



## Minutes of the Meeting of the Fire Service Membership Council Governing Committee

**Thursday, March 21, 2019  
1:30 p.m. EDT**

**“Founded by Members to Serve our Members . . . Benefitting Communities  
Worldwide”**

FSMC Governing Committee Members	Representing	Present
Gary West -- Chair -- National Fire Sprinkler Association, Nashville, TN	NASFM	X
Randy Metz -- Vice Chair -- Carlsbad Fire Department, CA	IAFC:W	X
Fulton Cochran -- Clark County Fire Department, NV (Ret.)	ICC	X
Andy King -- Franklin Fire Department, TN	IAFC:SE	
TBD -- Appointment Pending --	IAFC:SW	
Michael Desrochers -- State of Vermont Division of Fire Safety	NASFM	X
Joe McElvaney -- The Hiller Companies, Inc.	ICC	
TBD -- Appointment Pending --	IAFC:C	
Rick Boisvert -- Brighton Area Fire Authority, MI	IAFC:GL	
Coy Porter -- Utah State Fire Marshal's Office	NASFM	X
Steve Swarthout -- Riverside County Fire Department, CA	ICC	X
Kelly Nicoletto -- Underwriters Laboratories, TX	NASFM	X
Kara Gerczynski -- Elizabeth Fire Protection District, CO	IAFC:MV	X
Christine Reed -- Central County Fire Department, CA	ICC	X
Robert Buxton -- Hudson Fire Department, NH	IAFC:NE	
Joseph Fahd, Jr. -- Cohoes Fire Department, NY	IAFC:E	
Timothy Diehl -- City of Rockville, MD	ICC	X
Adolf Zubia -- A to Z Fire & Code Consulting, LLC, NM	ICC	X

International Code Council (ICC) Staff and Liaisons	Present
Angie Wiese -- FSMC Liaison to the ICC Board of Directors -- Fire Safety Manager, St. Paul, MN	
Karl Fippinger -- Vice President, Fire & Disaster Mitigation -- ICC	X
Dave Nichols -- Senior Regional Manager, Government Relations -- ICC	X

Members/Guests Joining by Teleconference	Present
Eirene Knott -- BRR Architecture, Inc. -- Merriam, KS	X
Bruce Johnson -- Regulatory Services Regional Manager -- UL	X
Byron Mathews -- Chief of Operations -- Cheyenne Fire Rescue, WY	X

FSMC Governing Committee Teleconference Meeting Agenda:

1. Call to Order/Roll Call/ Welcome guests (West/Fippinger)
2. Openings Remarks from the Chair (West)
  - a. Welcome to the March call. We appreciate your participation.
3. Additions or Corrections to the Agenda
  - a. N/A
4. Approval of Minutes
  - a. February 21, 2019 teleconference
    - i. Christine Reed requested a correction to the minutes – page 5, comment 3 regarding fire prevention week. Requested we strike out the reference to October to reflect that fire prevention messages could be presented at any time.
    - ii. Motion: Christine Reed; Second: Kelly Nicoletto; Result: Passed unanimously
5. Reports from Officers (West/ Metz)
  - a. Board of Directors liaison (Wiese)
    - i. No report from Angie Wiese (on vacation)
    - ii. Under board time Kelly Nicoletto asked to be recognized and discussed recent revisions to ICC Council Policy [CP#28-05 – Code Development](#)
      1. Section 2.4 - Interim Code Amendments was revised October 20, 2018.
        - a. Adds a process for the consideration of interim code amendments by the Codes and Standards Council and the responsible Code Development Committee(s)
        - b. See redline document for further details, included as Attachment A.
      2. Section 9.1 – Eligible Final Action Voters was revised effective January 22, 2019.
        - a. As previously reported to the FSMC, this section of the policy was amended to allow ICC Governmental Member Voting Representatives (GMVRs) to be validated once per code development cycle.
        - b. See redline document, included as Attachment B.
  - b. Karl Fippinger, Vice President, Fire and Disaster Mitigation
    - i. Attending the IAFC Fire and Life Safety Section board meeting on Sunday, March 24<sup>th</sup> in Reno, NV
    - ii. Making introductions with the IAFC Wildland Fire Policy Committee on Monday, March 25<sup>th</sup> in Reno, NV

- iii. Attending the IAFC FLSS Community Risk Reduction Conference in Reno, NV March 24-26
  - iv. Attending the IAFC Wildland Urban Interface Conference in Reno, NV March 26-28
  - v. Attending the National Emergency Management Association (NEMA) Mid-Year Forum for state emergency management directors in Alexandria, VA March 30-31
  - vi. Attending the FEMA Building Science Working Group and FEMA Mitigation Stakeholder Workshop in Emmitsburg, VA April 2-3
6. Reports from Special Committees
- a. Report ICC Honorary Membership Nomination for Past FSMC Chairs (West)
    - i. On-going. The FSMC has made 2 honorary membership nominations. Waiting for ICC membership to process the nominations.
7. Unfinished Business
- a. Status update on adding two National Association of State Foresters to the FSMC-GC. (Fippinger)
    - i. On-going. Karl expects to meet with members of NASF at the IAFC WUI Conference in Reno, NV next week to discuss.
  - b. Update on Confirmation/Appointment of Permanent Committee Leaders/Backup Leaders (West/Metz)
    - i. Chief Metz reminded FSMC members that we are currently recruiting additional members on an open basis to fill leadership positions on the FSMC.
  - c. Update on 2019 Work Group Volunteers/Assignments (West/Metz)
    - i. See item 7.b.i above
  - d. 2019 Work Group/Committee Goals Update
    - i. Training and Education (Chief Gerczynski)
      - 1. Chief Cochran mentioned that Chief Castle at Clark County Fire has been secured to speak at the ABM on the Las Vegas Shooting. Chief Gerczynski said that she is in the process of transmitting some last-minute information to ICC regarding the session.
      - 2. Chief Gerczynski sent an email out to last year's work group members. Joe McElvaney and Byron Mathews are returning
      - 3. The work group is currently comprised of Chief Gerczynski (chair), Joe McElvaney, Chief Mathews, and Chief Cochran
      - 4. The work group will hold a conference call prior to next month's meeting.

- ii. Member Recruitment (Chief West for Chief King)
  - 1. Work group is currently Chief King (chair), Chief Porter, Chief Mathews, Eirene Knott, Chief Buxton, Chief Zubia.
  - 2. Work group met March 15, 2019
    - a. Chief King, Chief West, Chief Metz, Chief Zubia on the call to recruit Chief Porter (agreed to join during FSMC call).
    - b. Goal setting for 2019 occurred and being refined.
    - c. FSMC bookmark is popular with other ICC councils.
    - d. We need to be engaged with the other councils and committees.
    - e. Chief Zubia - We need to be involved in issues like the online voting proposal that's out there and other issues of importance.
    - f. Dave Nichols - While at AZ Fire Marshals Association with Joe McElvaney they discussed opportunity to participate remotely and use technology. Dave and Joe pushed the importance of the FSMC to AZ Fire Marshals and stressed the opportunity to reach all areas of the ICC all the way up to the board of directors.
  - 3. 2019 Goals
    - a. Follow up on the new chief/fire marshal outreach program with personal contacts to promote ICC membership and the FSMC.
    - b. Recruit three new ICC student chapters. Be prepared to present report at Annual Conference. Recruit ICC international members to become part of the FSMC.
    - c. Identify means to reach ICC "fire chapters" to promote FSMC's value to individuals and the organization.
    - d. Identify means to emphasize succession planning to assure continued fire service representation on the ICC Board of Directors.
    - e. Complete the promotional bookmark.
- iii. FPW/BSM/FSMC Website (Chief Reed)
  - 1. Deputy Fire Marshal Swarhout and Kelly Nicoletto have joined/reaffirmed participation in this committee
  - 2. Progressing with Building Safety Month tweets
  - 3. Trying to evaluate and encourage participation in the committee
  - 4. Building online presence and communicating items and issues of importance to our members.
  - 5. Chief Reed proposed the committee be renamed to the Public Awareness Committee.
    - a. Motion: Chief Reed; Second: Kelly Nicoletto; Result: Passed unanimously
- iv. Emerging Issues and Trends (Fire Marshal Desrochers)

1. Work group is currently Fire Marshal Desrochers (chair), Fire Marshal Diehl, Chief Zubia, Kelly Nicoletto, Joe McElvaney, Cody Gunn
2. 2019 Goals
  - a. Develop a fillable PDF form to allow constituents to submit emerging issue and trend requests to the emerging issues and trends group. The form will assist the group in prioritizing emerging issues and trends and will provide a permanent record of the group's efforts for the FSMC Annual Report.
  - b. Develop a spreadsheet allowing the group to track all emerging issue and trends for easy access to records.
  - c. Establish relationships across all disciplines to assist us in outreach efforts to identify emerging trends and issues. This list will provide us a direct avenue to seek and solicit emerging issue and trend subjects
  - d. Develop a strategy/policy specific to how we conduct outreach (on line, platforms, web page posting, social media and direct contact).
  - e. How we vet (accept, review and prioritize) the forms in the working group environment so we can efficiently and effectively present to the FSMC.
  - f. Establish a list of emerging issues and trends affecting the fire service and submit to the FSMC for recommendations.
  - g. Continuous effort to seek members to actively participate in our efforts.
3. Work group met March 18, 2019
  - a. Members and goals have been set
  - b. We have received two issues so far
  - c. Figuring out how the group will vet the issues and transmit them to the members. Trying to come up with a process to do this so we can decide what action we're going to take on the items.
  - d. Presented a copy of the proposed issues and trends data collection form for submission to the work group
- e. Membership Council Liaison Reports
  - i. BMC Liaison (Fire Marshal Diehl)
    1. BMC will not meet again until April
    2. Continuity group conducted a conference call on March 11<sup>th</sup>
    3. Others membership councils are interested in using the concept of the FSMC bookmark for their own membership councils
    4. Continuity and Outreach group will be meeting on Saturday, April 27<sup>th</sup> at 5:00 p.m. in Albuquerque, NM

- ii. Emerging Leaders Membership Council Liaison (Gunn)
      - 1. No report
- 8. New Business
  - a. Fire Service Award and Innovation in Code Administration Award nominations
    - i. Karl Fippinger - Innovation in Code Administration Award is open for nominations. Karl and Bill Nash from Building Membership Council will be promoting over the next few months. Application deadline is June 30, 2019.
    - ii. Karl Fippinger – Fire Service Award nominations closed March 15, 2019. The FSMC did not present a name as an ICC body.
    - iii. Chief Metz – Would appreciate governing committee members taking an active role in promoting these two awards. FSMC members are also encouraged to help.
  - b. Update on Liaison Volunteers/Assignments for ICC MCs (West/Metz)
    - i. PMG Membership Council - No report
    - ii. Sustainability Membership Council - No report
    - iii. Emerging Leaders Membership Council - No report
    - iv. ICC Global Membership Council - No report
  - c. Next FSMC Meeting
    - i. Saturday/Sunday April 27-28, 2019 in Albuquerque, NM at ICC Committee Action Hearings (Webex videoconference and teleconference provided both days)
- 9. Questions and Comments from the Audience
  - a. N/A
- 10. Good of the Order and Emerging Issues
  - a. N/A
- 11. Adjournment
  - a. Motion: Chief Metz; Second: Kelly Nicoletto; Result: Passed unanimously

Gary West, Chair  
2019 FSMC Governing Committee

Randy Metz, Vice-Chair  
2019 FSMC Governing Committee

**2019 FSMC Meeting Schedule**

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
17	21	21	27-28	16	20	18	15	19	19-20	21	19
WebEx	WebEx	WebEx	ABQ	WebEx	WebEx	WebEx	WebEx	WebEx	ABM	WebEx	WebEx

For questions or additional information, contact:

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## ATTACHMENT A

### **Redline changes to ICC Council Policy CP#28-05 – Code Development**

#### **Section 2.4 - Interim Code Amendments**

**Effective October 20, 2018**

**2.4 Interim Code Amendments:** All revisions to the international Codes shall be processed in accordance with other sections of this Council Policy except for Emergency Actions by the ICC Board complying with Section 2.4.1 and Interim Critical Amendments (ICA) complying with Section 2.4.2.

**2.4.1 Emergency Actions by the ICC Board** ~~Procedures:~~ **2.4.1 Scope:** Emergency actions by the ICC Board are limited to those issues representing an immediate threat to health and safety that warrant a more timely response than allowed by the Code Development Process schedule.

**2.4.1.1~~2~~ Initial Request:** A request for an emergency action shall be based upon perceived immediate threats to health and safety and shall be reviewed by the Codes and Standards Council for referral to the ICC Board for action with their analysis and recommendation.

**2.4.1.1~~2~~ Board and Member Action:** In the event that the ICC Board determines that an emergency amendment to any Code or supplement thereto is warranted, the same may be adopted by the ICC Board. Such action shall require an affirmative vote of at least two-thirds of the ICC Board.

The ICC membership shall be notified within ten days after the ICC Boards' official action of any emergency amendment. At the next Annual Business Meeting, any emergency amendment shall be presented to the members for ratification by a majority of the Governmental Member Voting Representatives and Honorary Members present and voting.

All code revisions pursuant to these emergency procedures and the reasons for such corrective action shall be published as soon as practicable after ICC Board action. Such revisions shall be identified as an emergency amendment.

Emergency amendments to any Code shall not be considered as a retro-active requirement to the Code. Incorporation of the emergency amendment into the adopted Code shall be subjected to the process established by the adopting authority.

#### **2.4.2 Interim Critical Amendments (ICA)**

**2.4.2.1 Submittal.** Anyone may propose an ICA by providing the following information:

- a) Name of submitter
- b) Contact information
- c) Submitters representation
- d) Date
- e) Relevant section(s) and code edition(s) under consideration
- f) Proposed modifications with text changes identified using underlines for new text and strikethroughs for deleted text



g) A statement that substantiates the need for proposed changes and why the proposed submission is of such a critical nature in accordance with Section 2.4.2.3 that it cannot be left to address during the next code development cycle.

h) Written endorsement of the proposed ICA by not less than two members of the Code Development Committee(s) responsible for maintaining the affected code section(s)

**2.4.2.2 Preliminary Review.** An ICA will only be processed if the Codes and Standards Council determines that the proposed ICA appears to be of a critical nature requiring prompt action based on the criteria specified in Section 2.4.2.3. If processed, the question of critical nature shall be further considered by the responsible Code Development Committee(s) and the Codes and Standards Council. The text of a proposed ICA shall be processed as submitted or shall be changed with the approval of the submitter. The Codes and Standards Council shall process their preliminary “critical nature” determination within 45 days of the ICA submission.

**2.4.2.3 Determination of Critical Nature.** Qualification for critical nature shall be based on one or more of the following factors:

- a) The proposed ICA corrects an error or an omission that was overlooked during a regular code development process.
- b) The proposed ICA resolves a conflict within an individual code or a conflict involving two or more ICC codes.
- c) The proposed ICA mitigates a previously unknown hazard.

**2.4.2.4 Code Development Committee.** A proposed ICA that meets the provisions in Sections 2.4.2.2 and 2.4.2.3 shall be submitted to the Code Development Committee(s) responsible for the affected section(s) for a ballot and comment period of 30 calendar days. The committee(s) shall be separately balloted on both the technical merit of the ICA and whether the ICA satisfies the critical nature criteria. Negative votes in the initial ballot, if any, shall require a reason statement and shall be circulated to the full committee(s) to allow initial ballot votes to be changed.

A committee recommendation for approval shall require an affirmative vote of at least three-fourths of members who voted, on both technical merit and critical nature. The following shall be omitted from the three-fourths vote calculation:

- a) Committee members who have abstained.
- b) Committee members whose negative ballots do not include a statement conveying the reason for casting a negative vote.
- c) Committee members who do not return their ballots prior to the announced ballot return deadline.

In addition to the three-fourths majority described above, the number of affirmative votes shall be not less than 50% of all committee members who are eligible to vote. Committee members eligible to vote shall be the total number of individuals who are members of the committee on the date of ballot distribution and shall not be adjusted based on abstentions or ballots that were not returned.

ICAs that achieve the required number of affirmative votes on both technical merit and critical nature are approved for further processing in accordance with Sections 2.4.2.5 through 2.4.2.9. ICAs

that do not achieve the required number of affirmative votes on both technical merit and critical nature are rejected.

**2.4.2.5 Publication of Proposed ICA for Public Comment.** An ICA that is approved in accordance with Section 2.4.2.4 shall be published by ICC in appropriate media with a notice inviting public comments on the proposed ICA. The public comment period shall be open for at least 30 calendar days from the date of posting of the notice. When a proposed ICA revises text that was changed in the most recent code development cycle, the ICA public comment notice shall also be directly provided to submitters of proposals and public comments to the affected section in the most recent code development cycle.

**2.4.2.6 Additional Code Development Committee Review.** All public comments shall be circulated to the responsible Code Development Committee(s) for a 30-calendar day ballot and comment period allowing an opportunity for committee members to change votes taken prior to the public comment period. If any votes are changed to negative, negative votes shall be circulated to the full committee, followed by a final ballot following the voting procedures Section 2.4.2.4.

Approved ICAs shall be forwarded to the Codes and Standards Council with a staff report that includes all public comments, ballots, committee member comments on ballots and concurrence by staff on which code editions should be affected by the ICA.

**2.4.2.7 Action of the Codes and Standards Council.** The Codes and Standards Council shall review the material submitted in accordance with Section 2.4.2.6 at the next Codes and Standards Council meeting. Approval of an ICA shall require an affirmative vote of at least two-thirds of the Codes and Standards Council members who cast a vote at the meeting.

**2.4.2.8 Effective Date and Publication.** ICAs that are approved by the Codes and Standards Council shall become effective 30 calendar days after approval, or in the case of an appeal in accordance with Section 2.4.2.9, 30 calendar days after a decision by the ICC Board upholding a Codes and Standards Council decision to issue an ICA.

An ICA shall apply to code editions specified by the ICC Codes and Standards Council, and ICC staff shall, by an appropriate method, publish approved ICAs and ensure that approved ICAs are distributed with future sales of affected codes. ICAs shall be distributed as a separate document and shall not be incorporated into the text of a published code until such time that the ICA has been approved by the full code development process, following submittal as a proposal in accordance with Section 2.4.2.11.

**2.4.2.9 Appeals.** A decision of the Codes and Standards Council to approve an ICA shall be appealable to the ICC Board in accordance with Council Policy 1.

**2.4.2.10 Applicability.** ICAs shall not be considered as retro-active requirements.

**2.4.2.11 Subsequent Processing.** An approved ICA shall automatically become a code change proposal from the CSC in the following code cycle.

## ATTACHMENT B

### Redline changes to ICC Council Policy [CP#28-05 – Code Development](#)

#### Section 9.1 – Eligible Final Action Voters

Effective January 22, 2019

**9.1 Eligible Final Action Voters:** Eligible Final Action voters include ICC Governmental Member Voting Representatives and Honorary Members in good standing who have been confirmed by ICC in accordance with the Electronic Voter Validation System. Such confirmations are required to be revalidated ~~annually~~ once each code development cycle. After initial validation, changes to the list of GMVRs for the remainder of the code development cycle shall be made in accordance with Section 9.2. Eligible Final Action voters in attendance at the Public Comment Hearing and those participating in the Online Governmental Consensus Vote shall have one vote per eligible voter on all Codes. Individuals who represent more than one Governmental Member shall be limited to a single vote.