

STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
July 15, 2022
Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23260

Members Present

Mr. James R. Dawson, Chairman
Mr. Vince Butler
Mr. Daniel Crigler
Mr. Alan D. Givens
Mr. David V. Hutchins
Ms. Christina Jackson
Mr. Joseph Kessler
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Ms. Elizabeth White
Mr. Aaron Zdinak, PE

Members Absent

Mr. R. Jonah Margarella

Call to Order The meeting of the State Building Code Technical Review Board (“Review Board”) was called to order at approximately 10:10 a.m. by Secretary Travis Luter.

Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin I. Bell, legal counsel for the Board from the Attorney General’s Office, arrived at approximately 10:30 a.m.

Elections of Officers Mr. Luter advised the board members that the terms of the officers of the Board had expired and election of officers was needed prior to moving forward with the meeting. Mr. Luter then called for nominations for Chair. Mr. Crigler nominated Mr. Dawson. The nomination was seconded by Ms. Jackson. Mr. Luter called for nominations for Chair twice more. After hearing no further nominations, Mr. Luter closed the nominations for Chair. A vote was taken and Mr. Dawson was unanimously elected as Chair.

Note: Mr. Kessler arrived to the meeting after the first nomination for Chair was made and seconded. The secretary updated him on the nomination; he had an opportunity to make a nomination during the second and third call for nominations.

Chair Dawson called for nominations for Vice-Chair. Ms. Monday nominated Mr. Pharr for Vice-Chair. The nomination was seconded by Ms. Jackson. Chairman Dawson called for nominations for Vice-Chair twice more. After hearing no further nominations for Vice-Chair, Mr.

State Building Code Technical Review Board
July 15, 2022 Minutes - Page 2

Dawson closed the nominations. A vote was taken and Mr. Pharr was unanimously elected as Vice-Chair.

Chair Dawson called for nominations for Secretary. Ms. Monday nominated Mr. Luter for Secretary. The nomination was seconded by Mr. Pharr. Chairman Dawson called for nominations for Secretary twice more. After hearing no further nominations for Secretary, Mr. Dawson closed the nominations. A vote was taken and Mr. Luter was unanimously elected as Secretary.

Approval of Minutes

The draft minutes of the May 20, 2022 meeting in the Review Board members' agenda package were considered. Mr. Mays moved to approve the minutes as presented. The motion was seconded by Mr. Zdinak and passed with Ms. White and Messrs. Butler, Crigler, and Kessler abstaining.

Final Order

Appeal of Clark Construction Group and JCM Associates: Appeal No. 22-01:

After review and consideration of the final order presented in the Review Board members' agenda package, Mr. Mays moved to approve the final order as presented. The motion was seconded by Mr. Zdinak and passed with Ms. White and Messrs. Butler, Crigler, and Kessler abstaining.

Appeal of Monica and Michael Davis: Appeal No. 22-02:

After review and consideration of the final order presented in the Review Board members' agenda package, Mr. Mays moved to approve the final order as presented. The motion was seconded by Ms. Jackson and passed with Ms. White and Messrs. Butler, Crigler, and Kessler abstaining.

Public Comment

Chair Dawson opened the meeting for public comment. Mr. Luter advised that no one had signed up to speak. With no one coming forward, Chair Dawson closed the public comment period.

New Business

Request for Interpretation of Jeff Senter (City of Newport News): Interpretation Request No. 03-22:

An interpretation request from Jeff Senter of the City of Newport News was considered concerning the 2018 Virginia Statewide Fire Prevention Code (SFPC), on Sections 107 and 108 related to whether the Fire Official requires additional authorization from the local governing body to require operational permits.

Mr. Mays moved to change the question to “Does the local Fire Official have the authority to require operational permits prescribed by Sections 107 and 108 of the SFPC references in table 107.2?” Mr. Mays further moved that the answer to the question, does the local Fire Official have the authority to require operational permits prescribed by Sections 107 and 108 of the SFPC references in table 107.2, to be “No, in accordance with the Code of Virginia Section 27-98, unless authorized by the local governing board”. The motion was seconded by Mr. Zdinak and passed unanimously.

Note: Ms. Jackson recused herself from consideration of this request due to her employment with the City of Newport News.

Request for Interpretation of Greg Revels (Henrico County):
Interpretation Request No. 04-22:

An interpretation request from Greg Revels of Henrico County was considered concerning the 2017 National Electrical Code (NEC), on Articles 100, 336.10(9), and 725.1(B) related to whether a single conductor within a Type TC-ER cable is permitted to serve both the power and remote control signal circuit when supplying PV Solar arrays with micro-inverters and controllers.

Mr. Mays moved to table the request until the August 19, 2022 meeting due to the complexity of the question and need for Mr. Revels to attend the meeting to participate in the discussion. The motion was seconded by Mr. Zdinak and passed unanimously.

Note: Barklie Estes with Nova Solar was present.

Secretary’s Report

Mr. Luter distributed a draft copy of Review Board Policies #27.0, #27.1, and #28, which were prepared by staff at the request of the Review Board. After review, the Board provided additional guidance and directed staff to update the policies in accordance with the new guidance and present the policies to the Board for final review and consideration at the August 19, 2022 meeting.

During the Board policy discussions, Mr. Mays moved that all code officials who request an interpretation from the Board shall attend the meeting in which the request is considered. The motion was seconded by Ms. Monday and passed unanimously. The Board directed staff to draft a policy for the new requirement and present it to the Board for review and consideration at the August 19, 2022 meeting.

The Board discussed the desire for a retreat in the spring of 2023 to discuss a plethora of items such as code updates as the 2021 code development cycle closes, looking ahead at new issues that may be on

State Building Code Technical Review Board
July 15, 2022 Minutes - Page 4

the horizon, hot topics for discussions from the members, etc. The Board also suggested using the retreat to provide training such as COIA and FOIA training provided by legal counsel. Mr. Bell agreed to research the suggested COIA and FOIA training and report his findings to the Board at a subsequent meeting.

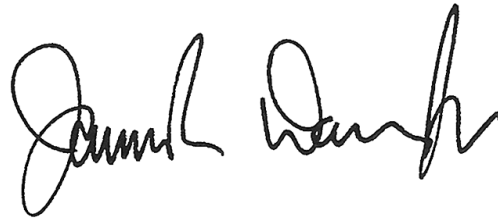
Mr. Luter informed the Board of the current caseload for the upcoming meeting scheduled for August 19, 2022.

Attorney Bell had no legal updates to provide to the Board.

Adjournment

There being no further business, the meeting was adjourned by proper motion at approximately 1:30 p.m.

Approved: August 19, 2022



Chairman, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board