

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, June 2, 2021

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's (the Commission) regular monthly meeting was called to order by Chairman James Greeson at 9:05 a.m. EDT on Wednesday, June 2, 2021. The meeting was conducted both **in-person and electronically** by videoconference and teleconference call through WebEx.

a. Commissioners physically present at the meeting:

Michael Corey
Harold Davidson, representing the Commissioner, Indiana Department of Labor
Michael Popich, Vice Chairman

b. Commissioners attending the meeting electronically:

Gregory Furnish
James Greeson, Chairman
Joseph Heinsman
David Henson
Todd Hite, representing the Commissioner, Indiana State Department of Health
James Murua
Scott Pannicke

c. Commissioners absent from the meeting:

James (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
Bryston Sprecher, Administrative Assistant to the Fire Prevention and Building Safety Commission
Craig Burgess, Indiana State Building Commissioner

Alan Blunk, IDHS Plan Review Section Chief
Kevin Troy, IDHS Code Enforcement Assistant Section Chief (State Fire Marshal's Office)

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

Justin Guedel, IDHS Deputy General Counsel
Denise Fitzpatrick, IDHS Code and Variance Specialist
Kim Hyten, IDHS Code and Variance Specialist
Marcus Ballenger, IDHS Code and Variance Specialist
Philip Gordon, Deputy Attorney General & Legal Counsel to Fire Prevention and Building Safety Commission
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 – three of which attended in-person and seven electronically – at the beginning of the meeting. Commissioner Jordan was absent from today's meeting.

- 3. Commission Review and Action on Meeting Minutes

- a. Tuesday, May 4, 2021

Director Boyle called for corrections to the meeting minutes. Commissioner Pannicke asked that the last sentence in the summary of variance 21-04-23 be deleted. Chairman Greeson pointed out an incorrect roll call vote of 11-0 in variance 21-03-37; it should have been recorded as 11-0. Additionally, according to Chairman Greeson, Shelly Wakefield was incorrectly identified as being part of Plan Review in the summary of variance 21-04-2, and Commissioner Popich's recusal was not listed. With that, Commissioner Corey motioned to approve the meeting minutes with four (4) noted corrections. Commissioner Popich made the second. It was voted on and carried.

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

The Tuesday, May 4, 2021 meeting minutes were **approved as amended**, by a vote of 9-0.

4. IDHS/Commission Staff Reports and Updates

a. Final Update regarding Indiana Open Door Law and Public Meeting Requirements during the State of Indiana's COVID-19 Public Health Emergency – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission, Philip Gordon, Deputy Attorney General and Legal Counsel to the Commission & Justin Guedel, IDHS Deputy General Counsel

i. Executive Order 21-13 – Recission of Directives and Restrictions Imposed to Address the Coronavirus (COVID-19) Emergency

Director Boyle informed that, as of May 11, 2021, Governor Holcomb formally rescinded all modifications to the Indiana Open Door Law. As such, it is now recommended that agencies meet in person if possible.

ii. Enactment of HEA 1437-2021 – Electronic meetings and signatures

Director Boyle advised that this allows a member of a governing body to participate in meetings electronically subject to the following: 1) Requires the governing body to adopt a written policy establishing procedures for electronic participation. 2) Requires the technology to permit simultaneous communication between members and the public to attend and observe the proceedings. 3) Requires at least 50% of the members to be physically present at the meeting site. 4) Allows a member participating electronically to be counted for quorum purposes. 5) Provides that a member participating electronically may participate in a final action taken by the governing body only if the member can be seen and heard.

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

ii. Written Interpretation No. CEB-2021-15-2020 IRC-M1307.3.1

iii. Written Interpretation No. CEB-2021-16-2020 IRC-R302.1(1)

iv. Written Interpretation No. CEB-2021-17-2014 IBC-903.3.1.2.1

v. Written Interpretation No. CEB-2021-18-2014 IBC-1210.3.1

State Building Commissioner, Craig Burgess, briefly explained the above-listed written interpretations.

c. 2021 Legislative Session Report for the Fire Prevention and Building Safety Commission – Alyssa Schroeder, IDHS Legislative Director

Despite some audio issues, Alyssa Schroeder briefly explained a handful of bills pertinent to the Commission’s business that were passed and signed into law following the General Assembly’s 2021 Legislative Session.

d. IDHS Variance Determinations Report

Director Boyle stated that the report had been updated to include the most recent variances.

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

a. Revisit Currently Adopted Electronic Communications Meeting Policy

Multiple commissioners voiced the importance of an in-person meeting setting as a means of strengthening the familiarity and bond amongst each of the Commission’s members, stating that, while convenient for travel purposes, electronic meetings hinder this relationship. However, the commissioners did acknowledge the need to retain the choice to attend electronically, especially for those traveling from further regions of the state, and suggested mandatory quarterly attendance as opposed to the current bylaws’ 2/3 requirement. Chairman Greeson plans to contact the other members of the Commission in advance of the next meeting on Wednesday, July 7, 2021 to gauge their personal opinions on potentially modifying the Commission’s physical participation requirement in the Commission’s Electronic Communications Meeting Policy. Finally, due to budget and licensing restraints, Director Boyle advised that he will be required to switch the electronic meeting format to Microsoft Teams. Commissioner Popich motioned to table. Chairman 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 status of the Commission's Electronic Meeting Policy was **tabled**, with a vote of 10-0.

6. Rulemaking Update(s)

a. Indiana Elevator Code Committee Meeting

- i. Next Meeting: Wednesday, June 16, 2021 beginning at 9:00 a.m. EDT, in-person or Webex electronic 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.

After consulting briefly with Committee Chairman, Mike Corey, Director Boyle advised that the June 16, 2021 meeting will be held electronically via WebEx in concurrence with the enactment of HEA 1437-2021 (P.L. 88-2021) and the extension of the public health emergency declaration under Executive Order 21-14, which still affords subcommittees of the Commission the ability to host a completely electronic/virtual meeting.

b. Indiana Code Update Exploratory Committee

- i. Next Meeting: Thursday, June 10, 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; WebEx meeting details TBA.

Public notice and Webex 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.

Chairman Popich thanked the stakeholders and all those who submitted written comments for code revisions. Committee staff will begin to look over each comment in preparation for next week's meeting. This meeting will also be held completely electronically via WebEx and in accordance with HEA 1437-2021.

c. Status Update on the Commission's Proposed 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>.***
- 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>.

Director Boyle noted that these rules were officially approved and published to the Indiana Register. Justin Guedel, IDHS Deputy General Counsel, added that the rules will become effective July 1, 2021.

7. Request for Imposition of Sanctions on a Previously Issued Variance Pursuant to Section 11 of the Commission’s Emergency Rule [LSA Document #19-333(E)]
 - a. Variance No. 16-03-61 – Garvin Industrial Park, 1511 Read Street, Evansville, IN 47710 – **received by Commission staff via electronic mail on Tuesday, March 23, 2021 and tabled at May 4, 2021 meeting**

Roger Lehman and Attorney for the Petitioner, Jim Johnson, spoke on behalf of the business’s owner, Stuart Millner. Justin Guedel advised that the issue pertaining to a fire watch is not currently included under the sanctions filing and stated that the party would be required to file an appeal of that issue separately. Director Boyle added that he did receive this request late last week, and thus, it could not be included in today’s meeting materials, due to guidelines afforded under statute. As such, it was suggested that the Commission order the party to appeal the fire watch requirement by filing a petition for administrative review. Director Boyle also added that an additional variance may need to be filed to allow for an extension to completed necessary safety protocols, as the Commission is only responsible today for deciding on whether or not to impose the sanctions. Commissioner Pannicke motioned to issue a Letter of Reprimand to include the following directive(s): 1) proof that a contractor was obtained in thirty (30) days; and 2) the party may be asked to vacate the structure if proof of this is not provided to the Commission within the allotted time frame. Commissioner Heinsman made the second. It was voted on and carried. Per Commissioner Pannicke’s request, this item will be retained on next month’s agenda to keep the Commission up-to-date on the party’s progress.

	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 Request for Imposition of Sanctions was **approved**, with a vote of 10-0.

Breaking & Reconvening: The Commission broke for lunch at 11:55 a.m. EDT. Director Boyle called the meeting back to order at 12:55 p.m. EDT.

8. Variances

a. Tabled

20-12-77 New Beginnings Child Care, Crawfordsville

Steve Wilke spoke as the proponent. Although staff determined that the classrooms housing children two-and-a-half years and under could be classified as E occupancies, due to the exits that open directly to the exterior of the building, the commissioners agreed that it would be wise to approve the variance to prevent any future disputes with the local building official and/or fire department. Commissioner Pannicke motioned to approve on the condition(s) that: per the updated drawing(s) attached to the record of the variance application, an additional exit door (fire exit door) and concrete walks are required to be installed in each of the four classrooms serving and providing care to children two-and-a-half (2.5) years of age or less, in order to provide an additional means of egress to the outside of the building. 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 with conditions**, by a vote of 10-0.

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

Director Boyle informed that the proponent emailed him earlier in the morning requesting that the variance be **withdrawn**. No further action was needed.

21-03-35 Bodenbender Barn Rescue, Salem

The submitter requested that this be tabled for an additional month. As such, Commissioner Popich motioned to table. 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 **tabled**, with a vote of 10-0.

21-04-22 Everdry, Indianapolis

Melissa Tupper spoke as the proponent. Drawings illustrating raised load docks were submitted along with a letter clarifying that all employees working along the loading dock must be able-bodied. Because he suspected that this company chose to deliberately ignore the code, Commissioner Pannicke felt that approving this would set a negative precedent and, thus, motioned to deny. Commissioner Greeson made the second. It was voted on and carried. Commissioner Popich 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Heinsman	<input type="checkbox"/>	<input checked="" type="checkbox"/>
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **denied**, with a vote of 6-3.

21-04-29 New Bridge Apartments, Indianapolis

The submitter is working on obtaining updated design plans and requested via email that this be tabled for an additional month. Commissioner Popich motioned to table. 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 **tabled**, with a vote of 10-0.

b. New

21-05-18 Amenity Development, Indianapolis

Scott Perez spoke as the proponent. The building is partially sprinklered due to the demands of the tenant at the time. The new owner of building is performing some remodeling, with the available tenant space being partially occupied. Applicant is requesting to install a sprinkler throughout the existing structure, including the amenity spaces, except in the vacant habitable spaces. As new tenant(s) move into the un-leased spaces of the building, a sprinkler system will be added in order to comply with the required layout. Commissioner Murua motioned to approve on the condition(s) that: 1) as cited in the application, the tenant spaces must be fully-sprinklered per code as they are leased out and become occupied; 2) the unoccupied tenant spaces must have fully-monitored fire alarm systems, per code; and 3) this variance shall expire on June 30, 2023 (6/30/2023). 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 with conditions**, with a vote of 10-0.

21-05-19 (a)(b)(c) Northview Daycare, Carmel

Carrie Ballinger spoke as the proponent. The request is to permit evaluation under Chapter 34, due to NFPA 101A not having a corresponding chapter for daycare occupancy. Ms. Ballinger stated that the facility still meets all life safety requirements and is fully sprinklered but that there may still be features of the building code, energy code, etc. that remain unsatisfied. Commissioner Pannicke motioned to approve (c). Commissioner Murua made the second. It was voted on and carried.

Commissioner Popich subsequently motioned to approve (a). Commissioner Greeson made the second. It was voted on and carried.

The request of variance (b) is to permit a score of five (5) points for the HVAC systems in Building B without providing separate systems for each story. This is intended to damper smoke traveling from one story to another in the event of a fire. Commissioner Pannicke motioned to approve (b). Commissioner Murua made the second. It was voted on and carried.

	(a)		(b)		(c)	
	Y	N	Y	N	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Greg Furnish	<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"/>
Joe Heinsman	<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"/>
Todd Hite	<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"/>
Scott Pannicke	<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"/>

Variances **(a) and (c) were approved as submitted**, with a vote of 10-0.

Variance **(b) was approved as submitted**, with a vote of 9-0.

21-05-20 Medical Memorial Plaza, South Bend

No proponent was present to speak. As such, Commissioner Corey motioned to table. 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 **tabled**, with a vote of 10-0.

21-05-21 New Life Fellowship New Sanctuary Addition, Terre Haute

Carrie Ballinger spoke as the proponent. The project involves construction of a new one story plus mezzanine sanctuary addition to an existing church. The addition will be separated from the existing building with a two hour fire barrier in lieu of a fire wall. Vertical continuity requirements for a fire wall cannot be met with the existing exterior wall/roof construction, which would cost approximately \$85,000 to bring into compliance. Commissioner Greeson motioned to approve. Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman recused himself from the vote. Commissioner Popich 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 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 type="checkbox"/>	<input type="checkbox"/>
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The variance was **approved as submitted**, with a vote of 8-0.

21-05-22 Hendricks Regional Health – GI Clinic Renovation, Danville

Christina Collester spoke as the proponent. The project involves an addition of approximately 830 square feet to existing office space, which triggered the need for a second exit separated by two-thirds of the diagonal distance, per code. Due to the close confines of the suite, the greatest distance that could be achieved was sixteen (16) feet. The main corridor within the suite will be separated from the waiting room and exit room with self-closing doors. Smoke detection and a fire alarm system will be provided in these spaces for additional fire protection as well. The GI facility is a private provider separated from the main hospital by a two-hour fire wall. Commissioner Pannicke motioned to approve. 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 variance was **approved as submitted**, with a vote of 10-0.

21-05-23 (a)(b) Create A Smile Dentistry, Bloomington

Andrew Greene spoke as the proponent. The project involves the addition of a private restroom for use only by the doctor, which will not include handrails as required by code. Per Commissioner’s Popich’s inquiry, the cost to add handrails would total between \$8,000-10,000 on a \$2 million project. Seeing as the cost seemed to be small relative to the total budget, Commissioner Popich motioned to deny both (a) and (b). Commissioner Davidson 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"/>
Wes Jordan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Variances **(a) and (b) were denied**, with a vote of 10-0.

21-05-24 (a)(b) Farbest Boning Room Expansion, Huntingburg

Michael Grochowski spoke as the proponent.

This project consists of a new 22,148 square foot stand-alone addition, which will be sprinkled. The business is requesting a variance to not sprinkle existing stand-alone structures (the car wash and the pavilion south of 2017 edition) that fall within the sixty (60) foot Public Way. In lieu of this, existing areas adjacent to the facility which are not yet fire-sprinkled will be sprinkled as well (approximately 107,000 square feet). This will further enhance public safety, as the business is opting to sprinkler buildings do not require it. Commissioner Pannicke motioned to approve (b). Commissioner Corey made the second. It was voted on and carried.

Additionally, Farbest would like to eliminate p-traps at all drains within their processing area. This is due to debris entering the drains, which causes clogging issues resulting in the need for constant maintenance. Instead, waste will still be trapped and separated appropriately via an inline building process trap on the main discharge. This waste is not connected to the main sewer system but is pumped through a lift station and routed to an on-site waste treatment plant. Commissioner Pannicke motioned to approve (a). Commissioner Corey 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"/>

Variances **(a) and (b) were approved as submitted**, with a vote of 10-0.

21-05-27 Terre Haute Catholic Charities Foodbank, Terre Haute

Christina Collester spoke as the proponent. A variance for this food pantry was granted last year limiting food storage to twelve (12) feet in height. Due to the pandemic, need has increased substantially, so the church is requesting storage height to be increased to twenty (20) feet without the addition of sprinklers. Ms. Collester stated that a fire detection system will be installed, and the local fire department does not believe this will pose much of a public safety issue. Based on the economic forecast and increased clientele, the food pantry intends to function with this additional storage space for the foreseeable future. It was also clarified that the posted occupancy was for the entire warehouse space, but the food pantry will only have two (2) volunteers within the facility at any given time. The rest of the space serves as coolers/freezers and office space. As such, Commissioner Popich motioned to approve. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved as submitted**, with a vote of 9-1

Breaking & Reconvening: The Commission took a short break, beginning at 3:07 p.m. EDT. Director Boyle called the meeting back to order at 3:17 p.m. EDT.

9. Petitions for Administrative Review

a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)

- i. 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

Director Boyle advised that this was included on the agenda for the Commission's awareness only and had been forwarded to OALP for assignment to an ALJ.

10. Commission Review of Local Ordinances

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

Director Boyle informed that no additional ordinances for preliminary review had been received, so the report provided in the meeting materials remained unchanged.

b. Adopted Ordinances

- i. Ordinance No. 2021-03 – Building Code of Blackford County, Indiana – **received by Commission staff via electronic mail on Friday, April 30, 2021.**

Director Boyle stated that the county's endorsed copy was not received until days before the Commission's May meeting; and, thus, it could not be included on the agenda until June. 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"/>

Blackford County's Building Code Ordinance was **granted**, with a vote of 10-0.

11. Final Comments/Closing Remarks from Chairman Greeson

Chairman Greeson advised that he was unable to view the meeting materials attached in Director Boyle's email, due to Outlook supposedly terminating its partnership with Adobe. Director Boyle stated staff will look into this issue and hopefully find an alternative by next month. Finally, Chairman Greeson thanked those that attended in-person as well as staff for making the necessary adjustments to host the hybrid style meeting.

12. Next Meeting – Wednesday, July 7, 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.

13. Adjournment

The meeting was adjourned at 3:24 p.m. EDT.