

**BUILDING CODE COUNCIL  
MINUTES OF August 12, 2008 MEETING**

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

1. Timothy Hiu called the meeting to order at 9:02 a.m.
2. Twelve members from the public introduced themselves, Kraig Stevenson of the International Code Council (ICC) via telephone, Ernest Lau, DAGS, Eric Nishimoto, DAGS, Ralph Morita, DAGS, Larry Uyehara, DAGS, Ronald Tanaka, DAGS, Val Martin, Maui Fire Department, Mona Higa of the Department of Health Disability and Communication Access Board (DCAB), Howard Wiig, DBEDT, Russell Takata, DOH, Robert Freeburg, AIA, Sina Pruder, DOH.
3. Russ Saito asked Patricia Ohara whether Kraig Stevenson could participate by phone and after research she responded that he could. She noted that for purposes of quorum, it is necessary to be able to see a board or council members face.
4. Minutes of the July 8, 2008 meeting were reviewed and approved subject to the following revisions.
  - a. Add Patricia Ohara as in attendance
  - b. Note that Kraig Stevenson and Jean Tessmer participated in the meeting via teleconference
  - c. Incorrect spelling of Howard Wiig's last name.
  - d. Item 5d change "will" to "should"
  - e. Item 5f add "application" after grant, change received to "submitted", and eliminate "this" from the last sentence.
5. Public Comment; Mona Higa of the Disability and Communication Access Board provided summarized comments to the amendment to the 2006 IBC Chapter 11 by noting that DCAB does not enforce HRS 103-50. Ernest Lau, DAGS Public Works Division Administrator summarized their comments on the 2006 IBC and the 2006 Uniform Plumbing Code. Council members also asked Mr. Lau to attend the subcommittee meeting of county building officials on September 4, 2008 to discuss in detail the comments presented.
6. Russ Saito requested that agenda item 8 (election of Chair and Vice Chair for a one year term to begin in September 2008) be taken out of order which the chair agreed to. Mr. Saito then nominated himself to the position of Chair.

7. During the public comment discussion an issue arose as to which administrative rule would prevail if there was conflict between a department rule and the building code council's administrative rule. After discussion, Patricia Ohara commented that the answer would lie in how the scope of the Council's administrative rules were outlined. If the Council's administrative rules stated that the statewide building code rules prevailed over other department rules, then in conflict the Council's rules would prevail over the department's.
8. Kraig Stevenson requested that the Council send a letter to Senator Akaka stating its support for Senate Bill 2458. After discussion, the Council would need to review the bill and vote on whether or not to support it at its September meeting. Council members requested that this subject be placed on the September meeting agenda.
9. Investigative committees
  - a. Hiring of Executive Director and Executive Assistant: Kerry reported that the request for proposal (RFP) had been placed on the State Procurement Office website on July 18 and currently there is one interested party.
  - b. Structural Standards and Provisions; Gary Chock, investigative committee has been working with the subcommittee of four county building official preparing the summary of amendments to the 2006 IBC. He noted that there an outstanding issue in the review of the amendments which requires AG review to determine if there is a conflict between the 2006 IBC and HRS section 464 regarding special inspections. Also, he informed the council that the hurricane advisory committee had reviewed the 2006 IBC sections and proposed amendments noted in the letter from the Chair and they were providing comment to State Civil defense for action.
  - c. International Building Code, residential code, and existing building code; The committee convene a meeting to review the IRC on Thursday, August 14. After the proposed amendments to the indigenous architecture sections of the 2006 IBC are completed they will be forwarded to this committee for review.
  - d. State Fire Code; The summary of the new State Fire Code to be used for publication notice is currently being reviewed by the Department of the Attorney General. Socrates Bratakos also presented proposed amendments to the 2006 IBC to clarify reference to the State Fire Code. Formal submission on State Fire Council letterhead will also be done. The proposed amendments also notes that the State Fire Code contains language which clarifies that the building code will prevail in the event of conflict in new construction of buildings.

- e. Plumbing Code; A motion was adopted to send all plumbing code amendments and comments to the subcommittee of building officials. This motion was amended to include the recommendation of the investigative committee to adopt the 2006 Uniform Plumbing Code. Sina Pruder from the Department of Health told the council that the department's comments should be ready for the September council meeting.
  - f. Energy Conservation Code: The investigative committee chair reported provided an update on the amendments the committee is considering.
  - g. Electrical Code; No report.
10. The subcommittee of county building officials will meet on September 4 to complete the review of the proposed amendments to the 2006 IBC. The review will begin with Chapter 16 is scheduled for the whole day.
  11. The Chair opened the meeting to entertain nominations for Chair and Vice Chair. Socrates Bratakos made a motion to nominate Russ Saito as Chair and Tim Hiu as Chair with Gary Chock seconding. Ralph Nagamine made a motion to nominate Tim Hiu as Chair with Russ Saito as Vice Chair with Brian Kajikawa seconding. After discussion, it decided that the voting would be deferred until the September meeting to allow participation by all Council members and also to hear from the candidates. This item would be place as the second item on the agenda following call to order.
  12. A new investigative committee was formed for the elevator code with Keith Rudolph as the chair. Gary Chock requested advance notice for any changes to Chapter 30 of the IBC. Keith Rudolph noted that there is nothing in the new elevator code that would require modifications to the IBC.
  13. Agenda items for the next meeting on September 9 will be to have the election of chair and vice chair, public comments, and subcommittee of county building officials proposal on amendments to the 2006 IBC. A meeting was tentatively scheduled for September 23 to adopt the proposed amendments to the 2006 IBC. The September 23 agenda will also have the normal investigative committee reports.
  14. The next meeting date will be September 9, 2008 at 9:00 a.m. in the Comptroller's Conference Room.
  15. The meeting was adjourned at 11:50 a.m.