

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

MEETING MINUTES SUMMARY

November 2, 2022

1. **CALL TO ORDER AND ROLL CALL:** The meeting was called to order at 5:42 pm. by Chair Sobolesky.

Board Present	Board Absent	Staff Present	Public Participation
Eric Cowling	Tyler Loken	Ross Noffsinger	Garrison Todd
Don McCann	Larry Kunder	Scott Campbell	Jason Brune
Craig Fredeen	Dan Vannoy	Greg Soule	Valerie Ritz
Keith Sobolesky	Andre Spinelli	Yars Dovba	Larry Ledlow
Sterling Strait		Bill Peterson	Nick Murphy
Bryce Hamels		Don Hickel	Amy Murphy
Jason Arnold		Ben Bowman	Canear Pargament
Jason Dial		Quincy Arms	Buachy Laceng
Daniel Folmar		Amy Demboski	Kathleen Booth
			Evette Velez
			Cindy Johnson

2. **APPROVAL OF AGENDA:**

The board missed approving the agenda and moved directly to approving the June 9 meeting minutes.

3. **APPROVAL OF MINUTES:**

a. Minutes of June 9, 2022

Mr. McCann moved to approve. Mr. Hamels second. Unanimously approved.

4. **INTRODUCTIONS: Jason Arnold, Jason Dial, Daniel Folmar**

5. **NEW BUSINESS**

a. De Novo – Cindy Johnson, Notice to Vacate

Chair Sobolesky spoke of how the meeting would be run. The Chair noted this was a de novo hearing and the board would follow regulations; he explained the AMC code that governed the de novo hearing. Chair Sobolesky asked for a motion to hear the appeal.

Mr. Fredeen motioned to hear the de novo re-hearing. Mr. Cowling second. Chair Sobolesky asked for discussion. The board began discussing the motion to re-hearing the case. Chair Sobolesky called for a roll call vote and stated the members who were recused from voting: Mr. McCann, Mr. Hamels, and me. **The board voted 4 to 2 to not hear the appeal.** Chair Sobolesky explained the next step was Superior court.

The appellant and public participants spoke out against the vote and not being heard. After a brief disruption and discussion, the board agreed to immediate reconsideration.

Mr. Fredeen called for reconsideration. Mr. Cowling second. The board discussed the reconsideration and have after some discussion, Mr. Fredeen called the question. **The board voted 3 - 3. The motion does not carry.**

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The Board recommends that staff follow up with the homeowners to answer questions they may have and to what happens next.

b. 23.10 AMC 2018 Edition, to allow optional independent plan review of structural design for commercial building permits

Chair Sobolesky opened the floor to discussion. The board had many questions regarding the reasoning behind the ordinance, who proposed it, etc... It is believed, the purpose of the ordinance coming before the board is to give the board an opportunity to provide feedback and recommendations on whether or not to proceed with it.

Staff spoke it is possible the authors of the ordinance were unaware of the fact the department already has a private third-party option for commercial plan review in effect. It is a different process than the residential process as it is a more controlled process. We have contracts with two structural engineering firms and two with geotechnical firms and we've had this process in place for over twenty years.

Discussion continued on what works, ethics, and the intent of the ordinance. **Mr. Strait motioned to support the ordinance as written. Mr. Dial second. The board voted unanimously to not support the ordinance as written.**

Mr. Strait motioned to contact the authors of the ordinance and express our concerns and recommend there be continued discussion with the board and the greater building community. Mr. Dial second the motion. The board briefly discussed how the authors and the assembly would be contacted. It was agreed a letter would be written and submitted. **The board voted 9 – 0. The motion passed unanimously.** Mr. Strait, Chair Sobolesky, and Mr. Hamels will draft the boards letter of response.

6. REPORTS

Chair Sobolesky asked staff for an update on the department. Staff commented things are slow; business-wise residential construction crashed. Residential Permits are down and that's connected to interest rates.

Regarding the contractor licensing corrections letter the board submitted to the Assembly, staff is Working with Dean Gates, Christopher Constant, and Meg Zaletel, to correct the language. Staff has drafted new language and submitted to Mr. Gates who at some point will put it into an ordinance. Also, we hired a new code abatement inspector, we are losing a permit tech but we did hire a new permit tech so there are three permit techs.

Chair Sobolesky requested a copy of the ordinance when it becomes available. Staff agree to send it the board.

7. BOARD MEMBER COMMENTS/


Mr. Strait asked if the muni would be adopting the 2021 codes since the state adopted them. Staff replied per the previous acting building official the muni will not be adopting the 2021 codes at this time. Our guess is we would next adopt the 2024 codes. Discussion continued whether the Municipality would be less or more strict than the State and if there were any significant changes in the 2021 code.

Board members and staff openly discussed the appeal process, legal counsel for the board, how difficult it was to sort through and what was the board's job. It was suggested that a walk-through with legal, staff, and all board members regarding board duties, appeals, etc...occur at the first meeting in 2023.

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8. **ADJOURNMENT:** Meeting adjourned at 8:15 p.m. Mr. Arnold motioned to adjourn. Mr. Hamels second. Approved.

 1/19/23

Keith Sobolesky, Chair Date

Board of Building Regulation Examiners and Appeals

 1-19-23

Ross Noffsinger Date

Acting Building Official