

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
MEETING
4:00 P.M., September 18, 2017
Glen Allen, Virginia**

Members Present

Mr. John Ainslie
Mr. John Patrick “J.P.” Carr
Mr. James “Robby” Dawson
Mr. Sean Farrell
Ms. Helen Hardiman
Ms. Abigail Johnson
Mr. Jeff Sadler
Ms. Patricia Shields
Mr. Tommy Shields

Members Absent

Ms. Susan Dewey
Mr. Steve Semones
Mr. Rich Napier
Mr. Shekar Narasimhan
Mr. Earl Reynolds

Call to Order

Mr. John Ainslie, Chairman of the Board of Housing and Community Development, called the meeting of the Board to order.

Roll Call

The roll was called by Mr. Kyle Flanders of the Department of Housing and Community Development’s (DHCD) Policy Office. Mr. Flanders reported that a quorum was present.

Public Comment

Mr. Bryan Holland stated that he was speaking as a representative of the National Electrical Manufacturers Association (NEMA). He requested clarity regarding voting procedures in the Codes and Standards Committee. Mr. Holland also noted concerns with the workgroup process regarding carry over and the measure of consensus.

Dave Hewitt representing Siemens Corporation spoke indicating he did not support state amendments removing arc fault circuit interrupter (AFCI) requirements. He noted that AFCI and ground fault circuit interrupter (GFCI) hardware prevents fires and save lives.

Mr. Anthony McDowell of the Virginia Fire Chiefs Association was unable to stay for the meeting but provided written comments attached with these minutes.

No additional comments were made by the public; the public comment period was then closed.

Approval of Minutes	A motion was made and properly seconded to approve the minutes of the July 17, 2017, meeting of the Board with a staff recommendation that the minutes be amended to clearly note the adoption of the Board workgroup policy. The motion unanimously passed.
Code Change Process Update	<p>Ms. Cindy Davis, Deputy Director of Building and Fire Regulations at DHCD indicated that there has been a request from interested stakeholders to convene an air leakage study group before the next code change cycle. A motion was made and seconded to direct staff to assist in convening the study group.</p> <p>Ms. Davis indicated that Viridiant has received grant funding to test energy efficiency measures in homes in Virginia. DHCD has supported this effort; the results of the effort are due in early 2018.</p> <p>Ms. Davis reiterated the process for the October meetings noting that staff would compile the actions taken on proposals and provided the final regulations for review by the Statewide Fire Prevention Code Development Committee, the Codes and Standards Committee, the Joint Fire Services Board and the Board of Housing and Community Development, and finally the full Board of Housing and Community Development.</p>
VHDA Report	Mr. Shelton indicated that VHDA was beginning the process of updating the Qualified Allocation Plan (QAP) as part of the Low Income Housing Tax Credit (LIHTC) program.
VFSB Report	Mr. Farrell stated that the Fire Services Board had not held a meeting since the last meeting of the Board of Housing and Community Development. The next meeting of the Fire Services Board would be September 21, 2017.
Report of the Director	Mr. Shelton reported that a number of grant announcements had been made and noted that the Governor's Housing Conference would be held November 15 – 17 in Norfolk.
Unfinished Business	There was no unfinished business to be discussed.

New Business	Mr. Shelton indicated there were two sets of guidelines, the Industrial Revitalization Fund (IRF) Guidelines and the Private Activity Bond Guidelines that would begin an open process of stakeholder review for ultimate adoption by the Board at a later date.
Board Matters	The Board approved a resolution honoring former Board member Roger McClellon.
Future Meetings	Mr. Ainslie went over the dates of the upcoming meetings, noting the next meeting of the Board would be Monday, October 16, 2017. This would include a joint meeting with the Virginia Fire Services Board.
Adjournment	Upon a motion duly made and seconded, the meeting was adjourned.

**Virginia Fire Chiefs Association
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The Commonwealth of Virginia adopts the International Fire Code (IFC) as published by the International Code Council. This is a nationally and internationally recognized Fire Code that is methodically developed through a broad consensus process to address the full range of construction, storage, use and maintenance requirements to ensure fire and life safety in our communities.

The IFC's construction and non-construction code requirements are interwoven throughout this document in a complex and reinforcing manner. The IFC is a large and complex document, consisting of more than 65 chapters and 10 appendices. Within the document, most sections of the Code make cross-references to other chapters and sections and appendices, or to separate Consensus Standards such as the NFPA that are also adopted by reference.

Each time Virginia (or any other state) makes edits to this model code, or when we make deletions or revisions to this model Code, extreme care must be taken to ensure that the cross-references are properly researched and remain valid. In addition, during any editing process it is all too easy to unintentionally, through simple semantics or word-editing, to fundamentally alter the meaning and enforceability of the Code.

As we all know, the Board of Housing has directed its staff to remove all references within the Code that it considers un-enforceable (ie, possibly related to construction). The Virginia Fire Chiefs Association understands the reason and rationale behind this objective, but we have serious concerns regarding the process and speed of this effort.

- First, we have found numerous examples where there are different opinions between well-meaning professionals over whether or not a requirement is enforceable. We have found that we can generally come to agreement - after discussion and analysis - however, such a truly collaborative approach takes dedicated time and attention.
- Which leads to our second concern. The speed and timeline that has been arbitrarily imposed on this project has made it almost impossible for representatives of the fire service community to fully digest and review the impacts of the staff-recommended changes. Further, this speed and urgency has set the stage, in our opinion, for significant errors and omissions. For this reason, at this point we do not have confidence in the staff-edited version of the proposed new Code.
- In recognizing this concern, the Board of Housing last October provided additional time for a more in-depth review and re-write. Since that time, the Fire Services Board (Fire Prevention and Control Committee) has met 22 times and participated in 3 DHCD meetings to meticulously evaluate proposed changes and draft the revised language.

- This more deliberative effort has allowed us to fully review and re-write the first nine chapters of the Code with some progress on chapter 10 as well. This has been careful, thoughtful, painstaking work that has resulted in consensus on the important details of terminology, implications, impact and enforceability.
- The remaining chapters deal with critical topic areas including fuel dispensing, lumberyards and woodworking facilities, high piled combustible storage, welding and hot work, and hazardous materials. None of these remaining chapters have yet received the careful and rigorous review that the fire services have provided for the first ten chapters.

For these reasons, the Virginia Fire Chiefs Association strongly urges that any final action on the Fire Code re-write be delayed until the 2018 adoption cycle, thereby providing sufficient time for the Fire Services Board Fire Prevention and Control Committee to complete its review of the entire Code document.