

Meeting Minutes: Construction Codes Advisory Council

Date: Nov. 8, 2023

Time: 1:00 p.m.

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

Members

1. Karl Abrahamson
2. Mark Brunner
3. Chris Ferguson (WebEx)
4. Barry Greive
5. Gerhard Guth
6. Duane Hendricks (WebEx)
7. Tom Jenson (WebEx)
8. David Kegler
9. Russ Landry
10. Shelonda Marie-Alves (WebEx)
11. Greg Metz – Chair
12. David Morlock
13. Mike Paradise (WebEx)
14. Mara Peterson
15. William Pim (WebEx)
16. Reed Sprung
17. Gary Thaden (Bauer alternate)
18. Steve Ubl
19. Mark Worms

Members Absent

Lori Bauer (Alt Thaden attended)
Dan McConnell

Staff & Visitors

Kate Perushek – Deputy Commissioner
Jeff Lebowski – Atty for CCAC, DLI
Brittany Wysokinski – DLI (WebEx)
Lyndy Logan – DLI
Robin Geiger – DLI (WebEx)
Todd Green – DLI
Karen Gridley – DLI

Staff & Visitors continued...

Sheri Hansen – AIA MN (WebEx)
Dean Hunter – DLI (WebEx)
Ty Jennings – Cascade National Gas (WebEx)
Stephen Kartak – City of Eden Prairie (WebEx)
Elizabeth Kosel – Home Builders ASSN F-M (WebEx)
Rich Lockrem – DLI (WebEx)
Hannah Mardaus – DLI (WebEx)
Scott McKown – DLI (WebEx)
Josiah Moore – DLI
Sean O’Neil – DLI
Ryan Rehn – DLI
Bill Reinke – DLI (WebEx)
Steve Shold – DLI
Don Sivigny – DLI
Mark Sneep – DLI
Amanda Spuckler – DLI (WebEx)
Jim Weaver – DLI
Scott Anderson – City of Minneapolis (WebEx)
Jessica Archer – Target (WebEx)
Mary Barnett – Urban Works Architecture
Carolyn Berninger – Great Plains Inst. (WebEx)
Brooke Bordson – League of MN Cities (WebEx)
Sam Cavin – Dabber Thomas (WebEx)
Joshua Christianson – MNSCU (WebEx)
Nick Erickson – Housing First MN
Rep. Larry Kraft – MN House of Republicans
Jeff Mang – Mang Consulting (WebEx)
Alejandro Nakpil – Great Plains Inst. (WebEx)
Mario Salute – City of St. Paul (WebEx)
Ryan Sathre – City of Rochester (WebEx)
Matt Spellman – MN Realtor (WebEx)
Jason Vandever – NAIMA (WebEx)

1. Call to order

- A. Chair Metz called the meeting to order at 1:03 p.m.
- B. Roll call was taken by Ryan Rehn (chair alternate) and a quorum was established with 19 members present in person or via WebEx. 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 Peterson, second by Landry, to approve the agenda as presented. The roll call vote was unanimous with 19 votes in favor; the motion carried.

3. Approval of previous minutes

A motion was made by Brunner, seconded by Grieve, to approve the June 1, 2023, meeting minutes as presented. The roll call vote was unanimous with 18 votes in favor and 1 abstention (Abrahamson); the motion carried.

4. Regular business

Expenses were approved.

5. Department update

Deputy Commissioner Perushek summarized legislation impacting the Department.

6. Division update – see [presentation](#).

- A. Electrical Inspections program – Todd Green
- B. B. Licensing update | Solar Installers – Sean O’Neil
- C. C. CCLD Learn – Greg Metz
- D. D. Grants Program – Greg Metz
- E. E. DLI Rulemaking – Greg Metz

7. Regular business – Greg Metz, Chair – see [presentation](#).

- A. Legislative update
 - Proposed Window Cleaning Safety
A motion was made by Grieve, seconded by Peterson, to recommend to the DLI Commissioner to proceed with rulemaking for Window Cleaning Safety, as proposed. The roll call vote was unanimous with 18 votes in favor and 1 abstention (Jenson); the motion carried.
 - Proposed Adult-sized Changing Facilities
A motion was made by Peterson, seconded by Guth, to recommend to the DLI Commissioner to proceed with rulemaking for Adult-sized Changing Facilities, as proposed. The majority roll call vote ruled with 17 votes in favor, 1 against (Pim) and 1 abstention (Abrahamson); the motion carried.

- Proposed EV Charging Facilities
A motion was made by Thaden, seconded by Landry, to recommend to the DLI Commissioner to proceed with rulemaking for Electric Vehicle (EV) Charging Facilities, as proposed. The roll call vote was unanimous with 18 votes in favor and 1 abstention (Jenson); the motion carried.

B. Technical Advisory Group (TAG) update – Greg Metz

- Residential Energy Code TAG
 - Chair Metz said he would like Don Sivigny, Education/Codes/Rules supervisor to serve on the Residential Energy Code TAG in lieu of himself.
 - Chair Metz asked if there were any objections to reviewing the 2024 and there were none.

Tom Jenson departed the meeting at 2:35 p.m., resulting in 18 voting members present.

A motion was made by Landry, seconded by Grieve, to approve the Residential Energy Code Technical Advisory Group as presented (added Sivigny, removed Metz). The roll call vote was unanimous with 18 votes in favor; the motion carried.

- Assisted Living
 - DLI and Minnesota Department of Health (MDH) developing a MOU
 - DLI gained jurisdiction over AL/ALDC on Aug. 1
 - Both DLI and MDH have plan review and inspections requirements
 - DLI enforces SBC; MDH enforces NFPA 101
 - MDH will accept DLI Certificate of Occupancy as evidence of compliance with facilities portion of the licensing criteria

8. Regular business

A. DLI Legislation

- Proposed Resiliency and Energy Targets for Existing Buildings – Greg Metz
 - Add Resiliency to MS 326B.106, Subd. 1.
 - Allows for power grid integration technology to mitigate blackouts.
 - Allows options to require power storage or generation in some occupancies.
 - Allows for more robust materials in areas subject to extreme conditions.
 - Allows for stormwater mitigation controls to aid in reducing flash flooding
 - Allows for materials selection criteria to mitigate urban heat island effect.

B. Technical Advisory Group update

- Code cycle upcoming TAGs – Greg Metz – see [Slides 51 & 52](#)
 - Rule chapters for model code updates in January/February 2024
 - 1300 Administration, 1301 BO Certification, and 1303 Special Provisions
 - 1305 (Commercial) Building Code
 - 1309 Residential Code*
 - 1311 Conservation Code for Existing Buildings
 - 1341 Accessibility Code
 - 1346 Mechanical Code
 - Coordination TAG 1305, 1311 and 7511 Fire Code

- CCAC members interested in serving on one or more TAGs, please contact Don at Don.Sivigny@state.mn.us
- Staff will identify stakeholder groups and solicit those groups for representatives. TAGs will be presented for approval at the NEXT meeting.
- DLI would like the CCAC's input on the following:
 - Shifting the Residential Energy Code TAG focus to adopting 2024 IRC Chapter 11 for the Minnesota Residential Energy Code and then incorporating it into one Minnesota Residential Code book.
 - Moving residential mechanical requirements to 1309 Chapters 12-20 and incorporating it into the Minnesota Residential Code book.
- Potential additional TAG: 1309 Residential Mechanical Code (IRC Chapters 12-20)
- WebEx chat message from Jason Vandever – NAIMA *"I talked to ICC yesterday and the newest estimation of the publication of the 2024 IECC is March of 2024."*

C. Point Access Blocks – Representative Kraft

- Representative Kraft said this was brought to him from a developer. He represents most of the City of St. Louis Park in the legislature and is the Vice Chair on the Climate and Energy Committee.
- Typical construction in U.S.
 - Double Loaded Corridors - less space efficient (max 85%).
 - Access to two means of egress and now typically sprinkled.
 - Egress requirements not updated with life safety technology advancements.
 - Incentivizes studio and one-bedroom apartments.
- Point Access Block Construction
 - Single point access to floors (efficiency up to 95%).
 - Access to one means of egress and always sprinkled .
 - Shorter maximum time to egress.
 - No change in safety data in places where allowed.
 - More flexible floor plans (much easier to have 3 and 4 BR units).
 - Cross-ventilation and multiple daylight sources improves livability and energy efficiency.
 - Efficiency of space usage improves affordability.
- After Kraft's presentation Chair Metz asked Kraft to allow the code process normally used to play out. After this, if Kraft wants to move forward he could use language that provides the skeletal structure to charge the Construction Codes Advisory Council with putting together a Technical Advisory Group (TAG) to study this. The TAG could unpack all of the details. Metz said he prefers the building code process be part of this rather than the legislative process, in all due respect to the Legislature, but he believes everyone can agree that the level of detail required for this is probably beyond what the Legislature wants to unpack.
- Kraft said at this point in his young legislative career, he is at the high end of the what the legislature understands and even he doesn't want to get into this, he agreed with Metz's process.
- Thaden asked if the CCAC could jump start this and use what other states have done as an example, such as what Wisconsin code officials came up with, or someplace else. This would be helpful.

- Grieve said he doesn't think the CCAC has enough information yet to form a TAG. He wants more advice, design criteria, or what they're looking for first. Maybe this would come later if a Committee was formed but we would definitely need additional information.
- Chair Metz said CCLD staff can learn what other jurisdictions have done with regard to this and come up with a report that will be shared with the CCAC.

9. Open Forum
None

10. Council member discussion
None

11. Announcements
A tentative meeting has been scheduled for Thursday, Feb. 29, 2024, at 9:30 a.m., at DLI.

12. Adjournment
A motion was made by Grieve, seconded by Kegler, to adjourn the meeting at 3:08 p.m. The roll call vote was unanimous with 18 votes in favor; the motion carried.

Respectfully Submitted,

Lyndy Logan
Executive Secretary to the CCAC

Green meeting practices

The State of Minnesota is committed to minimizing in-person environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.