

Meeting (DRAFT) Minutes: Construction Codes Advisory Council

Date: Nov. 14, 2025 | Time: 9:00 a.m.

Location: DLI, 443 Lafayette Rd. N., St. Paul, MN 55155 | WebEx | Phone

Members

1. Karl Abrahamson
2. Scott Anderson
3. Lori Bauer (WebEx)
4. Mary Barnett (alt for Mara Peterson)
5. Mark Brunner
6. Chris Ferguson (WebEx)
7. Arne Grant
8. Barry Greive (WebEx)
9. Tom Jenson
10. Stephen Kartak
11. David Kegler
12. Russ Landry
13. Greg Metz – Chair
14. Dan McConnell (WebEx)
15. Mike Paradise (WebEx)
16. William Pim (WebEx)
17. Reed Sprung
18. Brian Stemwedel
19. Desiree Weigel
20. Mark Worms

Members Absent

- Mara Peterson (alternate attended)

Staff & Visitors

- Kate Perushek – Deputy Commissioner
- Jeff Lebowski – Atty for CCAC, DLI
- Daniel Becker – DLI (WebEx)
- Alexis Johnson – DLI (WebEx)
- Larry Farrar – DLI
- Lyndy Logan – DLI
- Sean Callahan – DLI
- Todd Green – DLI (WebEx)
- Makenzie Johnson – DLI (WebEx)
- Jason Kelzer – DLI (WebEx)
- Britt McAdamis – DLI (WebEx)
- Ken McGurran – DLI (WebEx)
- Scott McKown – DLI (WebEx)
- Josiah Moore – DLI
- Krystina Nickila – DLI (WebEx)
- Terence Olson – DLI
- Ryan Rehn – DLI
- Chris Rosival – DLI
- Steve Shold – DLI
- Don Sivigny – DLI
- Amanda Spuckler – DLI (WebEx)
- Paul Swett – DLI
- Jesse Szykuluski – DLI

Staff & Visitors

- Phil Anderson – CEE
- Jessica Archer – Target (WebEx)
- Mike Beardsley – Arcxis
- Eric Boyd – Arcxis
- Anusha Burte – CEE
- Charlie Carlson – CenterPoint Energy (WebEx)
- Sam Caven – Dabbert Homes (WebEx)
- Ross Davison – Sala Arc (WebEx)
- Nick Erickson – Housing First MN
- Eric Flower – CEE
- Mark Foster – Housing First MN (WebEx)
- Eric Fowler – Fresh Energy
- Sam Frieson – Fresh Energy
- Ross Glad – McGough (WebEx)
- Nick Haeg – Fresh Energy (WebEx)
- Sheri Hansen – AIA MN (WebEx)
- Joshua Harmon – Shums Coda
- Richard Hauffe – ICC (WebEx)
- Alyssa Jagdfeld – Sala Arc (WebEx)
- Jared Johnson – PHIUS (WebEx)
- Grace Keliher – BAM (WebEx)
- Randy King – City of N. Mankato (WebEx)
- Jonny Kocher – RMI Org (WebEx)
- Ed Lisinski – AWC Org (WebEx)
- Joel Lynch – CenterPoint
- Sarah Newman – SMXB Law
- Greg Olson – Semco
- Ilana Percher – DOC (WebEx)
- Angela Peterson – CEE
- Darren Port – Slip Stream Inc. (WebEx)
- Mike Robertson – TC Habitat Org (WebEx)
- Peter Schmelzer – KAAS Wilson (WebEx)
- Ryan Setterholm – CenterPoint Energy
- Erin Sherman – RMI (WebEx)
- Isacc Smith – CEE
- Matt Spellman – MN Realtors
- Theresa Sprung – Sprung Services, Inc.
- Brian Stemwedel – City of Minnetonka
- Amanda Swenson – SFM
- Elizabeth Torske – CNGC (WebEx)
- Stephen Ubl – City of St. Paul
- Jason Vandever – NAIMA (WebEx)
- Julia Wells – MNCEE (WebEx)
- James Williamette – Shums Coda
- Forrest Williams – SFM (WebEx)

1. Call to order

- A. Chair Metz called the meeting to order at 9:02 a.m.
- B. Ryan Rehn (chair alternate) took roll call, and a quorum was established with 20 of 20 members present, in person or remotely. A quorum was maintained throughout the meeting.
- C. Announcements/Introductions – Chair Metz
 - Everyone present in person and remotely can hear all discussions.
 - All votes will be taken by roll call if any member is attending remotely.
 - All handouts discussed and WebEx instructions are posted on the [Council's website](#).
- D. WebEx instructions/procedures were read aloud.

2. Approval of meeting agenda

A motion was made by Kartak, seconded by Landry, to approve the agenda. Chair Metz noted that the Open Forum speakers would have opportunities to address the council at various points during the meeting. The roll call vote was unanimous, with 20 votes in favor; the motion carried.

3. Approval of previous minutes

A motion was made by Stemwedel, seconded by Barnett, to approve the July 17, 2025, meeting minutes as presented. The roll call vote was unanimous, with 20 votes in favor; the motion carried.

4. Regular business

Expenses were approved.

5. Department update – Deputy Commissioner Kate Perushek

- **Agenda Overview:** The meeting includes several Open Forum requests and code change proposals. While the council typically relies on technical advisory groups (TAGs) for recommendations, additional proposals may arise post-TAG review and will be considered today.
- **Encouragement for Deliberation:** Members were thanked for their thoughtful review of proposals, especially those outside the usual TAG process.
- **Mental Health Initiative:** CCLD is launching a **construction worker mental health grant program**, with the application period closing today.
 - Focus: Suicide prevention and mental health awareness in the construction industry.
 - Goal: Reduce stigma and promote well-being through outreach and education.
 - Updates will be shared with the council as the initiative progresses.

6. Special Business (see [presentation](#))

- A. BOT Grants Program Update – Chair Metz
- B. Rulemaking updates from the 2024 code cycle Technical Advisory Groups
 - a. **MN Rules Chapter 1311 – Conservation Code for Existing Buildings**

CCP EB-13 Electrical Service

- **Ryan Rehn (chair alternate, DLI) – (see Attachments A and B)**
 - Clarification: An error in the distributed staff recommendation reversed the quoted language. The proposed revision would change “shall be upgraded to meet” to “shall meet” NFPA 70 requirements.
 - Staff Position: Despite the revised wording appearing similar, the staff recommends disapproval of the proposed change.
 - Rationale:
 - Removing “upgraded” introduces ambiguity and may weaken enforcement.
 - The original language ensures clarity, supports consistent enforcement, and aligns with life safety goals.
 - The requirement to upgrade is consistent with national model codes and NFPA 70’s intent during occupancy changes.
- **Karl Abrahamson** – Noted that a related code change proposal was included in the materials.
- **Chair Metz** – Clarified that the proposal and staff recommendation were reversed in the packet. The TAG-approved version removes “upgrade,” while the staff recommends keeping it.
- **William Pim** – Opposed the term “upgrade,” citing its specific meaning in the electrical code. Argued it could require unnecessary changes even when the existing service is adequate. Supported the TAG’s version: “shall meet the requirements.”
- **Chair Metz** – Confirmed Pim supports the TAG recommendation, not the staff’s.
- **Russ Landry** – Asked whether staff supports including or removing “upgrade.”
- **Rehn** – Confirmed staff supports including “upgrade” to align with the national model code and avoid ambiguity.
- **Pim (follow-up)** – Reiterated concern that “upgrade” may mandate unnecessary work when the service is already compliant.
- **Brian Stemwedel** – Asked for clarification on the definition of “service.”
- **Rehn** – Confirmed “service” refers to the utility connection up to the panel.
- **Landry** – Asked about the TAG vote; Metz confirmed it was by consensus.
- **Abrahamson** – Suggested using a term like “evaluate” instead of “upgrade” to avoid implying unnecessary work. Further Clarification and Commentary Discussion
- **Ryan Rehn** – Explained that the ICC commentary on Section 1007.3 supports the use of “upgrade” when required by NFPA 70. Removing the term would create a deviation from the national model code.
- **Grant** – Clarified that a “yes” vote supports the staff recommendation and retains the model code language.
- **Chair Metz** – Confirmed Grant’s interpretation and acknowledged the confusion.
- **Scott Anderson** – Supported retaining the model code, stating the difference in wording is minimal and doesn’t justify a change.
- **Barry Greive** – Agreed with keeping the model code but suggested referencing the commentary to clarify that upgrades aren’t required if the system already meets NFPA 70.
- **Chair Metz** – Noted that the building code doesn’t allow embedded commentary like the fire code, but education can be provided.
- **Pim** – Supported keeping the model code and emphasized the value of the ICC commentary for those applying the code.

- **Anderson** (follow-up) – Believes building officials can apply logic and discretion when interpreting “upgrade,” and referencing commentary may not be necessary.
- **Chair Metz** – Suggested moving to a formal vote unless there were new or differing comments.
- **CP EB-13 Electrical Service: A motion was made by Anderson, seconded by Kartak, to disapprove the proposed revision to Section 1007.3, MN Rules Chapter 1311 Conservation Code for Existing Building, retaining the current model code language stating that “electrical service shall be upgraded to meet the requirements of NFPA 70” when a change of occupancy occurs. The roll call vote was unanimous, with 20 votes in favor; the motion carried.**

b. MN Rules Chapter 1309 Residential Building Code

- **Jesse Szykulski** – Reported on the Residential Building Code TAG’s work. The group met 20 times and reviewed 42 code change proposals. Recommended adopting the 2024 IRC: Chapters 2–10 (Building), Chapter 11 (Energy), and Chapters 12–24 (HVAC). Repealed Minnesota’s deletion of storm shelter requirements and adopted IRC Section R307, referencing ICC 500 (2020). Introduced a requirement for a registered design professional to assess excavation impacts on adjacent foundations. Proposed increasing the loft ceiling height in tiny homes from 36" to 42". Recommended adopting Appendix BJ for straw bale construction with amendments: third-party moisture testing, silicate mineral paint, increased ground and plaster separation, extended roof overhangs, and rodent screening. Also recommended is adopting Appendix BL for hemp lime construction with modifications: isolating metal MEP components and requiring extended roof overhangs unless ventilated cladding is used.
- **Chair Metz** – Asked for clarification on whether storm shelters must comply with ICC 500. Confirmed that the next step is a motion to accept the TAG report.
- **MN Residential Code TAG Report : A motion was made by Paradise, seconded by Stemwedel, to approve the Minnesota Residential Code Technical Advisory Group (TAG) Report as submitted (see Attachment C). The roll call vote was unanimous, with 20 votes in favor; the motion carried.**
- **Anderson** – Clarified that the Minnesota amendment for storm shelters was removed because the requirement is now included in the model code under Section R307, making the amendment unnecessary.
- **Mark Brunner** – Asked about the industry standard referenced in the proposal to increase ceiling height in tiny house lofts from 36" to 42". Noted uncertainty about which standard was being matched and suggested the primary reason was to improve safety and headroom at the top of stairways.

EV Charging (see Attachment D)

- **Eric Fowler** – Representing Fresh Energy, supported a residential code change to prepare homes for increased electric vehicle (EV) adoption. Cited rapid EV growth in Minnesota (from 10,000 in 2018 to nearly 80,000 in 2024) and nationally. Emphasized that 80% of EV charging occurs at home, making residential infrastructure critical. Advocated for requiring conduit and reserved panel space for Level 2 EV chargers in new residential construction. Noted that a simplified version of the proposal (conduit only) failed in TAG by one vote. Urged adoption now to avoid costly retrofits later. Concluded by stressing the importance of acting now to reduce future costs and support safe, efficient home charging.
- **Nick Erickson (see Attachment E)** – Representing Housing First Minnesota, opposed the EV charging readiness proposal. Emphasized that the state building code is intended to ensure

uniform construction at the lowest cost consistent with national standards. Argued that rising housing costs are pricing out first-time buyers, and EV readiness adds to that burden. Cited builder feedback showing EV adoption at lower price points is extremely low (0.5%). Stated that there is no demonstrated market demand or essential nexus for requiring EV infrastructure in new homes. Noted that the legislature has not authorized this requirement. Referenced Curtis Johnson’s TAG input and a letter from Minnesota Realtors indicating buyers prioritize affordability over energy features. He urged the council to prioritize homeownership access in Minnesota.

- **Chair Metz** – Invited a motion to incorporate electric vehicle charging readiness into the Minnesota Residential Code. Clarified that this would require installing conduit from the electrical panel to a designated parking space—either in a garage or an on-site parking area—as outlined in the meeting packet.
- **CCP – Add EV Charging: A motion was made by Landry, seconded by Barnett, to incorporate electric vehicle charging readiness, as presented, in the Minnesota Residential Building Code. The motion failed by roll call vote with 16 opposed, 2 in favor (Grant and Landry), and 2 abstentions (Jenson and Metz). As a result, electric vehicle charging readiness will NOT be included in the MN Residential Code.**

CCP: Add Accessory Dwelling Units – Appendix BC with amendments (See Attachments F and G)

- **Chair Metz** – Introduced a code change proposal on accessory dwelling units (ADUs). Clarified that appendices are only reviewed by TAGs if submitted as proposals, which was misunderstood in this case. Staff supports reviewing the ADU appendix to promote statewide consistency, as municipalities currently create their own rules.
- **Anderson** – Proposed adopting the model code appendix for ADUs with Minnesota-specific amendments. Stated that ADUs are not currently addressed in the code, leading to inconsistent local regulations. Key amendments include:
 - ADUs not permitted in two-family dwellings or townhouses (except detached units) to avoid changing building scope.
 - ADUs must be attached to or within single-family dwellings; one ADU per primary unit.
 - Detached ADUs may be larger (up to 1,600 sq ft); attached/internal ADUs limited to 800 sq ft or 50% of the primary unit, but not less than 190 sq ft.
 - ADUs must have a separate entrance and provide full independent living facilities (per HUD standards).
 - HVAC systems must allow independent climate control; no shared air circulation.
 - Plumbing, electrical, and gas systems must allow service to be shut off independently between units.
- **Anderson** – Emphasized the need for uniformity across jurisdictions due to increasing ADU development in cities like Minneapolis and Rochester.
- **Chair Metz** – Thanked Anderson and noted a motion and a second are needed before discussion can proceed.

Dan McConnell departed the meeting at approximately 10:15 a.m., resulting in 19 members present in person or online.

- **CCP: Add Accessory Dwelling Units – Appendix BC with amendments: A motion was made by Paradise, seconded by Stemwedel, to incorporate Appendix BC, with the proposed amendments, into the Minnesota Residential Building Code. The motion passed by roll call vote with 10 in favor, 3 opposed (Abrahamson, Bauer, and Greive), and 5**

abstentions (Anderson, Barnett, Brunner, Jenson, and Worms). [Reed Sprung had stepped out of the room; he did not vote]

- **Pim** – Asked if the intent is to allow part of a large house to be converted into an ADU without fully rebuilding systems. Expressed concern that requiring full separation of systems (electrical, plumbing, HVAC) makes ADUs impractical in existing homes.
- **Anderson** – Confirmed the intent is to allow such conversions but emphasized the need for minimum health and safety standards. Stated that air transfer between units poses health risks and must be avoided. Acknowledged that the electrical and plumbing requirements add complexity but are necessary to ensure independent access and functionality, especially in cases like power outages.
- **Mike Paradise** – Supported adopting ADU provisions, citing experience building two ADUs in Rochester. Noted confusion during construction due to a lack of clear standards. Clarified that separate utility services (water, sewer, electrical) were manageable without major infrastructure changes. Emphasized that the proposal helps address real-world roadblocks. Recommended removing the owner-occupancy requirement from the building code, suggesting it belongs under local planning and zoning.
- **Chair Metz** – Noted that owner-occupancy is already addressed in the building code under lodging houses, and national model codes also include it in some cases.
- **Abrahamson** – Stated that BC 105.4 conflicts with Minnesota Plumbing Code 311.1. If the ADU is part of the same building, one water service is allowed. If detached, separate water and sewer services are required. Recommended referencing the plumbing code or submitting a formal request to amend it.
- **Anderson** – Asked if a pool cabana with plumbing would require separate service. Abrahamson confirmed that the code requires it for detached buildings, even if exceptions have been allowed in practice.
- **Mark Brunner** – Asked if the League of Cities had weighed in. Anderson replied no, but hoped they would support the proposal for housing consistency.
- **Pim** – Questioned the need for strict size limits on ADUs in large homes. Anderson explained that the intent is to keep ADUs “accessory” and smaller than the primary unit to avoid reclassifying the structure as a duplex. Also noted the lack of fire and sound separation requirements between units.
- **Chair Metz** – Asked if language could be written to require individual water control per unit while still complying with the plumbing code.
- **Abrahamson** – Explained that Plumbing Code 311.1 requires separate services for detached buildings. If the ADU is attached, one service is allowed. Confirmed that requiring individual shutoff control per unit, while complying with the plumbing code, would be acceptable.
- **Chair Metz** – Summarized that requiring separate control and compliance with the plumbing code would resolve the issue for both attached and detached ADUs.
- **Abrahamson** – Confirmed that this approach would be compliant and clarified: The intent is that if the Accessory Dwelling Unit (ADU) is attached to the primary building, a separate shut-off valve would be sufficient. However, if the ADU is detached, compliance with the plumbing code would require the installation of a separate water service.
- **Greive** – Supported the concept but opposed adopting it now, stating the proposal feels like code is being written on the fly. Recommended that it go through a TAG process with broader input, including the League of Minnesota Cities.
- **Stemwedel** – Asked if the proposal would override local zoning ordinances. Anderson confirmed it would, for areas covered by the building code. Also asked if fire-rated separation is required; Anderson said no.

- **Landry** – Clarified that the proposal is based on a national model code appendix, with some amendments by Anderson.
- **Brunner** – Asked how the proposal would be enforced if it conflicts with local zoning. Anderson explained the state building code would take precedence, and non-conforming structures would be handled separately.
- **Chair Metz** – Cited Minnesota Statute 326B.121, which states the building code supersedes municipal ordinances. Expressed concern that sending the proposal to a TAG would delay the residential code update and require reopening rulemaking.
- **Paradise** – Recommended forming a TAG or working group for broader input. Later confirmed that the public had the opportunity to comment at this meeting. Noted that, like townhomes, ADUs wouldn't be required in municipalities that don't allow them.
- **Jenson** – Asked if the ADU appendix would be optional, like fire code appendices. Chair Metz clarified that it would be adopted statewide as part of the rule, not optional.
- **Kartak** – Asked if municipalities would be required to allow ADUs. Chair Metz confirmed they would not; the building code governs how ADUs are built, not whether they must be allowed.
- **Chair Metz** – Closed discussion and called for a roll call vote.

The CCAC took a 10-minute recess from 10:40 a.m. to 10:50 a.m.

- **Chair Metz** – Reopened discussion following the break to begin the rule recommendation portion for the **Minnesota Residential Building Code**. Clarified that two optional items were voted on: one was not supported, the other (Appendix BC for ADUs) was approved. Called for a motion to recommend that the commissioner proceed with rulemaking for Minnesota Rule 1309, based on TAG recommendations, with the modification to include Appendix BC with amendments for accessory dwelling units.
 - **A motion was made by Stemwedel, seconded by Grant, to recommend that the Commissioner proceed with rulemaking for the Minnesota Residential Code (Minnesota Rule 1309), based on the TAG recommendations, with the modification to adopt Appendix BC, with amendments, for accessory dwelling units (ADUs), as presented. The motion passed by roll call vote: 16 in favor, 1 opposed (Abrahamson), and 2 abstentions (Brunner and Jenson).**
- c. **MN Rules Chapter 1322 – Residential Energy Code (see Attachment H)**
- **Shold** – Reported that the Residential Energy Code TAG held 10 meetings and reviewed Chapter 11 of the IRC instead of the IECC, noting both contain similar provisions. Highlighted five key changes:
 - Redefined “residential building” to eliminate confusion between residential and commercial code application for low-rise multifamily buildings.
 - Introduced an alternative prescriptive envelope compliance path using pre-modeled options (via ResCheck) to increase flexibility, especially in rural areas.
 - Added a thermal envelope backstop with a 25% window-to-wall ratio limit, replacing the component performance alternative.
 - Changed air leakage testing metric from ACH (air changes per hour) to CFM leak area for more accurate results.
 - Recommended removing the requirement for continuous exterior insulation during full re-siding of a wall, citing cost, construction challenges, and limited energy benefit.
 - **Chair Metz** – Called for a motion to approve the TAG report as presented.
 - **MN Residential Energy Code TAG Report: A motion was made by Stemwedel, seconded by Landry, to approve the Minnesota Residential Energy Code Technical**

Advisory Group (TAG) Report as submitted. The motion passed by roll call vote with 18 in favor and 1 opposed (Brunner).

- **Paradise** – Asked if the vote on the TAG report was all-or-nothing. Confirmed that the air leakage metric would switch from ACH to CFM leak area, eliminating the previous method. Noted smaller homes have struggled with ACH compliance and confirmed with his rater that the new method is likely not more restrictive. Supported the change based on TAG research.
- **Shold** – Confirmed the new metric (CFM leak area) is more accurate and aligns with commercial and model codes. Explained that the change promotes consistency and avoids confusion between metrics.
- **Anderson** – Asked if R2, R3, and R4 buildings would now fall under the commercial code. Shold confirmed and explained that the scoping will be adjusted accordingly. Raised concern about assisted living (R3) in single-family homes being forced into commercial compliance. Shold noted exceptions may be considered for such cases.
- **Landry** – Clarified that the commercial energy code TAG has already recommended the same scoping change.
- **Chair Metz** – Explained that buildings under Rule 1309 will follow Rule 1322 (residential energy), and buildings under Rule 1305 will follow Rule 1323 (commercial energy).
- **Brunner** – Asked about the cost impacts of the proposed changes.
- **Chair Metz** – Stated cost impacts are more relevant to the commercial code. Residential and commercial energy codes are becoming more aligned, so cost differences are expected to be minimal.
- **Chair Metz** – With no further questions, called for a roll call on the motion to approve the TAG report.
- **Metz** – Staff has recommendations for the council to consider before finalizing recommendations to the commissioner. Public speakers will also be heard on the residential energy bill. Starting with staff recommendations.

CCP RE-39: Simulated Building Performance Pathway (see Attachment I)

- **Shold** – RE-39 proposed removing the simulated building performance pathway. It passed TAG narrowly (6-5-1). Staff recommends rejecting RE-39 to retain this pathway, which is more accessible in rural areas compared to the ERI pathway that requires third-party raters.
- **Rosival** – Confirms the simulated performance pathway is currently in the code.
- **Shold** – Reiterates recommendation to reject RE-39 and keep all three residential energy code pathways.
- **Metz** – Clarified that the RE-39 recommendation is to retain the simulated performance pathway.
- **Paradise** – Questions the rationale for removing a pathway—more options seem better.
- **Shold** – Proponents wanted simplification. Fewer pathways make it easier to align with 2038 efficiency goals. Maintaining equivalency across three pathways is more complex.
- **Paradise** – Asks when the next opportunity to remove a pathway would be.
- **Shold** – Minnesota is now on a three-year code cycle.
- **Metz** – Adds that ERI relies on third-party raters, mostly available in metro areas. Retaining the simulated pathway ensures statewide accessibility.
- **Shold** – Notes the simulated pathway is a more generic performance model, potentially more accessible.
- **CCP RE-39: Simulated Building Performance Pathway: A motion was made by Anderson, seconded by Kartak, to reject RE-39 and retain the Simulated Building Performance**

Pathway, with modifications to align its efficiency with that of the Energy Rating Index Method. The motion passed by roll call with 17 in favor and 2 abstentions (Jenson and Landry).

CCP RE-41.1: Level Setting for Heat Pumps

- **Shold** – Proposal affected **three code sections**, including **N1108** (additional points system). Introduced: **Doubling of required points** for compliance and **new options** for federal minimum heat pumps and electric water heaters. Initially supported (10–1), but deeper analysis raised concerns:
 - **Doubling points** too aggressive for first update in a decade.
 - **Modeling issues**: Hard to compare heat pumps (heating + cooling) with furnaces (heating only).
 - **No requirement** for cold climate heat pumps or minimum COP/crossover temperature.
 - **Federal minimum heat pumps** already in model code—**not credited in MN** due to inefficiency.
 - Proposal would **give high credit (16 pts)** to low-efficiency systems—**step backward**.
 - **Electric water heater** option gave **disproportionate points (12 pts)**.
 - **High-efficiency furnaces** earned fewer points (e.g., 97% furnace = 7 pts).
- **Shold** – Also adjusted **ERI scores**, allowing **weaker thermal envelopes** if using heat pumps—undermines envelope efficiency standards. **Recommendation: Reject** the proposal and **retain the current N1108 model code table**.
- **CCP RE-41.1: Level Setting for Heat Pumps: A motion was made by Paradise, seconded by Anderson, to reject Code Change Proposal RE-41.1, which would double the required additional efficiency credits from 10 to 20, and increase the number of points allowed for federal minimum efficiency heat pumps from 0 to 15 in Climate Zone 6 and 0 to 16 in Climate Zone 7. The motion passed by roll call vote with 18 in favor and 1 abstention (Jenson).**

CCP RE-43.1: Air Leakage Metric

- **Shold** – First two proposals were recommended for full rejection; this and the next are recommended for amendment. RE43 changes the air leakage metric from ACH (air changes/hour) to CFM per square foot of leak area. Original proposal set threshold at 0.18 CFM/sq ft; staff recommends adjusting to 0.20 CFM/sq ft as a more reasonable starting point. Eliminate two exceptions: Multifamily units – no longer needed due to updated residential scoping and small homes (<1,500 sq ft) – unnecessary since all homes now measure the same way. Data support: 95% of homes with HERS ratings in the past 3 years would meet 0.20 CFM. Only 83% would meet 2.5 ACH in the 2024 IECC. **Conclusion: 0.20 CFM is a fair and achievable benchmark.**
- **Paradise** – Confirms 2024 IECC reduces ACH from 3.0 to 2.5. Asks if the foundation insulation trade-off still exists.
- **Shold** – Yes, that was a Minnesota-specific amendment based on 2012 durability research. May be revisited depending on upcoming durability research and rulemaking.
- **CCP RE-43.1: Air Leakage Metric: A motion was made by Kartak, seconded by Barnett, to approve the modification of Code Change Proposal RE-43.1 by resetting the air leakage rate to 0.20 cfm/sf of the exterior thermal envelope and by deleting the exceptions that permit a rate of 0.27 cfm/sf for multi-family buildings and for dwellings under 1,500 sf. The motion passed by roll call vote with 18 in favor and 1 abstention (Jenson).**

CCP RE-44: Performance Pathway Backstops

- **Shold** – RE44 proposed eliminating the 15% trade-off budget in performance pathways, requiring a zero percent budget to improve thermal envelopes. While well-intentioned, this effectively forced compliance with the 2024 prescriptive envelope, removing flexibility. Staff recommends modifying the proposal to allow an 8% trade-off budget instead of zero. This maintains some flexibility while ensuring envelopes aren't worse than the current typical construction. It sets a reasonable backstop without fully eliminating performance pathway options.
- **Chair Metz** – Going to zero made performance pathways nearly unusable by removing envelope trade flexibility. The 8% recommendation restores practical usability while still improving envelope standards.
- **Sarah Newman** – Representing the Responsible Energy Codes Alliance (RECA), which supports adoption of the IECC without weakening amendments. **Supports clean adoption of the 2024 IECC in Minnesota.**
 - **Opposes RE45:**
 - Adds unnecessary complexity with glazing area calculations not used in any other state.
 - Based on outdated concerns, 2020 data shows average glazing at 14%.
 - Minnesota is already adopting the most stringent U-factor nationally.
 - Proposal undermines the simplicity and effectiveness of the prescriptive path.
 - **Opposes RE51:**
 - Introduces three new compliance options allowing wall insulation trade-offs.
 - R-values and u-factors are inconsistent with IECC and could increase energy use.
 - No equivalency analysis has been done; values are placeholders.
 - Risks of creating efficiency loopholes not present in the IECC.
 - Recommends rejection or, at a minimum, DOE equivalency analysis before adoption.
- **Joel Lynch** – Representing CenterPoint Energy, which supports energy efficiency and reliable code advancement. **Urges caution** in adopting amendments that deviate from the model code without clear, vetted impacts. **Supports high standards** for evaluating code performance, emphasizing the **DOE's Energy Index** as the objective metric used to measure state code progress.
 - **Energy Index:**
 - Measures prescriptive code improvements relative to 2006.
 - Controls for external factors (e.g., fuel type, home size).
 - Only a small subset of code changes affects it directly.
 - **Criticizes RE41.1:**
 - Claims it could deliver over half of the required energy savings by 2038 via credits for federal minimum heat pumps.
 - Argues this is flawed—**Energy Index cannot reward minimum efficiency.**
 - Warns it could **exempt heat pump homes from other savings measures**, undermining actual progress.
- Raises concern: If code defines its own performance metrics, **statutory goals could be met superficially**, compromising **objectivity, safety, and fuel neutrality**.
- Notes that **RE39, RE44, and RE50** may have merit but **do not directly contribute to Energy Index improvements** and should be evaluated accordingly.
- **CCP RE-44: Performance Pathway Backstops: A motion was made by Paradise, seconded by Stemwedel, to modify Code Change Proposal RE-44 by changing the**

building envelope trade-off allowance from 0% to 8%. The motion carried by roll call vote with 18 votes in favor and 1 abstention (Jenson).

- **Jared Johnson** – Representing the PHIUS Alliance of Minnesota, in support of adopting the 2024 IRC energy provisions and all TAG-recommended amendments. PHIUS projects demonstrate that high-performance buildings are practical and cost-effective, with only a 1–4% cost increase that diminishes as practices standardize. Supports amendments RE39, 40, 41.1, 43, 50, and 52, viewing them as essential to a strong, workable energy code.
 - Key benefits of the amendments:
 - Improve consistency and fairness across compliance pathways, ensuring similar efficiency regardless of method or fuel type.
 - Reinforce building envelope standards, preventing trade-offs that could weaken long-term efficiency, comfort, or durability.
 - Simplify compliance and improve enforceability by aligning requirements and reducing complexity.
 - **Overall, the package represents a balanced, forward-looking update that strengthens the code while maintaining clarity and feasibility.**
- **Isaac Smith** – Member of the Residential Energy Code TAG, offering insight into the two-year review process. TAG’s goal was to create a fair and equivalent energy code tailored to Minnesota, based on the 2021 IECC. Emphasized that energy-efficient homes lower monthly utility bills, offsetting any upfront cost increases over a 30-year mortgage. Warned that adopting the unamended 2024 IECC would undermine the TAG’s work, which balanced energy savings with housing affordability. Many amendments aimed to ensure equity across all three compliance pathways (prescriptive and two performance paths), so no builder is held to a higher standard based on the path chosen. Strongly supports the thermal envelope backstop and DLI’s 8% trade-off allowance, calling it a fair compromise that maintains flexibility. Noted that 5% leeway aligns with 2012 IECC; 8% offers even more flexibility. Adopting the model code without this amendment could allow worse envelope performance than the current code. **Fully supports DLI’s proposed amendments and all TAG recommendations.**
- **Chair Metz** – Invited staff to respond to public forum comments.
- **Shold** – Model-only adoption would not meet Minnesota’s legislative requirement to exceed model code efficiency; incremental improvements are mandated by law.
 - **RE45 (glazing backstop):**
 - Proposal sets a 25% window-to-wall ratio limit to prevent extreme cases like all-glass homes that still meet prescriptive code.
 - No extra calculations needed if under 25%.
 - Addresses a long-standing loophole absent since the 1990s.
 - **RE51 (envelope trade-off table):**
 - Shold authored the proposal; modeling was pending at the time but is now being developed with the Center for Energy and Environment using ResCheck.
 - Provides pre-modeled flexibility for builders, especially in rural areas without access to software or third-party raters.
 - Builders can use a table of trade-offs (e.g., better windows or attic insulation in place of continuous wall insulation).
 - Goal is to offer optional, simplified compliance without requiring custom modeling—flexibility without complexity.
- **MN Residential Energy Code TAG with modifications: A motion was made by Landry, seconded by Stemwedel, to recommend that the Commissioner proceed with rulemaking for the Minnesota Residential Energy Code based on the TAG recommendations, with the**

following modifications: Reject CCP RE-39, which eliminates the Simulated Building Performance Compliance Pathway; Reject CCP RE-41.1, which doubles the required number of additional energy credit points and drastically increases credits for federal minimum heat pumps; Modify CCP-RE 43.1 (as presented) to change the air leakage allowance from 0.18 cfm/sf to 0.20 cfm/sf.; and Modify CCP RE-44 resetting the backstops for performance compliance to allow 5% offset in lieu of requiring the prescriptive envelope criteria 0% offset. The motion passed by roll call vote with 18 in favor and 1 abstention (Jenson).

C. **MN Rules Chapter 7511 – Fire Code (non-building code-related items)**

No discussion due to time constraints.

D. **MN Rules Chapter 1300 and MR1301 Administrative Provisions (minor revisions)**

No discussion due to time constraints.

7. **New Business – Greg Metz, Chair**

A. **Manufactured Housing TAG: Legislative Policy Modifications**

No discussion due to time constraints.

B. **DLI/CCLD Policies: State Project Delegations**

No discussion due to time constraints.

C. **Delegations Program – Technical Advisory Group**

A motion was made by Stemwedel, seconded by Paradise, to approve the Technical Advisory Group as presented to form new rules outlining the Delegations Program for public buildings and state-licensed facilities. The motion passed by roll call vote with 18 in favor and 1 abstention (Anderson).

8. **Open Forum**

None

9. **Council member discussion**

None

10. **Announcements**

The CCAC meets 1-3 times per year. Meeting notifications are sent one week prior. Please contact Lyndy.Logan@state.mn.us if you would like to be added to these notifications.

11. **Adjournment**

A motion was made by Landry, seconded by Barnett, to adjourn the meeting at 12:01 p.m. The roll call vote was unanimous, with 16 votes in favor; the motion carried.

Respectfully Submitted,
Lyndy Logan, Executive Secretary to the CCAC