INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission Video/Teleconference Microsoft Teams Format

Tuesday, February 1, 2022

- 1. Pursuant to <u>Indiana Code § 22-12-2-6</u>, the Indiana Fire Prevention and Building Safety Commission's (the Commission) regular monthly meeting was called to order by Chairman James Greeson at 9:01 a.m. EST on Tuesday, February 1, 2022. Due to the State of Indiana's declaration of a public health disaster emergency under <u>Executive Order 21-33</u>, the meeting was conducted <u>electronically</u> by videoconference and teleconference call through Microsoft Teams, pursuant to the requirements of <u>Indiana Code § 5-14-1.5-3.7</u>.
 - a. Commissioners virtually/electronically present at the meeting:

Gregory Furnish
James Greeson, Chairman
Joseph Heinsman
David Henson
Todd Hite, representing the Commissioner, Indiana State Department of Health
James (Wes) Jordan
James Murua
Scott Pannicke
Michael Popich, Vice Chairman

b. Commissioners absent from the meeting:

Harold Davidson, representing the Commissioner, Indiana Department of Labor John Watson

c. The following staff were present during the meeting electronically:

Dustin Dyer, Director of Boards and Commissions
Craig Burgess, Indiana State Building Commissioner
Denise Fitzpatrick, IDHS Code and Variance Specialist
Philip Gordon, Deputy Attorney General & Legal Counsel to Fire Prevention and
Building Safety Commission
Justin Guedel, IDHS Deputy General Counsel

2. Roll Call conducted by Dustin Dyer. Nine commissioners were present for the meeting, all attending electronically.

- 3. Commission Review and Action on Meeting Minutes
 - a. Tuesday, January 4, 2022

Director Dyer called for corrections to the draft of the Commission's Tuesday, January 4, 2022, meeting minutes. After corrections were heard, Section 5 of the minutes were amended to reflect the next meeting date being in 2022, rather than 2021. The Commission moved to approve the minutes with corrections, and a roll call vote was conducted.

	Υ	N
Harold Davidson		
Greg Furnish	X	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

The meeting minutes were **approved with corrections**, by a vote of 9-0.

- 4. IDHS/Commission Staff Reports and Updates
 - a. IDHS Variance Determinations Report

As required by 675 IAC 12-5-6.2 (f), the Indiana Department of Homeland Security provided its report of variance determinations made between December 30, 2021, and January 24, 2022.

- 5. Rulemaking Update(s)
 - a. Update on the Indiana Elevator Code Committee by Justin Guedel.
 - i. Next Meeting: TBA. Public notice and meeting details will be provided on the <u>Committee's web page</u> in advance of the meeting.

- Status Update on Administrative Rulemaking to Amend 675 IAC 12-3-2(c) Schedule of Fees for Site Built Construction – Category I (Expedited Plan Review) by Justin Guedel.
- c. Justin Guedel provided an update on the formation and proposed membership of the Indiana Electrical Code Update Committee, recommending that the committee be formed even though staff had not received recommendations for all suggested roles. The Commission discussed the proposed bylaws. A motion was made to replace one of the current makeup with an Electrical Code Instructor, the replacement to be determined later, and to approve the bylaws with the corrected roster when confirmed. A roll call vote was held.

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	X	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	X	
John Watson		

The motion and bylaws were approved by a vote of 9-0.

- 6. Status Update on the Requirements of the Commission's Imposed Sanction on Variance No. 16-03-61 Garvin Industrial Park, 1511 Read Street, Evansville, IN 47710. Roger Lehman, representative for the owner, provided the Commission with an update regarding the actions that were being taken to abide by the Commission's variance sanction order that was issued in June 2021.
- 7. Authorization of Industrialized Building System and Mobile Structure Third Party Inspection Agencies.
 - i. PFS Teco Annual Renewal.

The Commission moved to approve the annual renewal application by PFS Teco.

	Υ	N
Harold Davidson		
Greg Furnish	X	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Renewal application was approved, by a vote of 9-0.

8. Variances

- a. Tabled
 - i. 21-10-27 (c) IU Collins Center Renovation, Bloomington.

Proponent requested that variance be tabled. Commission moved to table the variance.

	(c)	
	Υ	N
Harold Davidson		
Greg Furnish	X	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	X	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (c) was **tabled** by a vote of 9-0.

ii. 21-12-24(a) Square Cat Vinyl, Indianapolis

Proponent Ed Rensink requested that the Commission table this variance. Commission moved to table.

	Υ	N
Harold Davidson		
Greg Furnish	X	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	X	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (a) was **tabled**, by a vote of 9-0.

b. New

i. 22-01-12(a)(b), Weber Concrete, Lebanon

Christina from RTM spoke on behalf of the variance. Commission moved to approve variances (a) and (b) as a group.

	Υ	N
Harold Davidson		
Greg Furnish	X	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan		
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	

Michael Popich	\boxtimes	
John Watson		

Variances (a) and (b) were **approved with conditions**, by a vote of 8-0.

Conditions: Variance approved for extension until July 31, 2024, in lieu of original requested date of 5 years.

ii. 22-01-13 Event Center Expansion, French Lick

Tim Machina from Ryan Fire Protection spoke on the variance on behalf of French Lick Resort. Commission moved to approve the variance.

	Υ	N
Harold Davidson		
Greg Furnish		
Jim Greeson	X	
Joe Heinsman	X	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	X	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance was **approved**, by a vote of 8-0.

iii. 22-01-14 New Portable Storage Sheds, Edinburgh

Melissa Tupper, RTM Consultants, spoke on the variance. Additionally, Tom Clark with Storage Express. Blake Robinson with Janice International, Paul Fleming, Engineer. Commission moved to table the variance to allow proponents more time for testing and compliance with administrative rules.

9.	Y	N
Harold Davidson		

Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich		
John Watson		

Variance was **tabled**, by a vote of 8-1.

Breaking & Reconvening: The Commission took a short break, beginning at 10:06 a.m. EST. The meeting was called back to order at 10:18 a.m. EST.

iv. 22-01-15(a)(b)(c)(d)(e)(f) IU AHC Medical Education Facility, Indianapolis

Ed Rensink spoke of behalf of the variances. Commission moved to approve variances (a), (c), and (f) as a group.

v.	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	X	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan		
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	X	
John Watson		

Variances (a), (c), and (f) were **approved**, by a vote of 8-0.

Commission moved to approve variance (b).

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	X	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan		
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (b) was approved, by a vote of 8-0.

Commission moved to approve variance (d).

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	X	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan		
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	X	
John Watson		

Variance (d) was approved, by a vote of 8-0.

Commission moved to approve variance (e).

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	

Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan		
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (e) was **approved**, by a vote of 8-0.

v. 22-01-16(a)(b)(c)(d)(e) 1st on Main, Carmel
 Ed Rensink spoke of behalf of the variances.
 Commission moved to approve variance (a).

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	X	
David Henson	\boxtimes	
Todd Hite	X	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (a) was approved, by a vote of 9-0.

Commission moved to approve variance (b).

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	

Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (b) was **approved**, by a vote of 9-0.

Commission moved to approve variances (c) and (d) as a group.

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variances (c) and (d) were approved, by a vote of 9-0.

Commission moved to approve variance (e).

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	

Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Variance (e) was **approved**, by a vote of 9-0.

- 9. Commission Review of Local Ordinances
 - a. Preliminary (Pre-Adoption) Review
 - i. Building Code Ordinance of Putnam County. Commissioners directed to submit concerns to commission staff for follow-up with proponents before adoption.
 - b. Adopted Ordinances
 - i. Ordinance No. 2020-11 Solar Energy System (SES) Ordinance of Huntington County, Indiana Received October 12, 2021. Tabled at December 7, 2021 and January 4, 2022 meetings. IDHS recommends approval of the ordinance. Commission moved to approve.

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Ordinance was **approved** by a vote of 9-0.

ii. Ordinance No. 21-57 – Fire Prevention Ordinance of the City of Westfield, Indiana – Received January 12, 2022. IDHS recommends denial of the ordinance based on the effective date being prior to approval by the

Commission, contrary to statutory requirement. Commission moved to deny the ordinance.

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Ordinance was **denied** by a vote of 9-0 for non-conformance with effective date requirements.

iii. Ordinance No. 2022-1 – Fire Prevention Ordinance of the City of Decatur, Indiana – received January 19, 2022. IDHS recommends denial of the ordinance based on the effective date being prior to approval by the Commission, contrary to statutory requirement. Commission moved to deny the ordinance for non-compliance with effective date requirements.

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	\boxtimes	
Michael Popich	\boxtimes	
John Watson		

Ordinance was **denied** by a vote of 9-0.

10. Update of Fire Ordinance Template to include draft language for effective date due to prior problems with ordinance submissions being non-compliant with statutory requirements. Commission moved to approve the draft language.

	Υ	N
Harold Davidson		
Greg Furnish	\boxtimes	
Jim Greeson	\boxtimes	
Joe Heinsman	\boxtimes	
David Henson	\boxtimes	
Todd Hite	\boxtimes	
Wes Jordan	\boxtimes	
Jim Murua	\boxtimes	
Scott Pannicke	X	
Michael Popich	\boxtimes	
John Watson		

Update was **approved** by a vote of 9-0.

- 11. Final Comments/Closing Remarks from Chairman Greeson.
- 12. Next Meeting Tuesday, March 1, 2022, beginning at 9:00 a.m. Eastern Time in Conference Room F, Indiana Government Center South Conference Center, 302 W. Washington Street, Indianapolis, IN 46204. Virtual meeting details TBA.

A public notice with specific details regarding the format of the meeting will be provided on the <u>Commission main web page</u> in advance of the meeting date.

13. Adjournment

Chairman Greeson adjourned the meeting at 11:20 am. EST.

APPROVED:

James L. Greeson, Chairman