

STATE OF OREGON
Department of Consumer and Business Services
Building Codes Division

TRI-COUNTY BUILDING INDUSTRY SERVICE BOARD

Regular Meeting Minutes
September 12, 2001

MEMBERS PRESENT:

Sue Blatner
Jim Chapman
Michael Cliburn
Terry Dieter
Jim Ferris
Jeffery Grunewald
Ray Kerridge
John Lape
Ronald Murray
Forrest Soth

MEMBERS ABSENT:

Judy Bauman
Rob Yorke

STAFF PRESENT:

Joanie Stevens-Schwenger, Tri-County Service Center
Manager and Board Secretary
Marion Peterson, Tri-County Board Coordinator/Recorder
Joe Brewer, Administrator – Building Codes Division

GUESTS PRESENT:

Kevin Brice, Washington County
David W Davies, City of West Linn
Clinton Hilman, City of Gresham

I. BOARD BUSINESS

I.A Call to Order

Vice Chairman Terry Dieter called the Tri-County Building Industry Service Board to order at 9:35 am. The meeting was held at the Multnomah Building, 15555 SE Hawthorne, Portland OR 97014

I.B Roll Call

Judy Bauman and Rob Yorke were excused.

I.C Elect Board Chair and Vice Chair

Mr. Dieter and Jeff Grunewald were nominated for chairman of the Tri-County Building Industry Service Board. Mr. Grunewald declined the nomination. Mr. Dieter accepted the nomination and was unanimously elected chairman of the Tri-County Building Industry Service Board.

Mr. Grunewald accepted the nomination for vice-chair and was unanimously elected vice chairman of the Tri-County Building Industry Service Board.

I.D Approval of Agenda and Order of Business

Chairman Dieter **RULED** the agenda approved as submitted.

I.E Approval of the June 13, 2001, Minutes

Chairman Dieter **RULED** the minutes approved as submitted.

I.F Next Regularly Scheduled Meeting

October 10, 2001 at 9:30 AM
Multnomah Building Board Room
501 SE Hawthorne
Portland, OR 97214

Forrest Soth will be absent.

II. PUBLIC COMMENT - Kevin Brice, Building Official, Washington County

Mr. Brice presented a proposal to the Tri-County Building Industry Service Board that it initiate a regional effort to facilitate the consistent application of the building code through a proactive public education campaign through the Tri-County Service Center. (**Exhibit "A"**) He noted a variety of outreach efforts that could be used to educate the public concerning the positive aspects of building codes, permits and inspections, including classes at building supply companies, brochures, newsletters, news releases and paid media. Ron Murray commended the proposal and pledged his support. Mike Cliburn suggested the board form a sub committee to look at methods of providing this

public information bringing back to the board a program for implementation. Joan Stevens-Schwenger advised the board that, according to rules governing public notice, it could not pass a motion to initiate the committee until the item was voted on as part of a regular board agenda.

MOTION by Mr. Cliburn for volunteers to contact Mr. Brice if they wish to serve on a proactive public education campaign committee and this item should be put on the October 10, 2001 board meeting agenda for further discussion and consideration.

MOTION APPROVED UNANIMOUSLY

Mr. Brice informed the board that an organizational and strategy meeting is set for October 3, 2001, from 9:00 to 11:00 AM in the Convention Plaza Conference Room 100, 123 NE 3rd Avenue, Portland, OR.

Agenda item III. E was heard out of order.

III. STAFF REPORTS

A. Legislative wrap-up report - Administrator Joe Brewer

Administrator Brewer reminded the board that budget is a factor in all programs, including such a worthy program as a pro-active public relations campaign, and that all programs must be managed within the context of our limited budget. Volunteerism is the most economical way to proceed in introducing new programs.

Administrator Brewer reviewed the House Bill wrap-up report in the board packet and distributed a timeline summary of committee meetings and the rule effective dates for the 2001 Legislative session. (**Exhibit "B"**)

B. Tri-County budget update - Joan Stevens-Schwenger

Ms. Stevens-Schwenger distributed a revised version of the Tri-County financial budget requested at the June 13th meeting. (**Exhibit "C"**) Tri-County revenue consists of permit sales, the one percent tri-county surcharge and interest. The Tri-County surcharge has come in lower than projected because of the market downturn. Currently the Center is operating with a positive balance of \$53,000. The projected balance at the end of the 2001-2003 biennium is \$33,000. Ray Kerridge inquired if the agency has made projections regarding the economy and if there will be an increase or decrease in the sale of the labels. Administrator Brewer replied that the budget for the division in general has been built around a very conservative projection for the economy. The state economist projects eight per cent growth over the next 10 years for construction. The division has put in place a management action plan which includes a process for holding certain vacant positions open, and have cut back a management position, a temporary and limited duration positions. Administrator Brewer also pointed out that the original senate bill for Tri-County Service Center included a 1.5% surcharge, that bill was amended, reduced to one percent and it appears that the original estimate was accurate in terms of cost. The

Tri-County Board has the authority charge fees and can adjust the fee structure as it sees fit.

Mr. Lape observed that in the forecast biennium 01-03 column the beginning balance is \$53,000, which is the ending balance of the current biennium. The 01-03 biennium will then operate at a \$20,000 loss, as the forecast ending balance is \$33,000. The revenue for the Tri-County Service Center is calculated by \$50 per lot of labels sold.

Administrator Brewer informed the board that the division is addressing new revenue streams as well as managing the expense side of the budget. After receiving a letter from the Oregon Building Officials Association, the division has asked Joan Stevens-Schwenger to begin developing a statewide minor label program that will generate additional revenue. Joan Stevens-Schwenger noted that the center intended to increase marketing efforts to sell more minor labels citing the Tri-County newsletters as vehicles for program promotion. The projected Professional Technical 2 Tri-County staff position will be held vacant until there is a change in the economy or an additional revenue source. The division has increased its support from the technical standpoint by handling more questions from the jurisdictions. Presently there are four positions filled in the Tri-County Service Center: Manager, Joan Stevens-Schwenger; Board Coordinator, Marion Peterson; Permit Technician, Sheri Silva and Training Coordinator, Bob Brown.

Chairman Dieter suggested the board consider a Tri-County budget report and discussion on a quarterly basis.

MOTION by Mr. Soth to direct staff to provide a quarterly update of the budget and budget projection to be scheduled on the board meeting agenda quarterly.

MOTION APPROVED UNANIMOUSLY

C. Statewide minor label committee activity – Joan Stevens-Schwenger

An advisory committee with building official membership from Corvallis, Salem, Bend, Medford, and Springfield and representation from NECA and PHCC has been meeting to begin developing a statewide minor label program. The committee has discussed a number of items and is ready to put together rules to create the program designed to function alongside the Tri-County program. The objective is for both the Tri-County program and the statewide program to eventually merge into one program. NECA, PHCC and the Building Officials are in full support of this statewide minor label program. Tri-County Service Center will administer the new program without adding staff at the beginning. As the program grows and revenue is available the center would hire personnel, perhaps even temporary personnel, for data entry as necessary. The projected implementation date is April 2002.

D. Code consistency committee report – Ron Murray

There have been three Tri-County Code Consistency Forums – Plumbing, Mechanical and Building and the feedback from contractors and panel members has been very positive.

E. Discussion of Contractor Sales Certification - Mike Cliburn

Discussed out of order, immediately after Agenda Item II.

Mr. Cliburn presented an article from the International Conference of Building Official's publication that introduces the concept of certifying building materials suppliers and sales people who work at the wholesale/retail levels selling building materials to contractor and other customers. The rationale behind the new certification is that knowledgeable salespeople are better able to provide information and solutions to contractors and homeowners seeking advice on code requirements. This concept re-enforces the proposal presented by Kevin Brice.

IV. COMMUNICATIONS

A. Tri-County Service Center Publications: News Splash, News Connect and News Line. The Newsletter will be distributed to the jurisdictions and industry three to four weeks before each code forum.

B. Note of thanks from Marilyn Benton. Marilyn Benton has been the divisions board coordinator and is very ill with cancer. Recognition of the efforts of BCD staff in supporting the state boards and task groups was presented at the Oregon Building Officials annual meeting and in turn BCD presented the recognition to Marilyn Benton.

C. Letter of resignation from Lisa Naito as Tri-County Building Industry Service Board's chair. A recognition ceremony and plaque presentation will be scheduled in the November Board meeting. The placeholder is a county commissioner board position and Joan Stevens-Schwenger and Administrator Brewer have contacted prospective members but have not yet received an application.

D. Daily Journal of Commerce articles: June 12, June 15 and June 18. DJC has agreed to promote all code forums and to print code forum results.

V. UNFINISHED BUSINESS - None

VI. NEW BUSINESS

A. Designation of alternates for committee meetings – John Lape

Mr. Lape pointed out that several of the Tri-County Industry Service Board Committees have struggled with attendance problems this summer leaving committees without quorums when the committee needs to accomplish critical work. He requested the board to approve a motion to allow committee members to designate alternates. Discussion followed and concern was expressed concerning keeping continuity in the committee thought-process if alternates who were not familiar with the committee's position began to give their views. It was concluded that an alternate would have to be thoroughly briefed before representing a committee member and the chair of the committee must be informed ahead of time when an alternate is going to serve on the committee. John Lape also proposed that no more than two alternates may attend any meeting.

MOTION by Mr. Lape to allow each committee member to designate one alternate to enjoy the rights and responsibilities of committee members, including, but not limited to attendance at meetings, voting on motions and taking on assignments. No more than two alternate or proxy persons may be counted to reach a quorum.

MOTION APPROVED

B. Approve draft rules expanding the minor label program to include commercial plumbing for public hearing – Forrest Soth

As the result of the success of the minor label program, the Tri-County building officials have requested that the division expand the current minor label program to include commercial plumbing installations. Since the minor label has already been extended to commercial electrical installations, adding commercial plumbing installations will provide continuity for the contractors in the minor label program.

MOTION by Mr. Soth to approve the draft rule for expanding the minor label program to include commercial plumbing setting the time for public hearing on November 20, 2001.

MOTIONED APPROVED UNANAMOUSLY

A. Approve minor label policy changes – Forrest Soth

There have been some language modifications needed to clarify the minor label policy approved by the board last year. The modifications proposed are for housekeeping purposes. They include clearer language and the removal of duplicate phrases.

MOTION by Mr. Soth to accept minor label policy language clarifications.

MOTION APPROVED UNANAMOUSLY

C. Approve draft rules defining fee methodologies for residential sprinklers and medical gas for public hearing – Mike Cliburn

Mr. Cliburn requested that the board approve draft rules for public hearing concerning residential fire sprinkler systems and medical gas. Both of these items have been added to

the Oregon State Plumbing Code and uniform methodology needs to be developed for calculating fees in the Tri-County area. For the residential fire sprinkler systems the recommendation is that jurisdictions charge a flat rate based on the square footage of the home. Plan review fees are also included in the costs. The recommended fee methodology for the medical gas fee methodology is to base it on an evaluation of the system with the plan review fee based on that evaluation. After discussion the board revised the wording of the title of the Proposed Fee Methodology Rules for the fire suppression systems to read:

918-050-0140 One- and Two-Family Residential Fire Suppression System
and to remove for new construction from the first line of the draft language.

Vice Chairman Grunewald expressed concern that the minimum application process and procedure for a plan review is not standardized throughout the Tri-County jurisdictions. Ray Kerridge suggested the board ask the process and forms committee to look at this and report back to the board.

MOTION by Mr. Cliburn to forward the language as modified by the board for the proposed fire suppression systems fee methodology and medical gas systems fee methodology to the hearing officer for public hearing.

MOTION APPROVED UNANAMOUSLY

MOTION by Mr. Cliburn for the board to direct the process and forms committee to draft a standardized plan review submittal list for multi purpose residential fire suppression systems and if necessary for "stand alone" fire suppression systems in one and two family residential units.

MOTION APPROVED UNANAMOUSLY

Mr. Murray announced a Summit in November with the Oregon Fire Service, the Oregon State Fire Marshall's office and the Oregon Fire Directors Association. On the first day of the Summit a class will be presented for inspectors.

D. Approve phased permitting process and matrix for use by Tri-County jurisdictions - Clint Hilman

Mr. Hilman reported that the proposed Phased Permitting Matrix has been approved unanimously by the committee. The phased permitting process, which calls for a pre-submittal meeting and enhanced communication among plans reviewers, permit staffs, inspectors, architects and builders, allows for the project to be built in phases agreed to by all parties. The committee recommends the board approve the phased permitting process and matrix. The proposed date for adoption is April 2002. A process for deferred submittals had been completed and will possibly be submitted to the board for approval at the October board meeting.

Mr. Kerridge understood that language stating that "the seven areas of phased permitting are not all-inclusive" would be included in the cover page statements. Since every

project is different, Ray Kerridge requested wording to say "*shall include but not be limited to.*" Clint Hilman explained that deferred submittal process, which is soon to be approved by the committee, would provide the flexibility that Ray Kerridge is referring to. Kevin Brice said that any item under the seven defined phases could be phased/deferred when agreed upon by the builder and the local building official. Mike Cliburn suggested that since there is no deadline for the approval of this item, the matter could be sent back to the committee for further discussion.

MOTION by Mr. Soth for the board to refer the Phased Permitting Process and Matrix back to the process and forms committee, and to report to the board at its October 10, 2001 meeting.

MOTION APPROVED UNANAMOUSLY

Mr. Hilman asked to bring up an item of concern and noted that several committee members have not attended committee meetings for several months. Clint Hilman asked if there is a procedure to remove members after several unexcused absences.

The board asked Marion Peterson to research the rules and give a report at the October 10, 2001 board meeting. The board also asked Joan Stevens-Schwenger to compose a letter to be sent to the absentee committee members, noting the rules and asking them if they wish to continue serving on the committee. Committee members are selected from volunteers and others. The Tri-County Service Center and the BCD administration work with the board chair to select members.

VII. ANNOUNCEMENTS

- A. **October 4** One-and Two-Family Structural Code Forum, Local 290, 20210 SW Teton, Tualatin.
- B. **October 25** Plumbing Code Forum, Sunnybrook Service Center, 9101 SE Sunnybrook Blvd, Clackamas
- C. **November 15** Electrical Code Forum, Gresham City Hall, 1333 NW Eastman Parkway, Gresham
- D. **November 29** Mechanical Code Forum, Multnomah Building, 501 SE Hawthorne Blvd, Portland
All code forums take place from 4-7 p.m.
- E. **September 28** Fee Methodology Rule Advisory Committee, Sunnybrook Service Center, 9101 SE Sunnybrook Blvd, Clackamas – 9:00 a.m. – 12:00 noon
- F. **October 2** Process and Forms Committee, Tri-County Service Center, Suite 440, 123 NE 3rd Ave., Portland – 1:30 – 4:30 p.m.
- G. **October 3** Regional Code Consistency Outreach, Convention Plaza Conference Room 100, 123 NE 3rd Ave., Portland – 9:00 a.m. – 12:00 noon

VIII. ADJOURNMENT

Chair Dieter adjourned the meeting at 11:38 a.m.

Marion Peterson
Boards Coordinator/Recorder

Exhibits:

- A. Building Program Compliance (Agenda II.)
- B. Summary of Committee Meetings, 2001 Legislative Session Rulemaking (Agenda III.A)
- C. Tri-County Financial Status as of August 26, 2001 (Agenda III.B)