MEETING MINUTES

For the November 2024 Meeting.

MEETING DETAILS

Date: November 7, 2024
Time: 9:00 AM
Location: Government Center South – Conference Room B

Member Attendance

Name	Present		Means of Participation
	Yes	No	
Craig Burgess	☐	☐	In Person
Logan Cook	☒	☐	In Person
John Crisp	☒	☐	In Person
Harold Davidson	☒	☐	In Person.
Todd Hite	☐	☐	NA
James Murua	☒	☐	In Person
Michael Patarino	☒	☐	In Person
Michael Popich	☒	☐	In Person
David Porter	☐	☐	In Person
Lane Slaughter	☐	☐	In Person
Kenneth Wagner	☒	☐	In Person
Michael Zehner	☐	☐	In Person

1. Call to Order

2. Roll Call

3. Review of October 2024 Minutes

4. IDHS Reports and Updates

   i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f)

5. Proposed 2025 Meeting Schedule

   i. Tuesday, January 7, 2025
   ii. Tuesday, February 4, 2025
   iii. Tuesday, March 4, 2025
   iv. Tuesday, April 1, 2025
   v. Tuesday, May 6, 2025
   vi. Tuesday, June 3, 2025
   vii. Tuesday, July 1, 2025
   viii. Tuesday, August 5, 2025
   ix. Wednesday, September 3, 2025 (Monday, September 1 is Labor Day)
   x. Tuesday, October 7, 2025
   xi. Thursday, November 6, 2025
   xii. Tuesday, December 2, 2025

Vote: Adopt meeting dates as proposed.	**Present**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐

Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

6. Rulemaking Updates

i. Electrical Code Update Committee
ii. Building Code Update Committee
iii. Fire Code Update Committee
iv. Lift Device Update Committee

v. **Vote for Plumbing Code Update –** Kaitlin O'Neil presented for DHS. Need to amend to maintain federal compliance. Reduces lead quantity for lead-free from 8% in water pipes and fittings to not allow drinking water pipes to have more than .25% lead. IDEM will lose potential funding if Indiana doesn't come into compliance, more than $2M. Mr. Popich asked about language, Mr. Burgauer explained that the 2015 and later ICC language was used but had to be molded to the 2006 current code. Noted a typo in proposed rule change. Definition 25, "Townhouse," conflicts with statute. Defined in IC 22-12-1-5. Mr. Burgauer notes that changing a definition in rule does not meet the emergency requirement, especially when statute already overrides it.

Motion: Move forward with the rulemaking process.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐

Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

7. Variances

a. Tabled

i. **24-07-37 The Franciscan Center (Fort Wayne) –** Agreed to install fire alarm and sprinkler system. Extend deadline for 3 years.

Vote: Yes to extend deadline for 3 year.	**Present**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

ii. **24-08-29 Al-Haqq Foundation Monitored Fire Alarm (Indianapolis) –** No proponent.

Vote: Table.	Present	
	Yes	No
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

iii. **24-08-37 Four Corners Winery (Valparaiso) –** Existing barn structured converted to assembly and brewery. Sprinkler required due to size. Needs to do a Chapter 34 before Commission can make a decision. Structural engineer's report already done.

Vote: Table pending chapter 34 analysis.	**Present**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

iv. **24-09-39 Nucor Towers and Structures (Crawfordsville) –** H occupancy, 2B construction. Requesting two variances: automatic fire protection system solution, egress requirements. DFBS not updated with current information. Statute requires that it be in DFBS for five days for LFO/LBO/Public review. **Withdrawn.** Proponent will refile with updated information for potentially quicker resolution.

v. **24-09-40 Ohio County Holding Addition and Renovation (Rising Sun) –** No proponent.

Motion: Table.	**Present**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐

David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

vi. **24-09-45 & 46 Fire Inspection (Kokomo)** – Mr. Burgauer talked to FSSA. Ministry and Center. Willing to grant time-limited variance for two years to come into compliance with code due to miscommunication with DHS/FSSA in terms of inspection and regulatory framework.

Motion: Variance expires December 31, 2026.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

vii. **24-09-47 The Union at Fishers (Fishers) –** Ed Rensink. Received call from fire official with concerns. Exhibits were unclear. LFO notes that major concerns addressed, unwilling to make further comment.

Motion: **Approve.**	**Vote**	
	Yes	**No**

Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

viii. **24-09-41 Event Barn Change of Use and Addition (Depauw) –** Proponent presented updated numbers and information for commission consideration.

Motion: Posted occupant load 99 for the building and NFPA 72 compliant fire alarm, shunt trip.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

b. New

i. **24-10-32 Central Ministries East Addition (Fort Wayne) –** Building exceeds permitted area. Asking to not include fire separation. Sprinkling only addition and vestibule. Sunday school classroom.

Motion: Close-spaced sprinklers along wall between existing vestibule and rest of building.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

ii. **24-10-42 Sunflower Hills Historic Barn Venue (Bryant) –** A2 occupancy. Over 100 occupant load. Requesting to not provide fire suppression system. Melissa Tupper. Dismantling and reassembling two barns from 1911. 5B construction, one story, 5200 square feet. Fire alarm, smoke and heat detection throughout. Shunt trip. Maximum travel distance 79 feet, code permits 200. Five exits to exterior from main event room. Clear exit width accommodates 960 occupants. No open flames, UL listed commercial grade decorative lighting. Rural area, no three-phase voltage available for fire pump even if water were available.

Motion: **Approve.**	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐

John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☐	☒
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

iii. **24-10-43 Special Knowledge Devices Valley Grove Elementary (Anderson) –** Specialized security devices for door barring in school with special needs students. DHS has concerns about operation of device, which currently violates building code due to special knowledge required and operation type.

Motion: Deny.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

iv. **24-10-44 Hebron Dollar General (Hebron) –** Problems getting fire department access near building.

Motion: Approve.	Vote	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

v. **24-10-45 Stove (Michigan City) –** Asking not to put in a type one hood in warming kitchen. No proponent.

Motion: Table.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐

Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

vi. **24-10-46 Messiah's New Life Tabernacle Addition (Avilla)** – Asking not to provide sprinkler. Derek Holman. Asking to install fire alarm system in lieu. Rural area, no water.

Motion: Approve.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

vii. **24-10-47 Storage Hoop Barn (Logansport) –** Shipping containers used in alternative construction connected via membrane for roof. Temporary storage for winterizing equipment. Only used for storage, no electric or heat. Commissioner Cook asked if engineering support documents were available, could not find on manufacturer's website. Tabled while proponent seeks engineering information.

Motion: Table.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐

John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

viii. **24-10-48 2430 Northview Ave (Indianapolis) –** Residential building. Requesting alternative interior walls, LBO opposed.

Motion: Table.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

ix. **24-10-49 Medical Office (Indianapolis) –** Dan Kaiser, Cornerstone Design. Existing building that owner is dividing into multiple tenants. Two exits required for calculated occupant load, but actual occupant load lower due to nature of business. Building is sprinklered and has fire alarm. IFD opposes based on travel distance and square footage based on possibility that design could be reformatted to allow proper exiting. Tabled while

negotiations with IFD continue.

Motion: Tabled.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

x. **24-10-51(a)(b) Blain Reed Home (Carmel) –** Guards are required to be four inches on center. Asking for variance for guard width and riser height. Commission expressed concern that the variance seems to be largely about money. Carmel is neutral.

Motion: Deny.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☐	☒
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐

Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

xi. **24-10-52 Purdue Herrick Labs – Hydrogen Trailer (West Lafayette) –** Locate a hydrogen trailer north of testing labs. Current code requires NFPA 35 2010. Road to the east, north another road, west is parking lot that cannot afford loss of spaces. Asking to follow newer version of code that allows for different clearance requirements. Asking to comply with 2023 edition of NFPA for clearance requirements.

Motion: Approve.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

xii. **24-10-53 Wings and Swings (Vincennes) –** A2 asking not to provide sprinkler system in A2. Under 5k square feet for the building, 4-5 simulators and axe throwing area. Large, open areas in building not usable for tables and chairs. Owner installed alarm system, more exits than required, LFO and LBO do not oppose. Voluntarily capped at 99 occupants. Sprinkler quoted at $95,470.

Motion: No action taken.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

xiii. **24-10-54 & 60 – Lighthouse Autism Center LaPorte Renovation (LaPorte) –** Requesting I4 not to have bathtub or shower. No overnight occupancies, maximum 8 hours a day.

Motion: Approve based on 8-hour maximum timeframe.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐

Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

xiv. **24-10-55 & 61 -- Franciscan Health Munster Vertical Exp Fit Up (Munster) –** Asking to design to A instead of B for seismic construction. Commissioner Popich asked why they were asking for an A instead of designing to a C, which is typical for emergency structures.

Motion: Table.	**Vote**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐

Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

8. Industrialized Building Systems Applications and Renewals

i. None

9. Report on Administrative Review

a. OALP Non-Final Orders – Commission Review/Action Required as Ultimate Authority

i. None

b. New Cases – Monitoring Only

i. DHS-2024-

c. Ongoing Cases

i. DHS-2307-002000 – Scannell Properties v. City of Bloomington
ii. DHS-2312-003133 – LaPorte County v. IDHS
iii. DHS-2402-000396 – Knight's Inn v. Seymour Fire
iv. DHS-2404-000891 – Somnath Hospitality v. City of Seymour

d. New Filings – Commission Review / Action Needed

i. None

e. OALP Final Orders – No action required.

i. None.

10. Other Commission Business

i. Harmony Home and Place of Grace – Stayed until final judgment.

Vote: Stay until final judgment.	**Present**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐
Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

Vote: Stay until final judgment.	**Present**	
	Yes	**No**
Craig Burgess	☐	☐
Logan Cook	☒	☐
John Crisp	☒	☐
Harold Davidson	☒	☐
Todd Hite	☐	☐
James Murua	☒	☐

Michael Patarino	☒	☐
Michael Popich	☒	☐
David Porter	☐	☐
Lane Slaughter	☐	☐
Kenneth Wagner	☒	☐
Michael Zehner	☐	☐

11. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Tuesday, December 3, 2024 at 9:00am**. The meeting will be held in the **Indiana Government Center South** in **Conference Room B**. The meeting will also be streamed live via Microsoft Teams.

Public notice and virtual/electronic meeting access details will be provided on the **Commission's Web Page** in advance of the meeting.

12. Adjournment