

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission
History Reference Room 211
Indiana State Library
315 W. Ohio Street
Indianapolis, Indiana 46202
In Person and Video/Teleconference Cisco WebEx Format

Wednesday, July 7, 2021

APPROVED AS AMENDED AT 8/3/2021 MEETING

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 9:03 a.m. EDT on Wednesday, July 7, 2021. The meeting was conducted both **in-person and electronically** by videoconference and teleconference call through WebEx.

- a. Commissioners physically present at the meeting:

Harold Davidson, representing the Commissioner, Indiana Department of Labor
James Greeson, Chairman
Joseph Heinsman
James Murua
Scott Pannicke

- b. Commissioners attending the meeting electronically:

Michael Corey
Gregory Furnish
David Henson
Todd Hite, representing the Commissioner, Indiana State Department of Health
Michael Popich, Vice Chairman

- c. Commissioners absent from the meeting:

Wes Jordan

- d. The following department (IDHS) staff were physically present during the meeting:

Douglas Boyle, Director of the Fire Prevention and Building Safety Commission
Justin Guedel, IDHS Deputy General Counsel

Bryston Sprecher, Administrative Assistant to the Fire Prevention and Building Safety Commission
Alan Blunk, IDHS Plan Review Section Chief

e. The following department (IDHS) staff attended the meeting electronically:

Craig Burgess, Indiana State Building Commissioner
Denise Fitzpatrick, IDHS Code and Variance Specialist
Kim Hyten, IDHS Code and Variance Specialist
Marcus Ballenger, IDHS Code and Variance Specialist
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 ten (10) commissioners were present – five of which attended in-person and five electronically – at the beginning of the meeting. Commissioner Jordan was absent from the day’s meeting.

3. Commission Review and Action on Meeting Minutes

a. Wednesday, June 2, 2021

Commissioner Pannicke motioned to approve the meeting minutes as submitted. Commissioner Heinsman made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 Wednesday, June 2, 2021, meeting minutes were **approved as submitted**, by a vote of 10-0.

4. IDHS/Commission Staff Reports and Updates

- a. Update regarding State of Indiana’s Declaration of a Public Health Disaster Emergency – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission

Governor Holcomb extended the State of Indiana’s disaster declaration, which is now set to expire on July 31, 2021. Director Boyle reiterated the members’ option to participate electronically under the current rule modification. Staff will continue to monitor the status of the declaration moving forward, and staff will begin to meet in-person as soon as it is terminated. Lastly, the COVID-19 Rules Modification expired July 1, 2021, so Justin Guedel reminded the commissioners that those businesses currently taking advantage of the rule will now have to come into compliance or pursue a variance. Director Boyle stated that staff would be sure to remove this section on the webpage to avoid any confusion.

- b. State Building Commissioner’s Report – Craig Burgess, Indiana State Building Commissioner

- i. Written Interpretation No. CEB-2021-14-2014 IBC-1018.1 Exc 1 – **updated to account for technical corrections**
- ii. Written Interpretation No. CEB-2021-15-2020 IRC-M1307.3.1 – **updated to account for technical corrections**
- iii. Written Interpretation No. CEB-2021-16-2020 IRC-R301.2.1(1) – **updated to account for technical corrections**
- iv. Written Interpretation No. CEB-2021-20-2014 IBC-905.3.1

Director Boyle advised that some slight, non-substantive modifications to last month’s interpretations were made, so they were included in the agenda for the Commission’s awareness only. State Building Commissioner, Craig Burgess, then briefly explained his only written interpretation of the morning.

- c. IDHS Variance Determinations Report

The current report was provided to the commissioners in their meeting materials. Additionally, Director Boyle advised that, as of July 1, 2021, the emergency rule had been replaced with an updated final rule. LSA has had issues publishing current rules, so Director Boyle instructed individuals looking to locate the old rule to utilize the archived codes section of the Administrative Code. Staff is required to give updates on the publication of the final rule going forward, meaning that this item will be retained on the Commission’s agenda for the next couple months.

5. Commission Discussion on the Long-Term Scheduling and Makeup of Future Meetings

- a. Revisit Currently Adopted Electronic Communications Meeting Policy – ***tabled at the Commission’s Wednesday, June 2, 2021 meeting.***

Chairman Greeson talked to Commissioner Heinsman and Commissioner Henson prior to the meeting and the consensus was that an in-person component is necessary. As such, Chairman Greeson’s proposal provided that each commissioner attend at least four (4) in-person meetings a year and not miss two (2) consecutive quarters. At the moment, sixty-six percent (66%) of the meetings are required to be attended per calendar year. The revised policy would still require members to attend 66% of all meetings. As a general recommendation, Chairman Greeson expressed the understanding that, in the event they are not able to attend physically, commissioners would actively attend each meeting virtually. Commissioner Davidson motioned to approve. Commissioner Murua made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 terms of the revised Electronic Communications Meeting Policy were **approved as submitted**, with a vote of 10-0.

6. Rulemaking Update(s)

a. Indiana Elevator Code Committee Meeting

- i. Next Meeting: Wednesday, July 14, 2021, beginning at 9:00 a.m. EDT, in-person and/or Microsoft Teams meeting details 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-elevator-code-committee/>) in advance of the meeting.

Director Boyle informed that action on approving the final rule was tabled at last month’s meeting. A Microsoft Teams meeting will be scheduled for the Committee’s upcoming meeting, where Chairman Corey advised that

drafting a fiscal impact and finalizing regulations relating to the elevator mechanics licensure will be a priority.

b. Indiana Code Update Exploratory Committee

- i. Next Meeting: Friday, July 23, 2021, beginning at 9:00 a.m. EDT in History Reference Room 211 of the Indiana State Library, 315 W. Ohio Street, Indianapolis, IN 46202; Microsoft Teams meeting details 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.

Director Boyle stated that substantial progress was made in regard to a proposal outlining the Committee's priority list of codes. As with the Elevator Code Committee, a Microsoft Teams meeting will soon be scheduled for the Exploratory Committee. Individuals are still encouraged to provide written comments relating to code changes.

c. Final Update regarding the Commission's Published Final Rules

- i. Variances Rule [LSA Document #20-626(F)] – ***Final Rule published to the Indiana Register on May 12, 2021, and now available here: <http://iac.iga.in.gov/iac//20210512-IR-675200626FRA.xml.html>. Final Rule became effective on July 1, 2021.***
- ii. Indiana Boiler and Pressure Vessel Rules [LSA Document #20-627(F)] – ***Final Rule published to the Indiana Register on May 26, 2021 and now available here: <http://iac.iga.in.gov/iac//20210526-IR-675200627FRA.xml.html>. Final Rule became effective on July 1, 2021.***

Staff will begin to remove the emergency rules from the Commission's website. Director Boyle advised that he intends for this to be the final update, as these rules are already effective laws.

d. Commission Action on 2021 Rule Readoptions – Justin Guedel, IDHS Deputy General Counsel

- i. 675 IAC 17-1.8 – Indiana Electrical Code, 2009 Edition – ***see Readopted Final Rule [LSA Document #21-166(F)], which was published to the Indiana Register on May 12, 2021 and is available here: <http://iac.iga.in.gov/iac//20210512-IR-675210166RNA.xml.html>.***

No requests to separate were received; thus, the Commission could move forward with a vote on the re Adoption process. Director Boyle reiterated that this was merely an administrative measure to prevent expiration, and the Commission can always form a subcommittee to perform additional

rulemaking, as it sees fit. Without any further discussion, Commissioner Popich motioned to readopt. Commissioner Furnish made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>

675 IAC 17-1.8 – Indiana Electrical Code was **readopted**, with a vote of 10-0.

- Status Update on the Requirements of the Commission’s Imposed Sanction on Variance No. 16-03-61 – Garvin Industrial Park, 1511 Read Street, Evansville, IN 47710 – **see copy of the Commission’s order, served to the owner/applicant on Friday, June 4, 2021, and see subsequent documentation submitted by submitter Roger Lehman provided in meeting materials.**

Director Boyle advised that the fire watch order did not qualify for administrative review. Mr. Lehman stated that the business recently obtained \$200,000 to fund the project and pushed the contractor to produce a plan, which was received and quoted at \$384,000. Because that only covers 25% of the project’s total cost, the proposal is to work with the fire alarm company to install full coverage in lieu of a sprinkler system. Additionally, high pile storage in S-1 areas have already been removed, and the local fire official will inspect the facility to confirm this is the case in the near future. Per Chairman Greeson’s inquiry, the tenants are aware that a variance is being sought and have not objected to Mr. Millner’s site plans. Although Commissioner Pannicke expressed concerns over the party’s attempt to widen the scope of the initial variance, Mr. Lehman ensured that this was not the case; rather, it is seeking a more fiscally responsible means of obtaining the same outcomes. After some discussion, the Commission agreed that a report from the local fire department was needed before confirming that this plan of action was justified, including a letter signed by Evansville Fire Department’s Chief Connelly.

Breaking & Reconvening: The Commission took a short break, beginning at 10:19 a.m. EDT. Chairman Greeson called the meeting back to order at 10:33 a.m. EDT.

- Variances

a. Tabled

21-03-35 Bodenbender Barn Rescue, Salem

Nathan Grimes, the design professional, spoke as the proponent. He requested an additional thirty (30) days to compile the necessary documentation. Commissioner Greeson motioned to table. Commissioner Heinsman made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-04-29 New Bridge Apartments, Indianapolis

Tim Callas spoke as the proponent. He requested that the variance be tabled while the party attempts to contact the Indianapolis Fire Department. Commissioner Popich motioned to table. Commissioner Henson made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-05-20 Medical Memorial Plaza, South Bend

A representative from Beacon Health Systems spoke as the proponent. After some discussion, the Commission determined that a revised variance was needed to cite the proper code. As such, Commissioner Pannicke motioned to table. Commissioner Heinsman made the second. It was voted on and carried. As Mr. Robinson, of Schindler Elevators, was absent from the call, Director Boyle asked that he please get in contact with departmental staff before next month's meeting to clarify the intended code section.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

b. New

21-06-12 Suburban Baptist Church, Indianapolis

Matthew McCall spoke as the proponent. The project consists of an old, dilapidated building that the church hopes to replace with a basic pole barn. It will be used to house both of the church's buses, as well as storage for various maintenance equipment. The proponent requested that the illumination lighting be forgone, as the church has already dealt with multiple vandalization occurrences over the summer, including the catalytic convertor being cut out of both buses. He specified that access would be limited to the bus drivers and maintenance staff. In addition, the church would install backup egress lighting. Commissioner Murua motioned to approve on the condition(s) that: 1) individuals under eighteen (18) years of age are not permitted in the structure; 2) solar-powered backup egress lighting shall be installed; and 3) only bus drivers and maintenance personnel shall have access to the barn. Commissioner Davidson made the second. It was voted on and carried. Commissioner Popich recused himself, and Commissioner Henson abstained from the vote.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
Todd Hite	<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"/>

The variance was **approved with conditions**, by a vote of 8-0.

21-06-13 (a)(b) HI-FI Annex Temporary Stage and Shipping Containers,
Indianapolis

Carrie Ballinger and Josh Baker spoke as the proponents. The project involves a stage erected to serve as a pop-up event space. The request is to treat the structure as a temporary structure in place for more than ninety (90) days. A high wind action plan will be posted at a conspicuous area on site and will be available at all times to the venue operators and crew. In the event that the anemometer reaches a certain speed, the stage will be evacuated, and the speakers fastened to the truss will be dismantled. None of the storage containers will be attached to the stage. Commissioner Pannicke motioned to approve both variances on the condition that: 1) they shall expire on November 30, 2021 (11/30/2021). Chairman Greeson made the second. It was voted on and carried.

	(a)		(b)	
	Y	N	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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"/>

The variances were **approved with conditions**, by a vote of 10-0.

21-06-14 D.A.R.T. Vehicle Storage Building, Auburn

Matt Kelty and Duane Blankenship spoke as the proponents. The project involves an existing S-2 occupancy seeking conversion to an A-2 occupancy for use as a temporary event space to host garage sales, flea markets, fish fries, etc. to mitigate non-profit costs. Mr. Blankenship, Director of the DeKalb County Council on Aging, stated that, at the time of construction, the need to host events in this space was not of concern, so sprinklers were not installed; the cost to retroactively install a fire suppression system was quoted at \$60,000. He stated that bathrooms will be available and situated approximately one hundred fifty (150) feet away. The Commission agreed that a written comment form from the local fire chief confirming his support and stipulated occupancy load be submitted before a final decision can be reached. No smoking, drinking, cooking, and a third means of egress will be conditions of approval. Commissioner Murua motioned to table. Commissioner Pannicke made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-06-15 Pool and Pool House, Evansville

Clay Ellerbrook spoke as the proponent. The request is to omit the showers and water closets from a new pool and pool house currently under construction. The apartment complex already has an existing pool to the east; thus, those patrons utilizing this pool will be located on the opposite end and in close proximity to their residence. Commissioner Hite motioned to approve, given the pool house complies with all ADA (American Disabilities Act) requirements. Commissioner Heinsman made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-06-16 Univertical 2010 Addition, Angola

Ed Rensink spoke as the proponent. The project involves a previous variance request for the demolition of a 30,000 square foot wood structure with a new building of the same area but greater height. Upon further inspection, some initial facts were found to be incorrect, including occupancy being classified as F-2/S-1 (H-4 is also present), as well as incorrectly stating that the building was fully sprinklered (there is a furnace, tank, and boiler area that are not sprinklered). The fire chief and local building official both supported the revised variance. Commissioner Pannicke motioned to approve. Commissioner Murua made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-06-19 Golf & Entertainment Venue, Indianapolis

Crystal Kent and Steve Alexander spoke as the proponents. The request is to permit omission of guards at the open ends of tee boxes in a new three story driving range. As is common for such facilities, fall protection netting will be provided along the full length of the open edge. The netting consists of 6,400 lb.

tensile strength and a minimum weight allowance of 420 lbs. at any given point. The design was already approved by the insurance company, and only five falls have been documented in facilities throughout the world since 1980. Commissioner Davidson motioned to approve. Commissioner Heinsman made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-06-24 Hydro Extrusions Expansion, Elkhart

Dennis Bradshaw spoke as the proponent. The project consists of an existing aluminum manufacturing facility seeking to comply with the requirements of an unlimited area building. The owner will be constructing an addition of approximately 64,000 square feet, but portions of the west wall of the existing structure do not meet the sixty (60) feet of yard space towards the property line. These portions vary in distance, but the closest point to the property line is a covered loading dock situated twenty (20) feet away. To avoid constructing firewalls and disrupting production, the request is to install a series of close space sprinklers along the west wall. Mr. Bradshaw advised that the existing building is already fully sprinklered, and all materials manufactured in the facility are non-combustible. Commissioner Murua motioned to approve. Commissioner Greeson made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

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.

21-06-26 (a)(b)(c)(d) Polk Stables, Indianapolis

Dennis Bradshaw spoke as the proponent. An existing three story building of Type III-B construction will have the western three bays (approximately 1,900 square feet) demolished and rebuilt using Type II-B construction.

Variance a) pertains to code requiring a two-way communication system be provided on each accessible floor that is one or more stories above or below the story of exit discharge. The request is not to provide a two-way communication system. Instead rely on the use of cell phones. Variance b) requests that the south and east exterior walls have non-rated exterior openings. The code does not permit openings in exterior walls less than three (3) feet from the property line. Without any further discussion, Commissioner Pannicke motioned to approve both variances. Commissioner Heinsman made the second. It was voted on and carried.

Variance c) requests that the new exterior walls of the rebuilt portion of the building have non-rated exterior walls located on the North and South property lines, in lieu of the required one-hour rating. Commissioner Murua motioned to approve on the condition(s) that: 1) the north and south walls shall be equipped with close space sprinklers. Commissioner Furnish made the second. It was voted on and carried.

For variance d), a proposed delayed egress device would be provided on the egress doors on the second and third floors leading from the food and beverage tenant space into the office tenant space. This would prevent access to the business tenant space after hours. Commissioner Popich raised some concerns over the delayed egress time in the event that there is an active shooter in the building and motioned to deny. Commissioner Davidson made the second. It was voted on and carried.

	(a)		(b)		(c)		(d)	
	Y	N	Y	N	Y	N	Y	N
Michael Corey	<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"/>
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"/>
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) and b) were **approved as submitted**, with a vote of 10-0. Variance c) was **approved with conditions**, by a vote of 10-0. Variance d) was **denied**, with a vote of 10-0.

Breaking & Reconvening: The Commission broke for lunch, beginning at 12:37 p.m. EDT. Chairman Greeson called the meeting back to order, starting at 1:21 p.m. EDT.

21-06-17 Indy Eleven Hospitality Tents, Indianapolis

Morgan Kuehnle and Rodney Johnson spoke as the proponents. The request is to allow two 20' x 40' tents to be erected for a two month period, in order for the team to sell merchandise and pre-packaged food items. Fire extinguishers, exit signage, exit lighting, and no smoking signage has been installed. Mr. Johnson, of INLOCC, will do monthly inspections. Per Director Boyle's inquiry, no open flame cooking will take place within the tents, but there will be warming stations to keep some of the food items hot. With that, Commissioner Pannicke motioned to approve on the condition that: the variance shall expire on November 30, 2021 (11/30/2021). Commissioner Davidson made the second. It was voted on and carried. Commissioner Heinsman abstained from the vote.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<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 9-0.

21-06-18 Lippert Plant 19 Addition, Goshen

Christina Collester spoke as the proponent. The project involves the addition of a blasting booth to an existing chassis distribution plant. The enclosure is constructed of 1/8" thick steel plate and structural steel beams – all of which is non-combustible material. The fire department recommended a variance, as this

will not be sprinklered. Commissioner Pannicke motioned to approve. Commissioner Popich made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-06-20 Shake Shack Downtown Indianapolis, Indianapolis

Ryan Alfaro spoke as the proponent. There is a parking garage directly below the restaurant space, and the landlord informed that a grease interceptor cannot be hung in the garage or from the slab due to height clearance issues. The floor is also a post tension slab, so recessing the GI in the slab is not possible either. As such, the business proposes installing an above-slab grease interceptor that only attaches to the three-comp sink. The Marion County Public Health Department has already approved this design. Commissioner Hite highly recommended looking into some sort of grease disposal device to prevent blockage in the floor drain and motioned to approve. Commissioner Corey made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

21-06-22 Eastwood Middle School, Indianapolis

Ed Rensink spoke as the proponent. This involves an existing project that will undergo delays in the original completion date. The current variance is requested due to continuing labor and material supply issues, as well as an expansion of the project scope approved by the school corporation to provide additional renovations of the existing building. Commissioner Popich motioned to approve on the condition(s) that: 1) the variance shall expire on December 31, 2022 (12/31/2022). Commissioner Pannicke made the second. It was voted on and carried. Commissioner Heinsman recused himself from the vote.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<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 9-0.

21-06-23 Traditions of Columbus, Columbus

Ed Rensink spoke as the proponent. An employee restroom opens into the kitchen and food service area, which is not permitted under the IBC. The restroom is fully enclosed with a tight-fitting, self-closing door. As this is not cited often, Mr. Rensink stated that it oftentimes goes unnoticed during the initial inspection. Commissioner Hite motioned to approve. Commissioner Heinsman made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

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.

21-06-25 New Vista – Indianapolis, Indianapolis

Marge Zezulewicz spoke as the proponent. The project consists of renovations and a change in occupancy of a nursing home into a mixed use facility for substance abuse patients. The party is seeking a variance to omit the closers on twenty-four (24) resident room doors for the I-1 use group portion only. She stated that shutting doors would make it difficult for the nursing staff to adequately observe patients and potentially allow for inappropriate relations between patients or the use of contraband to occur. Staff is also trained annually on fire safety and emergency evacuation. Director Boyle advised looking into the implementation of magnetic door holders tied to the fire alarm system. Commissioner Murua motioned to deny. Commissioner Pannicke made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Davidson	<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"/>
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 9-0

21-06-27 (a)(b) Wheeler Mission - CWC - New Building and Site Development, Indianapolis

Scott Perez and Brad Smith spoke as the proponents. The shelter will possess a stage area, which will be used to entertain children and for reading classes during the day. The request in variance a) is for the stage to not have a designated accessibility ramp. The proponent states that a temporary ramp will be provided in the event that wheelchair accommodations are needed. There are also twenty-seven (27) units provided as standard-type residential units. Modifying them to comply with the Type B format, as required by code, would be

cost-prohibitive at roughly \$1,000,000. The owner is requesting that they be left as is. Additionally, one (1) bathroom on each floor is ADA compliant. Doug Bruce, representing the City of Indianapolis, advised that reclassification may be necessary. Ultimately, the Commission could not accommodate such a request, as disability-accessible structures are mandated by federal – not state – regulations. Commissioner Davidson initially motioned to deny both variances, but he revised his motion to take a vote on each separately, as Commissioner Pannicke stated he had reservations on the second one. Commissioner Greeson made the second. Each variance was voted on and carried. Commissioner Popich and Commissioner Heinsman recused themselves from the vote.

	(a)		(b)	
	Y	N	Y	N
Michael Corey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Furnish	<input 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"/>
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Variance **a) was denied**, with a vote of 5-2. Variance **b) was denied** with a vote of 7-1

21-06-28 Saint Francis University Garage Conversion, Fort Wayne

Ed Rensink spoke as the proponent. The proposed project will convert an existing single story, Class 2 outbuilding into a hospitality space for use by the University’s President to host alumni events for potential donors. Signage will indicate a maximum occupancy load of eighty-nine (89), along with proper egress lighting and signage. A small addition for bathrooms and a golf simulator will be added but was not included on the structural report, as it will follow a different classification. Commissioner Pannicke motioned to approve on the condition(s) that: 1) occupancy load is limited to eighty-nine (89) persons, and 2) all identified structural work along with a structural report shall be completed. Commissioner Henson made the second. It was voted on and carried. Commissioner Murua recused himself from the vote.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 9-0.

21-06-34 Parkview Kosciusko, Warsaw

Ed Rensink, on behalf of Derek Holman, spoke as the proponent along with Dan Schenkel. The project consists of an expansion to an existing hospital. The addition will be a three story steel-framed structure over a partial basement. The request is that the earthquake loads be designed per the 2016 Edition of ASCE 7 as Seismic Design Category A in lieu of the currently adopted by reference 2010 Edition of ASCE 7. Mr. Schenkel confirmed that ASCE 7 will be applied across the entire evaluation. With that, Commissioner Heinsman motioned to approve. Commissioner Pannicke made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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.

Breaking & Reconvening: The Commission took a short break, beginning at 3:15 p.m. Chairman Greeson called the meeting back to order at 3:30 p.m.

9. Petitions for Administrative Review

- a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)
 - i. Evansville Fire Department's May 25, 2021, Fire Watch Order – Garvin Business Center

A joint stipulation of dismissal was agreed upon prior to the meeting, and the ALJ subsequently issued a Non-Final Order of Dismissal. No further action was needed.

b. Commission Determination

- i. Indiana Department of Homeland Security (IDHS) Notice of Violations Order No. FB2A-B0DD - Mr. Fireworks, Inc. – **received by Commission staff via electronic mail on Saturday, June 26, 2021**

Staff recommended denial for untimeliness. Commissioner Heinsman motioned to deny. Commissioner Popich made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>

Garvin Business Center’s Petition for Administrative Review was **denied**, by a vote of 10-0.

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

- a. Evansville Fire Department's May 25, 2021, Fire Watch Order – Garvin Business Center

This was included for the Commission’s awareness only. No further action is needed.

11. Non-Final Order/Non-Final Orders of Dismissal Issued by the ALJ – **action required by the Commission**

- a. Indiana Department of Homeland Security (IDHS) Sanctions Order No. 1851-2062 - Fairbridge Inn Express (Cause No. DHS-0521-001045)

Director Boyle advised that the party has until July 12, 2021, to dispute the order. As such, staff recommended tabling until the August meeting. Commissioner Hite motioned to table. Commissioner Davidson made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 Non-Final Order for Fairbridge Inn Express was **tabled**, with a vote of 10-0.

- b. Indiana Department of Homeland Security (IDHS) Order of Denial of Certificate of Compliance of Retail Sales of Consumer Fireworks (Consumer Fireworks Retailer Permit) No. FR102310 – Maniac Mac's/Mac's Market (Cause No. DHS-0521-001138)

In her Non-Final Order of Dismissal, ALJ Chelsea Root stated there was no record indicating a response from the Petitioner's attorney, Mr. John Brooke, regarding her issued Proposed Order of Dismissal, after Mr. Brooke failed to appear for the telephonic initial prehearing conference on June 21, 2021. Michell Allen, the Director of the Office of Administrative Law Proceedings (OALP), contacted Director Boyle and advised him that her office had some technical issues in delivering electronic communications to Mr. Brooke. Mr. Brooke, who was virtually present via Microsoft Teams at the Commission's meeting, advised the Commission that he intended to submit an objection to the ALJ Root's Non-Final Order of Dismissal. Commissioner Pannicke made a motion to table the Non-Final Order of Dismissal, but, at Director Boyle's recommendation, revised his prior motion to table with a motion to remand the administrative review back to the ALJ. Commissioner Greeson made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 Non-Final Order of Dismissal was **remanded** back to the ALJ, with a vote of 10-0.

12. Commission Review of Local Ordinances

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

According to Director Boyle, the report provided in the Commission’s meeting materials should be up to date. Furthermore, the cities of Martinsville, Decatur, and Valparaiso all have pending draft ordinances that were submitted to Commission staff for preliminary review. Commission staff will attempt to complete these reviews prior to next month’s meeting.

13. Final Comments/Closing Remarks from Chairman Greeson

Director Boyle stated that the hybrid in-person and electronic meeting via Microsoft Teams ran smoothly, except for a few minor hiccups in audio communications. Obtaining a few more microphones will hopefully solve these problems. Commissioner Greeson thanked everyone for their contributions to the day’s meeting and hoped to see everyone in-person at next month’s meeting.

14. Next Meeting – Tuesday, August 3, 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

A public notice with specific details regarding the format of the meeting will be provided on the Commission main web page (<https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/>) in advance of the meeting date.

15. Adjournment

The meeting was adjourned at 3:54 p.m. EDT.

APPROVED: 
James L. Greeson, Chairman