

STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING
November 21, 2008
RICHMOND, VIRGINIA

Members Present

Mr. J. Robert Allen, CBO, Vice-Chairman
Mr. John W. Ainslie, Jr.
Mr. J. Daniel Crigler
Mr. James R. Dawson
Mr. John H. Epperson
Mr. Joseph A. Kessler, III
Mr. John A. Knepper, Jr.
Mr. James N. Lowe
Mr. Eric Mays
Ms. Joanne D. Monday
Mr. R. Schaefer Oglesby

Members Absent

Mr. Matthew Arnold
Ms. Patricia S. O'Bannon
Mr. Bruin Richardson

Call to Order

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

Roll Call

The attendance was established by Mr. Vernon W. Hodge, Secretary, and constituted a quorum. Mr. Tom Nesbitt, Assistant Attorney General of the State Office of the Attorney General, and the Board's legal counsel, was also present.

Brief introductions were given for Messrs. Dawson, Knepper and Mays and they were welcomed as new board members.

Mr. Michael A. Conner, Sr., CBO, former Chairman of the Review Board, was presented with a plaque from the Department by Mr. Hodge for outstanding service to the Commonwealth as a board member and during his tenure as Chairman. Mr. Hodge noted that Mr. Conner was the longest serving board member since the inception of the Board. Congratulations were expressed from other board members and Mr. Conner acknowledged his appreciation of the recognition and noted that it had been a pleasure working with the board and with staff.

Election of Officers

Mr. Hodge advised the board members that the last election of officers was in May of 2007; however, the appointment of Mr. Dawson and Mr. Conner stepping down had left the Chairman position vacant. Mr. Nesbitt briefed the board members on options for filling the position.

- Election of Officers
(continued) After discussion Mr. Epperson moved to nominate Mr. Allen to fill the remainder of the unexpired term as Chairman. The motion was seconded by Mr. Crigler and passed unanimously. Thereafter, Mr. Lowe moved to nominate Mr. Oglesby to fill the remainder of the remainder of the now vacant unexpired term as Vice-Chairman. The motion was seconded by Mr. Ainslie and passed unanimously.
- Staff noted that the next election would be in May of 2009.
- Approval of Minutes Mr. Lowe moved to approve the minutes of the July 18, 2008 meeting as presented in the Review Board members' agenda package. The motion was seconded by Ms. Monday and passed unanimously with Messrs. Ainslie, Dawson, Kessler, Knepper, Mays and Oglesby abstaining from the vote.
- New Business Mr. Hodge reported that the appeal case styled as Appeal of Danville Historical Society, Appeal No. 08-5, was continued by mutual consent of the parties and would be docketed for a future meeting.
- Old Business The Review Board members considered a court remand of the appeal case styled as Appeal of Randolph W. Griffith, Appeal No. 04-3. After discussion, Mr. Crigler moved to vacate the Review Board's decision in accordance with the order provided by staff. The motion was seconded by Mr. Oglesby and passed unanimously.
- Further, there was consideration of a recommendation for a code change proposal to address the issues in the case. After discussion of two staff proposals, it was recommended that a new proposal be developed with elements of both. Review Board staff will work on the new proposal for a future meeting.
- Interpretations An interpretation request from the Prince William County Fire Marshal concerning a provision in the Virginia Statewide Fire Prevention Code for the storage of combustible materials under eaves was considered. After discussion, Mr. Lowe moved that the code provision was sufficiently clear and no interpretation was necessary. The motion was seconded by Ms. Monday. After further discussion, Mr. Oglesby moved a substitute motion to defer action on the request until the resolution of a pending court action involving a prior decision of the Review Board which was peripherally related to the interpretation request.

Interpretations
(continued)

Mr. Crigler seconded the substitute motion and it passed unanimously with Mr. Mays abstaining from the vote. Review Board staff will convey the Board's determination to the Prince William County Fire Marshal and monitor the court proceedings.

Board members then discussed with Mr. Nesbitt correspondence concerning participation in appeal hearings when a board member also served on a local government appeals board. It was determined to table the discussion until a future meeting as Mr. Arnold had raised the issue was not present at the meeting.

Secretary's Report

Mr. Hodge reviewed the 2009 meeting schedule with Board members. Mr. Oglesby moved to approve the 2009 meeting schedule with the following meeting dates:

January 23	July 17
February 20	August 21
March 20	September 18
April 17	October 16
May 15	November 20
June 19	December 18

The motion was seconded by Mr. Epperson and passed unanimously.

Mr. Emory Rodgers, Deputy Director of the Building and Fire Regulation, updated the Board members on current activities within the Department and highlighted issues to be reviewed in the upcoming code development cycle.

Adjournment

There being no further business, the meeting was adjourned by motion of Mr. Epperson at approximately 12:30 p.m.

Approved: January 23, 2009

/S/

Chairman, State Building Code Technical Review Board

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Secretary, State Building Code Technical Review Board