

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
MEETING
10:00 A.M., September 7, 2018
Glen Allen, Virginia**

Members Present

Sonny Abbasi
John Patrick “J.P.” Carr
Susan Dewey
Mimi Elrod
Sean Farrell
Andrew Friedman
Richard Gregory
Helen Hardiman
Abigail Johnson
Keith Johnson
Earl Reynolds
Jeff Sadler
Steve Semones

Members Absent

Patricia Shields

Call to Order

Mr. J.P. Carr, Chairman of the Board of Housing and Community Development, called the meeting of the Board to order at 10 am.

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. Shaun Pharr, representing the Virginia Apartment Management Association (VAMA) and the Apartment and Office Building Association (AOBA) of Metropolitan Washington urged the Board to complete action on the Statewide Fire Prevention Code (SFPC) for reasons laid out in their previously submitted written testimony.

Ms. Linda Hale, Chief Fire Marshal of Loudoun County and a member of the Virginia Fire Prevention Association (VFPA), expressed concerns over the process and the implications of removing unenforceable measures. Ms. Hale also noted she had presented Board members with written comments.

Kris Bridges, Building Official for the City of Martinsville, stated he was in support of the adoption of the SFPC.

Andrew Milliken, Deputy Fire Marshal of Stafford County, stated that in Stafford County both sides are trying to find consensus and agree that has been accomplished on Chapters one through ten of the SFPC but additional time is needed to complete the process. He asked the Board to move forward with the consensus items and push the non-consensus items to the next cycle.

Howard Lagomarsino, Fire Marshal of Albemarle County, stated that everyone is trying to do the right thing but asked the Board not to move forward with the edits and to try and find a workable solution.

Anthony Clatterbuck, former Chairman of the BHCD, stated there are always non-consensus items in every code cycle but that this is a step forward for everyone and issues can be addressed in the next code cycle. He urged the Board to adopt the SFPC as proposed.

Gregg Fields, President of the Virginia Building and Code Officials Association (VBCOA), stated that he supported the Board's decision to adopt and move forward as proposed.

Steven Shapiro, Deputy Director of Community Development for the City of Hampton, stated that Virginia is seen as a leader in code adoption and supports the hard work that has been put in to the process and asked that the Board move forward and adopt the SFPC.

Rick Witt, member of VBCOA and the Building Official for Chesterfield County, stated that he participated in the vast majority of the process and stated that it was open, transparent, and fair and that the proposed regulations comport with state law.

Cheri Hainer, Building Official for the City of Virginia Beach, stated that the Virginia Department of Fire Programs and the Fire Services Board expressed concerns but chose not to respond and undertook the process on their own.

Andrew Clark, Vice President of Government Relations for the Home Builders Association of Virginia (HBAV), stated that

HBAV agrees with previous stakeholders to adopt the code as approved previously. He added that Virginia is one of the top states in code adoption and it is due to our open transparent process. He encouraged all stakeholders, as we head in to the new code cycle, to work early on consensus.

Tony McDowell, Fire Chief of Henrico County, stated that the fire chiefs and fire marshals are very concerned with the proposed changes and the process. They recognize the difficult decision but the entire fire services is unanimously in opposition to the proposed version. He encouraged the Board to adopt only the 2015 SFPC base document to include the consensus technical changes as presented to the Board on September 18, 2017.

Robby Dawson, retired Assistant Fire Chief of Chesterfield County, stated that removing the unenforceable provisions is a bad idea and not technically accurate.

Glenn Dean, citizen with 42 years' experience in fire services, stated that if there had been a problem with the previous fire code the Technical Review Board would have been flooded with appeals, but the majority of the appeals come from the maintenance code. He added that if adopted, it will create more problems instead of solve problems because a code is reactive not proactive. He agreed it can be improved but it should not be done in haste.

John Ainslie, former Chairman of the BHCD, stated that the finished product in no way weakens the fire code; rather it makes it user friendly for all who rely on it. Mr. Ainslie cited a mistake in Virginia Beach Public Schools due to a misinterpretation of the fire code, which added to his reasoning to move forward.

Dave Hutcheson, Fire Chief of Virginia Beach, stated that yes the incident that occurred in Virginia Beach was a mistake, but no one is perfect. He added that in regards to the fire code, safety is on the line and we try to be as safe as we can.

David Bailey, member of the Virginia State Firefighters Association, stated that he stood with others who have spoken [in opposition] and to take similar actions as proposed by the fire

as presented by staff; the motion passed.

Representative to the Virginia Housing and Development Authority (VHDA) Board

Ms. Susan Dewey, Executive Director of VHDA, stated that the VHDA Board of Commissioners holds a seat for representation of the BHCD on their Board. She added that Ms. Abigail Johnson expressed interest and after review determined there was no conflict of interest in her serving on the VHDA Board as a representative of the BHCD. Ms. Dewey motioned that Ms. Johnson serve as the representative for the BHCD on the VHDA Board; the motion was seconded and approved.

Code Change Process Update

Ms. Cindy Davis, Deputy Director of DHCD's Building and Fire Regulations Division, stated that the USBC went in to effect on September 4, 2018, and based on the earlier motion the SFPC is scheduled to go in to effect on October 16, 2018. She added that the 2018 code cycle process will begin soon.

Board Retreat

Mr. Erik Johnston, Director of DHCD, stated that the Board Retreat will be held on October 25 – 26 in Richmond. This will be concurrent with the International Code Council Annual Conference and Board members will have an opportunity to witness the code hearings.

VHDA Report

Ms. Dewey indicated that the Virginia Housing Development Authority (VHDA) is currently in the process of receiving comments on the Low Income Housing Tax Credit (LIHTC) program Qualified Allocation Plan (QAP). Ms. Dewey indicated she would be happy to accept any comments from the Board.

VFSB Report

Mr. Farrell stated that he had not prepared a report of the Virginia Fire Services Board (VFSB) in preparation for this meeting but referred to Mr. Brian McGraw, State Fire Marshal, who reported 47 fire fatalities year to date.

Report of the Director

Mr. Johnston shared the details on a webinar the agency held on Opportunity Zones, the upcoming Governor's Housing Conference, and several grant announcements made by the Governor since the last meeting of the Board.

Unfinished Business

Mr. Carr presented Mr. John Ainslie, former Chairman, with a framed resolution.

New Business	There was no new business to be discussed.
Board Matters	There were no Board matters to be discussed.
Future Meetings	Mr. Carr advised board members that the next meeting of the Board will be the Board retreat on October 26.
Adjournment	Upon a motion duly made and seconded, the meeting was adjourned.