

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission
Video/Teleconference Cisco Webex Format

Tuesday, April 6, 2021

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's (the Commission) regular monthly meeting was called to order by Chairman James Greeson at 9:00 a.m. EDT on Tuesday, April 6, 2021. The meeting was conducted electronically by videoconference and teleconference call through Webex.

a. Commissioners present at the meeting:

Harold Davidson, representing the Commissioner, Indiana Department of Labor
Gregory Furnish
James Greeson, Chairman
Joseph Heinsman
David Henson
Todd Hite, representing the Commissioner, Indiana State Department of Health
James (Wes) Jordan
James Murua
Scott Pannicke
Michael Popich, Vice Chairman

b. Commissioners absent from the meeting:

Michael Corey

c. The following department (IDHS) staff were present during the meeting:

Douglas Boyle, Director of the Fire Prevention and Building Safety Commission
Craig Burgess, Indiana State Building Commissioner
Alan Blunk, IDHS Plan Review Section Chief
Denise Fitzpatrick, IDHS Code and Variance Specialist
Kim Hyten, IDHS Code and Variance Specialist
Marcus Ballenger, IDHS Code and Variance Specialist
Philip Gordon, Deputy Attorney General & Legal Counsel to Fire Prevention and Building Safety Commission
Kevin Troy, IDHS Code Enforcement Assistant Section Chief (State Fire Marshal's Office)
Karla Vanblaricum, IDHS Variance Coordinator

2. Roll Call – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission

Director Boyle conducted roll call noting that quorum was met with nine (9) members in attendance at the beginning of the meeting. Commissioner Hite joined the meeting at approximately 9:15 a.m. EDT, bringing the total number of members present to ten (10).

3. Commission Review and Action on Meeting Minutes

a. Tuesday, March 2, 2021

Director Boyle called for corrections to the Commission’s Tuesday, March 2, 2021 meeting minutes. Commissioner Popich identified one editorial error. Seeing as there were no additional concerns, Commissioner Pannicke motioned to approve the minutes, as amended, with one (1) noted correction. Commissioner Heinsman made the second. It was voted on and carried. Commissioner Henson abstained from the vote because he was not present at the Commission’s Tuesday, March 2, 2021. Commissioner Murua was temporarily disconnected from the Webex call and did not participate in the vote.

| | Y | N |
|-----------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The Tuesday, March 2, 2021 meeting minutes were **approved as amended**, by a vote of 7-0.

4. IDHS/Commission Staff Reports and Updates

a. Status Update on Indiana Open Door Law and Public Meeting Requirements during the State of Indiana’s COVID-19 Public Health Emergency – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission & Justin Guedel, IDHS Deputy General Counsel

Director Boyle advised the Commission that Governor Holcomb issued Executive Order 21-08 on Wednesday, March 31, 2021, extending the State of Indiana’s public

health emergency declaration until April 30, 2021. Given that COVID-19 related hospitalizations seem to be on the decrease with the continued administration of vaccines statewide, Commission and staff members should prepare for the possibility that May's meeting will be held in-person, should the governor choose not to renew the public health emergency.

The variance was granted by a vote of 10-0. It was approved conditionally.

b. State Building Commissioner's Report – Craig Burgess, State Building Commissioner

- i. Written Interpretation No. CEB-2021-03-2014 IBC-1029.1
- ii. Written Interpretation No. CEB-2021-04-2009 IEC-422.31(B)
- iii. Written Interpretation No. CEB-2021-05-2014 IBC-202

State Building Commissioner Craig Burgess briefly explained the above written interpretations. Commissioner Popich thanked him for the detail he put into each interpretation.

c. IDHS Variance Determinations Report

5. Rulemaking Update(s)

a. Indiana Elevator Code Committee Meeting

- i. Next Meeting: Tuesday, April 20, 2021 beginning at 9:00 a.m. EDT, Webex Electronic Meeting

Public notice and meeting access details will be provided on the Committee's web page (<https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/indiana-elevator-code-committee/>) in advance of the meeting.

Director Boyle advised that the Committee made good progress during its March meeting and looks to conclude its review at the April meeting.

b. Indiana Code Update Exploratory Committee

- i. Next Meeting: TBA

Public notice and meeting access details will be provided on the Committee's web page (<https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/indiana-exploratory-committee-for-code-updates/>) in advance of the meeting.

Due to a lack of preparation and other shortcomings, Director Boyle informed that the Committee was unable to meet in March. Director Boyle and Commissioner Popich, who serves as chairman of the Exploratory Committee, had been in correspondence over the last couple days and tentatively decided to host the next meeting on Tuesday, April 27, 2021, beginning at 9:00 a.m. EDT. Director Boyle is still awaiting confirmation from many of the Committee's members, but the meeting will continue as scheduled, provided that quorum is met.

c. Status Update on the Commission's Proposed Final Rules

- i. Variances Rule (LSA Document #20-626)
- ii. Indiana Boiler and Pressure Vessel Rules (LSA Document #20-627)

Director Boyle advised that he did not have much of an update to provide, as both rules are still being reviewed by the Attorney General's Office.

6. Variances

a. Tabled

20-12-77 New Beginnings Child Care, Crawfordsville – **see petitioner's request to table until May 4, 2021 meeting**

Director Boyle informed the Commission that New Beginnings requested that the variance be tabled until May. He briefly outlined the reasoning in an email received from Mr. Wilke. Chairman Greeson motioned to table. Commissioner Popich made the second. It was voted on and carried.

| | Y | N |
|-----------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **tabled**, with a vote of 9-0.

21-02-27 Lowe's Home Improvement, Columbus

Vhaly Murray spoke as the proponent. This facility was cited by a local inspector for storage of aerosol containers above six (6) feet in height. Mr. Murray advised that adequate fire protection, including ESFR sprinklers, is included above the storage space. The total rack height is estimated to be around twelve (12) feet, which proponent states is meant to allow the store to keep up with demand as product begins to move off the shelves at a faster rate. Commissioner Murua recommended that the Commission table this to allow Mr. Murray time to acquire hazard evaluation paperwork on the current sprinkler system. Commissioner Furnish motioned to tabled. Commissioner Popich made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **tabled**, with a vote of 9-0.

21-02-32 (b) Good Shepherd Montessori School, South Bend

Ed Rensink spoke as the proponent. Based on updated paperwork that was attached to the application at the beginning of the meeting, Commissioner Jordan motioned to approve. Commissioner Davidson made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | |
|-----------------------|-------------------------------------|--------------------------|
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved as submitted**, with a vote of 10-0.

21-02-34 (a)(b)(c)(d) The Crystal Coop Reception & Event Center, Anderson

Carrie Ballinger spoke as the proponent. She informed the Commission that variances (a), (b), and (d) had been withdrawn. Based on revised information received, Commissioner Davidson motioned to approve (c). Commissioner Pannicke made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Variances **(a), (b), and (d) were withdrawn**. Variance **(c) was approved as submitted**, with a vote of 9-0.

b. New

21-03-27 (a)(b) Catey Heritage Farm, Barn Renovation, Peru

Dan Keiser spoke as the proponent. The project involves an agricultural barn, which is being converted into an event space. The first variance requests temporary use of portable restrooms to comply with the fixture count requirements. The second variance requests permission of the structure to be evaluated under Chapter 34, given that a structural evaluation has been conducted and confirms its capacity to support all gravity and lateral load requirements. Regarding the installation of a septic system to comply with restroom requirements, Mr. Keiser stated that he spoke to local building officials and there is plenty of acreage to provide multiple options. Per the commissioners' inquiries, the ground floor is used for storage, and the owners have no plans to renovate. After some discussion, Commissioner Hite motioned to approve (a) on the condition(s) that: the variance shall expire on April 30, 2022 (4/30/2022). Commissioner Davidson made the second. It was voted on and

carried. Commissioner Murura subsequently motioned to approve (b) on the condition(s) that: only event equipment, including but not limited to: tables, chairs, non-combustible decorations, and non-flammable, non-combustible garden equipment and hand tools are permitted to be stored in the ground floor storage space. Motorized vehicles and other equipment fueled by flammable liquids are not permitted to be stored in the ground floor storage space. Commissioner Heinsman made the second. It was voted on and carried.

| | (a) | | (b) | |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| | Y | N | Y | N |
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Variances (a) and (b) were approved with conditions by a vote of 9-0.

21-03-28 (a)(b)(c)(d) Carmel High School Performing Arts Additions/Renovations, Carmel

David Cook spoke as the proponent. The project involves the construction of a 25,000 square foot addition, which will put a prior variance into non-compliance. Variance (a) will allow for the prior variance to maintain compliance. Variance (b) requests that forty (40) feet of open yard space be permitted, based on the east side of the building encroaching upon an existing residential area. Variance (c) asks that the auditorium, which was built in 1967 and did not require a sprinkler system at the time, to remain protected only by a fire barrier. Because this auditorium is separated by an outdated 1967 area separation and not a four hour structurally independent fire wall, the new building would not be considered a separate structure. Thus, variance (d) requests that these structures be considered separate, so that the building may continue to meet unlimited area provisions. Commissioner Pannicke motioned to approve variances (a), (b), and (c). Commissioner Heinsman made the second. It was voted on and carried. Commissioner Pannicke then motioned to approve variance (d). Commissioner Murua made the second. It was voted on and carried.

| | (a) | | (b) | | (c) | | (d) | |
|--|-----|---|-----|---|-----|---|-----|---|
| | Y | N | Y | Y | Y | N | Y | N |
| | | | | | | | | |

| | | | | | | | | |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Michael Corey | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Variances (a)-(d) were approved as submitted, with a vote of 9-0.

Breaking & Reconvening: The Commission took a short break, beginning at 10:58 p.m. EDT. Director Boyle called the meeting back to order at 11:11 a.m. EDT.

21-03-29 318 Iowa, Indianapolis

Nicholas Krudy spoke as the proponent. The porch of an existing house was converted into additional living room space. Per code, it now requires a fire wall along the seven (7) feet of renovated space despite the total width of that side of the house being forty-three (43) feet. Siding would have to be completely redone in order to install the fire wall meaning that two (2) existing bedroom windows, which serve as egress windows, would have to be removed. In addition, the windows on the east side of the house must be removed, due to unapproved modifications and the house being less than three (3) feet from the property line. Essentially, Mr. Krudy is requesting that the house continue to function with the east-side windows and lack of fire wall. The commissioners recommended that Mr. Krudy obtain a cost-estimate of installing a 13-D system. In the meantime, staff will look into whether or not the installation of such a system would trigger compliance. Commissioner Murua motioned to table. Commissioner Heinsman made the second. It was voted on and carried. Commissioner Popich recused himself from the discussion and vote.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | |
|-----------------------|-------------------------------------|--------------------------|
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input type="checkbox"/> | <input type="checkbox"/> |

The variance was **tabled**, with a vote of 9-0.

21-03-30 West Fork Whiskey HQ2 Facility, Westfield

Ed Rensink and Julian Jones spoke as the proponents. The request is to allow production area and barrel storage area for distilled spirits to have quantities of Class IB/Class II liquids exceeding the maximum allowed amount. Mr. Rensink advised that, according to the 2021 IBC, sections 18 and 19 include exceptions for these types of facilities. A variety of hazard mitigation features were also detailed in a list from the owner, including – but not limited to: classified electrical installations, a vapor detection system, and DISCUS (Distilled Spirits Council of the United States) approved design standards. Mr. Jones added that the distillery will only be operational during staffed hours, and a team of people will continuously monitor all equipment and automated machinery. Commissioner Pannicke motioned to approve. Commissioner Heinsman made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved as submitted**, with a vote of 10-0.

21-03-31 BAPS Hindu Temple Addition – Griffith, Griffith

Ed Rensink spoke as the proponent. The existing church is being converted to a Hindu temple, and the owners would like to add a foyer at the entrance, so that the structure may better resemble other Hindu worship facilities. The addition would be about 3,600 square feet, causing the building to exceed the allowable area of 12,000 square feet. As such, the owners are seeking relief from the sprinkler requirement. The average attendance ranges from 80-120, with maximum occupancy load posted at two hundred ninety-nine (299). Manual fire

alarms will be placed throughout the church, and a smoke detection system will be installed within the addition for increased protection. The construction materials will match that of the preexisting building – steel frames with wood roofing. Chairman Greeson motioned to approve on the condition(s) that: the proposed entry solarium/foyer addition is not permitted to be utilized as a meeting/congregation space. Commissioner Heinsman made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved with conditions** by a vote of 10-0.

21-03-32 Tecumseh Renovation, Indianapolis

Jamila Martin spoke as the proponent. Existing windows on the north side of the property were replaced in the main bathroom, second floor, and dining/living rooms, as well as egress windows in the hallway and secondary bedrooms along the west side. Ms. Martin stated that all original openings were utilized, but some of the windows had been made smaller or shifted downwards to accommodate a new header. Commissioner Pannicke raised concerns regarding the installation of the header effectively modifying the structure of the window; thus, requiring a building permit and the installation of either a UL-rated window or a domestic sprinkler system. He also was not fond of the precedent this may set, in terms of allowing other businesses to modify existing windows however they see fit. Commissioner Heinsman disagreed arguing that the modifications provided for a safer structure, and the circumstances were much different than simply adding new windows. Chairman Greeson advised that there had to be some alternative that would allow the Commission to remain strict in its interpretation of the code, yet also deliver reasonable decisions when warranted. With that, Commissioner Heinsman motioned to approve. Commissioner Greeson made the second. It was voted on and **failed, with a vote of 4-6**.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | |
|-----------------------|-------------------------------------|-------------------------------------|
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Todd Hite | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Wes Jordan | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Jim Murua | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Scott Pannicke | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Michael Popich | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Commissioner Murua made a revised motion to approve the variance on the condition(s) that: an NFPA 13D sprinkler system, compliant to the 2010 edition of NFPA 13D, is required to be installed throughout the structure. Commissioner Popich made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved with conditions** by a vote of 10-0.

Breaking & Reconvening: The Commission took a lunch break, beginning at 12:25 p.m. EDT. Director Boyle called the meeting back to order at 1:00 p.m. EDT.

21-03-33 (a)(b) Project Mastodon, Fort Wayne

Greg Koziol, Matt Guifoyle, and Noah McCarthy spoke as the proponents. Commissioner Murua recused himself from the discussion and both votes. Mr. Guifoyle thoroughly outlined the project, which consists of a five story S-1 storage facility, and the proposed design alternatives being sought. The first variance requests that an egress travel distance of four hundred (400) feet be permitted. If restricted to code-required two hundred fifty (250) feet of exit access travel distance, the tenant cannot employ their unique storage system or material handling requirements. Additionally, the use of conventional fire-resistance rating materials creates a hazardous condition to the robotic storage process. In lieu of

complying with the two-hour fire rating, the proponent states that a superior sprinkler system, beyond that which is required by code, will be designed to discharge significant amount of water to the fire and surrounding fuel sources. A secondary water tank will provide three hours to the building, fire sprinkler, and standpipe system. Mr. McCarthy added that no aerosol or other hazardous liquids will be stored in the facility. Commissioner Davidson motioned to approve (a). Chairman Greeson made the second. It was voted on and carried. Commissioner Pannicke subsequently motioned to approve (b). Commissioner Jordan made the second. It was voted on and carried.

| | (a) | | (b) | |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| | Y | N | Y | N |
| Michael Corey | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Variances (a) and (b) were approved as submitted, with a vote of 9-0.

21-03-34 Lighthouse Point Yacht Club, Aurora

Mark Banschbach spoke as the proponent. A marina was purchased on Laughery Creek, located just south of the mouth of the Ohio River. The request is that the facility be permitted to provide an unattended gas pump during non-staffed hours. A containment chamber, approximately four (4) feet in diameter, will act to absorb any fuel that is accidentally spilled into the water before it can be washed out into the river. Commissioner Popich questioned why a staff member could not be present at all hours of the day, given the need for gasoline is still present at night. Mr. Banschbach stated that he was unsure of the true demand for gasoline during these hours and advised that this would mostly function as a convenience for nighttime boaters, as well as saving on employee wages. Until Mr. Banschbach could provide concrete evidence illustrating the demand for fuel at all hours of the day, the commissioners agreed that there was a lack of undue hardship. As such, Commissioner Pannicke motioned to deny. Commissioner Murua made the second. It was voted on and carried.

| | | |
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| | Y | N |
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|------------------------|-------------------------------------|-------------------------------------|
| Harold Davidson | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Greg Furnish | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Jim Greeson | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **denied**, with a vote of 6-4.

21-03-35 Bodenbender Barn Rescue, Salem

Nathan Grimes, Ronald Stiller, and Kim Bodenbender spoke as the proponents. The project involves the reconstruction of an existing building after a fire occurred in 2019. The request is that a fire suppression system be omitted from the facility. In lieu of this, an existing garage door will be open during events along with a multitude of other exits. In addition, a staff person will serve as “fire watch” during these events to ensure a continuous surveillance of the facility in the case of a fire. The building is expected to host between forty (40) and fifty (50) events from the months of May to September, with a maximum occupancy of two hundred forty (240). Besides the cost of installing a fire suppression system, proponent states that the servicing Posey County Water company only has a four (4) inch water main at this location, with the closest sufficient size and pressure water main being roughly two (2) miles away. Alan Blunk, with Plan Review, stated that the project was represented as a remodel and did not include structure loading affirmation in the initial design plans. Upon further review, it was found that the shift from an agricultural building to a commercial event space triggered Chapter 34. Commissioner Heinsman motioned to table to allow for time to complete a Chapter 34 analysis and hiring of a code consultant, should the owners deem this necessary. Commissioner Hite made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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|-----------------------|-------------------------------------|--------------------------|
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **tabled**, with a vote of 10-0.

21-03-36 University of Southern Indiana Wellness Center, Evansville

Ed Rensink spoke as the proponent. This project involves the expansion of each floor of the university's student recreation center. The first floor addition will add a bicycle shop and a mechanical room. The second floor addition will add student lounge space, expanded restrooms, and an office area. The third floor will add a counseling suite, and health and wellness areas. This will exceed the total allowable area by approximately 17%, but Mr. Rensink stated that egress travel distance will not be affected. With no additional discussion, Commissioner Pannicke motioned to approve. Commissioner Jordan made the second. It was voted on and carried. Commissioner Davidson recused himself from the vote.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved as submitted**, with a vote of 9-0.

21-03-37 Barn at Tulip Trestle, Bloomfield

Roger Lehman spoke as the proponent. A Chapter 34 analysis will be used to convert an agricultural building to a Class 1 Structure classified as A-2 occupancy. The building is a single story above grade, with an eleven (11) foot wide mezzanine around three sides of the interior perimeter. A structural evaluation has been conducted to confirm the existing structure's capability to support all live and dead loads. All egress requirements have been met, according to Chapter 34 specifications. Occupant load will be posted and limited to two hundred fifty (250). Commissioner Jordan voiced concerns on the uplift of the existing truss structure, with Commissioner Heinsman seconding this opinion. As such, Commissioner Heinsman motioned to table, awaiting more specific detail and an updated

analysis from the structural engineer. Commissioner Jordan made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **tabled**, with a vote of 10-0.

Breaking & Reconvening: The Commission took a ten-minute break, beginning at 2:59 p.m. EDT. Director Boyle called the meeting back to order at 3:10 EDT.

21-03-38 The Sporting Club at the Farm – Barn 1, New Albany

Ed Rensink and John Hawkins spoke as the proponents. The project involves the conversion of an agricultural barn to an event space. Originally classified as an A-2 but met with some confusion, the local building official subsequently concluded that a Chapter 34 evaluation should be conducted to properly classify the building. Due to the site not having a water supply capable of powering a sprinkler system, the cost is prohibitive. To remedy this, the variance request is to permit an additional 8.2 points to be credited in the Fire Safety column in Table 3412.7, in order to achieve an overall passing score. The proponent states that a fire alarm system will be provided with smoke detection tied to it. Commissioner Pannicke motioned to approve. Commissioner Davidson made the second. It was voted on and carried. Commissioner Pannicke motioned to approve. Commissioner Davidson made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved as submitted**, with a vote of 10-0.

21-03-39 The Sporting Club at the Farm – Clubhouse, New Albany

Ed Rensink and John Hawkins spoke as the proponents. The project converted the first floor of the building for use as a clubhouse for the Sporting Club at the Farm. The code states the riser should be seven (7) inches and the handrail should be thirty-four (34) inches to thirty-eight (38) inches. The request is to utilize existing stairs which have a riser of 7.25 inches and handrails of thirty-two (32) inches. The proponent states the second floor stairs will not be used by the public and that chain and signage will be placed across the stairs at the main level. These stairs have been designated as historically significant in aiding slaves to escape across the Ohio River via the underground railroad. Thus, the stairs shall remain unaltered. Commissioner Pannicke motioned to approve. Commissioner Heinsman made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved as submitted**, with a vote of 10-0.

21-03-40 The Sporting Club at the Farm – Five Stand Structures, New Albany

Ed Rensink and John Hawkins spoke as the proponents. Five Stand is a type of shotgun sport shooting similar to sporting clays, trap, and skeet. The structures lack a foundation, which puts them in conflict with the IBC. There are ten (10) structures that are mounted skids, which are twenty-five (25) square feet each. Two of the structures are mounted on a trailer bed, totaling four hundred ninety-five (495) square feet each. Mr. Rensink stated that they may be moved to various locations around the property, as desired. Granted that the post membrane construction is adequate, the request is to allow these to bypass the foundation

requirement. Commissioner Henson motioned to approve. Commissioner Hite made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved as submitted**, with a vote of 10-0.

21-03-43 Our Lady of Perpetual Hops, New Albany

Kyle Richmer spoke as the proponent. The brewery hosts a handful of large events with a live band each year, which exceeds typical capacity. The owners do not currently own the building and propose renting a series of port-a-potties to accommodate the overflow of patrons during these events, as they do not possess the funds or ability to install permanent fixtures. This is partially due to being a new business but is also largely due to the Covid-19 restrictions placed on restaurants and bars causing revenue numbers to plummet during 2020.

Commissioner Heinsman and Commissioner Hite were confused as to why a variance was needed, considering that many businesses utilize port-a-potties for temporary events. Kevin Troy, IDHS Code Enforcement Section Chief, clarified that the plumbing code requires a variance when permanent fixtures do not cover the extended occupancy load. Director Boyle also added that Floyd County advised they allow port-a-potties for temporary events but not for events that are hosted on a consistent basis. With that, Commissioner Hite motioned to approve on the condition(s) that: the variance shall expire April 30, 2023 (4/30/2023). Commissioner Furnish made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The variance was **approved with conditions** by a vote of 10-0.

7. Petitions for Administrative Review

- a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)
 - i. IDHS Sanctions Order No. 467-664 - Shipley's Tavern
 - ii. IDHS Sanctions Order No. 589-792 – Madison Consolidated High School
 - iii. IDHS Sanctions Order No. 1595-1801 – Lydia Middleton Elementary School
 - iv. IDHS Notice of Violations Order No. 716647 - Saint Paul Catholic School
 - v. IDHS Sanctions Order No. 1596-1802 – Anderson Elementary School

Director Boyle advised the Commission that all of the above-referenced petitions for administrative review were granted as timely and with standing in accordance with the requirements of IC 4-21.5-3 (Administrative Orders and Procedures Act), and staff subsequently submitted the petitions to OALP for assignment to the ALJ.

- b. Informally Resolved/Withdrawn Prior to Initiation of Administrative Review Proceedings
 - i. IDHS Sanctions Order No. 502-703 - Saint Joseph Catholic Church

Director Boyle stated that, on March 22, 2021, both parties reached an agreed order to rescind the petition based on the understanding that Saint Joseph Catholic Church will place the device in question out of service. As such, no further action is needed.

8. Final Orders/Final Orders of Dismissal Issued by the ALJ – **for the Commission's awareness only**

- a. City of Bloomington Fire Prevention Bureau's 11-20-2020 Violations Order - Big Woods Bloomington (Cause No. DHS-0121-000079)
- b. IDHS Notice of Violations Order No. 716647 – Saint Paul Catholic School (Cause No. DHS-0321-000772)

- c. IDHS Sanctions Order No. 467-664 – Shipley’s Tavern (Cause No. DHS-DHS-0321-000771)

Director Boyle briefly advised the Commission that the ALJ issued Final Orders of Dismissal for the three matters referenced above, and briefly explained the underlying reasons why the Final Orders of Dismissal were issued (i.e., Agreed Orders and Stipulations of Dismissal).

9. Commission Review of Local Ordinances

a. Preliminary (Pre-Adoption) Review – **see report provided in meeting materials**

- i. Fire Prevention Ordinance of the City of Greensburg, Indiana – **received by Commission staff via electronic mail on Monday, March 22, 2021.**
- ii. Fire Prevention Ordinance of the City of Decatur, Indiana – **received by Commission staff via electronic mail on Tuesday, March 23, 2021.**
- iii. Fire Prevention Ordinance of the City of Valparaiso, Indiana – **received by Commission staff via electronic mail Tuesday, March 23, 2021.**

Director Boyle advised the Commission that staff had put together a preliminary review ordinances report, subsequent to the discussion at last month’s Commission meeting. The members of the Commission did not have any questions or concerns and thought the report looked good. Director Boyle also advised the Commission that the three above-listed ordinance drafts were submitted to Commission staff via email, requesting preliminary review. The drafts were provided with the Commission’s meeting materials. Director Boyle advised the members of the Commission to contact staff if they had any questions or concerns about the ordinance drafts.

b. Adopted Ordinances

- i. Ordinance No. 2021-3 - Building Code of Harrison County, Indiana – **received by Commission staff via electronic mail on Thursday, March 4, 2021**

Chairman Greeson motioned to approve the ordinance, per staff’s recommendation. Commissioner Jordan made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Ordinance No. 2021-3 of Harrison County was **approved as submitted**, with a vote of 10-0.

- ii. Ordinance No. 06, 2021 – Amending Section 8.12.190 (Consumer Fireworks) of the Municipal Code of the City of Columbus, Indiana – **received by Commission staff via electronic mail on Thursday, March 18, 2021.**

Chairman Greeson motioned to approve the ordinance, per staff's recommendation. Commissioner Davidson made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Ordinance No. 6, 2021 of the City of Columbus was **approved as submitted**, with a vote of 10-0.

10. Other Business Not on the Agenda – Third Party Inspection Agency Approval/Renewal – ICC NTA, LLC

This request was received yesterday – Monday, April 6, 2021. According to Kevin Troy, IDHS Code Enforcement Section Chief, a name change was requested as part of a formality, due to ICC being bought by NTA. Thus, all staff and processes will remain the same. Commissioner Heinsman motioned to approve. Commissioner Hite made the second. It was voted on and carried.

| | Y | N |
|------------------------|-------------------------------------|--------------------------|
| Harold Davidson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | |
|-----------------------|-------------------------------------|--------------------------|
| Greg Furnish | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Greeson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joe Heinsman | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Henson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Hite | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wes Jordan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jim Murua | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Pannicke | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Popich | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The third party inspection agency approval/renewal for ICC NTA, LLC was **approved** by a vote of 10-0.

11. Final Comments/Closing Remarks from Chairman Greeson

Chairman Greeson thanked everyone for their attendance and detailed discussion on each matter. He wished the members a pleasant evening and noted that he would talk to them again at the next monthly in May.

12. Next Meeting – Tentatively scheduled for Tuesday, May 4, 2021, beginning at 9:00 a.m. Eastern Time in History Reference Room 211 of the Indiana State Library, 315 W. Ohio Street, Indianapolis, IN 46202

If the Commission’s meeting must be conducted electronically/remotely due to the ongoing COVID-19 public health emergency, details will be provided on the Commission main web page (<https://www.in.gov/dhs/2375.htm>) in advance of the meeting date.

Pertaining to the format of this meeting, Commissioner Davidson inquired as to whether it would be held in-person. Director Boyle stated that it was too early to provide a definitive answer to that question. The Commission and staff will have to wait and see what happens towards the end of April regarding Governor Holcomb’s executive orders and the State of Indiana’s public health emergency disaster declaration, given there is pending before the Indiana General Assembly, which may result in permanent modifications to the Indiana Open Door Law (IC 5-14-1.5). As always, Director Boyle insured Commissioner Davidson that staff will keep the Commission up-to-date with the governor’s decisions in advance of next month’s meeting.

13. Adjournment

Chairman Greeson adjourned the meeting at 4:15 p.m. EDT.

APPROVED: _____
James L. Greeson, Chairman