

MINUTES  
BOARD OF BUILDING STANDARDS  
CONFERENCE MEETING & CERTIFICATION HEARING  
October 22, 2021

The Board of Building Standards Conference Meeting was called to order at 1:00 p.m., Friday, October 22, 2021 at 6606 Tussing Road, Reynoldsburg, Ohio, Chairman Timothy Galvin presiding.

Ms. Regina Hanshaw, Executive Secretary, called the roll and reported that the following Board members were present:

Gregory Barney, Industrialized Units  
Julienne Cromwell, Structural Engineer  
Joseph F. Denk, Jr., Mechanical Engineer  
Timothy P. Galvin, General Contractor, Chair  
John Johnson, Construction Materials  
Don Leach, Attorney  
Terry McCafferty, Public Member  
Christopher Miller, Renewable Energy  
John Pavlis, Homebuilder, Vice-Chair  
Jeff Samuelson, Architect  
Bailey Stanbery, Homebuilder  
Jeff Tyler, Architect  
Greg Warner, Fire Service

The following Board members were absent:

Paul Yankie, Energy Conservation

The following staff members were present:

Megan Foley, Certification Program Administrator  
Debbie Ohler, Staff Engineer  
Jay Richards, Assistant Architect Administrator  
Rob Johnson, Assistant Architect Administrator\  
Mike Regan, IU Plans Examiner  
Andrew Rowan, Assistant Attorney General

A quorum of the Board was present.

The following visitors were present:

Kris Klaus, OHBA

### **CONSIDERATION OF THE MINUTES**

Mr. Leach moved and Mr. John Johnson seconded to approve the minutes of the September 17, 2021 Certification Hearing and Conference Meeting.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

### **CERTIFICATION HEARING**

Chairman Galvin opened the hearing to hear testimony on the individuals and building departments appearing on the Final Certification Hearing Agenda in the Board's Meeting Packet at the Hearing tab. Ms. Foley informed the Board that the individuals and departments appear on the hearing agenda have been reviewed by the Certification Committee and determined to meet the requirements of certification. There being no testimony, Chairman Galvin closed the hearing.

## COMMITTEE REPORTS

### CR-1 Code Committee Report

Mr. Denk gave the committee's report included in the Board's Meeting packet at Tab CR-1:

The Code Committee met on October 21, 2021, with the following members present: Mr. Denk, Ms. Cromwell, Mr. Johnson, Mr. Miller, Mr. Pavlis, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, and Mr. Yankie. Board Chairman Galvin was also present.

The committee report is included in the October 22, 2021 Board Meeting Packet at tab CR-1 for the Board's consideration.

### Call to Order

The meeting was called to order by Mr. Denk at 1:05 P.M.

### Approval of Minutes

Mr. Samuelson made the motion to approve the minutes of the Code Committee meeting held on June 24<sup>th</sup>. Mr. Tyler seconded the motion. The motion passed unanimously.

Mr. Tyler made the motion to approve the minutes of the Code Committee meeting held on September 17<sup>th</sup>. Mr. Samuelson seconded the motion. The motion passed unanimously.

### Petitions

No items for consideration

### Recommendations of the Residential Construction Advisory Committee

No items for consideration

### Old Business

### New Business

- ASHRAE members and guest presenters, Ned Heminger of HAWA, Michael Myer of PNNL, and Len Sciarra of Farr Associates, provided a presentation to the committee, via MS Teams, titled Overview of Changes to ASHRAE 90.1-2019. The presenters answered questions from the committee relating to modelling, cost effectiveness, rebates/incentives, equipment efficiencies, code enforcement challenges, and energy policy. No action was taken by the committee.
- OBC Section 105 - Annual Approvals. The BBS Executive Secretary was contacted by Geoff Eaton, the Superintendent of DIC, who requested an amendment to OBC Section 105.1.5, allowing for structural and building alterations, in addition to building services equipment alterations, to be performed under the annual approval process provided that the building owner has the related BBS-certified personnel on staff performing inspections and keeping records. Staff presented a proposed amendment for the committee's consideration and suggested that the remaining existing language could be improved to provide clarity. Mr. Tyler suggested that coordinating language should also be added to the inspection section 108. The committee agreed in concept with Mr. Eaton's request to expand the scope of the annual approvals to include structural and building alterations. However, Mr. Miller made a motion to table the item while staff drafts language to clarify the intent of the annual approval process. Mr. Samuelson seconded the motion to table. The motion passed unanimously.
- OBC Ch 2 - definition of "Registered Design Professional". The BBS Executive Secretary was contacted by Doug Boyer of the Ohio Chapter of the American Society of Landscape Architects (ASLA). The ASLA membership is requesting amendments to OBC Section 106.2.1 and the definition of "Registered Design Professional" to clearly permit landscape architects to seal construction documents. Staff explained that the definition is used throughout the code, not just in Section 106.2.1, and that the definition already includes a reference to Revised Code 4703.36 which is specifically for landscape architects. Staff presented a proposed amendment to add the words "landscape architect" in the definition for clarification. Mr. Tyler suggested that this is an education issue, not a code issue. Mr. Pavlis moved to table the item and invite Mr. Boyer to attend the next meeting and explain what they are running into and why the need to change the code and definition when it

already references the landscape architect statute. Ms. Cromwell seconded the motion. The motion to table passed unanimously.

- Ms. Cromwell mentioned that she was a speaker at the Structural Engineers of Ohio (SEO) conference. The members asked “What is the interpretation of “minor storage facilities” as used in OBC Table 1604.5? Staff suggested that the building official would make that interpretation. Additionally, someone indicated that the RCO Figure 301.2 (wind maps) are based upon old ASCE 7 maps, even though the code references a newer edition of ASCE 7. Staff found no ICC errata and will review code change proposals and get back with Ms. Cromwell. No action was taken.
- Mr. Pavlis asked about a gas utility requiring the gas lines to be painted yellow, even though that requirement is not in our code. Staff and Mr. Miller explained that some gas utility companies maintain authority throughout the building, even on the house side of the point of delivery. The owner agrees to the utility company policies when they sign the service agreement. If you want the gas, you will paint the pipe.

Adjourn

Mr. Johnson made the motion to adjourn at 3:25 P.M. and Mr. Miller seconded the motion. The motion passed unanimously.

Mr. Denk moved and Mr. Samuelson seconded to approve the recommendations of the committee.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

CR-2 Certification Committee Report

Mr. Leach gave the committee’s report included in the Board’s Meeting packet at Tab CR-2:

The Certification Committee met in person on October 22<sup>nd</sup>, 2021 at Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. Leach, Mr. McCafferty, Ms. Cromwell, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, and Mr. Warner. Board Chairman Timothy Galvin was also present. The Committee makes the following recommendations, included in the October 22<sup>nd</sup>, 2021 Board Packet at Tab CR-2, for the Board’s consideration, including approval of Division of Industrial Compliance Plumbing Inspectors for BBS Plumbing Plans Examiner certification.

Also present at the meeting were BBS Staff, Regina Hanshaw, Rob Johnson, and Megan Foley, and guest, William Toole.

Recommend the following applications be approved following a certification hearing effective immediately unless otherwise noted on the certification hearing agenda:

Certification ID	Name	Certification
8579	Blair, Tracy	Plumbing Inspector
8573	Duelley, Daniel	Building Inspector
8464	Fay, Garrett	Building Inspector
5544	Harmon, Shawn	Building Inspector
8687	Hickman, James	Electrical Safety Inspector*
8703	Hogan, John	Residential Building Inspector
5830	Lenahan, Daniel	Building Official Building Plans Examiner Plumbing Plans Examiner Building Inspector
8702	McClain, Amanda	Residential Building Inspector Trainee
8688	Saracino, Nathan	Residential Building Inspector
8705	Sebetto, Joseph	Residential Building Inspector
4972	Shaver, Eric	Building Official
8704	Siler, Joshua	Non Residential Industrialized Unit Inspector Residential Industrialized Unit Inspector
8691	Swain, Gary	Residential Building Inspector
8686	Barrett, Chad	Automatic Sprinkler System Designer

8685	Niespodzianski, Daniel	Fire Alarm System Designer
8689	Class, Dillion	Fire Alarm System Designer
8690	Evans, Andrew	Fire Alarm System Designer
8692	Woods, Justian	Fire Alarm System Designer
4688	Faciana, Dave **	Building Official
		Residential Building Official
8701	Laick, Matthew	Residential Building Inspector
6320	Walter, David	Building Inspector
	Burns, James**	Electrical Safety Inspector*
	Matthews, Ronald	Electrical Safety Inspector*

\*Electrical Safety Inspectors must complete examinations prior to issuance of interim certification

\*\* Denotes approval conditioned on receipt of forms or fees or other conditions.

Building Department Certifications, Manufactured Homes Inspection Agency/Inspectors  
None this month

#### Personnel Certification Applications

Recommend the following applications be denied, additional information be requested, or other action as noted:

Faciana, Dave - BO, RBO

Cert ID: 4688

Current Certifications: BI, ESI Trainee

Committee Recommendation: Recommend approval with probation, three hour ethics education, no further interims. Board staff to review department procedures.

Holbert, Harry Jr- BI, RBO

Certification ID# 4776

Current Certifications: None (Prev. held BI, RBO interim in 2014)

Committee Recommendations: Request that applicant full current application packets and fees for both certifications.

Kudela, Jeremy RBI

Certification ID# 8684

Current Certifications: None

Committee Recommendations: Request additional information on experience or Trainee program.

Julian, John - RBI

Cert ID:

Current Certifications: None

Committee Recommendation: Request additional information on experience, or Trainee program

Perno, Dan - ESI

Cert ID: 6362

Current Certifications: BI, PI, PPE, RBO, RBI

ESIAC: Not received in time for ESIAC review.

Committee Recommendation: Recommend referral to ESIAC for review prior to Board action.

#### Old Business

Barnes Investigation Report: Committee reviewed investigation report

#### New Business

Master Plans Examiner Certification: Bill Toole attended committee meeting to discuss changes to requirement for Master Plans Examiner Certification.

Plumbing Plans Examiner Certifications to be issued administratively, effective September 30, 2021

DIC Cert ID	First Name	MI	Last Name	BBS Cert ID
K00573	Philip	F	VanBenschoten	1534
K00633	Michael		Schlabach	8674
K00723	William		Adley	8600

K02003	Christopher	E	Price	8662
K00933	Ronald	K	Bartley	8604
K00700	Vernon	E	Buyer	8612
K00742	Robert	P	Lewis	8645
K02012	Timothy	J	Miller	6156
K0703	William		Fling	1863
K00694	Mark	A	Burnett	189
K02044	Jerome		Periandri	6345
K02037	Stephen	J	Pop	5856
K02075	Matthew		Allen	8602
K02050	Michael	D	Mast	5786
K02014	Michael	A	Sloane	8676
K00771	Michael	T	Gallagher	8599
K00776	Barry		Sweigart	2856
K02073	Mark	A	Kuhn	8644

Mr. Leach moved and Mr. Warner seconded to approve the recommendations of the committee.

Chairman Galvin called for the ayes and nays. Motion carried unanimously.

### CR-3 Education Committee Report

Mr. McCafferty gave the committee's report included in the Board's Meeting packet at Tab CR-3:

The Education Committee met in person on October 22<sup>nd</sup>, 2021 at Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. McCafferty, Mr. Stanbery, Ms. Cromwell, Mr. Samuelson, Mr. Tyler, and Mr. Warner. Chairman Galvin was also present. The committee makes the following recommendations, included in the October 22<sup>nd</sup>, 2021 Board Packet at Tab CR-3, for the Board's consideration.

Also present at the meeting were BBS Staff members, Megan Foley.

Course Applications Approvals, Denials, and Conditions as Noted.

2018 IRC Update with Ohio Amendments (International Code Council - OBOA Joint Conference)

BO, BPE, BI, RBO, RPE, RBI, RMI, RIUI (3 hours)

Committee Recommendation: Recommend approval, include MPE.

BlazeMaster Fire Protection Systems (Lubrizol)

BO, BI, FPPE (3 hours)

Committee Recommendation: Recommend approval, include MPE, FPI.

NEC 2017 of Ohio (HalfMoon Education)

All certifications except PI, PPE, NRIUI, and RIUI

ESIAC Recommendation: Recommend approval

Committee Recommendation: Recommend approval.

Ventilation Best Practices (Owens Corning - OBOA Joint Conference)

All certification except ESI (1 hour)

Committee Recommendation: Recommend approval.

2018 IBC Significant Changes Part A (International Code Council - OBOA Joint Conference)

All certifications except ESI (3 hours)

Committee Recommendation: Recommend approval.

2018 IBC Significant Changes Part B (International Code Council - OBOA Joint Conference)

All certifications except ESI (3 hours)

Committee Recommendation: Recommend approval.

2018 IPC Significant Changes (International Code Council - OBOA Conference)

All certifications except ESI (3 hours)

Committee Recommendation: Recommend approval.

2018 IMC and IFGC Significant Changes (International Code Council - OBOA Joint Conference)  
All certifications except ESI (3 hour)  
Committee Recommendation: Recommend approval.

Mr. McCafferty moved and Ms. Cromwell seconded to approve the recommendations of the committee.

Chairman Galvin called for the ayes and nays. Motion carried unanimously.

### **RATIFICATION OF BOARD RECOGNIZED ACCREDITATION BODIES, CONFORMITY ASSESSMENT BODIES & INDUSTRY TRADE ASSOCIATION CERTIFICATION PROGRAMS**

No items for consideration

### **BUILDING DEPARTMENT SUPPORT AND OVERSIGHT**

#### **RE-1 Audit Summary Report – Robert Kurtz/City of Vermilion**

Mr. Robert Johnson presented the City of Vermilion follow-up report included in the Board's meeting packet at Tab RE-1 conducted in response to the dismissed complaint against Mr. Kurtz and his actions at Vermilion Township.

In response to the Board's action on August 20, 2021, the Board requested staff to complete an audit of the City of Vermilion's operations for the purpose of verifying if Mr. Kurtz had performed any electrical safety inspections for the City as he did with Vermilion Township. Board staff contacted Bridget Triana, Administrative Building Clerk with the City of Vermilion and requested inspection records of all electrical safety inspections and the names of all persons having performed them.

Records indicated that Mr. Kurtz did not perform electrical safety inspections which corroborated his testimony that as the building official for the City, he caused all electrical safety inspections to be performed by the certified ESI's as required by the Board's rules. Board staff further verified through the review of the Vermilion Yearly Operational reports, that ESI's John Deitrich and Garth Grob are both employed with the City of Vermilion to perform those duties and responsibilities.

Board staff recommend no further action related to the audit requirement of the Board.

#### **RE-2 October 2021 Building Department Visit Update**

Mr. Robert Johnson presented the October 2021 Building Department Visit Update included in the Board's meeting packet at Tab RE-2:

Board Staff conduct building department visits to engage building officials in discussion regarding the administration of their departments and to obtain feedback for the Board. Specifically, Board Staff inquire on the status of plan review and inspection turnaround times, protocols, policies and processes of the department, software systems used, current and projected activity, department funding and fees, reported activity to the Board, relationships with fire departments, administration and elected officials, the issuance of plan approvals, adjudication orders, certificates of occupancy, and appeals.

The following Building departments were visited since the last Board update:

West Jefferson  
Maple Heights  
Willoughby  
Huron  
Eastlake  
Upper Arlington  
South Euclid

Muskingum County  
Golf Manor  
Fairborn  
Fayette County  
Walton Hills  
Montgomery County  
Canal Fulton  
Wycliffe  
Springfield  
Ross County  
Middletown  
Bay Village  
Addyston  
Grove City

Staff observed that building departments have trended to implement and upgrade software/computer systems to adapt to a greater online presence and continue to increase digital plan review of electronically submitted submissions. (A Virtual Office.)

Building officials indicate that workflow is stabilizing and, in some locations, slowing in both commercial and Residential sectors. Most departments are back to full time onsite inspections. Some video inspections are done for minor work in residential projects only.

Recent comments include positive feed about education access, inquiries of code updates, and “missing video conference Appeals hearings”. (They appreciated not having to travel and use most of a day to attend onsite appeals hearings.) Other comments included praise for Staff response times and thorough information. Others expressed appreciation for the recent consolidation of BBS and DIC plumbing certifications Board.

#### RE-3 Investigation #21-02 Patrick Barnes

Mr. Robert Johnson summarized the conclusion and staff recommendations of Investigation Report #21-02 regarding Patrick Barnes included in the meeting packet at Tab RE-3:

Staff determined that Mr. Barnes did not follow established enforcement procedure as the Electrical Safety Inspector called to inspect the bonding of the Vassil pool by allowing a certification letter to take the place of the required inspection to confirm compliance with approved construction documents. This resulted in approval of a potential serious hazard. Additionally, Mr. Barnes misused his perceived authority as a Residential Building Official. Even if Mr. Barnes was the RBO for Lake County responsible for the overall administration of the department -which he is not – an RBO does not, nor does any other certified personnel have authority to accept a certification from a contractor in lieu of a required inspection and code compliance.

Board Staff recommends closure of the investigation and recommends a disciplinary action against Mr. Barnes’ Electrical Safety Inspector certification. Further, Board Staff recommends Mr. Barnes’ Residential Building Official certification be placed on probation for a period of 12 months. As a condition of the probation, Mr. Barnes shall be required to complete 3 hours each of continuing education in Chapter 1 and Building Official training through the Ohio Building Code Academy in addition to the required 30 hours of continuing education to renew his Residential Building Official certification. Mr. Barnes shall submit certificates of completion of these courses prior to the end of the probationary period.

Mr. Leach moved to accept the staff recommendations included in the Investigation Report #21-02 related to Patrick Barnes and that a notice of opportunity be issued proposing to suspend or revoke Mr. Barnes’ Electrical Safety Inspector certification for the violations set forth in the report.

Mr. Leach further moved that Mr. Barnes’s Residential Building Official certification be placed on probation for a period of 12 months, during which time Mr. Barnes be required to complete Chapter 1 and Building Official training through the Ohio Building Code Academy in addition to the 30 hours of continuing education required to renew his Residential Building

Official certification. Mr. Barnes shall submit certificates of completion of these courses prior to the end of the probationary period.

Mr. Leach further moved to direct staff to conduct an audit of the Lake County Building department within 120 days for verification of department processes consistent with Board’s administrative rules.

Mr. Samuelson seconded.

Chairman Galvin called for the ayes and nays. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

There was no new business.

**COMPENSATE BOARD MEMBERS FOR WORK PERFORMED AT THEIR REGULAR RATE**

Ms. Hanshaw reported that board members had performed committee and board work for the amount of hours, including board meetings, as follows:

Mr. Barney	8	Mr. Miller	16
Ms. Cromwell	16	Mr. Pavlis	16
Mr. Denk	16	Mr. Samuelson	16
Mr. Galvin	31	Mr. Stanbery	16
Mr. Johnson	16	Mr. Tyler	16
Mr. Leach	8	Mr. Warner	8
Mr. McCafferty	8	Mr. Yankie	8

Mr. John Johnson moved and Mr. Samuelson seconded to compensate board members for the work performed at their regular rate.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

**FUTURE MEETINGS**

November 19, 2021  
December 17, 2021

**Proposed 2022 Meeting Schedule**

January 28, 2022	August 26, 2022
February 25, 2022	September 23, 2022
March 25, 2022	October 21, 2022
May 13, 2022	November 18, 2022
June 24, 2022	December 16, 2022

**ADJOURNMENT**

Mr. Samuelson moved and Mr. Warner seconded to adjourn. The Board adjourned at 1:30 p.m.



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Timothy Galvin, Chairman  
Board of Building Standards

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Regina Hanshaw, Executive Secretary  
Board of Building Standards