

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

COMMITTEE MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission's Exploratory Committee for Code Updates

Video/Teleconference Microsoft Teams Format

Tuesday, September 28, 2021

1. The Indiana Fire Prevention and Building Safety Commission's (the Commission) Exploratory Committee for Code Updates (the Committee) meeting was called to order by Committee Chairman Michael Popich at 9:02 a.m. EDT on Tuesday, September 28, 2021. With the extension of the State of Indiana's declaration of public health disaster emergency ([Executive Order 21-21](#)) and pursuant to the requirements of [Indiana Code § 5-14-1.5-3.7](#), the meeting was conducted as a completely virtual (electronic) meeting through Microsoft Teams.

a. Committee Members Present:

Michael Popich,	Committee Chairman, City of Indianapolis (local building official) and Indiana Fire Prevention and Building Safety Commission Vice Chairman
Christina Collester,	RTM Consultants, Inc. (code consultant)
Donald Corson,	American Structurepoint, Inc. (licensed engineer)
Joshua Frost,	Zionsville Fire Department (local fire official)
Gregory Furnish,	Upright Builders, LLC (Indiana Builders Association representative) and Indiana Fire Prevention and Building Safety Commission member
Scott Pannicke,	RATIO Architects (licensed architect) and Indiana Fire Prevention and Building Safety Commission Member

b. Committee Members Absent:

Doug Elmore,	Gene B. Glick Company Inc. (Indiana Apartment Association representative)
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c. Committee Staff Present:

Douglas Boyle,	Director of the Indiana Fire Prevention and Building Safety Commission and Committee Secretary (IDHS)
Justin Guedel,	Indiana Department of Homeland Security (IDHS) Deputy General Counsel
Bryston Sprecher,	Administrative Assistant to the Fire Prevention and Building Safety Commission (IDHS)

2. Roll Call/Attendance – Committee Staff

Secretary Boyle conducted roll call, noting that five (5) members were present. Christina Collester joined the meeting shortly after the meeting started, bringing the total number present up to six (6) members. Doug Elmore was noted as absent from the meeting.

3. Committee Staff Updates/Announcements

- a. Update regarding State of Indiana’s Declaration of a Public Health Disaster Emergency – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission

Secretary Boyle advised the Committee that Governor Holcomb extended the State of Indiana’s declaration of public health disaster emergency through September 30, 2021, via [Executive Order 21-22](#). He also stated that staff expects to know more regarding if the declaration will again be extended through the month of October in the next two days, and he will pass that information along to the Committee when it becomes available.

4. Committee Review and Action on Meeting Minutes

- a. Friday, July 23, 2021

Hearing no amendments/corrections, Scott Pannicke motioned to approve the draft of the Committee’s Friday, July 23, 2021, meeting minutes as submitted. Joshua Frost seconded the motion. It was voted on and carried.

	Yes	No
Michael Popich	X	
Christina Collester		
Don Corson	X	
Joshua Frost	X	
Greg Furnish	X	
Scott Pannicke	X	

The Committee’s Friday, July 23, 2021, meeting minutes were **approved as submitted**, by a vote of 5-0.

- b. Friday, August 6, 2021 (Follow-Up Call)

Secretary Boyle pointed out one clerical error, in that Doug Fick’s last name was misspelled, changing “Frick” to “Fick”. No additional mistakes were identified, so Chairman Popich motioned to approve the Committee’s Friday, August 6, 2021 (Follow-Up Call) meeting minutes with one noted correction. Joshua Frost seconded the motion. It was voted on and carried. Scott Pannicke abstained from the vote, as he was not present for the Friday, August 6, 2021, follow-up call.

	Yes	No
Michael Popich	X	
Christina Collester		
Don Corson	X	
Joshua Frost	X	
Greg Furnish	X	
Scott Pannicke		

The Committee's Friday, August 6, 2021 (Follow-Up Call) meeting minutes were **approved as amended**, by a vote of 4-0.

- Committee Review and Discussion on Significant Changes and Fiscal Impact Review Reports/Supplements for the Committee's Report to the Fire Prevention and Building Commission – ***see Item #2 (Duties of the Committee) in the Committee's Bylaws.***

Code:	Shepherd	Reports/Supplements drafted by:
675 IAC 13 – Indiana Building Code	Don Corson	John Hawkins (AIA Indiana) Noah Fehrenbacher (Indiana Structural Engineers Association)
675 IAC 14 – Indiana Residential Code	Christina Collester	Christina Collester will develop responses regarding the recent update of the Indiana Residential Code and explain why updating the Indiana Residential Code is a “low priority” for the committee.
675 IAC 16 – Indiana Plumbing Code	N/A	Brenda Dant (Indiana PHCC Association) submitted information outlining the major changes between the 2006 International Plumbing Code (2012 Indiana Plumbing Code) and the 2021 International Plumbing Code, along with fiscal impact. This information was submitted to the committee and staff on 5/17/2021.
675 IAC 17 - Indiana Electrical Code	Doug Boyle	Tim McClintock (NEMA, NFPA)
675 IAC 18 – Indiana Mechanical Code	Michael Popich	Brenda Dant (Indiana PHCC Association)
675 IAC 19 - Indiana Energy Conservation Code	Scott Pannicke	Dan Overbey (AIA, Browning Day Mullins Dierdorf) Joe Yount (AIA, RATIO Architects) Doug Fick (ASHRAE)

		Members of the AIA Indiana Committee on the Environment
675 IAC 20 – Indiana Swimming Pool Code	Christina Collester	Christina Collester will develop responses regarding why updating the Indiana Swimming Pool Code is a “low priority” for the committee.
675 IAC 22 - Indiana Fire Code	Joshua Frost	Joshua Frost and other SMEs from the IFCA & FIAI
675 IAC 25 – Indiana Fuel Gas Code	Michael Popich	Brenda Dant (Indiana PHCC Association)

Secretary Boyle advised that he would go down the list of the codes subject to the Committee’s review – illustrated in the table above – and call upon the Committee’s shepherds and the subject matter experts who prepared each report/supplement to provide the Committee a summary of their findings, along with any associated fiscal impact estimates.

Don Corson, the Committee’s shepherd for the Indiana Building Code, spoke first. He noted that Noah Fehrenbacher and John Hawkins could not be present to provide any additional input, but that Mr. Hawkins put together most of the spreadsheet in a very detailed manner. He further explained that the fiscal analysis was based on Mr. Hawkins’ knowledge of the cost of a given project multiplied by the total number of projects expected. Based on Mr. Hawkins’ long tenure within the industry, Mr. Corson believed these fiscal projections to be relatively accurate. Popich thanked Mr. Corson for the cost estimates, as he stated this would greatly aid the Commission in determining whether a formal rulemaking update is necessary. Per Secretary Boyle’s question, figures highlighted in red indicated a cost savings while figures left black indicated an expense (Chairman Popich also noted some discrepancies in a couple rows where the color-coding does not match). In total, these code updates are expected to save the State of Indiana a little over \$4.5 million. Mr. Corson noted that the report found many technological updates and other safety precautions used around the country that could result in additional savings, but he did not have the knowledge to speak on them in depth. Secretary Boyle and Vice Chairman Popich thanked Mr. Corson and asked that he pass on the Committee’s gratitude to Mr. Hawkins and Mr. Fehrenbacher for taking the time to put together such a comprehensive analysis.

Christina Collester advised that, after some research, it was determined that there would be minimal benefit to updating the Indiana Residential Code through a comprehensive code rewrite, as the 2020 Indiana Residential Code was approved by the Commission and became effective at the very end of 2019. Nevertheless, she stated that she would send Secretary Boyle her findings to include in the Committee’s final report.

Brenda Dant, who headed research on the Indiana Plumbing Code, stated that she is an executive for the Indiana Plumbing-Heating-Cooling Contractors Association, and, thus, does not have the subject matter expertise to be very technical in her

explanation. With that being said, she worked closely with plumbing contractors – both on a state and national level – and felt that the details found in the report clearly demonstrate the need to update the code to current national standards. Although the report did not include a fiscal breakdown, Chairman Popich was not too concerned about that, as he felt there were enough references to assume improved design options, reduced labor costs, and an overall savings.

Secretary Boyle advised that Tim McClintock, National Electrical Manufacturers Association (NEMA), prepared the supplemental report for the Indiana Electrical Code. Mr. McClintock briefly explained that the information was based on a document he had proposed back in May. It essentially provided an outline of changes made over the previous four (4) NEC (National Electrical Code) revision cycles in combination with public comments submitted to the Committee regarding a predicted fiscal impact. Chairman Popich thanked Mr. McClintock for the emphasis that was placed on increased safety, as this is ultimately the goal of the electrical code and will contribute towards an overall savings in the long run.

Brenda Dant stated that her and Chairman Popich collaborated with Chuck White, the Vice President of Regulatory Affairs for the Plumbing-Heating-Cooling Contractors National Association, as well as some local officials, to gather useful information concerning the Indiana Mechanical Code. The consensus was that reduced costs and increased savings should be a realistic outcome.

Scott Pannicke thanked the industry experts working alongside him to put this report together. Doug Fick, who helped with the draft, was on the call as well. Mr. Pannicke stated that there will be associated costs but also savings, due to energy conservation. For example, architecturally, the addition of insulation should decrease envelope leakage; thus, resulting in overall savings. This holds true for features like windows and doors as well. Equipment sizing could also provide a savings. Mr. Pannicke noted that this is all a high-level estimate, as exact dollar amounts will only be known during the installation process. Besides, that is the job of the Code Review Committee in conjunction with the Office of Management and Budget. Gregory Furnish raised some concerns over potentially pricing people out of the housing market, due to an increase in the initial cost of insulation and other materials, but Mr. Pannicke clarified that this is a commercial energy code – not residential. Chairman Popich stated that there may also be reduced HV/AC cost with a more detailed insulation requirement. Nevertheless, Mr. Furnish reiterated the importance of minimum standards and the right of owners to choose to make costlier upgrades. Due to climate change, Mr. Pannicke felt that it was important to do more than the bare minimum to ensure a safer planet for future generations, as many of the uber liberal states – like New York, California, and Washington – have already implemented these more rigorous model codes. Essentially, Secretary Boyle noted that this is an argument between initial costs and long-term cost savings but argued this was a fair point that could be presented to the Code Review Committee. Mr. Guedel advised that statute requires an additional step in the rulemaking process if projected costs exceed \$500,000, but this does not mean the arguments cannot still be made in favor of completing rulemaking.

Christina Collester will work on getting a report sent over to Secretary Boyle regarding the Swimming Pool Code. She stated that, because so many individuals are seeking variances and the Indiana Department of Health does not enforce regulations on this often, it would be wise to develop a code to give local jurisdictions some set guidelines.

Joshua Frost began by stating that the report was rather lengthy, due to assigning a separate page to each chapter of the code book. In terms of assigning a fiscal impact, the team attempted to identify an overall net change, as opposed to determining the exact monetary amount. Mr. Frost also noted that some comments were added to point out an increase in operational efficiency, which would not necessarily be a savings/expense but would be a soft gain, due to more efficient project designs. To illustrate this, he pointed towards the benefit of having a sprinkler riser room factored into the construction plans (so as not to trigger an increase in square footage by modifying the plans at a later date). Mr. Frost thanked his fellow fire official colleagues – including: Darrell Cross, Randy Gulley, Ryan Floor, and Tim Stites – for their collaborative efforts. He also elucidated that some of these efforts went towards delineating between multiple versions of the code that featured organizational changes or changes to the language of each chapter without having any sort of cost impact. Overall, Mr. Frost noted that it would be difficult to judge the fiscal impact of the code, as there seems to be some give/take as well as organizational changes between the various code sets, but the initial impression is that a small savings may be manageable once the Committee and the Office of Management and Budget completes a more scrutinous fiscal analysis towards the end of the rulemaking process.

Brenda Dant did not have the knowledge to get too technical in her explanation of the proposed impact of updating the Fuel Gas Code but advised that her group did a great job of putting a thorough analysis together.

6. Plan Forward

a. Set Meeting Date for October 2021

The Committee's final meeting will be on Tuesday, November 16, 2021.

b. Set Agenda for October 2021 Meeting

i. Next Steps for Drafting and Finalizing the Committee's Report to the Fire Prevention and Building Safety Commission

The objective will be to finalize the Committee's report. Staff will send out its draft of the report by Friday, October 22, 2021, so that the Committee's members have ample time to review the document and formulate suggestions ahead of the Tuesday, November 16, 2021, meeting date. Justin Guedel advised that the report does not need to delve into each code extensively. A summary outlining the Committee's reasoning for updating each code and the anticipated cost analysis should suffice, and the

Commission may refer to the individual reports presented at today's meeting.

7. Adjournment

Chairman Popich adjourned the meeting at 10:24 a.m. EDT.

APPROVED: _____
Michael J. Popich, Chairman