

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

TRI-COUNTY BUILDING INDUSTRY SERVICE BOARD

Regular Meeting Minutes

June 11, 2003

MEMBERS PRESENT: Terry Dieter, Chair
Jim Chapman
Michael Cliburn
Jim Ferris
Jeffery Grunewald
Ray Kerridge (arrived at 9:40)
John Leeper
Linda Lindsten
Rob Yorke (left at 11:45)

MEMBERS ABSENT: Ronald Murray
Forrest Soth

STAFF PRESENT: Joanie Stevens-Schwenger, Tri-County Service Center
Manager and Board Secretary
Maureen Pointer, Tri-County Board Coordinator/Recorder
Mark Long, Administrator of Building Codes Division

GUESTS PRESENT: David Davies, City of West Linn

I BOARD BUSINESS

I.A Call to Order

Chairman Terry Dieter called the Tri-County Building Industry Service Board to order at 9:35 a.m. The meeting was held at NECA, 601 NE Everett, Portland, OR.

I.B Roll Call

Ronald Murray, excused.
Forrest Soth, excused.

I.C Approval of Agenda and Order of Business

MOTION by Jim Ferris to approve the agenda.

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

I.D Approval of the April 9, 2003, Minutes

MOTION by Jim Chapman to approve the minutes.

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

I.E Next Regularly Scheduled Meeting

September 10, 2003

9:30 a.m.

NECA, 601 NE Everett, Portland, OR

Ray Kerridge arrived at 9:40 a.m.

I.F. Recognition of Michael Cliburn's Outstanding Service to the Board.

BCD Administrator Mark Long recognized Mike Cliburn as one of the original members of the Tri-County Building Industries Service Board. He noted that Mr. Cliburn served on the Fee Methodology, Process and Forms, and Code Consistency committees in the building official community over the years. On behalf of the division and the governor, Mr. Long thanked Mr. Cliburn for his participation on the board and committees and presented him with a plaque and certificate of appreciation. Mr. Cliburn commented that serving on the board had been enjoyable and that the board had made more strides toward cooperation, consistency and collaboration in the last 3 years than he's seen in the previous 15 years. He thanked the board members for their cooperation and also the building officials for their leadership. Chairman Dieter added his thanks for the tremendous job that Mr. Cliburn had done, noting his commitment and leadership. Joanie Stevens-Schwenger also thanked Mr. Cliburn and commented that his participation was appreciated by all.

II PUBLIC COMMENT

None

III STAFF REPORTS

A BCD Update.

Mr. Long gave an update on division direction and priorities, the legislative session, and streamlining initiatives.

B Legislative Update.

Mr. Long distributed handout (Exhibit A), Administrator's Compendium Report, outlining bills the division is tracking. He noted that there were originally 93 priority one and two bills. To date, fifteen have passed with four still pending. Mr. Long gave a quick overview and answered questions on House Bills 2439, 2447, 2564, 2627, 3063, 3163, 3172, and 3460. He explained that HB 3460 would establish a residential structures board, sunset the tri-county board, reduce the structures board from fifteen members to nine, create a mechanical board, and clarify the one- and two-family dwelling code

adoption process. He noted the trades and contracting groups were very interested in this bill. Mr. Long explained the legislative timeline for sunseting the board, noting the board could sunset 30 days after signing but no later than January 1, 2004. Chairman Dieter questioned if there was a process to communicate the sunseting of the board and the Tri-County Service Center to the community. Mr. Long clarified that only the board would sunset, with the service center to stay in operation and provide the same services that it does currently. Mr. Long will e-mail the board with notification and a transition plan through Ms. Stevens-Schwenger.

Mr. Long briefly noted House Bills 5011, 5059 and Senate Bills 0198, 0343, 0412, 0468, 0822, 0824, and 0831, and said that SB 0198, would allow the Division to take compliance actions based on findings from the CCB. He added that this bill compliments one from last session, which allows CCB to take action on BCD's cases.

Mr. Long discussed industry's regulatory streamlining initiative and distributed (Exhibit B), Construction Streamlining Initiative. He commented that SB 711-715 and HB 2717 and 2564 had all moved out of committee and had either been signed or were awaiting the governor's signature. Mr. Long answered questions, noting that SB 711-715 was a package of bills that BCD had proposed for streamlining how Building Codes will be regulated in the future.

SB 711 –Plan Review and Code Requirements: This is the most controversial bill in the package. It would allow architects and engineers to approve light-frame conventional construction plan review and would limit electrical and plumbing plan review by establishing statewide minimums. Concerns included potential conflict between inspectors and plans review and the importance of life safety issues. Mr. Long agreed the state would need to provide direction and instruction to everyone including local governments, allowing issues to be raised on approved plans only when there was a life-safety issue.

SB 713 E-Government: Mr. Long distributed (Exhibit C), Oregon's Efforts to Develop Electronic-Government One Stop Permitting System. This bill calls for BCD to develop a plan that would allow for application, payment, and approval of permits online, beginning with over-the-counter permits. Tri-County would be used as a pilot program to study the possibility of going statewide. The division is seeking federal funding and national attention to support this program. This bill would allow a contractor or owner to go through a single Internet portal to connect to building departments. It would not require jurisdictions to upgrade their systems but would interface with jurisdictions' systems. Mr. Long thanked the board, Tri-County Service Center, and the building official community for the work done on the board's "Building Departments of the Future" report and discussions. He said he was using the information in the report as background for all regulatory streamlining bills

SB 714 – Statewide Alternative Inspection Program: This would allow a variety of statewide minor label programs with fewer limitations and would also allow new special or alternative inspection programs.

SB 715 –Rapid Approval for Critical Construction Projects: This would allow rapid approval for critical construction projects for owners. It would cover certified industrial sites, industrial projects over 100 thousand square feet, or anything the Director of Economic and Community Development deems essential. This bill addresses only the building codes side, not land use. Mr. Long noted there was a task force to study land use issues.

HB 2717 – Industrial Electrical Equipment: This would exempt industrial electrical equipment from additional certification. An installation of the equipment would still require a permit and inspection but the unit would not unless there was obvious life safety issues.

SB 710 – Regional Code Administration: This bill had passed out of committee and was in Ways and Means. The division is asking for approval of an additional 1 % surcharge like Tri-County's, for the rest of the state. The purpose of the bill is to provide regional code interpretation, enforcement, and local government oversight through the Building Codes Division. Like HB 3460, SB 710 has a provision to sunset the Tri-County board. Chairman Dieter offered the board's services to Mr. Long to aid with the legislative process. Mr. Long commented that continuing the combined efforts of the service center and the board, or individuals if the board sunsets, would be important in promoting the e-government/e-permitting concept. In addition, if SB 710 does pass BCD would need help in creating a regional approach to enforcement.

C Public Outreach Committee

Ms. Stevens-Schwenger gave a brief update noting that the committee had just met and was continuing its Permits Protect outreach efforts. Current efforts include establishing an ongoing partnership with the Home Builders Association to provide a Master Builder/Permits Protect display at the Street of New Beginnings and the Street of Dreams, staffing a "Permits Protect" booth at the upcoming Home Improvement and Home and Garden Shows in October, and a radio campaign that promotes the use of permits and licensed contractors. The committee hopes to secure 10 sponsors at \$500 each, with HBA and OBOA being the first to sponsor.

IV COMMUNICATIONS

A Chairman Dieter's correspondence with Mark Long, transferring "The Delivery of Building Services in the Future: a Three-part Board Workshop" report.

Mr. Long thanked the board for its efforts in putting together the summary report, commenting that the board had been a catalyst for what the state needs to provide to the legislature. Mr. Long stated he intends to use the report as the beginning stage of a

document the state will be presenting to the legislature. John Leeper gave kudos to Ms. Stevens-Schwenger for her hard work in making the final summary what it is. Mr. Long asked about the board's discussion process; what did or did not work well. Members commented that fear of change was the biggest hurdle to overcome. Mr. Long also inquired how the committee achieved a safe environment. Members responded that they first set ground rules that included stepping back and thinking from an outside perspective, not thinking about personal position/turf and with no preconceived ideas. Mr. Kerridge stressed the importance of selecting creative people to work on the committee to form this process. Chairman Dieter offered the board's services to Mr. Long as this process goes further.

B-F –Quarterly Newsletters

Ms. Stevens-Schwenger reported that the code forum schedule had been changed, with all the forums held during one month per quarter. She also noted that the commercial structural code forum was being slightly revamped as the Tri-County office has been marketing the architect community. She thanked John Lape for providing an e-mail list of architects in the area.

G Oregonian article, May 1, 2003: “Permits are Your Friends.”

Ms. Stevens-Schwenger spoke briefly on Permits Protect and the article in the Oregonian's Home and Gardens section. She noted the main message being conveyed was to secure a permit when doing any type of residential work. Ms. Stevens-Schwenger commented the service center would be doing other Q's and A's and short news releases in local industry/trade newsletters and magazines, focusing on the homeowner audience.

V. UNFINISHED BUSINESS

Discuss fire service availability in new construction.

Jeff Grunewald, representing Tualatin Valley Fire and Rescue, provided background information about fire service availability in new construction, noting that Washington County sends a form out to different agencies inquiring if service can be provided to the area at the planning stage of development. Mr. Grunewald and TVFR is requesting the form be available to all jurisdictions, noting there are 13 governmental jurisdictions within TVFR. In addition they would like to see the form modified to allow for more information regarding fire service availability than just yes or no. Mr. Grunewald commented that TVFR does provide service, but many times the ability to provide that service is hampered due to traffic congestion, noting it becomes increasingly more difficult to service when new development and additional cars enter the equation.

(Rob Yorke left at 11:15)

Mike Cliburn commented on land use issues versus building code issues and also on areas where building codes lack uniformity within the tri-county region, noting that the tri-county board has the authority to address only the building code issues. He also noted the difficulty in dealing with life safety when the issues are the ability to provide, versus the need to provide the services, and that homeowners should be aware of these issues.

With the facts given, Mr. Long concluded that fire service availability was not a building codes issue and the board had no authority to address it. The majority of the board agreed with Mr. Long. John Leeper commented he felt the board could do something if the board did not specifically prohibit the issue. Additional discussion included a comment from Dave Davies that building officials had met with TVFR and had agreed to take the form to planning departments for the development side to see if it could be integrated into their process. There was some concern regarding the enforcement of county requirements versus public entity requirements, making it a very complicated issue. Mr. Grunewald reported some of the fire service availability issues might be resolved with a mini/maxi fire code being looked into by a committee from the governor's fire service policy advisory committee. Mr. Leeper offered to confer with Mr. Grunewald about Washington County working with TVFR on the issue. Mr. Cliburn noted that in Clackamas County the local fire district is notified of and invited to design review for commercial buildings and pre-application conferences to discuss any concerns with applicants. One concern was that projects are being delayed due to the fire district not being at the jurisdiction's planning process. Mr. Grunewald commented that the TVFR only wants to be consulted and does not seek to gain authority in making final designs/decisions.

VI. NEW BUSINESS

None.

VII. ANNOUNCEMENTS

Tri-County Building Industry Service Board Vacancies:

- § Public Member
- § County Building Official
- § Architect

Code Forums:

One- and Two-Family Structural

September 3, 2003

Local 290

Meeting Hall

20210 SW Teton Ave

Tualatin

Plumbing

September 4, 2003

Sunnybrook Service Center

Clackamas Co. - Auditorium

9101 SE Sunnybrook Blvd

Clackamas

Electrical

September 11, 2003

PCC – Sylvania Campus

Room SS112

12000 SW 49th Ave

Portland

Mechanical Code Forum

September 17, 2003

Multnomah Building

Board Room 100

501 SE Hawthorne Blvd

Portland

Building Code Forum

September 18, 2003

Multnomah Building

Board Room 100

501 SE Hawthorne Blvd

Portland

VIII. ADJOURNMENT

Chairman Dieter adjourned the meeting noting that this may be the last Tri-County Industry Service Board meeting. He extended thanks to all for their outstanding work noting that it had been a privilege to chair the board. Mr. Long added that in three years the board's work included minor labels, forms, communication, outreach, and set direction, noting others are now trying to expand tri-county's accomplishments statewide.

Chairman Dieter adjourned the meeting at 11:40 a.m.

Maureen Pointer

Boards Coordinator/Recorder

Exhibits:

- A. Administrator's Compendium Report
- B. Construction Streamlining Initiative
- C. Oregon's Efforts to Develop Electronic-Government One Stop Permitting System