

**BUILDING CODE COUNCIL
MINUTES OF DECEMBER 8, 2009 MEETING**

Members in Attendance: William Brizee, Jerry Haruno, Douglas Haigh, Timothy Hiu, Brian Kajikawa, Ralph Nagamine, Socrates Bratakos, and Russ Saito.
Staff present: Kerry Yoneshige and Ronald Tanaka, Department of Accounting and General Services (DAGS) and Patricia Ohara, Department of the Attorney General.

1. Russ Saito called the meeting to order at 9:05 a.m.
2. The minutes of the November 4, 2009 meeting were reviewed and approved subject to revisions in items 3b and 6.
3. The following members of the public were in attendance; Howard Wiig and Ann Ogata-Deal, Department of Business Economic Development, Gregg Serikaku, Plumbers and Mechancial Contractors Assn., Bob Barrett, Coastal Windows, Darryl DeMello, Breezway, Mona Higa, DCAB, Harold McDermott, Local 675, Eric Wong, One Stop Windows and Doors, Paul Norton, Natural Renewable Energy Lab, Anthony Borge, RMA Sales and Kraig Stevenson, International Code Council.
4. Council members and members of the public discussed the request for change in the State Energy Conservation Code administrative rules submitted by Anthony Borge of RMA Sales. Comments from the public noted that the heat gain coefficient of .4 was to stringent , would increase the cost of window systems and homes, would cause significant negative impact on the jalousie industry and was not appropriate for the climate in Hawaii. Other comments from the public noted that the rise in use of residential air conditioning units over the past 25 years and the exemption provided for north facing and shaded windows was reason to leave the State Energy Conservation Code as is. Council members also noted that the State Energy Conservation Code was developed to take advantage of Hawaii's tropical climate and that the code should be viewed in entirety and not in isolated parts. Comment was also made that counties can adopt the reduced heat gain coefficient of .65 which is what Kauai has done.

A new investigative committee was formed chaired by Howard Wiig to develop a template that would help design professionals, contractors, and suppliers to determine whether a home would be exempt by the State Energy Conservation Code window provisions.

5. Discussion was also held on the subject on email discussion in the investigative committees and Kerry Yoneshige commented that in the instance of the investigative committee on energy conservations code,

because the four county building officials were on the committee they should not engage in email discussion on items which would or could become sub committee or council decision items and because there were more than two council members in the discussion.

6. Investigative Committees

- a. Structural Provisions for 2009 International Building and Residential Codes; No report
- b. 2009 International Building Code, Residential Code, and Existing Building Code: Chair reported that the committee is meeting every two weeks and will submit its recommendations in early 2010. The recommendations will include those of the Structural Provisions committee.
- c. Elevators; No report
- d. A/C Ventilation; Draft administrative rules at the Governor's Office pending approval for public hearing
- e. 2009 Uniform Plumbing Code; IAPMO will be conducting training in Hawaii on the 2006 UPC in early 2010.
- f. 2009 Energy Efficiency Standards; Howard Wiig, chair noted that the committee is pursuing many ideas beyond windows. Bill Brizee did note a comment from members of the AIA on paragraph 104.1 which noted design professional sign plans certifying compliance with the code which might raise issues with liability insurance carriers.
- g. State Fire Code; Draft rules to be sent to the Governor for final approval.
- h. Training on State building codes; Ann Ogata-Deal noted that IBC training had been held on Oahu for DAGS, DOE and county employees. Chair requested that the committee come up with a recommendation on non governmental entities (contractors, suppliers, etc) on the IBC and IECC.

7. Adoption of administrative rules

- b. State Fire Code; Socrates Bratakos reported that the draft rules will be sent to the Governor for final approval.
- a. Kerry Yoneshige reported the proposed rules for the State Residential Code was sent to the Governor for approval to conduct a public hearing. The Legislative Reference Bureau and Attorney

General are also reviewing it concurrently and the Small Business Regulatory Review Board chair decided that it was necessary to get approval prior to proceeding to public hearing.

- b. Kerry Yoneshige reported that the final changes to the proposed administrative rules for the State Building Code, State Energy Conservation Code, State Electrical Code, and the State Plumbing Code to conform to the Legislative Reference Bureau's (LRB) format are in process. The Electrical and Plumbing Codes have been completed and the LRB is reviewing the Building and Energy Conservation Codes.
8. The next meeting date will be January 12, 2010 at 9:00a.m. in the Comptroller's Conference Room.
 9. The meeting was adjourned at 10:25 a.m.