



STATE OF WASHINGTON  
DEPARTMENT OF ENTERPRISE SERVICES  
1500 Jefferson, Olympia, WA 98504

**Washington State Building Code Council**

*Improving the built environment by promoting health, safety and welfare*

**SUMMARY MEETING MINUTES**

**LOCATION:** Shoreline City Hall, Council Chambers  
Shoreline, Washington

**MEETING DATE:** June 22, 2012

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	<p>Meeting called to order at 1:00 p.m.</p> <p><u>Members in Attendance:</u> Ray Allshouse, Council Chair; Angie Homola, Vice Chair; Tom Balbo; Rod Bault; Rep. Vincent Buys; John Chelminiak; David DeWitte; Ron Fuller; Duane Jonlin; Bob Koch; Dave Kokot; Jerry Mueller; Dave Peden; Jeff Peterson; Steve Simpson; Eric Vander Mey, Ron Fuller</p> <p><u>Staff In Attendance:</u> Tim Nogler, Managing Director; Krista Braaksma; Joanne McCaughan; Peggy Bryden</p> <p><u>Visitors Present:</u> Kraig Stevenson, Todd Sparrow, Jennie Dobelt, Kurt Sarolet, GeneTasch, Paul Favro, Gary Nordeen, Garrit Pillie, Kim Drury, Joe Puckett, Michael Webb, Richard Bristow, Rob Keaton, Brenda Kipling, Bob Eugene, Martha Gillis, Laura Thomas, Dennis Williams, Pete Crow, Kerry Carlson</p>
2. Review and Approve Agenda	Agenda approved as modified adding Luminous Egress Marking after Item 4.
3. Public Comment on Items not on the Agenda	<p><b>Martha Gillis</b> representing self, TAG members and WABO. As member of the Green Building TAG is requesting action on Green Building TAG which has not met to date.</p> <p><b>Kim Drury</b> with NW Energy Coalition would like to see follow-up to jurisdictions that were not in compliance with SBCC. She also feels it is time for Council to look at funding of SBCC particularly in regard to the analysis that needs to be done.</p> <p><b>Kraig Stevenson</b> of ICC is in agreement with Martha Gillis and feels SBCC should create a stretch/reach code. IECC could be a model for this.</p> <p><b>Bob Eugene</b> representing UL LLC is in support of moving the Green TAG forward.</p>

4. Review and Approve Minutes of June 8, 2012.	Minutes of June 8, 2012 were approved as modified.
4a. Luminous Egress Path Markings	<p><b>Tim Nogler</b> reported previously the Fire Code TAG report was approved with the exclusion of the luminous egress markings. Based on testimony, an emergency rule was adopted and will stay in effect until the 2012 Code is adopted that deletes the egress path marking. The Council needs to take action showing what to take forward to the public hearing process. <b>Dave Kokot</b> summarized the TAG meeting dealing with this issue pointing out the flexibility of the types of markings applied.</p>
Public Comment	<p><b>Manny Muniz</b>, code consultant. The minutes of May 4 on the Fire TAG were not available for 11 days. The requirement for luminous egress markings in new and existing buildings is a result of recommendations from National Institute of Standards and Technology. The people of the state deserve a debate on these requirements during the public hearings</p> <p><b>Dennis Williams</b> with Washington Athletic Club in Seattle is asking the Council to vote to not include the stairwell markings as it applies to existing buildings a this doesn't have a tangible benefit.</p> <p><b>Todd Sparrow</b>, of Langley Investment Properties would like the Council to continue the exemption for existing buildings on the luminous egress path markings. The cost is expensive. High rise buildings are the safest buildings.</p> <p><b>Paul Fabro</b> with Vance Corporation. He endorses what was said by the different speakers so far. He doesn't think that 9/11 can set the baseline for every high rise in the country. This is an extremely high cost product.</p> <p><b>Richard Bristow</b>, Associated General Contractors of Washington. His building was constructed in 1971 and has never had a life safety incident. We have back-up generators and other safety measures. Tenant safety is taken very seriously. It would cost between \$25,000-45,000 to install these markings in the building.</p> <p><b>Tina Davis</b> with CBRE a large commercial real estate company. She is here to give real world perception. The safety of tenants is of utmost importance. She feels that sprinklers put out the fires instantly. There are other things that could be done with those amounts of money that would be better served.</p> <p><b>Michael Webb</b> with Able Engineering Services. He sat through the November meeting and heard the testimony then. He is opposed to the luminous path marking because of the tripping hazard. He installed this in one building, but stopped after one stairwell due to the complaints of tripping hazards. He would rather do the L-brackets.</p>

	<p><b>Dave DeWitte</b> asked if he was aware of where there had been an actual fire where the luminous markings were in place and what the result of this was. <b>Michael</b> said he was not.</p> <p><b>Brenda Kipling</b>, with Commonwealth Properties said for any property manager safety is paramount. Testing in her buildings is done on a regular basis. The tape is the low cost method and it would wear out rather quickly. Buildings are a business and we must keep our costs down.</p> <p><b>Bob Eugene</b> with Underwriters Laboratories wants to encourage the Council to have this heard in the public hearing process with the code update in order to receive a variety of points of view. Bombs don't occur frequently but they are high risk.</p>
Discussion by Council Members	<b>Duane Jonlin</b> said the retroactive luminous egress markings rule is in the hundreds of millions of dollars for Washington. He would rather these funds be used for three story nursing homes egress markings.
<b>Motion</b>	<p><b>Duane Jonlin</b> moved that the Council modify the Fire TAG recommendation so the retroactive requirement for luminous markings in high rise exit stairs is deleted. <b>Dave DeWitte</b> seconded the motion.</p> <p><b>Angie Homola</b> moved to amend the motion to allow for both options to go forward for public hearing, either with or without the egress markings. <b>Dave Kokot</b> seconded the amendment to the motion.</p>
Discussion by Council Members	<b>Duane</b> feels this has been discussed extensively and doesn't need to be discussed again. <b>Angie</b> feels this has been a "false" public hearing, but an actual hearing has not been had. <b>Ray Allshouse</b> said there doesn't need to be both options as the emergency rule will take the issue forward to the public hearings. <b>Dave Kokot</b> feels it is shortsighted for the Council to make a decision at this time based on the consensus of the Fire TAG.
<b>Motion (continued)</b>	<p>Those in favor of the amended motion which is an option to delete or option to retain. The vote is five nays and six ayes. The amended motion passed.</p> <p>Approval of the motion as amended with the two options. The motion carried.</p>
Discussion by Council Members	<b>Angie</b> wanted to ensure the TAG would be available to help prepare any language that would be needed.
<b>Motion</b>	<b>Angie Homola</b> made a motion to direct the Fire TAG to provide information to the Council on the options to install luminous marking and what alternatives may be available. The motion was seconded by <b>Jerry Mueller</b> . The motion carried.

<p>Discussion of Council Members</p>	<p><b>John Chelminiak</b> expressed concern that those who gave testimony will have to give it again. The votes given today are not final. It's is all about process.</p>
<p>5. IRC TAG Minority Report (John Gentry)</p>	<p><b>Tim Nogler</b> introduced the minority report by <b>John Gentry</b>. The Council has accepted the IRC TAG report which is keeping the amendment for residential fire sprinklers, allowing them to be adopted as a local amendment. The minority report brings up a legal issue of the liability of the state in the event the state does not adopt the national standard. The Attorney General's office indicates is the risk of liability on the state is low. Legal counsel suggests going into executive session if reasons want to be discussed or waive attorney-client privilege.</p> <p><b>John Gentry</b> feels the minority report speaks for itself. The two key issues were the amount of information that was taken by the TAG over three hours and that we were down to five or ten minutes to discuss it. He was concerned by that.</p> <p><b>Dave DeWitte</b> asked Tim however small the risk might be is it any different than the risk associated with any action the Council takes that might establish a standard different than the model code. <b>Tim</b> said the answer would be the same and that is why it is very important the Council document the procedure.</p> <p><b>Dave Kokot</b> understands there is a low liability issue here, but believes it is a high risk issue because of the potential death to citizens. Did the TAG consider alternatives?</p> <p><b>Ray</b> said as chair of the meeting knows there was discussion on the matter and feels ample time was given for TAG members to discuss concerns. <b>Jeff Peterson</b>, who was on the TAG, agreed. <b>John Gentry</b> felt the issue was the amount of information distributed that was not reviewed.</p>
<p>6. MVE Committee—Committee Action on Energy Code</p>	<p><b>Eric Vander Mey</b> reported the MVE Committee met this morning to review the Energy TAG report. All 171 proposals were reviewed by <b>Duane Jonlin</b>. Public testimony was taken on the metering proposal. <b>Duane</b> said the Committee recommendation was for the Council to consider the entire batch and have the Council ask specific questions if there were any. <b>Eric</b> mentioned many of the proposals are correcting errors and omissions in the code. In addition, the industrial exceptions need to be reviewed. <b>Rep. Buys</b> suggested reviewing those proposals that were not errors and omissions. <b>Eric</b> then gave a description of what information the report gives for the Council. He felt we also need to discuss the energy savings for the legislative report that is due. It was recommended that <b>Duane</b> give an overview of proposals</p>

	<p>where there was cost impact or energy savings which he did. <b>Martha Gillis</b> asked for more definition on the report which <b>Duane</b> gave. More detail was asked for by Council members on 12-E130 dealing with energy metering. <b>Duane</b> answered the questions asked. <b>Eric</b> mentioned that over an hour of public testimony was taken regarding metering in the MVE meeting. He also explained some reasons to have energy metering.</p>
<p>Public Testimony on Energy Code Report</p>	<p><b>Michael Murray</b> of Lucid Corporation. His company provides metering information to building owners. He feels this code provides a good balance between infrastructure to building owner without overprescribing certain measures. He feels this is similar to labeling on appliances.</p> <p><b>Mark Frankle</b> of New Buildings Institute. He would like to make two points. Metering does not save energy however buildings with metering show savings of 5-30% depending on how the metering data is used. No building owner recognizes how their building is using energy unless it is pointed out by metering.</p> <p><b>Martha Gillis</b> is concerned regarding the voting numbers on the proposals and what determined the quorum on these votes. <b>Duane</b> said many TAG members did not participate in the meetings. Those not coming to the meetings were made ex-officio and were no longer voting members. When there wasn't a quorum these items were discussed at the next meeting when there was a quorum.</p>
<p>Energy Code Report (continued)</p>	<p><b>Duane</b> continued to report on the residential portion of the Energy Code Report where proposals showed impact. <b>Duane</b> estimates the code has saved 12% energy for residential and 8% energy for commercial this cycle.</p>
<p>Comments by Council Members</p>	<p><b>Dave DeWitte</b> asked about the methodology by which we estimate the energy savings. <b>Duane</b> said his numbers would make an engineer cringe. However this summer a more formal exercise of looking at each proposal would take place and an energy modeler would look at the proposals. We will be getting some help from outside organizations to do this.</p> <p><b>Ray</b> asked were any proposals disapproved due to lack of support information. <b>Duane</b> said only an estimated 10% provided any back-up; but as we didn't want to lose any good ideas, the back-up was created by the TAG itself when needed. <b>Eric</b> feels the energy code will need to be treated differently in the future.</p>
<p>Public Comment (continued)</p>	<p><b>Bob Eugene</b> questioned a vote that was 6 to 4 where 14 voting members were reflected at that TAG meeting. He is concerned if there was a quorum. He feels the abstentions are usually considered negative votes. <b>John Chelminiak</b> clarified that abstentions are in fact yes votes.</p>

<b>Motion</b>	<b>Ron Fuller</b> recommended the Council accept the TAG recommendations. <b>John Chelminiak</b> seconded the motion. Motion carried.
MVE Committee—Industrial Occupancy	<b>Eric</b> reported that the proponents of the industrial occupancy proposals came up with a consolidated proposal and the revised language was reviewed by the MVE and editorial changes were made to that this morning. The MVE is recommending moving the consolidated proposal forward.
<b>Motion</b>	<b>Dave DeWitte</b> made a motion the Council move the proposal forward to public hearing. <b>Jerry Mueller</b> seconded the motion. Motion carried.
Energy Code Report (continued)	Several items on Pages 8 and 9 of the report referring to policy issues require action by the Council.
<b>Motion</b>	<p><b>Duane Jonlin</b> moved the Council follow the MVE Committee recommendations for the items on Pages 8 and 9. <b>John Chelminiak</b> seconded the motion. <b>Rep. Vincent Buys</b> amended the motion to remove E-121 and have it move forward to public hearing. <b>John Chelminiak</b> seconded this amended motion. <b>Eric</b> pointed out the RCW only exempts the personal wireless service facilities from the envelope provisions of the code. It does not exempt them from the other provisions of the code. He then asked if the Council has the ability to exempt a type of building or is that an item for the legislative body. He recommends continuing with the denial of this proposal. Vote on the amended motion to move that E-121 be moved forward to public hearing rather than disapproval. Motion failed.</p> <p>Original motion vote to accept the recommendations of the MVE Committee for items on Pages 8 and 9 of the report. Motion carried.</p>
7. Interpretation—City of Seattle: CO Alarms	<b>Joanne McCaughan</b> reported on this interpretation regarding CO alarms. The question refers to the language in the code regarding exemptions and whether dwellings not undergoing work requiring a permit need a CO alarm. The permit issue doesn't apply here. The deadline for installation of CO alarms stands, because it is a statutory deadline. <b>Duane Jonlin</b> clarified that owners of existing rentals must get CO alarms installed by the January 2013 by state law. <b>Joanne</b> agreed.
Public Testimony	<b>Joe Puckett</b> with Washington Multi-family Housing Association and rental property owners. He sat on the CO TAG that met regarding this issue. He is confident it was not the TAG's recommendation to require CO alarms be installed by January 1, 2013. The intent was a compromise to delay the installation in rental properties until such time as the properties were remodeled and a

	<p>permit was required. <b>Joanne</b> stated the statutory law still requires the installation by January 1, 2013 and the TAG did not have control over this deadline.</p>
<b>Motion</b>	<p><b>Angie Homola</b> moved to approve the interpretation as provided. <b>Ron Fuller</b> seconded the motion. Motion carried.</p>
7. Staff Report	<p><b>Tim Nogler</b> reported staff is in the new location on the second floor of the DES building. The July 13 meeting of the Council will be at this building.</p> <p>There also is a meeting of the Economic Workgroup on July 10 in Renton. Council members <b>Tom Balbo</b> and <b>Dave DeWitte</b> have asked to be a part of this group. <b>Ray</b>, as chair of group, approves with this request.</p> <p>Staff will have a recommendation for the next meeting what the process will be for the legislative report due on the Energy Code.</p>
8. Other Business	<p><b>Ron Fuller</b> asked staff to report on the budget status.</p> <p><b>Angie Homola</b> would like staff to give a report on the status of the Green Building Code and the next steps to take.</p> <p><b>Eric Vander Mey</b> feels the Council needs to discuss the energy code since we are less than the suggested 14% reduction in energy consumption. <b>Ray</b> feels we have done what we can do and we can only hope to do better next time. <b>Tim</b> feels the Council has the opportunity to address the question through the adoption process this year and the report to the legislature for next session.</p> <p><b>Eric</b> also feels we need to create a document showing how Council is interpreting the RCW and that we agree on this interpretation regarding the energy code. <b>Tim</b> feels this would be a good thing to have in the rulemaking record. Staff would need the MVE Committee to help with this.</p>
<b>Motion</b>	<p><b>Eric Vander Mey</b> mad a motion that the MVE Committee work with staff to create a summary document on how the Council is interpreting RCW 19.27A in regards to residential and non-residential occupancies, the definition of cost effectiveness and any other provisions regarding the energy code. <b>Angie Homola</b> seconded the motion. Motion carried.</p>
9. Adjourn	<p>The meeting was adjourned at 4:45 p.m.</p>