

**Construction Codes Advisory Council  
Meeting Minutes  
April 9, 2009  
Minnesota Room**

**Members Present:**

Mark Brunner  
Bob Dahm (Dept. Of Public Safety Commissioner's Designee)  
Gerhard Guth  
Bruce Hutchins  
Robert Jewell  
Tom Joachim (Commissioner's Designee)  
Kenneth Kammerer  
Dan McConnell  
Pete Nelson  
Kathleen Ostrom  
Tom Seanger  
Luke Stemmer  
Michael Stillman  
Kent Warden  
Kevin White

**Members Absent:**

Stephen Lucas  
Larry Stevens

**Staff Present:**

Commissioner Steve Sviggum  
Julie Klejewski  
John Schultz

**Visitors:**

Gary Thaden  
Karen Linnar  
Bill Heaney

**I. Call To Order**

The meeting was called to order by Joachim at 1:05 p.m. and announcements were made. Commissioner Steve Sviggum gave a welcoming statement.

**II. Introduction of CCAC Members**

Roll call was taken and a quorum was declared. The members then introduced themselves and gave a brief background for themselves. Members of the audience introduced themselves. Joachim reviewed the charge of the Construction Codes Advisory Council and Council member terms.

**III. Approval of Agenda**

Stemmer made a motion, seconded by Ostrom, to approve the meeting agenda. The vote was unanimous and the motion passed.

#### **IV. Approval of Previous Meeting Minutes**

Being this is the first meeting of the Construction Codes Advisory Council, there are no previous Minutes to approve.

#### **V. New Business**

- A. Review of 326B.07 – Joachim reviewed the statute regarding the Construction Codes Advisory Council. The Council members are asked to review laws, codes, rules, standards and licensing requirements and make recommendations back to the legislature. Technical Advisory Groups (TAGs) were outlined.
- B. Terms of Appointments – Joachim reviewed the terms of the members and stated that initially the terms will correspond with the term of the current Governor, and shall be four year appointments thereafter.
- C. Alternates to CCAC Members – Council members are allowed to choose an alternate to attend CCAC meetings in their place and the appointed alternate will have voting authority. The Alternate should be a representative of the same industry or association that the Council member represents.
- D. Per Diem/Mileage 15.059 – Julie reviewed eligibility and the process for collecting Per Diems and turning in expense reports. The State of Minnesota requires members to have a Vendor Number, therefore an I-9 needs to be filled out to receive that number, if members do not already have one. Per Diems and expense reports should be turned in at the end of each Council meeting.
- E. Draft of Bylaws – Joachim reviewed the draft Bylaws for the Construction Codes Advisory Council and asked Council members review and make any suggestions they feel appropriate thirty days prior to the next meeting.
- F. Review of Codes – Joachim reviewed the two statutory charges referring to the CCAC.
  - 326B.106 – General Powers of the Commissioner of Labor and Industry. As stated in subd. 1, as the Department goes through the rule adoption process, it is planned to inform the Council of what rules are being done and get input from the CCAC. MN Statute 326B.118, which is applicable only to the energy code, states that “...the research and analysis must be completed in cooperation with practitioners in residential construction and building science and an affirmative recommendation by the Construction Codes Advisory Council.”
    - i. Residential Energy 1322 – This has already been through the rule process and becomes effective June 1, 2009. No action by the Council needs to be taken.
    - ii. Commercial Energy 1323 – This has also been through the rule process and becomes effective June 1, 2009. No action by the Council needs to be taken.
    - iii. Plumbing 4715 – There is a Plumbing Board member representative on the Council who can provide the CCAC with updates about rulemaking the Board is doing and can take back to the Board input from the CCAC. The Plumbing Board has just completed a rule process and is only waiting for an effective date.

- iv. High Pressure Piping 5230 – There is a Board of High Pressure Piping Systems member on the Council who can provide the CCAC with updates about rulemaking the Board is doing and can take back to the Board input from the CCAC. The Board of High Pressure Piping Systems also completed a rule process and is waiting for final approval from the Governor’s Office. The High Pressure Piping Code is not part of the State Building Code.
  - v. Window Fall Protection 1303 – This is also in the final stages of the rule process and is waiting for approval from the Governor’s Office.
  - vi. DLI’s Rulemaking Docket– This website (<http://www.dli.mn.gov/Rulemaking.asp>) lists all current rulemaking being done by the Department.
  - vii. Rule Processes the Department plans to propose – Joachim stated there are two rule processes the Department plans to propose: Chapter 1370 for storm shelters on manufactured home parks (see the Revisor’s website <https://www.revisor.leg.state.mn.us/rules/?id=1370>). The other is Chapter 1350: Manufactured home rules (see the Revisor’s website found at <https://www.revisor.leg.state.mn.us/rules/?id=1350>). Council members are encouraged to review these rules and make any recommendations at the next meeting. Joachim stated the Department, along with the State Fire Marshal’s Office, has chosen to not adopt the 2009 additions of the IRC, IFC and IBC due to the economy. The following Chapters are going to be opened up in the near future:
    - a. Chapter 1300, the State Building Code Administrative Chapter, will also be reviewed by the Department and Council members are encouraged to review this Chapter (found on the Revisor’s website at <https://www.revisor.leg.state.mn.us/rules/?id=1300>) and give their input.
    - b. Chapter 1303 is the MN (Special) Provisions of State Building Code. This Chapter can be found at <https://www.revisor.leg.state.mn.us/rules/?id=1303>.
    - c. Chapter 1311, the Existing Buildings code, will also be reviewed by the Department and Council members are encouraged to review this Chapter (found on the Revisor’s website at <https://www.revisor.leg.state.mn.us/rules/?id=1311>). Both 1300 and 1311 may need to be amended to address the Morris/Sax Supreme Court decision.
    - d. All rules can be looked up by going to the Revisor’s website at <https://www.revisor.leg.state.mn.us/pubs/>. On the left side of the page enter the Chapter number and in the drop box directly below that choose “rules” not statutes.
- G. Member Questions – There was general discussion regarding the Legislators creating rules versus the industry/agency creating rules. Also discussed were the proposed TAGs and how often they would meet; which could be once every two weeks or once per month, depending on the need and necessity. Every Council member is encouraged to review the previously discussed codes and give their input at the next Council meeting. Also, if any member would be interested in being a part of a specific Technical Advisory Group, please let Joachim know.

H. Review Next Meeting Dates – The future meeting dates were discussed and decided as set out under Announcements below.

## **VI. Announcements**

A. Next Regularly Scheduled Meetings:

- i. Thursday, June 18, 2009, 1:00 p.m. – Minnesota Room, DLI
- ii. Thursday, September 17, 2009, 1:00 p.m. – Minnesota Room, DLI
- iii. Thursday, December 10, 2009, 1:00 p.m. – Minnesota Room, DLI

## **VII. Adjournment**

Warden made a motion, seconded by White, to adjourn the meeting. The vote was unanimous and the motion passed. The meeting adjourned at 2:23 p.m.

Respectfully Submitted,

*Julie Klejewski*

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