

**MUNICIPALITY OF ANCHORAGE
BOARD OF BUILDING REGULATION EXAMINERS AND APPEALS**

MEETING MINUTES

July 31, 2012

1. **CALL TO ORDER AND ROLL CALL:** The meeting was called to order at 6:00 pm. by Chairman Scott Bohne.

Board Present	*Board Absent	Staff Present	Public Participation
Scott Bohne	Tom Looney	Ross Noffsinger	NONE
Skipp Bringmann	Craig Freeden	Sharen Walsh	
Rob Merchant	Sterling Strait	Jerry Weaver	
Jon Hawkinson		Dennis Wheeler	
Paul Michelsohn			
Serena O'Donnell			
Jonathan Steele			
Bari Gray			
Troy Feller			

*Absent Board members have been excused.

2. **APPROVAL OF AGENDA:** Mr. Steele moved to **APPROVE**. Mr. Bringmann **SECONDED**. **Agenda was APPROVED.**
3. **APPROVAL OF MINUTES:** Minutes of February 21, 2012, **Mr. Steele motioned and Mr. Bringmann seconded. February minutes were APPROVED.** Minutes of March 29, 2012, **Mr. Steele motioned and Ms. O'Donnell seconded. March minutes were APPROVED.** Open discussion on transcription of meeting minutes and how they would be written in the future.
4. **UNFINISHED BUSINESS**
- a. **AO 2012-31(S) Building Board Ordinance, amending Title 23 to revise composition, scope and authority of the Building Board of Examiners and Appeals, review with the Municipal Attorney**

Mr. Wheeler handed out an amending ordinance with the Boards and Staff recommended changes/clarifications on the AO 2012-31(S). He went on to explain how the amending ordinance worked than asked if there was any questions.

Mr. Michelsohn had several questions regarding the minimum amount for a quorum, and how the Building Official would tell him how to run the meeting when he was chair. Mr. Weaver noted all boards basically work the same but are not created equal. Staff is there to help facilitate.

Mr. Wheeler explained the minimum requirements for a quorum and how the Building Official is there to keep the meeting in order and on task. He gave an example of how the municipal clerk does keep the Assembly on task and makes sure all the right votes are recorded.

Mr. Michelsohn asked who would send the amending ordinance and to whom. Mr. Wheeler commented his commitment was to Mr. Trombley and he would give it to him. He would be the one most likely person to bring this forward.

Mr. Steele motioned the amending ordinance prepared by Mr. Wheeler, the Building Board should support the proposed language as submitted. Mr. Michelsohn seconded. Mr. Michelsohn commented he would like to send a message that it be an 11 member minimum and that would give a quorum of six at any given time.

It was pointed out there was already a motion on the floor, did Mr. Michelsohn want to make a motion to amend the current motion on the floor. Mr. Michelsohn noted he would like to amend the motion to add there should be an 11 member minimum and that would give a quorum of six at any given time.

There was a lengthy discussion regarding this amendment, the motion and the amending motion was not seconded. Discussion ended. **Mr. Feller made a motion it should say one contractor actively engaged in residential construction and one contractor actively engaged in commercial building construction. Ms. O'Donnell Second.** Mr. Steele noted he would be in favor of it.

Chair Bohne called for a vote by show of hands. The count was 8 in favor and 1 opposed. (Chair Bohne, Mr. Merchant, Mr. Bringmann, Mr. Strait, Mr. Gray, Mr. Feller, Ms. O'Donnell, Mr. Steele, and Mr. Hawkinson all were in favor; Mr. Michelsohn was opposed.)

5. NEW BUSINESS

- a. **AO 2012-62, Amending AMC Chapter 23,10, 2011 Anchorage Administrative Permit Requirements to provide the option to exempt single-family and two-family construction from plan review by the Municipal**

Ms. Walsh briefed the board on the new ordinance from Assemblymember Trombley and noted there is a work session by the Assembly on August 16; we sent the ordinance to AIA, ASCE, SEEAK, ADDC without commentary or a list of our concerns and asked for feedback. She concluded the briefing by asking the board for their considerations or recommendations on whatever they would like to do.

The board and staff discussed at length, issues concerning Title 21 changes (23.10.104 and 104.7), registered design professional and Professional Engineer, who was responsible/liable, fire and life safety concerns, liability insurance, insurance coverage, state law, houses built in the Eagle River, Bear Valley areas, the MOA's concerns,

Chair Bohne asked what is being asked of the board, are you looking for comments, acceptance. Ms. Walsh noted it's our obligation to inform you of the ordinance and we felt you should be aware of it and draw your own conclusions. Further discussion continued regarding staff certification, rubber stamping plans, inspectors catching or not catching issues/concerns, issues/concerns manifesting later, engineers, the structural integrity of the buildings, why the ordinance was drafted, the ICC test and third party reviews.

Several board members noted it was a lengthy process to get a permit reviewed by staff because of being understaffed but wondered what the disadvantage would be to expedite the process and what the impact would be if the ordinance passed. Would the impact be staff reductions; what is the economic impact to the community and where the proportions would fall. Staff noted they'd requested additional staff in the 2013 budget and staff will have a dedicated staff person for the professionals that come in on a regular basis.

Chair Bohne asked the members did they want to continue discussion or postpone to a work session or another meeting as there are items of concern. Mr. Michelsohn asked to invite Mr. Trombley to the work session or meeting and see if he'll take our recommendations. Mr. Steele commented is it time specific. Mr. Michelsohn noted he'd like to see it before August 16.

Mr. Weaver noted Mr. Trombley may not come and take our recommendations. You have received a lot of information tonight and we can schedule a meeting next week and finish up your thoughts. There was further discussion on dates and times regarding the next meeting.

Mr. Steele motioned to postpone any further discussion until the next meeting on Wednesday the 8th of August at 6pm. Ms. O'Donnell SECONDED. There was further discussion between board members and staff regarding percentages, how it affects or doesn't affect board members.

Ms. O'Donnell requested staff put forth answers to some of the questions like economic impact to staff, inspections, and potential slow down of projects. Staff responded there is a Summary of Economic Effects (SEE); discussion continued on for several minutes.

Chair Bohne called for a vote by show of hands to postpone the discussion. The count was 8 in favor and 1 opposed. (Chair Bohne, Mr. Merchant, Mr. Bringmann, Mr. Strait, Mr. Gray, Mr. Feller, Ms. O'Donnell, Mr. Steele, and Mr. Hawkinson were all in favor; Mr. Michelsohn opposed.)

b. AO 2012-44 and AO 2012-80, Amending AMC Section 23.10.105 to clarify Contractor License Requirements, list construction specialties that require a municipal license, and to create exceptions for work having a total construction valuation under \$5,000.

Ms. Walsh explained the ordinances 2012-44 and 2012-80. Staff took AO 2012-44, which clarifies contractor license requirements to the Assembly, they had a work session and after a lengthy discussion, Ms. Ossiander brought forward a new ordinance AO 2012-80, which raised the limit from \$1,000 to \$5,000 and also added two lines to clarify maintenance. AO 2012-44 was postponed indefinitely and 2012-80 is before the Assembly Tuesday night.

Mr. Michelsohn motioned to APPROVE the ordinance as written. Mr. Merchant SECONDED. Chair Bohne noted 44 is postponed indefinitely and has been replaced with 80 by Ms. Ossiander. Mr. Steele noted he will be supporting the ordinance. Mr. Michelsohn also noted he supports the ordinance. Mr. Michelsohn called to question.

Chair Bohne calls for a vote by show of hands. The count was 9 in favor and none opposed. Motion passed unanimously. (Chair Bohne, Mr. Merchant, Mr. Bringmann, Mr. Strait, Mr. Gray, Mr. Feller, Ms. O'Donnell, Mr. Steele, Mr. Michelsohn, and Mr. Hawkinson were all in favor.)

c. Plan Review Policy and Procedure

Ms. Walsh noted this is regarding a plan review policy to adopt a white paper. It is based on a Memorandum of Understanding between the structural engineering association and building officials in Washington with the goal of agreeing on the proper mind set of the plan reviewers. The Home Builder's Association brought it before us and asked us to adopt it with all the principles. They asked we put into a municipal policy and procedure. The document can't be adopted verbatim because of strict rules with the municipal policy and procedure that have to be signed by the mayor. We did some adaptations, the Municipal Attorney's looked it over and the Home Builder's Association looked at it. We were hoping the document would be ready to present but other things have prevented the Municipal Attorney from finalizing the document and getting the Mayor's signature. And it will be put forward to another agenda...

Mr. Feller noted staff should bring it forward to the Structural Engineers Association of Alaska and get their endorsement. He noted they had looked at it earlier but he doesn't remember if we took formal action and he thought you'd get their formal endorsement, which might make this boards decision easier.

6. REPORTS

Ms. Walsh welcomed Mr. Hawkinson to the board and noted the building activity is up and 15% ahead of where we were last year. Residential volume has increased in the last few weeks. Tina Brooks found other employment, we're working to replace her and we've asked for an additional permit technician for next year; to do this we proposed to raise our fees a slight amount. Chair Bohne asked when the fee increase becomes effective. Ms. Walsh replied at the first of the year.

Mr. Michelsohn commented the Mayor will hold to the three year cycle on the I-codes for review. He would like this board to make a proposal to have less staff and have the meetings in the evening. During the day it's costing everybody more money to do it during the day.

Chair Bohne responded understand these are union employees, they fall under union rules and the Building Department has a fixed budget that we can't force the Building Department to action. Mr. Michaelson: do it on their own time. Mr. Weaver noted it's the staff and the department that brings forth the code. We probably can do it during the day and with overlapping evening meetings...it will be the department that drives the schedule.

Ms. Walsh confirmed the Mayor made the decision to keep up with the code cycle. In the past the Administrative Code has been modified by the Building Official and this time we want industry and the public to weigh in and be on the committee.

Mr. Noffsinger commented notices should go out now and committees should be starting in October. Much more work intense...Mr. Weaver stated we can make sure the net is cast further so we get all those individuals that are interested.

Chair Bohne asked if staff heard how the State's progress is on reviewing it. Have they started? Mr. Noffsinger noted at last conversation the State of thinking of skipping the 2012.

Ms. Walsh commented the State 2011 NEC and Elevator code will go to the governor for signature in September.

7. AUDIENCE PARTICIPATION - None

8. BOARD MEMBER COMMENTS - None

9. NEXT MEETING: August 8, 2012, 6:00 – 9:00 p.m., Planning and Development Center

10. ADJOURNMENT: Meeting postponed to August 8, at 6 p.m. **Mr. Michelson moved. Mr. O'Donnell seconded. Approved.**

 12-6-12

Scott Bohne, Chairman
Board of Building Regulation Examiners and Appeals

 12-10-12

Sharen Walsh, P.E.
Building Official