked if there were any other nominations. There were no other nominations.

VOTING AYE:	Todd Booze	Kyle Lombardo
	Daniel Favata	Zachary Tippett
	Paul Gunderson	Scott Tucker
	Dee Hays	Cary Williamson
	Mitchell Hort	Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Wayne Allen Warren Goldmann  
Bradley Flatt

Discussion and possible action to update the Commissioner assignments to standing Commission Committees

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO TABLE THE ITEM UNTIL THE NEXT MEETING

Mr. Booze asked for some clarification on the standing committees as he was unaware of them. Mr. Hort went through each of the standing committees and there was some discussion on when there had been meetings. Mr. Adcock noted what was before the Commission were suggestions and that Mr. Booze had not been assigned to any yet.

VOTING AYE: Todd Booze Kyle Lombardo  
Daniel Favata Zachary Tippett  
Paul Gunderson Scott Tucker  
Dee Hays Cary Williamson  
Mitchell Hort Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Wayne Allen Warren Goldmann  
Bradley Flatt

Discussion and possible action to authorize payment to the Construction Industries Board for the annual renewal of State licensure for David Adcock, Chief Executive Officer, as an Electrical Journeyman and Electrical Contractor for the calendar year of 2024, due no later than March 31, 2024

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. CARY WILLIAMSON TO AUTHORIZE PAYMENT TO THE CONSTRUCTION INDUSTRIES BOARD FOR MR. ADCOCKS ANNUAL LICENSURE FEES

VOTING AYE: Todd Booze Kyle Lombardo  
Daniel Favata Zachary Tippett  
Paul Gunderson Scott Tucker  
Dee Hays Cary Williamson  
Mitchell Hort Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT: Wayne Allen Warren Goldmann  
Bradley Flatt

Discussion and possible action on a public comment form received related the proposed adoption of the 2023 National Electrical Code®

Mr. Adcock stated the form came in he had made the decision it should go to the Commission rather than the committee as it was outside of the scope of the committee to act on. He added this was because it was the Commission who decided what codes should be adopted. He added the Mr. Neal, the agency's Assistant Attorney General concurred with that decision. He explained the proposal requested the National Electrical Code (NEC) not be updated and the State stay with the already adopted 2020 NEC. He noted the decision had been made to review the 2023 code, the committee had met, and the presentation had been given already. He stated they were ready to move forward with the adoption but felt the Commission should hear the proposal was there. There was some discussion on cities and resources it took to adopt the codes and if the committees could just look at the significant changes between the editions and draw those into the current code instead of adopting the new one. There was further discussion on the reasons to review each code cycle which included the number of changes on average, how continuing education would only be on the second cycle if a code edition was skipped; cities with ISO ratings; and the timing at the state for adopting codes.

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MS. DEE HAYS TO REJECT THE PROPOSAL TO POSTPONE THE ADOPTION OF THE 2023 NATIONAL ELECTRICAL CODE®

VOTING AYE:	Todd Booze Daniel Favata Paul Gunderson Dee Hays Mitchell Hort	Kyle Lombardo Zachary Tippet Scott Tucker Cary Williamson Donny Williamson
VOTING NAY:	None	
ABSTAIN:	None	
ABSENT:	Wayne Allen Bradley Flatt	Warren Goldmann

Discussion and possible action to begin the permanent rulemaking process by review and approval of the proposed draft rule amendments to Title 748, Oklahoma Administrative Code, Chapter 20, Adopted Codes on the following:

- (1) Subchapter 2, 2018 International Building Code® (IBC® 2018)
- (2) Subchapter 4, 2018 International Fire Code® (IFC® 2018)
- (3) Subchapter 6, 2018 International Residential Code® (IRC® 2018)
- (4) Subchapter 8, 2018 International Existing Building Code® (IEBC® 2018)
- (5) Subchapter 10, 2023 National Electrical Code® (NEC® 2023)
- (6) Subchapter 12, 2018 International Fuel Gas Code® (IFGC® 2018)

(7) Subchapter 14, 2018 International Mechanical Code® (IMC® 2018)

(8) Subchapter 16, 2018 International Plumbing Code® (IPC® 2018)

Ms. Hehnlly noted the draft rules adopted the 2023 NEC and modify the referenced standards chapter in each of the other codes to update the reference to the International Residential Code, adopted in 2022 and change the edition year of the NEC to the 2023 edition. She added no other changes were being made to any of the other codes.

MR. DANIEL FAVATA MADE A MOTION WITH A SECOND BY MR. DONNY WILLIAMSON TO BEGIN RULEMAKING ON THE PROPOSED RULES

VOTING AYE:	Todd Booze	Kyle Lombardo
	Daniel Favata	Zachary Tippet
	Paul Gunderson	Scott Tucker
	Dee Hays	Cary Williamson
	Mitchell Hort	Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT:	Wayne Allen	Warren Goldmann
	Bradley Flatt	

**NEW BUSINESS:**

There was no new business.

**PUBLIC COMMENTS:**

There was no public comment.

**ADJOURNMENT: (2:08 P.M.)**

MR. DONNY WILLIAMSON MADE A MOTION WITH A SECOND BY MR. PAUL GUNDERSON TO ADJOURN

VOTING AYE:	Todd Booze	Kyle Lombardo
	Daniel Favata	Zachary Tippet
	Paul Gunderson	Scott Tucker
	Dee Hays	Cary Williamson
	Mitchell Hort	Donny Williamson

VOTING NAY: None

ABSTAIN: None

ABSENT:	Wayne Allen	Warren Goldmann
	Bradley Flatt	

Minutes approved in the regular meeting on the 20th day of February, 2024.

MITCHELL HORT  
Mitchell Hort, Chairman  
Oklahoma Uniform Building Code Commission

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

*Official Copy: Original with signature in agency file*