

STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING
January 25, 2008
RICHMOND, VIRGINIA

Members Present

Mr. Michael A. Conner, Sr., CBO, Chairman
Mr. J. Robert Allen, CBO, Vice-Chairman
Mr. Matthew Arnold
Mr. Joseph A. Kessler, III
Mr. James N. Lowe
Ms. Joanne D. Monday
Ms. Patricia S. O'Bannon
Mr. R. Schaefer Oglesby

Members Absent

Mr. John W. Ainslie, Jr.
Mr. J. Daniel Crigler
Mr. John H. Epperson
Mr. J. C. Hawkins (Resigned)
Mr. Gregory H. Revels, CBO (Resigned)
Mr. Bruin Richardson

Call to Order

The meeting of the State Building Code Technical Review Board ("Review Board") was called to order by the Chairman at approximately 10:00 a.m.

Roll Call

The attendance was established by Mr. Vernon W. Hodge, Secretary, and constituted a quorum. Mr. Eric Gregory, Assistant Attorney General and the Board's legal counsel, was also present.

Approval of Minutes

Mr. Lowe moved to approve the minutes of the November 16, 2007 meeting as presented in the Review Board members' agenda package. The motion was seconded by Ms. Monday and passed unanimously.

Final Order

Appeal of Fairfax County Building Department; Appeal No. 07-9:

Mr. Lowe moved to approve the final order as presented in the Review Board members' agenda package with editorial amendments. The motion was seconded by Ms. O'Bannon and passed unanimously.

New Business

Appeal of Milari Madison; Appeal No. 07-10:

Prior to opening the hearing on the appeal, Mr. Hodge informed the Chairman that the appealing party had requested to participate in the hearing via telephone.

There was general discussion concerning the request and the Board's policy on telephonic participation in hearings.

New Business

Appeal of Milari Madison; Appeal No. 07-10 (continued):

After further discussion concerning the request for telephonic participation, Mr. Allen moved to postpone the hearing to the next scheduled meeting of the Review Board. The motion was seconded by Ms. O'Bannon and passed with Messrs. Arnold and Kessler voting in opposition.

Ms. O'Bannon then offered a motion to authorize staff to respond to the appellant with a summary of the Board members' discussion on telephonic participation including that requests are handled on a case by case basis and are considered to be very problematic; that it would not permit the swearing in of participants or permit adequate consideration of exhibits; that it would under no circumstances permit the testimony of witnesses and that it generally would only be considered in the most extreme of extenuating circumstances. The motion was seconded by Mr. Oglesby and pass unanimously.

Secretary's Report

Mr. Hodge showed Board members a certificate of appreciation for Mr. Revels acknowledging his thirteen years of service on the Review Board.

Mr. Hodge informed the Board members of the development of the 2006 state building and fire regulations and there was general discussion of several code issues.

The Chairman inquired whether there should be consideration of another fire services appointee on the Review Board due to the moving of the State Fire Marshal's Office from the Department of Housing and Community Development to the Department of Fire Programs. It was discussed that the Virginia Fire Prevention Association could lobby for an additional position.

Mr. Hodge informed Board members that there were a number of pending appeals to be heard in 2008 which should be ready for hearing for the April meeting and beyond.

Adjournment

There being no further business, the meeting was adjourned at approximately 12:05 p.m.

State Building Code Technical Review Board
January 25, 2008 Minutes - Page Three

Approved: February 15, 2008

/S/

Chairman, State Building Code Technical Review Board

/S/

Secretary, State Building Code Technical Review Board