

This is a Draft

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

TRI-COUNTY BUILDING INDUSTRY SERVICE BOARD

Regular Meeting Minutes

April 10, 2002

MEMBERS PRESENT: Terry Dieter, Intel Corporation, Chair
Sue Blatner, Familian Northwest
Jim Chapman, Legend Homes Corporation
Michael Cliburn, Clackamas County
Jim Ferris, Red's Electrical Inc.
Jeffery Grunewald, Tualatin Valley Fire and Rescue
Ray Kerridge, City of Portland
John Lape, John Lape Architects
John Leeper, Washington County
Ronald Murray, Local 290, Plumbers & Steamfitters
Forrest Soth, City of Beaverton
Rob Yorke, Yorke and Curtis Inc.

MEMBERS ABSENT: Judy Bauman, Link Corporation (*not excused*)

STAFF PRESENT: Joanie Stevens-Schwenger, Tri-County Service Center
Manager and Board Secretary
Sherry Burley, Recorder

GUESTS PRESENT: Joe Brewer, Building Code Division
Kevin Brice, Washington County
Jim Muir, Washington County
Dave Davies, West Linn
Brian Krieg, PacWest

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I. BOARD BUSINESS

A. Call to Order

Chairman Terry Dieter called the Tri-County Building Industry Service Board to order at 9:30a.m. The meeting was held at the Multnomah County Board Room, 501 SE Hawthorne Blvd., Portland. OR.

B. Roll Call

Judy Bauman, absent

C. Approval of Agenda and Order of Business

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

D. Approval of the February 13, Minutes

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

E. Next Regularly Scheduled Meeting

June 12

Multnomah County Board Room
501 SE Hawthorne Blvd
Portland, OR

Special Board Meeting and Workshop: May 8

Discussion of the delivery of building department services in the future.

NECA
601 NE Everett
Portland, OR

II. PUBLIC COMMENT - None

III. STAFF REPORTS

A. Public Outreach Committee Update - Kevin Brice

Mr. Brice reminded the board that the goal of the public outreach committee was to increase public awareness of the safety and economic benefits of building to the code. The committee has completed work on its message, "permits protect the safety and value of your home," in a document called a pitch page (*Exhibit III A*), that can be used as brochure or newsletter text by jurisdictions or industry associations or companies.

Committee members have used the page in presentations to the Homebuilders and the Oregon Remodeling Association. An exciting project led by PacWest, a public relations agency, on behalf of NECA, Local 290, PMCA, the Construction Contractors Board and the parent agency of the Building Codes Division, the Department of Consumer and Business Services, is the creation of a public service announcement campaign using the message crafted by the committee.

A subcommittee is working on developing a symbol that can be used on brochures and other related publications that will readily communicate the concept of “permits protect.” The subcommittee is examining the possibility of creating standard texts and artwork for a number of brochures, such as “When Do I Need a Permit,” that can be used by all jurisdictions and industry or other organizations. The committee is also beginning to prepare for home shows in October 2002. A subcommittee of inspectors and building officials has discussed creating an interactive booth.

Update on Public Service Announcement Campaign - Brian Krieg (taken out of order after the workshop discussion)

Mr. Krieg described the genesis of the project, and his agency’s work with the constituent groups mentioned in Mr. Brice’s presentation. He has sent an RFP to three television stations and one cable network. All responded and his company is currently evaluating the most attractive offers. The base budget for the project is \$50,000, and PacWest is still looking for a sponsor to fund a portion of the campaign. The PSA will run about 30 seconds, with the last 10 seconds devoted to sponsors. The targeted timeframe is May - August 2002. Mr. Krieg is working on a plan to use the time in the best way possible and is using the message created by the public outreach committee. He noted that he would use a parallel message in other PSA messages for NECA/IBEW, and that he is working on a number of other angles to further the message, including news stories, spots with “Mr. Fixit” shows featuring a contractor and an inspector, and a booth at the Trail Blazer games to round out campaign.

B. Update on the May 8 Board Workshop - Terry Dieter

Chairman Dieter reported on the planning meeting held April 1, 2002 that included Mr. Dieter, Mike Cliburn, Mr. Brice, Ray Kerridge, and Joan Stevens-Schwenger. The planning group concluded that careful structure and planning would be necessary to make the session effective. The group suggests beginning with a survey of key stakeholders to determine what is currently working in the region and what they would like to see occur in the future. Assembling this information could take several months. The planning group recommends resetting the workshop date to September.

The board considered the pros and cons of conducting research and formally structuring the workshop session. Some felt that the topic was so sensitive that a structure and a process would be necessary to accommodate the comments and input from stakeholders.

John Lape noted that the intent of his motion at the February 13 board meeting was to have an informal discussion, not a formal dialog. Sue Blatner noted that this workshop was originally discussed as an open discussion in which one can hear all sides of the issue and suggested that the workshop was a good starting point, and that the board should return to the original concept. This viewpoint prevailed in the discussion.

Mr. Cliburn also noted that the board has accomplished a good working relationship among the board members, and industry and local governments and would not want to jeopardize ongoing positive relationships. He said that building officials were in favor of the discussion about the delivery of services in the future, and thought the survey would be a good tool to evaluate input. Mr. Chapman advised that the board begin the discussion with what it wants in the future, and not begin the discussion with a solution.

Board members agreed that the board workshop should be a brainstorming, not a planning session, and concluded the discussion with a restatement of its original motion with a meeting date of May 8, 2002.

MOTION by Jim Ferris to schedule a special workshop on May 8, 2002 for the board to openly discuss the delivery of building department services in the future.

MOTION APPROVED UNANIMOUSLY.

Ms. Stevens-Schwenger will confer with the planning group on a general format for the meeting.

C. Processes and Forms Committee Update - Jim Muir

The committee is currently working on two issues: an update of the permit application forms, and a process for issuing over-the-counter permits for projects requiring plan review.

A task force has met three times to assess the current forms and make recommendations to the committee. The Tri-County building officials are meeting soon to review the forms and to make recommendations. The full committee will review the full range of comments and make recommendations to the board before August 1.

Discussions about the over-the-counter process have focused on the timeframe involved in such a review, and criteria that would qualify a project for the process. The committee has agreed to set a minimum number of hours per week during which a jurisdiction must offer this service, and to criteria that may exclude a project from the process. The committee is, however, not ready to make a recommendation to the board.

D. BCD Update - Joe Brewer

Mr. Brewer commended the board, the public outreach committee and industry for their efforts to communicate the benefits of permits.

Legislation: The division is preparing for the legislative session. Its legislative agenda is very simple and narrow and focuses on two proposals. One proposal is to ask the legislature for the authority to revoke the licenses of contractors for repeated violations of CCB requirements. CCB can currently revoke the CCB licenses of contractors who repeatedly violate building code requirements. Such legislation would strengthen BCD's relationship to CCB and address egregious violators.

The other proposal involves the raising of plumbing licensing fees. Pending discussions with industry, the division views this proposal as an opportunity to make the plumbing program, which has recently suffered severe budget cuts, become and remain solvent. The plumber contractor fee, for example, has not been increased since 1981. Since then, based on the Consumer Price Index in the Portland area, costs have increased 113 percent. Industry reactions about a license increase have been mixed. The division will not forward the bill without industry support.

Other legislation: Mr. Brewer noted that the statewide minor label program is currently stalled before the E-Board. If passage is not successful this week, industry and local government are interested in forwarding the development of the program as a legislative initiative. Specialty contractors are interested in developing a “start-up” permit, to allow contractors to start work immediately. Jim Ferris noted that the electrical program already has such a program. Mr. Brewer agreed and said this was the system that industry is discussing expanding. Industry is also looking at proposals to increase compliance capacity, and to create the regionalization of building codes administration through a process similar to Tri-County but without a board and service center.

Streamlining the Permit Process: Mr. Brewer stated that he is currently meeting with representatives of several state agencies to discuss the economic development benefits of streamlining the permit process. He is also working with the National Conference on Building Codes and Standards and Intel to explore the benefits of a process such as the “Smart Permits” process that is in place in the Silicon Valley. Mr. Brewer expressed his belief that on-line permitting and plan review is the future of building codes administration in Oregon in the not too distant future.

The Future of Building Code Administration: Mr. Brewer expressed his vision that contractors would be able to contact one entity and receive permits immediately, and have a team assigned immediately to ensure the safe building of the project. He believes the relationship between contractor and building department is cooperative, not adversarial, and that if the system is easy to access, compliance will increase, buildings will be built safely, and contractors will see government as partners and not regulators.

Several board members noted that other departments involved in permitting, for example planning, could severely slow the process. Mr. Lape suggested that some day these issues must be addressed. Mr. Kerridge thanked Mr. Brewer and Ms. Stevens-Schwenger for meeting with the Portland building department managers to discuss Tri-County processes and characterized the meeting as very productive.

E. Tri-County Update - Joan Stevens-Schwenger

Ms Stevens-Schwenger said that there was an opening on the board for a public member and encouraged the board to reflect on possible candidates for the position.

Code forums: Ms. Stevens-Schwenger reported that attendance at the code forums was improving. The office is improving methods of contacting contractors, that include e-mail, placement of articles in association newsletters and presentations to associations. Mr. Chapman commented that the last one-and two family code forums was “awesome” and stated that he thought the program was very valuable.

Minor label program status: Revenues over the last five months are ahead of projections (*Exhibit III E 2*). The program is popular with customers and the office projects that it will continue to grow.

Quarterly update on inspections performed: (*Exhibit III E 3*) The numbers show that roughly 40 percent of the inspections sent to jurisdictions are recycled “no contacts.” Currently 10 percent of a contractor’s work is being inspected, but often the center has to send out several inspection requests per sheet of labels in order for the jurisdiction to actually make contact with a homeowner.

Tri-County budget: (*Exhibit III E 4*) Projections for the 2001-03 biennium currently show the Tri-County Service Center’s budget at and ending balance of approximately \$176,000. The permit revenue does not take the statewide minor label program into consideration because it is not know when the Service Center will assume it. Expenditures include a full biennium of staffing and of the publications program, which together account for a higher number than the previous biennium during which the office was open for the second half of the biennium. Mr. Brewer commented that few businesses end up in the black after the first year and said that the Board and Center should be applauded for such a successful beginning. Mr. Lape noted a discrepancy between the budget report of December 2001 and this report. Ms. Stevens-Schwenger explained the discrepancy is due to a one-time accounting adjustment and to the accounting practices of the agency. Some revenue ends in a suspense fund and the final balancing of the budget does not occur until well into the next budget cycle.

Mr. Kerridge asked if the Center was providing the service of providing trust accounts for contractors. Ms. Stevens-Schwenger replied that Center provides the service and that at least 10 contractors have opened such accounts.

Open board coordinator position: The Center is interviewing candidates this week and should have a new person hired by May 1.

IV. COMMUNICATIONS

Tri-County Service Center publications: *News Connect, News Site and News Line.* Ms. Stevens-Schwenger said that if contacted with enough notice, announcements of interest to contractors would be published in the code forum news publications and encouraged board members to contact her if they wished to place a message in a newsletter.

V. UNFINISHED BUSINESS

Approve Hearing Officer's report concerning OAR 918-050-0160, Tri-County Phased Project Fee Methodology

Chairman Dieter summarized the report, noting that no public comments were made.

MOTION by Forrest Soth to adopt the rule with an effective date of July 1, 2002.

MOTION APPROVED UNANIMOUSLY.

VI. NEW BUSINESS - None

VII. ANNOUNCEMENTS

1. Committee Meetings;

- a. **Public Outreach**
May 1, 9 a.m.-12 noon
Tri-County Service Center

- b. **Processes and Forms**
May 23, 1:30-4:30
Tri-County Service Center

2. Tri-County Code Forums

- a. April 25, 2002
Plumbing Code Forum
4-7 p.m.
Sunnybrook Service Center
9101 SE Sunnybrook Blvd.
Clackamas, OR

- b. May 9, 2002
Electrical Code Forum
4-7 p.m.
Oregon State Office Building, Room 120C
Portland, OR

- c. May 30, 2002
Mechanical Code Forum
4-7 p.m.
Multnomah County Board Room
501 SE Hawthorne Blvd
Portland, OR

VIII. ADJOURNMENT

Chairman Dieter adjourned the meeting at 12 noon.

Joan Stevens-Schwenger
Board Secretary

Exhibits:

- A. Public Outreach Committee Update (Agenda Item III A.)
- B. ORS 455.840 (Agenda Item III E.)
- C. Tri-County Purchase Report for Minor Labels (Agenda Item III E.)
- D. Inspections Sent to Jurisdictions Report (Agenda Item III E.)
- E. Tri-County Service Center Budget Report (Agenda Item III E.)