

MEETING MINUTES

Meeting Details

**Date:** September 8, 2022  
**Time:** 9:00 AM  
**Location:** MADE @ Plainfield and Microsoft Teams

Member Attendance

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Wes Jordan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Notes

Meeting materials for this meeting can be accessed here: [Commission Meeting Materials](#).  
 Variance applications, attachments, and action letters can be accessed here: [Variance Files](#).

1. Call to Order – Chairman Greeson called the meeting to order at 9:03am.
2. Roll Call – Quorum was met.
3. Review and Action on August 2022 Meeting Minutes. There is a blank for an expiration date on 22-07-31. Correct ‘suck’ to ‘such’.

**Motion:** Adopt the minutes as corrected.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input type="checkbox"/>	<input type="checkbox"/>	NA

Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

#### 4. IDHS Reports and Updates

- a. **IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f)** – Denise Fitzpatrick.

#### 5. Rulemaking Update(s)

- a. **Indiana Electrical Code Update Committee** – Michael Popich, Chairman, provided an update on the Electrical Code Update Process.
- b. **Future Code Update Process** – Chairman Greeson presented an idea to the Commission concerning the future code update process. He wants to discuss not forming subcommittees for the future codes, and have updates submitted directly to the Commission for consideration, as they are the ultimate authority. This would not eliminate public input through the notice and comment period, and would help streamline the code adoption process by eliminating the need to find 35-50 people who can work on the code committees. Jonathan Whitham, General Counsel for IDHS, also noted that this would help Indiana stay on a similar timeline to other states in terms of code updates, which would help promote business and economic growth by ensuring that businesses are attracted to a state with up-to-date safety and infrastructure regulations. Commissioner Henson asked how much additional time would be added to meetings. Commissioner Popich answered that most meetings run approximately four hours, so the Commission meetings would likely not go more than a day. Chairman Greeson added that some flexibility would need to be built in to the process in case a special meeting was needed. Ms. Collister asked whether Chapter 1 would be rewritten to replace the GAR. Mr. Popich and Chairman Greeson indicated that they would like to see that. Ms. Collister indicated that she believes a draft would be needed. Mr. Greeson asked that this be kept on the agenda as a discussion item. Mr. Pannicke asked if there was a target date to get started. Mr. Greeson indicated that they would attempt to establish a target date at the next meeting. Mr. Greeson would also like to use the next meeting to establish the order of adoption. Philip Gordon from the Attorney General’s Office added that the most important step in the rulemaking process is to take the time to ensure the initial proposed rule is as clean as it can possibly be, and that bringing the public in on

the rule and making them very aware that there will be a discussion with ample time for comment.

**6. Variances**

**a. Tabled**

i. **22-03-43 Indy Marriott Place 10, Indianapolis** – Christina Collister, RTM Consultants presented. She updated that the proponent has been able to schedule a radio coverage survey, and asked that the variance be tabled for another month.

**Motion:** Table.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

**b. New**

i. **22-08-36(a)(b) Crown Point Alternative Education, Crown Point** – Commissioner Heinsman recused himself. Ed Rensink presented.

**Motion:** Approve

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman (R)	<input type="checkbox"/>	<input type="checkbox"/>	NA
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	In Person

Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

- ii. **22-07-36 New Lodge for Camp Millhouse, South Bend** – Melissa Tupper presented. New dining hall for camp in a rural location, requesting to omit sprinklers. One story, equipped with fire alarm, smoke and heat detection. Dining hall has 3 exits, maximum travel distance is 70 feet. Mr. Pannicke wanted to know if this was also a health center where kids would be staying, based on the plans. Medications are stored at the facility. Chairman Greeson asked if the fireplace was gas. Brian Hart noted that the camp is only open two months out of the year, campers spend the night in individual cabins. Dispensary in the lodge is simply to keep pills available at meal times for medications that need to be taken with food. Fireplace is a sealed gas unit. Mr. Murua asked about the nearest water. Mr. Hart noted it's all well water and septic.

**Motion:** approve.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

- iii. **22-08-38(a)(b) Trine University – Best Hall, Angola** – Variance on a variance. Was working in May to resolve an issue from 2016 edition that was not calculated correctly. Including a structurally independent four hour wall between existing and new building. Fire wall runs through the connector piece and adds 750 square feet per floor.

Motion: Approve.

Name	Present		Means of Participation
	Yes	No	

Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Commissioner Popich voted yes on (a) no on (b).

- iv. **22-08-39 Whippoorwill Hill Cabin, Bloomington** – Melissa Tupper presented. A cabin on the same property as an event barn. Wanting to use the cabin as overnight rental when no weddings are occurring, and a changing place for bride and groom in first floor area during wedding season. Code does not allow single exit from R1 occupancy from second floor. Bobby Larue, building official, is unopposed. Maximum travel distance of 61 feet. Emergency escape and rescue openings in sleeping rooms. Bobby Larue presented in person, noting that it's very small and approximately a century old. He also believes that emergency lighting would be appropriate due to the slope of the stairs, which would be dangerous in an emergency situation. Mr. Larue noted that every time he has been to the facility it has been clean and well-kept, in good working order, with regular improvements.

**Motion:** Approve with conditions.

**Conditions:** Emergency escape and rescue openings provided, emergency lighting on stairs and first floor to exit, emergency lighting in bedrooms, non-illuminated exit sign over emergency escape and rescue openings.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

- v. **22-08-40 Avery Dennison Warehouse, Greenfield** – Ed Rensink. Warehouse addition project of approximately 63,000 square feet. Portion of exiting building exceeds 400 foot travel distance by approximately 35 feet, occupied only by employees, no public. Protected throughout with an automatic sprinkler system. ESFR system within most of the space, including addition. 14 exterior exits available throughout fire protected portion of the building. Older has large drop sprinklers overhead. Staff is trained in evacuation.

Motion: approve.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

**Commission went on break from 10:25 to 10:40.**

Jonathan Whitham introduced Tyler Burgauer, the new Deputy General Counsel for IDHS taking Justin Guedel’s position. Mr. Burgauer is a practicing engineer, member of law enforcement, and practicing attorney.

- vi. **22-08-41 Harmony Tree Resorts(a)(b) – ADA Vet Village Cabins, Nashville**  
vii. **22-08-42 Harmony Tree Resorts(a)(b) – Tri-Plex Cabins, Nashville**  
viii. **22-08-43 Harmony Tree Resorts(a)(b) – Queen Cabin, Nashville**  
ix. **22-08-44 Harmony Tree Resorts – Bathhouse, Nashville**  
x. **22-08-45 Harmony Tree Resorts – Treehouse, Nashville**

22-08-41 through 22-08-45 considered together.

Melissa Tupper. Variance to use shipping containers as rental cabins. Structural

evaluation has been completed for current as well as 2021 code to ensure compliance. Using 13(D) rather than 13(R) system. In Brown County, large land allotment. Cabins have water but are very small, approximately 350-650 square feet. Commissioner Heinsman indicated that he did not see calculations for a 100lb live load. Melissa Tupper indicated that the only non-residential structure is the bath house. Chairman Greeson asked if these containers have any sort of shelf life. Ms. Tupper did not know. Commissioner Pannicke noted that the code requires structural analysis of the container. Randall Baker, general contractor, noted that the structural engineer hired to do the independent analysis did actual measurements and caliper analysis. Structural engineer is also building the foundation to make sure that loads are sufficient for soil conditions. Mr. Baker indicated that containers will be sandblasted and coated with an epoxy marine paint and close-cell spray foam on the interior surface to help with longevity. Alan Blunk, IDHS Plan Review, indicated that these would be type 5-B construction due to wood floors, which is why there is not a 100lb live load calculation. Structural Engineer indicated that the bath house would pass a 100psf. Floor is marine-grade plywood sealed against environmental factors. Cabins have ADA accessible baths in the structure. Mr. Popich expressed concern that, as written, the variance seems to be asking an exemption for any rule of the Commission. Ms. Tupper indicated that this was not the intention, and Mr. Baker indicated that other than the use of shipping containers the structures will be adhering to all the same codes as stick-built structures besides the use of corrugated metal, etc. Chairman Greeson asked if the architect/engineer would be stamping the documents. Proponent indicated that they would be comfortable with stick-built bath house if for some reason that is a sticking point due to accessibility concerns. Mr. Popich asked if they would be building fully to the 2021 IBC or mixing in 2014 building code requirements. Ms. Tupper indicated that structure was reviewed for compliance to both. Commissioner Pannicke asked whether any of the area is in a flood plain. Proponent indicated that hydrology study indicated negative flood plain exposure. Commissioner Murua asked whether she had spoken to local building and fire. Mr. Baker indicated that local fire and building had been notified, and that they were considering doing remote inspections for some container fabrication off-site. Mr. Pannicke asked whether the variance only applied to Phase I, as indicated in the plan. Ms. Tupper noted that Phase I is stipulated in the variance application.

Motion: Use 2021 ICB section 13 to allow the use of shipping containers as transient accommodations per the submittal, all other requirements must be met.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

**Motion: Approve 44.**

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

**Motion: Approve 45.**

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

- xi. **22-08-46 The Bell Mansion Event Use, Fort Wayne** – Ed Rensink. National Register of Historic Places since 1944. Built as a residence, in 1926 used as a funeral home up to 2019, addition added. Catering kitchen, no cooking, fire alarm system throughout the building. Travel distance 80 feet. Calculated occupant load



of 177 for areas being used. Reviewed with Fort Wayne fire department. Commissioner Murua indicated that he is not opposed to the variance so long as use is restricted to first floor only.

Motion: approve.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

- xii. **22-08-47 Almost Home Residence, Plainfield** – Christina Collister. Converting of a Class II structure to a Class I structure. Chapter 34, made modifications required to pass. Fire alarm and smoke detection system. Working with fire department throughout process, LFO indicates that he is ok with project.

Motion: Approve.

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input type="checkbox"/>	<input checked="" type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

***c. Approval of Local Variances***

i. **Capitol View Medical Office Building – PVI.**

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Means (MS Teams)
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

**7. Report on Administrative Review**

*The Office of Administrative Law Proceedings has issued no new Findings of Fact, Conclusions of Law, and Recommended Orders at this time.*

**8. Commission Review of Local Ordinances**

*Staff has no recommendations to make on local ordinances at this time.*

**9. Final Comments/Closing Remarks – Chairman Greeson**

**10. Next Meeting** – October 4, 2022, at 9:00 a.m. Eastern Time at the MADE @ Plainfield facility, 1610 Reeves Road, Plainfield IN 46168. Virtual meeting details TBA.

*A public notice with specific details regarding the format of the meeting will be provided on the [Commission main web page](#) in advance of the meeting date.*

**11. Adjournment** – Meeting adjourned at 11:24.

**APPROVED:**   
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 Dustin L. Dyer, Director

**DATE:** October 4, 2022