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## MINUTES

### **Industrialized Buildings Commission Wednesday, July 18, 2001 Herndon, Virginia**

Richard Osworth called the annual meeting of the Industrialized Buildings Commission to order on Wednesday, July 18, 2001, at 1:05 p.m. at the Days Hotel Conference Center in Herndon, Virginia. Attendance was taken as noted below:

**Members Present:** Joseph A. Cirillo, State of Rhode Island  
Stephen Hernick, State of Minnesota  
Richard Osworth, State of New Jersey

**Others Present:** Kathryn Arner, NTA  
Debbie Becker, NCSBCS  
Bill Bryant, Anne Arundel County Inspections and Permits  
Jerry Brosius, NTA  
Ujjval K. Dave, State of Maryland  
Kevin Egilmez, NCSBCS  
Doug Newport, NCSBCS  
Jim Rothman, PFS Corporation,  
Judy Smith, Modular Building Institute  
Bob Tanger, T. R. Arnold & Associates  
Robert Wible, NCSBCS

### **Approval of Minutes**

On a motion by Joe Cirillo, seconded by Steve Hernick, the minutes of the July 26, 2000 meeting were unanimously approved as submitted.

### **Correspondence**

The secretariat noted that a list of correspondence received since the last meeting was available.

**Old Business**

Chairman Rothman reported on the following action items from the Rules Development Committee:

1. The Committee accepted the draft rules (Attachment A) which will allow production personnel to perform limited compliance assurance functions as amended. The RDC recommended that the final language be voted on by letter ballot and a formal interpretation be issued.
2. The RDC recommended that the *Uniform Administrative Procedures* incorporate language which will allow the IBC to certify applicants who do not meet certification requirements but who are otherwise qualified. The RDC recommended that the language to be drafted by Jerry Brosius be voted on by letter ballot.
3. The RDC approved the reappointment of Jack Rhody, Mike English, and Barry Gossett for an additional three-year term.

On a motion made by Joe Cirillo, seconded by Steve Hernick, the Commissioners approved the reappointment of Barry Gosset, Michael English, and Jack Rhody to the RDC for an additional three-year term.

Richard Osworth provided an update regarding outreach efforts with the State of New York. New York was provided with copies of the UAP and MRR as potential source documents for developing their own rules and regulations.

Bob Wible reported that New Mexico is interested in reciprocity with the IBC and North Dakota had legislation enacted that could lead to IBC membership or reciprocity in 2002. Judy Smith reported that the Commonwealth of Virginia is currently redistricting and that outreach efforts could get started again in the next four to six weeks. Bob Wible recommended that the IBC continue its co-sponsorship in the *Building Regulatory Reform in the Digital Age* initiative and work with the project's steering committee to get the IBC listed as one of the early model streamlining processes. Bob Wible also suggested linking the IBC Web site to NCSBCS's Web site.

The Commission agreed to issue a formal interpretation based on the draft rules (Attachment A) which allow production personnel to perform limited compliance assurance functions. Before the language is finalized, joint monitoring visits would be scheduled to evaluate the proposed procedure. Once the language is finalized and approved by the RDC, it would be sent to the IBC for a vote by letter ballot.

The Commission agreed to vote on the proposed amendment to the *Uniform Administrative Procedures* once the waiver language is developed by Jerry Brosius and approved by the RDC. The amendment will allow the IBC to certify applicants who do not meet the *Uniform Administrative Procedures* but who are otherwise qualified.

### **New Business**

The Commission will review the states' policies on proprietary information along with what the industry considers proprietary before determining the IBC's legal responsibilities. (Attachment B)

Richard Osworth noted that the RDC was supportive of the concept of an IBC seminar as a requirement for certification renewal. The secretariat will draft the language and send it out for vote by letter ballot.

Jerry Brosius suggested that the Commission use Modular Code Consultant's Schedule 1 as a starting point for addressing relocatable buildings since MCC only conducts evaluations and inspections of relocatable buildings. Richard Osworth noted that this was an evolving area and an issue that needs to be addressed.

The IBC's contract with NCSBCS is up for renewal in February 2002. Joe Cirillo made a motion, seconded by Steve Hernick, to continue the contract in February 2002 subject to negotiations. The motion was approved.

Richard Osworth stated that the Commission needs to consider creating an executive director position in the new contract. He said the Commissioners' state responsibilities are preventing them from managing the Commission's routine operations. An executive director could manage and promote the Compact in accordance with the goals set by the Commission. Joe Cirillo and Steve Hernick both agreed that now is the appropriate time to create such a position. In response to a concern that the new position may increase label fees, Richard Osworth stated that the position would have to be funded by the Commission's current revenues. The Commission agreed to further develop this position prior to executing the new contract.

Bob Wible reported on proposed outreach efforts. He suggested the Commission should try to persuade Kentucky and Wisconsin to become full member-states while continuing its efforts to recruit Virginia. He also suggested that the IBC prepare a marketing brochure which would be tied in with the IBC's web site. Bob Wible reiterated New Mexico's willingness to enter into reciprocity with IBC. A motion was made by Steve Hernick, seconded by Joe Cirillo, for the secretariat to draft a reciprocity agreement with New Mexico. The motion was approved.

Bob Wible encouraged the Commission to remain cosponsors of the *Building Regulatory Reform in the Digital Age* initiative. Bob Wible noted that cosponsors need to commit \$5,000 or a fixed number of hours in in-kind services and that the IBC's commitment hours have been fulfilled for this year. Joe Cirillo made a motion, seconded by Steve Hernick, to continue as cosponsors with the stipulation that the in-kind services commitment would be reviewed again next year.

### **Financial Report and Approval of FY '02 Budget**

Richard Osworth noted there were no findings in the IBC's audited financial statements for FY 2000. He did point out that there was a "concentration of credit risk" due to cash being held by financial institutions in excess of Federal insurance limits. Kevin Egilmez volunteered to investigate. On a motion by Joe Cirillo, seconded by Steve Hernick, the Commissioners adopted the independent auditors' report for FY 2000.

The IBC reviewed IBC's 1999-2000 Annual Report. The Secretariat informed the IBC that copies of the Annual Report will be distributed to the Commissioners and to any other agency as requested.

The IBC discussed the draft fiscal year 2002 budget. Richard Osworth pointed out that, with the slowing economy, the Commission would need to keep an eye on its revenues and that it may have to adjust the expenditures allotted for marketing and outreach. On a motion by Joe Cirillo, seconded by Steve Hernick, the IBC unanimously approved the draft FY '02 budget.

### **Date and Location of Next Meeting**

The next IBC annual meeting is tentatively scheduled for July 17, 2002. The secretariat reported that notice would be sent regarding the location.

Joe Cirillo made a motion to enter executive session to discuss designated agency performances and to review applications for certification. The motion, seconded by Steve Hernick, carried and the IBC entered executive session. Joe Cirillo made a motion to enter regular session. The motion, seconded by Steve Hernick, carried.

Joe Cirillo made a motion, seconded by Steve Hernick, to approve the requests for waivers and certify the applicants. The motion carried.

Joe Cirillo made a motion, seconded by Steve Hernick, to redesignate PFS and RADCO. The motion carried.

Joe Cirillo made a motion, seconded by Richard Osworth, to redesignate Minnesota. The motion carried with Steve Hernick abstaining.

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Joe Cirillo's motion, seconded by Steve Hernick, to suspend ANVI's designation until their plans examiners' and inspectors' certifications were renewed was approved.

Joe Cirillo, seconded by Steve Hernick, moved to adjourn the meeting and the motion carried. The meeting adjourned at 5:00 p.m.

Respectfully submitted,

N. Kevin Egilmez  
Secretariat Staff

Attachments