

COCHISE COUNTY BUILDING CODE ADVISORY AND APPEALS BOARD

DRAFT MINUTES

Tuesday, September 9, 2014

ANNUAL MEETING at 3:00 p.m.

The annual meeting of the Cochise County Building Code Advisory and Appeals Board was called to order at 3:00 p.m. by Chair Mike Rutherford at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Executive Conference Room.

The Chair called for the roll, and the following members indicated their presence: Michael Rutherford, Rutherford Diversified Industries; Ray Klumb, Architect; James Olander, Electrician; Kim Mulhern, Geologist; and Bill Miller, Chief, Fry Fire District. Staff members present included Beverly Wilson, Planning Director; Michael Izzo, Building Official; Mike Springer, Lead Building Inspector; Peter Gardner, Planner I; Jesse Drake, Planner II; Dora Flores, Zoning Administrator; and Lee Sipe, Senior Inspector and Plans Examiner. Mr. Rutherford noted the absence of Bill Henry, Henry Design Build and Mike Hemesath, Engineer. A quorum was present.

Mr. Rutherford called for review and approval of the minutes from the previous two meetings. One correction was offered for the minutes from the September 25, 2013 meeting, clarifying the name of an organization as the Southeastern Arizona Contractors Association. Ms. Mulhern moved to approve the minutes with the correction, and Chief Miller seconded. The motion passed 4-0 with Mr. Olander abstaining. Chief Miller then moved to approve the minutes of the July 7, 2014 meeting. Mr. Klumb seconded, and the motion passes unanimously.

OLD BUSINESS

Item 1 – Docket BC-14-01 (Opt-Out Language): Consider a recommendation to the Board of Supervisors to revise the existing Cochise County Building Safety Code Owner-Builder Amendment Options. The revisions are intended only to improve clarity and remove contradictory language.

Chairman Rutherford called for the Building Official's report. Planning Director, Beverly Wilson noted that this was a rehearing of the docket heard at the previous meeting, as there were concerns regarding the validity of the meeting. The Board declined to hear the report again and Staff recommended the changes be forwarded to the Board of Supervisors with a recommendation of Approval.

Ms. Mulhern moved to forward the docket as presented with a recommendation of approval and Chief Miller seconded. Chair Rutherford called for the vote, and the motion carried unanimously.

Motion: Motioned to recommend the proposed changes to the Owner-Builder Opt-Out Amendment be adopted.

Action: Recommend the changes be made to the Owner-Builder Opt-Out Amendment **Moved by:** Ms. Mulhern **Seconded by:** Chief Miller

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 0)

Yes: Chairman Rutherford, Chief Miller, Mr. Olander, Ms. Mulhern, and Mr. Klumb.

NEW BUSINESS

Item 2 - Mr. Rutherford opened the floor for nominations for Chairman. Chief Miller nominated Mr. Rutherford for Chair, the nomination seconded by Ms. Mulhern. There being no further nominations, Mr. Rutherford closed the nominations. Mr. Rutherford will continue as Chair. Chair Rutherford opened the floor for nominations for Vice-Chair. Chief Miller nominated Kim Mulhern, and the motion was seconded by Mr. Klumb. There being no further nominations, Mr. Rutherford closed the nominations and Ms. Mulhern was installed as Vice Chair.

Item 3 – Docket BC-14-02 (Adoption of 2012 ICC Building Safety Codes): Consider a recommendation to the Board of Supervisors to adopt the 2012 International Code Council's published code series to reflect changes in industry process and technology to further protect the health, safety and welfare of the public.

Chairman Rutherford called for the Building Official's report. Building Official, Mike Izzo presented the docket, and explained that the request was to adopt a more recent version of the International Building Code (IBC), International Residential Code (IRC), International Plumbing Code (IPC), International Mechanical Code (IMC), International Fire Code (IFC), International Existing Building Code (IEBC), National Electric Code (NEC), International Property Maintenance Code (IPMC), International Fuel Gas Code (IFGC), and the International Energy Conservation Code (IECC). Staff recommended amendments to the proposed Codes to remain in line with the existing adopted 2003 Codes and amendments.

The Board unanimously recommended not deleting the Property Maintenance sections of the Codes. Further discussion focused on listing performance standards rather than specified methods of fire protection. This method was supported by the Board.

Mr. Rutherford called for a motion. Chief Miller moved to recommend adoption of the 2012 IBC and IRC with the changes and amendments discussed. Mr. Olander seconded the motion, and Chair Rutherford called for the vote. The motion carried unanimously

Motion: Motioned to recommend the 2012 IBC and IRC be adopted with the changes and amendments discussed.

Action: Recommend the 2012 IBC and IRC be adopted with changes and amendments. **Moved by:** Chief Miller **Seconded by:** Mr. Olander

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 0)

Yes: Chairman Rutherford, Chief Miller, Mr. Olander, Ms. Mulhern, and Mr. Klumb.

Item 4 – Docket BC-14-03 (Update Fee Schedule): Consider a recommendation to the Board of Supervisors to update the current Planning, Zoning, and Building Safety fee schedule to reflect ‘real cost’ of the department in travel and manpower.

Chair Rutherford asked for the Building Official’s report. Mr. Izzo presented the docket that is a request to amend the Cochise County Building Code Fee schedule to more accurately capture actual costs of Building Code review and inspection. Mr. Izzo and Ms. Wilson explained the current fee schedule and how the values were much lower than surrounding municipalities. They also explained that the current fees often did not cover actual expenses incurred by Staff. Staff recommended increasing the construction valuations and plan review charges by percentage of building code fees.

Additional highlighted changes were the addition of fire sprinkler fees, modification of non-residential solar fees and consulting fees to reflect actual costs. Chief Miller asked about the relationship between County and City Fees. Ms. Wilson and Mr. Izzo explained that the proposed fees were still under local City fees.

Chief Miller motioned to send the proposed fee schedule to the Board of Supervisors with a recommendation of Approval. Mr. Klumb seconded and the motion passed unanimously.

Motion: Motion to forward the proposed fee schedule to the Board with a recommendation of approval.

Action: Approve **Moved by:** Chief Miller **Seconded by:** Mr. Klumb

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 0)

Yes: Chief Miller, Mr. Olander, Ms. Mulhern, Mr. Klumb, and Chair Rutherford. **No: 0**
Abstain: 0

Item 5 – Call for Building Official’s Report.

Mr. Izzo had no report. Ms. Wilson noted that the items would likely result in Work Sessions with the Board of Supervisors and invited the BCAAB members to attend.

Mr. Rutherford noted that there were no members of the public present and asked for Board member comments. Ms. Mulhern asked for a Call to the Public to be added to future agendas.

The Chair closed the meeting. Meeting was adjourned at 4:45 PM.