

MINUTES  
BOARD OF BUILDING STANDARDS  
CONFERENCE MEETING & CERTIFICATION HEARING  
November 20, 2020

The Board of Building Standards Conference Meeting was called to order at 1:00 p.m., Friday, November 20, 2020 at 6606 via videoconference, Chairman Timothy Galvin presiding.

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

Timothy P. Galvin, General Contractor, Chair  
Julienne Cromwell, Structural Engineer  
Joseph F. Denk, Jr., Mechanical Engineer  
John Johnson, Construction Materials  
Don Leach, Attorney  
Terry McCafferty, Public Member  
Don McIlroy, Mayor  
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:

Gregory Barney, Industrialized Units

The following staff members were present:

Pam Butts, Office Assistant  
Megan Foley, Certification Program Administrator  
Debbie Ohler, Staff Engineer  
Steve Regoli, Architect Administrator  
Jay Richards, Assistant Architect Administrator  
Mike Regan, Plans Examiner  
Rob Johnson, Assistant Architect Administrator  
Brian Honen, Assistant Attorney General

The following visitors were present:

Corey Roblee  
Charles Huber  
Andrew Dickerson  
Robert Glass

A quorum of the Board was present.

**RECOGNITION OF BUILDING DEPARTMENT PERSONNEL**

No items for consideration.

**CONSIDERATION OF THE MINUTES**

Mr. McCafferty moved and Mr. Johnson seconded to approve the minutes of the October 23, 2020 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 November 19, 2020, via videoconference, with the following members present: Mr. Denk, Mr. Samuelson, Ms. Cromwell, Mr. Johnson, Mr. Miller, Mr. Pavlis, Mr. Stanbery, and Mr. Tyler. Chairman Galvin was also present.

The committee report is included in the November 20, 2020, 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**

**MIN-1** Mr. Miller moved and Mr. Samuelson seconded to approve the September 24, 2020, minutes. The motion passed unanimously.

### **Petitions**

#### **Recommendations of the Residential Construction Advisory Committee**

**R-1** Petitions 20-07 (RCO 1402), 20-08 (RCO 1403), 20-09 (RCO 1412), 20-10 (RCO 1413) and 20-11 (RCO Ch 44) - Update referenced editions of the ASHRAE 34, UL/CSA 60335-2-40, and UL 1995 standards

Board staff reviewed the petitions and the referenced standards with the committee. After committee discussion, Mr. Miller moved and Mr. Stanberry seconded to recommend approval of the petitions. The motion passed unanimously.

### **Old Business**

#### **OB-1 OBC 907.2.1/ICC 300**

Staff presented the fire alarm system and emergency voice/alarm communication system exceptions proposed to be added for outdoor bleachers. The committee discussed the proposed language and expressed concern with the subjective phrase "immediately adjacent to" found in exception 2.2. Modifications were made to eliminate that phrase and to correct a grammatical error in exception 3. Mr. Miller made a motion to include, in a future rule change package, the proposed exceptions with the modifications made to exceptions 2.2 and 3. Mr. Samuelson seconded the motion. The motions passed unanimously.

### **New Business**

Mr. Johnson raised a concern with the committee that some inspectors are requiring only FSK-type insulation to be installed at the rim joist, even though there is no code requirement for that specific product. Allegedly, the manufacturer of the FSK has stopped making the product.

After discussion, the committee decided that the issue could be raised at the next OBOA Code Consistency video conference in hopes that the issue will be resolved through education of the code officials.

#### **NB-1 Proposed 2023 Ohio Code Development Schedule**

Staff discussed the status of the regulatory restriction statute, presented the tentative proposed code update schedule to the committee, and shared that additional code committee meeting dates would be needed to present the 2021 model code changes to the committee.

Adjourn Mr. Miller moved and Mr. Johnson seconded to adjourn the meeting at 2:25 P.M.  
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 a videoconference on November 19<sup>th</sup>, 2020 at 10:00 AM, with the following members present: Mr. Leach, Mr. McCafferty, Ms. Cromwell, Mr. McIlroy, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, and Mr. Warner. Mr. Galvin was also present. The Committee makes the following recommendations, included in the November 20<sup>th</sup>, 2020 Board Packet at Tab CR2, for the Board's consideration.

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

Cert ID	Name	Certification
6376	Foster, Craig	Electrical Safety Inspector*
	Wakefield, Alexandria	Building Inspector Trainee Mechanical Inspector Trainee
8457	Kilroy, Christopher	Residential Building Official
6011	Schwaben, Ronald	Plumbing Plans Examiner
5336	Fay, Garrett	Residential Building Official**
	Hamdallah, Taiseer	Residential Building Official
8460	Allen, Patrick	Electrical Safety Inspector* Residential Building Official
	Beckham, Eric	Residential Building Inspector
8455	McGowan, Thomas	Fire Protection Inspector

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

\*\* Denotes conditional approval

\*\*Pending receipt of application/fee

Building Department Certifications, Manufactured Homes Inspection Agency/Inspectors

Fremont Commercial Building Department

Recommend approval conditioned on receipt of signed ordinances, contract with Sandusky County for enforcement.

Exceptions: Med Gas

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

#### Personnel Certification Applications

Estell, Larry - PI

Cert ID:

Current Certifications: None

Committee Recommendation: Request additional information on plumbing experience. Application may be processed administratively if sufficient qualifying information is provided to Board staff, without further Board action.

Beckham, Eric - BI, ESI

Cert ID:

Current Certifications: None

Committee Recommendation: Refer to ESIAC for review of ESI, recommend request for additional information on structural experience for BI.

Vinas, Dominic - ESI

Cert ID:

Current Certifications: None

Committee Recommendation: Request additional information on specific electrical experience.

Shay, Patrick - BI, RBI

Cert ID: 8458

Current Certifications: None

Committee Recommendation: Request additional information on structural experience

Old Business

Stigalt Settlement Agreement: Recommend that a hearing be set.

City of Twinsburg Investigation: Accept Board staff recommendations.

New Business

Discussion of certification process during potential gap between meetings

Resolved, that Board staff may administratively process qualifying certification applications in the event meetings must be cancelled.

Mr. Leach moved and Mr. McCafferty 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 held a videoconference meeting on November 19<sup>th</sup>, 2020 at 10:00 a.m., with the following members present: Mr. McCafferty, Mr. Stanbery, Ms. Cromwell, Mr. Samuelson, Mr. Tyler, and Mr. Warner. Mr. Galvin was also present. The committee makes the following recommendations, included in the November 20<sup>th</sup>, 2020 Board Packet at Tab CR3, for the Board's consideration.

Course Applications Approvals and Conditions as Noted.

Firestop 101: Fire-Rated Joints (Halpert Life Safety)

BO, MPE, BPE, BI, NRIUI, RBO, RPE, RBI, RIUI (5 hours)

Committee Recommendation: Recommend approval for all BBS certifications.

Section 3412: The Alternative Method (Dabdoub and Associates)

All certifications except ESI and FPPE (2 hours)

Committee Recommendation: Recommend approval.

2015 IBC Fire-Resistance-Rated Floors, Ceilings, and Roofs (ICC)

All certifications except ESI (3 hours)

Committee Recommendation: Recommend approval.

2018 IBC Mixed Occupancies (ICC)

All certifications except ESI (3 hours)

Committee Recommendation: Recommend approval: instructor to include caution that 2018 IBC is not current law in Ohio.

2020 NEC Articles 90-210 (Fussner)

BO, MPE, EPE, RBO, ESI (8 hours)

ESIAC Recommendation: Recommend approval.

Committee Recommendation: Recommend approval with standard 2020 NEC cautions, discussion with Steve as to Article 90. Add RPE.

2020 NEC Articles 90-200 (Fussner)  
BO, MPE, EPE, RBO, ESI (4 hours)  
ESIAC Recommendation: Recommend approval.  
Committee Recommendation: Recommend approval with 2020 cautions,  
discussion with Steve as to Article 90. Add RPE.

2020 NEC Articles 230-314 (Fussner)  
BO, MPE, EPE, RBO, ESI (8 hours)  
ESIAC Recommendation: Recommend approval.  
Committee Recommendation: Recommend approval with standard 2020 NEC  
cautions, add RPE.

2020 NEC Articles 230-300 (Fussner)  
BO, MPE, EPE, RBO, ESI (8 hours)  
ESIAC Recommendation: Recommend approval.  
Committee Recommendation: Recommend approval with standard 2020 NEC  
cautions, add RPE.

2020 NEC Articles 230-242 (Fussner)  
BO, MPE, EPE, RBO, ESI (4 hours)  
ESIAC Recommendation: Recommend approval.  
Committee Recommendation: Recommend approval with standard 2020 NEC  
cautions, add RPE.

Mr. McCafferty moved and Mr. Samuelson 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.

#### **PUBLIC COMMENTS**

There were no public comments.

#### **OLD BUSINESS**

OB-1 Case # BBS2019-011 Consideration of Settlement Agreement - John Stigalt  
No action. Ms. Hanshaw stated that the Board was going to move forward with scheduling a hearing date.

OB-2 City of Twinsburg Investigation Report #20-01

Mr. Rob Johnson presented the summary and recommendations of the City of Twinsburg Investigation Report:

On August 3, 2020, a complaint was received from Mr. Charles Marshall alleging unprofessional conduct by Mr. Keith Foulkes, building official. The complainant alleged that Mr. Foulkes communicated to the owner of the building that as their representative was “shortening work to client” for project materials related to the foundation systems. Mr. Marshall also alleged that the building department was not reviewing and approving construction documents in a timely manner.

Board staff, after having reviewed the information, determined that Mr. Foulkes and the Twinsburg inspectors followed the enforcement provisions of the Board’s rules. It was appropriate to cite that the construction did not comply with the approved documents. They also communicated with the owner’s

representative (contractor) of the options available to comply. The designer (Architect) did revise and resubmit the documents. The documents were reviewed and approved based on the order received.

Board staff has determined that the communication from Mr. Foulkes may have been misinterpreted by the parties that received the information. Board staff communicated with Mr. Foulkes about the issue and he agreed that that he could have been more clear and direct about the building code compliance issue in his communication with Ms. Rinder to place emphasis less about his perception of how the contractor was responding, since the issue was specifically about the construction not complying with the approved construction documents.

Board staff have determined that no violations to the Board's rules have occurred and recommends closing the investigation against Mr. Keith Foulkes, Building Official, with no further action.

After review of investigation report #20-01, Mr. Leached moved and Mr. Johnson seconded to accept the staff recommendations to close the investigation with no further action.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

### **NEW BUSINESS**

NB-1 Petitions 20-07 (RCO 1402), 20-08 (RCO 1403), 20-09 (RCO 1412), 20-10 (RCO 1413)-  
Update reference to UL/CSA 60335-2-40 & 20-11 (RCO Chapt 44)

Mr. Richards presented Petitions 20-07 through 20-11 requesting amendments to the Residential Code of Ohio to update to newer editions of UL and ASHRAE standards recognizing low global warming potential refrigerants.

After discussion and review of the petitions, including recommendation from the Residential Construction Advisory Committee, Mr. Denk moved and Mr. Samuelson seconded to approve petitions 20-07 through 20-11 to update references in the Residential Code of Ohio related to referenced standards ASHRAE 34 and UL/CSA 60335-2-40 for refrigerants.

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, as follows:

Mr. Barney	0	Mr. McIlroy	16
Ms. Cromwell	16	Mr. Miller	16
Mr. Denk	16	Mr. Pavlis	16
Mr. Galvin	20	Mr. Samuelson	16
Mr. Johnson	16	Mr. Stanbery	16
Mr. Leach	16	Mr. Tyler	16
Mr. McCafferty	16	Mr. Warner	16

Mr. Stanbery moved and Mr. Johnson 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**

Dec 18

2021 Proposed Meeting Schedule:

January 29, 2021	August 20, 2021
February 26, 2021	September 17, 2021
March 26, 2021	October 22, 2021
May 14, 2021	November 19, 2021
June 25, 2021	December 17, 2021

**ADJOURNMENT**

Mr. Warner and Mr. McCafferty seconded to adjourn. The Board adjourned at 1:20 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