

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

January 31, 2024

12:00 P.M.

All Virtual Meeting Via Microsoft Teams

Members Present

Louie Berbert
Claudia Cotton
Sean Farrell
Lynne Goldberg
Sylvia Hallock
Abigail Johnson
Keith Johnson
Roger Jones
Larry Murphy
J.M. Snell
Scott Stosser
Mark Trostle
Janet Wigglesworth

Members Absent

Richard Gregory

Call to Order

Mr. Louie Berbert, Chairman of the Board of Housing and Community Development, called the meeting of the Board to order at 12:00 p.m.

Roll Call

The roll was called by Mr. Chase Sawyer of the Department of Housing and Community Development Policy Office. Mr. Sawyer reported that a quorum was present.

Public Comment

Mr. Berbert opened the floor for comment.

Steven Shapiro representing the Virginia Apartment Management Association spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Craig Toalson representing the Homebuilders Association of Virginia spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Eric Lacey representing the Responsible Energy Code Alliance spoke in support of adopting the full ICC model code and spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Chelsea Harnish representing the Virginia Energy Efficiency Council spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Jason Laws representing the Virginia Building Codes Association spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Gerry Maiatico representing the Virginia Fire Prevention Association spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Andrew Milliken spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Jason Vandever representing the North American Insulation Manufacturers Association spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Leah McCord representing the Climate Equity Working Group spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Lisa Berger representing the ICC spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Bill Penniman spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Mary-Carson Stiff representing Wetlands Watch spoke in opposition to reopening the 2021 USBC for regulatory reduction.

Mr. Berbert closed the public comment.

Approval of Minutes

A motion was made and properly seconded to approve the minutes of the December 11, 2023, meeting of the Board; the motion passed on a voice vote.

Committee Appointments

Mr. Berbert appointed Mr. Richard Gregory as Chair of the Codes and Standards Committee and Mr. J.M. Snell as the Vice Chair of the Codes and Standards Committee.

Mr. Sawyer reminded the Board that every member of the full Board is a member of the Codes and Standards Committee. Mr. Sawyer read the names of the Codes and Standards Committee members, which were as follows:

- Louie Berbert
- Claudia Cotton
- Sean Farrell
- Lynne Goldberg
- Richard Gregory
- Sylvia Hallock
- Abigail Johnson
- Keith Johnson
- Roger Jones
- Larry Murphy
- J.M. Snell
- Scott Stosser
- Mark Trostle
- Janet Wiglesworth

Adjournment

Upon a motion duly made and seconded, the regular Board meeting was adjourned until the close of the Codes and Standards Committee meeting.

Call to Order

Following the conclusion of the Codes and Standards Committee meeting, Mr. Berbert reconvened the regular meeting of the Board at 1:39 pm.

Roll Call

The roll was called by Mr. Sawyer. Mr. Sawyer reported that a quorum was present.

Report of the Codes and Standards Committee

Mr. J.M. Snell, Vice Chair of the Codes and Standards Committee, provided a report of the Codes and Standards Committee noting a recommendation to consider a motion related to Notices of Intended Regulatory Action (NORIA) associated with the regulations of the Board pursuant to Executive Order 19.

The recommendation of the Committee was to not approve the Notices of Intended Regulatory Action (NORIRAs) as presented on the Committee's agenda and to direct DHCD staff to prepare NOIRAs in accordance with Executive Order 19 for the 2024 code

development process and to consider the previous efforts of the Board related to regulatory reduction during the 2021 code cycle.

DHCD staff recommended an amended motion to provide clarity regarding the intended action of the Board. A motion was made and properly seconded to amend the motion to align with recommended language. The motion to amend the motion was agreed to by voice vote.

The amended motion before the Board was to not approve the Notices of Intended Regulatory Action (NOIRAs) as presented on the Committee's agenda and to begin the next code update cycle based on the 2024 model codes with the added consideration of Executive Order 19 while considering the previous efforts of the Board related to regulatory reduction during the 2021 code update cycle. The motion passed (YEAS: Cotton, Farrell, Goldberg, Hallock, A. Johnson, K. Johnson, Murphy, Snell, Stosser, Trostle; NAYS: Berbert, Jones, Wiglesworth; ABSENT: Gregory).

Virginia Housing Report	There were no updates from Virginia Housing.
VFSB Report	Mr. J.M. Snell informed the Board that the next meeting of the Fire Services Board will be held the week of February 19 at the Fire Chiefs Association Convention.
Report of the Director	There were no updates from the DHCD director.
Unfinished Business	There was no unfinished business to be discussed.
New Business	Mr. Justin Bell of the Office of the Attorney General alerted the Board of a Notice of Appeal sent by Appalachian Mountain Advocates related to 2021 USBC provisions associated with certain energy saving standards from the international code.
Board Matters	Mr. Sawyer reminded the Board that Conflict of Interest Filings are due on February 1, 2024.
Future Meetings	The next meeting of the Board is currently scheduled for March 11, 2024. Mr. Sawyer noted that following today's actions of the Board there will likely be a meeting prior to March 11, 2024.

Adjournment

Upon a motion duly made and seconded, the meeting was adjourned.