

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

TRI-COUNTY BUILDING INDUSTRY SERVICE BOARD

Regular Meeting Minutes

December 12, 2001

MEMBERS PRESENT: Terry Dieter, Chair
Sue Blatner
Jim Chapman
Michael Cliburn
Jeffery Grunewald
Ray Kerridge
John Lape
John Leeper
Forrest Soth
Rob Yorke

MEMBERS ABSENT: Judy Bauman
Jim Ferris *(excused)*
Ronald Murray *(excused)*

STAFF PRESENT: Joe Brewer, Administrator of the Building Codes Division
Joanie Stevens-Schwenger, Tri-County Service Center
Manager and Board Secretary
Patricia Doyle, Temporary Employee for Tri-County
Sherry Burley, Recorder, BCD

GUESTS PRESENT: Kevin Brice, Washington County

I. BOARD BUSINESS

A. Call to Order

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

B. Roll Call

Jim Ferris and Ronald Murray were absent (excused). Judy Bauman was also absent (unexcused).

C. Approval of Agenda and Order of Business

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

D. Approval of the October 10, 2001 minutes

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

E. Next Regularly Scheduled Meeting

February 13, 2002 @ 9:30 AM

Multnomah Building Board Room
501 SE Hawthorne Blvd.
Portland, Oregon 97214

F. Formal farewell to Lisa Naito – Joan Fraser, Deputy Administrator for Building Codes Division

Lisa Naito was unable to join the board meeting due to a previous commitment. Chairman said that she would attend the February 13, 2002, scheduled meeting for formal farewell.

G. Welcome New Member, Commissioner John Leeper

Chairman Terry Dieter welcomed Commissioner John Leeper to the board and asked for a brief history.

Commissioner John Leeper said that he was a retired citizen activist in Washington County when he applied for the commissioner's seat. His term ends December 31, 2002, and has put in for re-election.

II. PUBLIC COMMENT- None

III. STAFF REPORTS

A. BCD Update

Joe Brewer, Administrator of the Building Codes Division, said that the division is entering into rulemaking on approximately 15 significant bills that were passed this last legislative session. He encouraged the board members to request a copy of the rule-making schedule through staff and asked for participation when proposed rules may affect specific areas or jurisdictions that are of interest.

Administrator Brewer explained the acronyms for new board member John Leeper used in the discussion and in the agenda.

Administrator Brewer said that the rulemaking activities would proceed through mid-summer and said the essential element is participation by volunteers in that process.

Administrator Brewer also noted that the division is in the middle of a reduction in force. He explained, for the benefit of the new member, that the division is funded by separate activities: Structural, Mechanical, Plumbing, Manufactured Dwelling, Electrical, Boiler, Elevator and Tri-County. All the funds are maintained independently and are expected to have a positive balance. The concern at this point is with the Structural, Mechanical, Electrical and Plumbing funds that are falling short while expenses continue to increase. Overall, the division is looking at a 2.5 million dollar shortage for the end of this biennium. Possible elimination of 14 positions with the division was discussed. Through the hard work of employees and management to create new ways of saving money and bringing in revenue, those 14 positions were cut to 10. Administrator Brewer briefed the board on the lay-off process.

Chairman Dieter asked if there was a forecast on an economic improvement, and if that drives the need for additional funding. Administrator Brewer responded that the State Economist's forecast did not look good for the construction industry. The state economist is projecting as much as a 17 percent reduction in employment in construction through next year. New housing is remaining strong, which is a large part of what the division does.

Sue Blatner asked if plumbing permits were down for the year. Administrator Brewer said that plumbing permits were down, although they play a small role in revenue. Revenue comes from a number of areas in plumbing.

B. Tri-County budget update

Joanie Stevens-Schwenger, Manager of Tri-County Service Center, reviewed the Tri-County Service Center budget with the board. Copies of the 1999 - 2001 budget, and the forecasted budget 2001 - 2003 (**Exhibit "A"**) were distributed. Ms. Stevens-Schwenger also introduced the board to a handout that was distributed (**Exhibit "B"**) pertaining to a bar graph of the minor label sales. She explained that the minor labels have been marketed through newsletters to the industry, which has helped increase sales. The contractors have also discovered that the purchase of the labels is an easier way of conducting business.

Ray Kerridge commented on needing more time to review the handouts for an in-depth discussion on the budget, revenue, and the minor label program at the next scheduled board meeting. Mr. Kerridge also suggested placing the handouts in the board packet when possible so board members can be prepared.

Mr. Kerridge asked how many minor labels per jurisdiction were sold. Ms. Stevens-Schwenger said she would have a report for the next meeting, in addition to information concerning revenue and number of inspections per jurisdiction.

Kevin Brice, Building Official for Washington County, responded that building permits are down in his jurisdiction 20 percent compared to last year, although plumbing and electrical permits are up 30 percent.

Ray Kerridge asked that the board be kept up-to-date on the progress of the statewide minor label program.

C. Update on Public Outreach Committee – Kevin Brice

Kevin Brice, Chairman of the recently established Public Outreach Committee updated the board on (1) committee membership (2) the identified goal for the committee and (3) what the committee is currently doing.

Mr. Brice said that the committee members are Ron Murray and Sue Blatner who are also members of the board, Shelly Ashinfeltner who represents Home Builders Association, Guy Sperb, Building Official for Oregon City, Ann Colder representing the City of Portland.

The goal of the committee is to increase public awareness of the safety and economic benefits of building to the code.

Forrest Soth suggested the involvement of insurance agents and homeowners on how inspections affect their policy when the plumbing or electrical work is not performed to code. He added that insurance agencies have been known to deny a claim due to a home not being built to code. He believed that to be vital information for the public as well as potential homeowners.

Mr. Brice acknowledged his comments and said the committee was concerned about that very issue. They had been in contact with not only homeowners but also the insurance agencies, real estate agencies and mortgage companies to make that connection.

Chairman asked that the board be kept informed of the progress to establish the method of the message.

IV. COMMUNICATIONS

Ms. Stevens-Schwenger reported on Tri-County Service Center publications and articles of interest printed in publications of general circulation in Oregon and the Northwest.

A. Tri-County Service Center Publications: *News Flash* and *News Splash*, September-November, 2001.

Ms. Stevens-Schwenger said that these publications are used to alert all contractors in the area that a code forum is coming up and to publish questions and answers for guidelines for code consistency in the Tri-County region.

The promotion of the minor label program was also included in the publications that resulted in increased sales of plumbing labels.

B. *Daily Journal of Commerce* articles: October 2, 2002.

Ms. Stevens-Schwenger commented that the Tri-County Service Center is receiving regular media coverage from the *Daily Journal of Commerce*. She said that the article included in the board packet was dated October 2, 2001, not September 5, 2001, which was indicated on the agenda.

The DJC continues to announce all code forums. It reports key points from the forum meetings, providing continuity to its readers, which results in telephone calls from contractors with questions for upcoming code forums.

V. UNFINISHED BUSINESS

Approve hearing officers report on proposed rules regarding Tri-County fee methodology for medical gas and residential fire suppression systems, and the expansion of the Tri-County minor label program to include commercial plumbing.

Ms. Stevens-Schwenger reported that a public hearing was held on November 20, 2001, for three separate proposed rules: One to expand the minor label program to include commercial plumbing installations, and two for fee methodology for residential fire suppression systems.

The hearings officer recommends the board approve the rules as submitted to be effective January 1, 2002.

MOTION by Mike Cliburn that the board approve and adopt the hearings officer's report for the minor label rules and the fee methodology rules with adjusted effective implementation dates for the medical gas and the fire suppression systems fee methodologies. The implementation for medical gas and fire suppression systems fee methodologies should be July 1, 2002.

Mr. Cliburn added that the implementation of medical gas in the plumbing code was delayed by the state until April 1, 2002. Jurisdictions would not have their fees in place until July 1, 2002.

Mr. Cliburn agreed that the minor labels should go into effect January 1, 2002.

MOTION APPROVED UNANIMOUSLY

VI. NEW BUSINESS

A. Approve deferred submittal process and list for use by all Tri-County jurisdictions.

Kevin Brice presented to the board on behalf of Clint Hilman, Chairman of the forms and process committee, a standard process for deferred submittals. Mr. Brice added that this is the final phase, allowing building to continue without delays for elements that would normally be required for a commercial plan review.

MOTION by John Lape to approve recommended deferred submittal list and process with the modification that item (12) on the procedure form be two separate items: Item (12) Fire stopping, and new item (13) fire proofing.

AMENDED RECOMMENDATION APPROVED UNANIMOUSLY

Michael Cliburn voiced a concern about including a proposed effective date in the motion.

MOTION by Forrest Soth to reconsider previous motion.

MOTION APPROVED UNANIMOUSLY

MOTION by John Lape to approve recommended deferred submittal list and process with the modification that item (12) on the procedure form be two separate items: Item (12) Fire stopping, and new item (13) fire proofing with the proposed effective date of July 1, 2002.

MOTION APPROVED UNANIMOUSLY

B. Approve a process to settle plan review disputes.

Ms. Stevens-Schwenger explained that when the board adopted a process to resolve site-specific disputes in March 2001, it was expected that the problem-solving group would have the flexibility to find solutions that work for the contractor and the jurisdiction. That same process is being recommended to the board to approve in Tri-County to resolve issues relating to plan review.

MOTION by Michael Cliburn to approve adding the resolution of disputes relating to plan review to the types of disputes handled through the Tri-County dispute resolution process with an immediate effective date.

There was a brief discussion on how effective the dispute resolution related to plan review would be to the center. Ms. Stevens-Schwenger said that there had been 10 calls in the last month from contractors disputing calls made by inspectors. Having that process in place would give design individuals a neutral place to discuss their complaints. Having that access available has proved to be a success for the contractors. Some of those same dispute problems have come up in the code forums as questions, which have given the center an idea of the prevailing problems.

MOTION APPROVED UNANIMOUSLY

C. Approve phased permitting fee methodology rules for Public Hearing.

Michael Cliburn as chairman of the fee methodology committee recommended that the board approve the proposed phased permitting fee methodology rules for public hearing.

MOTION APPROVED UNANIMOUSLY TO APPROVE PROPOSED RULE FOR PUBLIC HEARING.

VII. ANNOUNCEMENTS

- A. December 17, 2001:** Building Code Forum, Home Builders Association, 1555 SW Bangy Road, Lake Oswego. 4-7 p.m.
- B. January 3, 2002:** One- and Two-Family Structural Code Forum, Local 290 Meeting Hall, 20210 SW Teton Avenue in Tualatin.
- C. January 8, 2002:** Forms and Processes Rule Advisory Committee, NECA
- D. February 7, 2002:** Electrical Code Forum, Gresham City Hall, 1333 NW Eastman Parkway in Gresham.
- E. February 28, 2008:** Mechanical Code Forum, Multnomah Building, Board Room, 501 SE Hawthorne Blvd in Portland.

VIII. ADJOURNMENT

Chairman Terry Dieter adjourned the meeting at 11:30 a.m.

Debi Barnes-Woods
Transcribed Minutes
Division Boards Coordinator/Recorder

Exhibits:

- A. 1999 - 2001 budget, and the forecasted budget 2001 – 2003 (Agenda Item III.B.)**
- B. Bar graph of minor label sales. (Agenda Item III.B.)**