

LLR – SOUTH CAROLINA BUILDING CODES COUNCIL

**South Carolina Fire Academy, Denny Auditorium
141 Monticello Trail, Columbia, SC 29203**

MINUTES

Tuesday, February 18, 2020

10:30 am

Delisa Clark, Council Chairman, announced that notice of this meeting was properly posted at the Building Codes Council Office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with §30-4-80 of the South Carolina Freedom of Information Act.

Welcome and Call to Order

Delisa Clark, Council Chairman, called the regular meeting to order at 10:30 a.m.

Approval of Agenda

February 18, 2020

MOTION:

Mr. Briggman made a motion to approve the agenda for the February 18, 2020, meeting. Ms. Hopkins seconded the motion, which carried unanimously.

Introduction of Council Members and Others

Doug Terrell, Bennett Griffin, Mike Richardson, Melissa Hopkins, Mike Lowman, Curt Rye, Delisa Clark, Darbis Briggman, and Patrick Bradshaw introduced themselves as Council members.

Staff members participating in the meeting included: Stacey Hewson, Advice Counsel; Molly Price, Administrator; Maggie Castles, and Teresa Martin, Program Coordinators and Michelle Manni, Court Reporter.

Approval of Excused Absences

MOTION:

Mr. Lowman made a motion to approve absent members Tim Hance and Frank Hill. Mr. Rye seconded the motion, which carried unanimously.

It was noted as part of the record that Chris Cullum and Dean Wilson were absent from the meeting.

Approval of Minutes

November 20, 2019-Council Meeting;

MOTION:

Ms. Hopkins made a motion to approve the minutes from the November 20, 2019 meeting. Mr. Richardson seconded the motion, which carried unanimously.

Chairman's Remarks

Chairman Clark welcomed and thanked everyone for attending the meeting.

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Staff Reports

a. Legislative Update-Molly Price

Mrs. Price informed everyone that the regulation updates for the scriveners' errors have gone through the House subcommittees and are now at the Senate. Mrs. Price spoke about the Senate Bill 706, "Balcony Bill" which deals with balcony railings that went to the LCS subcommittee on February 12, 2020. This Bill would require inspections of balcony railings primarily made of wood for multifamily dwellings. Mrs. Price explained that the bill did not come out of the subcommittee and staff will continue to monitor the progress of the bill.

b. Office of Investigations and Enforcement-Molly Price

14 open cases

c. Investigative Review Committee (IRC) Report-Molly Price

The IRC met on February 6, 2020. 3 open cases; 2 recommended for dismissal; 1 recommended for formal complaint.

MOTION:

Mr. Bradshaw made a motion to approve the IRC report. Mr. Rye seconded the motion, which carried unanimously.

d. Office of Disciplinary Counsel Report- Molly Price

1 pending case

e. Administrator's Report-Molly Price

Mrs. Price provided financial reports and licensure statistics to the Council, citing 24 newly issued licenses since the November 20, 2019, and 1,143 total active licenses. She welcomed Patrick Bradshaw to the Council and announced the resignation of David Blackwell.

Mrs. Price reminded the Council members that their Statement of Economic Interest Forms are due by March 30, 2020, and there is a penalty if it is not filed on time.

Mrs. Price announced that she, Darbis Briggman, and Maggie Castles will be attending World of Modular 2020 on behalf of the Council in March and they look forward to learning about new trends in the modular industry.

Mrs. Price discussed the upcoming modification process for the 2021 I-codes, explaining that staff intends to streamline the process and move it online. She hopes to have an update on that process at the next Council meeting.

New Business

a. Investigative Review Committee (IRC) Appointment: J. Shawn Brashear

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MOTION:

Ms. Hopkins made a motion to appoint J. Shawn Brashear to the IRC. Mr. Briggman seconded the motion, which carried unanimously.

Old Business

Doug Terrell recused himself from the discussion items (a) and (b) below.

a. Residential Modular Installation Form and Display Models-Maggie Castles

Ms. Castles began by giving an update from the last meeting on the issue of the display models at manufacturing sites and the requirement have the modular unit sale and installation information form completed by a licensed Residential Home Builder or Commercial General Contractor before a label can be issued. The current form requires that the builder/contractor attest that they will take responsibility for all aspects of the installation. When a display model is erected on a temporary basis, not all aspects of installation are required, therefore contractors are not willing to sign this form taking responsibility. Ms. Castles asked the Council how they would like to vet the erection of modular display units at manufacturing sites—if the form should not be required, or if a new form should be developed. She shared correspondence from a manufacturer stating that the local jurisdiction verifies the contractor licenses. The Council expressed concern at not vetting contractors' licenses for the residential label process and requested that a supplemental form be created to accompany the modular unit sale and installation information form. The current form is to be updated to include a waiver from the full erection requirements, and the supplemental form would allow the contractor to attest to all aspects of the installation for a display model when not being displayed on a retail lot by a licensed Residential Home Builder or Commercial General Contractor.

b. Residential Owner Disclosure Statement for Residential Modular Construction-Maggie Castles

Ms. Castles explained that she was able to reach out to all licensed modular manufactures in South Carolina to ascertain how this disclosure statement would affect the warranty issued by the manufacturer. Three manufacturers stated that an owner disclosure statement would void the warranty completely, and seven manufacturers stated it would only void the warranty for the site work if completed incorrectly and not properly inspected by the authority having jurisdiction. One other manufacturer stated they would require the homeowner to sign a waiver relieving the manufacturer of any consequences for an improper installation. Several manufacturers also expressed concern that if homes are not properly installed and warranties are voided, this would negatively affect customer satisfaction and the modular building industry in South Carolina. Ms. Castles also recognized the Manufactured Housing Institute for their assistance in gathering information from their modular members, who expressed the same concerns.

Mr. Shawn Brashear, building official for Florence County and speaking on behalf of the Building Officials Association of South Carolina, explained that the building officials are opposed to

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allowing an owner to act as the builder and install a modular home using the owner disclosure statement.

Mr. Shell Suber with the Manufactured Housing Institute of South Carolina also spoke and reiterated the Institute's member opposition to the owner disclosure statement being applied to modular construction.

MOTION:

Mr. Lowman made a motion to go into executive session. Mr. Rye seconded the motion, which carried unanimously.

MOTION:

Mr. Rye made a motion to come out of executive session. Ms. Hopkins seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken during executive session.

After returning from executive session, Mrs. Clark explained that the existing Regulation 8-626 requires a licensed general contractor or a residential home builder for construction of modular buildings. It is the Council's decision that the owner disclosure statement will not be accepted for residential modular installations per that regulation.

Application Hearing

a. Alan R. Corey-Examination Waiver Request

The Building Code Council held an application hearing regarding Alan R. Corey. Mr. Corey appeared before the Building Code Council, and waived his right to counsel. All persons testifying were sworn in by the court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

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Mr. Lowman made a motion to go into executive session. Mr. Rye seconded the motion, which carried unanimously.

MOTION:

Mr. Rye made a motion to come out of executive session. Mr. Richardson seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken during executive session.

MOTION:

Ms. Hopkins made a motion to deny the request to accept the Connecticut exams in lieu of the ICC certifications required for registration as a code enforcement officer in South Carolina. Mr. Bradshaw seconded the motion, which carried unanimously.

Public Comments *None at this time*

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Date of Next Meeting

The next meeting of the South Carolina Building Codes Council is set for Tuesday, May 19, 2020.

Adjournment

MOTION:

Mr. Briggman made a motion to adjourn. Mr. Rye seconded the motion, which carried unanimously.

The meeting adjourned at 11:56am.