

MINUTES
BOARD OF BUILDING STANDARDS
CONFERENCE MEETING & CERTIFICATION HEARING
January 20, 2023

The Board of Building Standards Conference Meeting was called to order at 10:00 a.m., Friday, January 20, 2023 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:

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
Christie Ward, Mayor
Greg Warner, Fire Service
Paul Yankie, Energy Conservation

The following Board members were absent:

Jeff Tyler, Architect

A quorum of the Board was present.

The following staff members were present:

Megan Foley, Certification Program Administrator
Debbie Ohler, Construction Codes Administrator
Jay Richards, Assistant Construction Codes Administrator
Robert Johnson, Assistant Construction Codes Administrator
Mike Regan, IU Plans Examiner
Pam Butts, Office Assistant
Laura Borso, Building Department Administrator
Jacob Erwin, AAG

The following visitors were present.

Kris Klaus, OHBA

CONSIDERATION OF THE MINUTES

Mr. Warner moved and Mr. McCafferty seconded to approve the minutes of the December 16, 2022 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.

COMMITTEE REPORTS

CR-1 Certification Committee Report

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

The Certification Committee met in person on January 19th, 2023, in Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. McCafferty, Ms. Cromwell, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, Ms. Ward, and Mr. Warner. Board Chairman Timothy Galvin was also present. The Committee makes the following recommendations, included in the January 20th, 2023 Board Packet at Tab CR-1, for the Board's consideration.

Also present at the meeting were BBS Staff, Regina Hanshaw, Megan Foley, Rob Johnson and Laura Borso. Guest Tarren Cozad attended in person, and guests Michael Gelsomino and Ray Reich attended virtually, to discuss their applications before the committee. Guest Andrew Dickerson attended virtually to discuss the alternative trainee plan for Sean Clark on the committee's agenda.

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

Cert ID	Name	Certification Granted
6142	Baker, Robert	Residential Building Official
9024	Busch, William	Building Inspector
6099	Butler, Jason	Building Inspector***
6115	Clark, Sean	Building Inspector Trainee – Alternative Trainee Plan approved
9008	Conroy, Kelley	Residential Building Inspector
9003	Cozad, Tarren	Residential Building Inspector
5767	Dover, Jeremy	Residential Building Official
9009	Erdmann, Harold	Building Inspector Residential Building Inspector
9016	Frable, Erin	Building Inspector
5276	Frankl, Bernie	Fire Protection Inspector Fire Protection Plans Examiner
5990	Fritz, Shannon	Fire Protection Inspector
9005	Gelsomino, Michael	Plumbing Inspector Electrical Safety Inspector*
9027	Guffey, Cleve	Plumbing Inspector** Plumbing Plans Examiner**
5935	Hamker, Daniel	Plumbing Plans Examiner Residential Building Official Building Inspector Mechanical Inspector
6358	Kick, David	Building Official
9026	Miron, William	Electrical Safety Inspector* Plumbing Inspector Mechanical Inspector NonResidential Industrialized Unit Inspector
9021	Puckett, Kevin	Plumbing Inspector**
5156	Reich, Raymond	Plumbing Inspector
8999	Roberts, David	Plumbing Inspector
9020	Smatlak, Chad	Plumbing Inspector**
9023	Stineman, Corey	Plumbing Inspector Plumbing Plans Examiner
9015	Taylor, John	Plumbing Inspector
9019	Wheeler, Donald	Residential Building Inspector
8986	Cameron, Christopher	Building 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.

***Mr. Stanbery abstained from discussion or vote on this candidate.

^ Approved after ordinary committee business concluded.

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:

Medancic, Anton - BI

Certification ID: 9018

Current certifications- none

Committee recommendation: Request additional information to document 5 years structural commercial construction: applicant is invited to attend February 16, 2023 committee meeting to discuss experience. In the alternative, committee recommends applicant seek RBI, BI Trainee, ESI trainee.

Puckett, Kevin - PI

Certification ID: 9021

Current certifications- none

Committee recommendation: Recommend approval pending receipt of BBS form, fees.

Smatlak, Chad - PI

Certification ID: 9020

Current certifications- None

Committee recommendation: Recommend approval pending receipt of BBS forms

Guffey, Cleve - PI, PPE

Certification ID: 9027

Current Certifications: None, OCILB Plumbing and Hydronics license.

Committee Recommendation: Recommend approval pending receipt of fees.

Old Business

None this month

New Business

Wray - Certification Revocation

Michael Wray, Cert ID # 4437

Background: On December 20, 2022, entered guilty plea to 2 felony charges, Obstructing Official Business and Assault.

Committee Recommendation: Recommend Board staff be directed to issue a Notice of Opportunity for Hearing to Michael Wray to commence revocation process.

Mr. Leach moved and Mr. McCafferty seconded to approve the recommendations of the committee with the exception of the certification approval of Jason Butler.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

Mr. Leach moved and Mr. Johnson seconded to approve the certification of Janson Butler.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously with Mr. Stanbery abstaining.

CR-2 Education Committee Report

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

The Education Committee met in person on January 19th, 2023, in 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, Ms. Ward, and Mr. Warner. Board Chairman Timothy Galvin was also present. The Committee makes the following recommendations, included in the January 20th, 2023 Board Packet at Tab CR-2, for the Board's consideration.

Also present at the meeting were BBS Staff, Megan Foley, Rob Johnson and Laura Borso.

Course applications approved without alteration:

Conduit and Box Fill Calculations Based on the 2020 NEC (Master Electrical Contractors Association)

All certifications (5 hours)

Electric Vehicle Power Transfer Systems and the 2020 NEC Part 1 (Matthews Electrical Services)

All certifications (4 hours)

Chapter 1 Code Administration Round Table (Northwest Ohio Building Officials Association)

All certifications (two 1.5-hour sessions)

Code Administration course credit.

Chapter 34 Existing Buildings Round Table (Northwest Ohio Building Officials Association)

All certifications (two 1.5-hour sessions)

Existing Building course credit.

Code Consistency Round Table (Northwest Ohio Building Officials Association)

All certifications (twelve one-hour sessions)

Ohio Portable Fire Extinguishers (Fire Tech Productions)

All certifications (6.5 hours)

Understanding the National Electric Code Based on the 2017 NEC (Master Electrical Contractors Association)

All certifications (5 hours)

Carbon Monoxide Alarm and Detection Requirements IBC/NFPA 720 (Fire Code Academy)

All certifications (1 hour)

Emergency Responder Communication Enhancement Systems and the UL Certification Program (Fire Code Academy)

All certifications (1 hour)

Fire Sprinkler Considerations for Tall Clear-Height Warehousing (Fire Code Academy)

All certifications (1 hour)

Past, Current, and Future of the Alarm Transmission Ecosystem (Fire Code Academy)

All certifications (1 hour)

The Five Specialty Sprinkler Types and Design Approaches (Fire Code Academy)

All certifications (1 hour)

Old Business:

None this month

New Business:

Retroactive Approval of Specific BBS Courses for 2022 (not on original amended agenda).

Background: Course provider Tom Moore contacted BBS 1/18/23; he had erroneously been instructing courses approved in 2021, without renewal, in 2022. He has requested that 2022 course numbers be approved for these courses so that the attendees will receive credit for their education at renewal. Mr. Moore agrees to provide all attendees with updated certificates for the 2022 course dates.

Committee Recommendation: Recommend the approval of retroactive administrative renewal for courses BBS2021-398 through BBS2021-403, with instructor directed to issue updated certificates to any attendees affected.

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

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

CR-3 Code Committee Report

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

The Code Committee met on January 19, 2023 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, Tim Galvin, was also present.

The committee report is included in the January 20, 2023 Board Meeting Packet at tab CR-3 for the Board's consideration.

Call to Order

The meeting was called to order by Mr. Denk at 1:09 P.M.

Approval of Minutes

Mr. Stanbery made the motion to approve the minutes of the Code Committee meeting held on December 15, 2022. Mr. Pavlis seconded the motion. The motion passed unanimously.

Petitions

Petition #23-01 OPC Section 610 – Vince Squillace of the OHBA/Central Ohio BIA

Kris Klaus with the OHBA explained that the existing OPC language requiring disinfection of plumbing system piping prior to occupancy has not been historically or uniformly enforced throughout Ohio for one-, two-, and three-family dwellings until very recently for dwellings constructed in the City of Columbus and Franklin County. Concerns were raised about the added cost of performing the disinfection, the danger of performing the disinfection by residential plumbing contractors who are not familiar with how to disinfect the system, and the need to disinfect systems that are not contaminated. Staff added that the model residential building code for one- and two-family dwellings, the IRC, does not require disinfection of plumbing systems. The petition proposes to provide an exception which exempts dwellings from the disinfection requirement if a bacteriological test, prescribed by the health department or the water purveyor, demonstrates that no contaminants are present. After receiving the original petition, staff worked with the petitioner to simplify the language. Mr. Pavlis made the motion to approve the simplified language. Mr. Stanbery seconded the motion. The motion passed unanimously.

Recommendations of the Residential Construction Advisory Committee

No items for consideration

Old Business

Reconsideration of Petition #20-01 (2020 NEC vs. the 2023 NEC as a reference in the OBC, OMC, & OPC)

Staff explained that the petition to adopt the 2020 NEC was approved by the Board months ago, but since that time a newer edition of the NEC has been published and many inquiries have been received asking when we are planning to adopt the 2023 NEC. Staff provided a summary of the significant changes and recommended that the Board reconsider their action on the petition and instead, consider moving forward with adoption of the 2023 NEC. Mr. Pavlis made the motion to recommend adoption the 2023 NEC, in lieu of the 2020 NEC, with a modification that exception 2 to Section 210.8(F) does not expire. Mr. Johnson seconded the motion. The motion passed unanimously. Mr. Miller subsequently made the motion to recommend denial of Petition #20-01, given the committee's recommendation to move forward with a newer edition of the NEC. Mr. Johnson seconded the motion. The motion passed unanimously.

Commercial Energy Code Review (OBC Chapter 13)

Staff presented the draft of the OBC Chapter 13 rule to-date with two ASHRAE 90.1-2019 amendments (deleting Automatic Receptacle Control and Electrical Energy Monitoring requirements), one 2021 IECC residential amendment to allow building cavities to be used for return air, and two 2021 IECC commercial amendments that mirror the ASHRAE amendments. Mr. Dearth stated that the newer energy conservation standards are technically infeasible to comply with and that the cost of insulating metal buildings of Group F and S to that level will never be recovered. He requested that non-air-conditioned Group F and S buildings be allowed to qualify as semi-heated buildings when using COMcheck. Mr. Johnson stated that the 2021 IECC is too much of a reach for the minimum code. Mr. Harmon is on the ICC Sustainability Committee and will check to see if the 2024 IECC modifies the code stringency for Group F and S occupancies. No action was taken.

OBC Draft rule review (Chapters 4 & 31)

Staff presented additional draft rules of the OBC and hopes to have most of the draft rules wrapped up by the next meeting so that we can move on to the stakeholder process. No action was taken.

New Business

No items for consideration

Adjourn

Mr. Stanbery made the motion to adjourn at 3:42 P.M. Mr. Miller seconded the motion. The motion passed unanimously.

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

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

CR-4 Committee-of-the-Whole

Ms. Hanshaw stated that the contract to engage ICC to perform the certification study was on January 23 Controlling Board agenda for approval.

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

No items for consideration.

BUILDING DEPARTMENT SUPPORT AND OVERSIGHT

No items for consideration.

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS

OB-1 Reconsideration of approved Petition #20-01 (2020 NEC vs. the 2023 NEC as a reference in the OBC, OMC, & OPC)

Mr. Richards stated that previously approved Petition 20-01 proposed to update the NEC reference in the building, plumbing and mechanical codes to the 2020 edition. Since the 2023 edition is now available, the code committee now recommends moving forward with the newer edition of the standard and the petitioner is in support.

Mr. Denk moved and Mr. Johnson seconded to reconsider the Board's previous action on Petition #20-01 which was to approve the petition and adopt the 2020 NFPA 70 with amendment noted in rules 4101:1-35-01, 4101:2-15-01, and 4101:3-15-01 to NEC Article 210.8(F) to exempt certain HVAC equipment from GFCI requirements of this article and proceed with the rule adoption process.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

Mr. Denk moved and Mr. Johnson seconded to deny Petition #20-01 that requested adoption of the 2020 NFPA 70 (National Electrical Code) including amendment, based on the Board's motion to include adoption of the 2023 NFPA 70 with amendment to exempt certain HVAC equipment from GFCI requirements without a sunset timeframe in the rule package for the next edition of the Ohio Building Code.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

NEW BUSINESS

NB-1 Petition 23-01 OPC Section 610 (disinfection requirements)

Mr. Richards stated that the Board received a petition from the home builders association seeking clarification of the disinfection requirement for plumbing systems in 1-, 2- & 3- family dwellings. Both the RCAC and the Board's Code committee reviewed with petition and recommends approval of the petition as modified by staff.

After discussion and review of the petition and with the recommendation of the Residential Construction Advisory Committee, Mr. Denk moved to approve petition #23-01 with recommended amendments that adds an exception which clarifies the testing and disinfection process of the potable water system of residential buildings. Mr. Denk further moved to direct staff to include these changes in the next rule package. Mr. Johnson seconded.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

NB-2 Proposed suspension or revocation of Electrical Safety Inspector Certification (Michael Wray)

Ms. Foley stated that the Board received information of a recent felony conviction of certified electrical safety inspector Michael Wray. Ms. Foley explained that the Board may move to suspend or revoke certification of personnel upon conviction of a felony.

Mr. Leach moved and Mr. McCafferty seconded to issue a Notice of Opportunity for Hearing to Michael Wray proposing to suspend or revoke his Electrical Safety Inspector Certification.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

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 and required training, as follows:

Mr. Denk	24	Mr. Samuelson	24
Mr. Galvin	33	Mr. Stanbery	24
Mr. Johnson	24	Mr. Tyler	16
Mr. Leach	16	Ms. Ward	16
Mr. McCafferty	24	Mr. Warner	24
Mr. Miller	24	Mr. Yankie	24

Mr. McCafferty moved and Mr. Leach 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

February 17, 2023	September 22, 2023
March 31, 2023	October 20, 2023
May 12, 2023	November 17, 2023
June 23, 2023	December 15, 2023
August 11, 2023	

ADJOURNMENT

Mr. Miller moved and Mr. Johnson seconded to adjourn. The Board adjourned at 10:25 a.m.

Timothy Galvin, Chairman
Board of Building Standards

Regina Hanshaw, Executive Secretary
Board of Building Standards