

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

MEETING MINUTES SUMMARY

DATE: August 29, 2013

1. **CALL TO ORDER AND ROLL CALL:** The meeting was called to order at 6:03 pm. by Chairman Scott Bohne.

Board Present	Board Absent	Staff Present	Public Participation
Scott Bohne	Tom Looney	Ross Noffsinger	Karen Bretz
Skipp Bringmann	Paul Michelsohn	Sharen Walsh	Kelly Nicoletto
Craig Fredeen	Jon Hawkinson	Jerry Weaver	
Serena O'Donnell	Rob Merchant	Jim Stubbs	
Jonathan Steele			
Bari Gray			
Troy Feller			
Sterling Strait			
Royal Field			

2. **APPROVAL OF AGENDA:** Mr. Steele moved to approved. Mr. Fredeen **SECONDED** and the agenda were unanimously approved.

- a. **APPROVAL OF MINUTES:** Mr. Steele moved to approved. Ms. O'Donnell **SECONDED**. Minutes of August 13, 2013 were unanimously approved.

3. **APPEARANCE REQUESTS / PUBLIC HEARINGS:**

Karen Bretz introduced herself stating she was the Special Assistant to the Mayor for Boards and Commission.

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

- a. **AO 2013-95** An Ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 23.10, 2011 Anchorage Administrative Code, Section 104, permit requirements, to provide the option to exempt all residential and commercial construction from plan review by the municipal building official for code compliance and building safety when a registered design professional designated by the permit applicant certifies the plans were reviewed and comply with applicable building codes, accepts responsibility for plan review, code compliance and building safety, and indemnifies the municipality subject to code requirements; and amending Section 23.10 Table 3-B, to establish a reduced permit fee.

Staff give a brief summary of the ordinance and related the department's experience to date with exempt residential single family and duplex permits. Staff also noted the Geotechnical Advisory Committee took up AO 2013-95 at their regular meeting this week. The GAC passed a motion to direct their chair to write a letter to the assembly informing them the GAC is not in support of the ordinance.

The board asking questions of staff before inviting Mr. Nicoletto to speak

Mr. Kelly Nicoletto, State Fire Marshal, briefly summarized that the state and the municipality have for many years maintained a voluntary agreement for the MOA to review plans for conformance with fire and life safety code requirements on behalf of the state. The state's position is that the muni may not give away the authority to conduct those reviews and stated the state would give a 30 day notice to withdraw from the agreement if the ordinance passed. He noted the state has enjoyed a long and mutually respectful relationship with the municipality, but if the ordinance passes the state would be forced to take back responsibility to review, primarily to protect the integrity of the code enforcement process. He also noted that the state would have to also take back fire system and fire prevention inspections. He noted he would not look forward to taking the work back as the state does not have enough man power and would be backlogged until additional positions could be funded and created.

The board asked questions of Mr. Nicoletto and staff regarding code compliance issues, the state's position, and if there would be a work session. Staff noted at this time a work session had been requested but there is no work session actually scheduled and the assembly is still scheduled to conduct the public hearing and take action on September 10.

The chair opened the floor to public comments, no one came forward to testify, the chair then closed the public hearing.

Mr. Steele motioned the municipal building board forward to the assembly a statement that they do support AO 2013 -95 as submitted. Mr. Strait seconded.

The board continued to discuss for several minutes. Several board members stated they were not in favor of the ordinance. **The Chair called for a vote: 8 opposed and 0 in favor. Unanimously Opposed.** (Mr. Field, Ms. O'Donnell, Mr. Fredeen, Mr. Steele, Mr. Feller, Mr. Gray, Mr. Strait, Chair Bohne).


Ms. O'Donnell motioned the board write a letter to the assembly similar to that being produced by the GAC stating the board does not support the ordinance. Mr. Fredeen seconded.

The board and staff discussed for several minutes, giving suggestions as to what needed to be in the letter. **The Chair called for a vote: 0 opposed and 8 in favor.**


6. BOARD MEMBER COMMENTS - None

7. NEXT MEETING: None

8. ADJOURNMENT: Meeting adjourned at 7:15 p.m. Mr. Gray moved. Ms. O'Donnell seconded. Unanimously Approved.

 4-17-14

Scott Bohne, Chairman Date
Board of Building Regulation Examiners and Appeals

 2-12-14

Sharen A. Walsh, P.E. Date
Building Official