



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

BOARD OF MECHANICAL RULES
Ottawa Building, Upper Level Conference Room 3
611 West Ottawa Street
Lansing, Michigan 48933

MINUTES
February 23, 2022
10:00 a.m.

APPROVED 08/17/2022

MEMBERS ATTENDING

Mr. Jason Finch, Vice Chairperson
Mr. Mark Riley, Secretary
Mr. Lorenzo Brown
Mr. Craig Howson
Mr. Dennis Mowbray, Jr.
Mr. Aaron Sedine
Mr. Timothy Sweeney
Mr. Jason Zorn

MEMBERS ABSENT

Mr. Daniel Grafmiller
Mr. Thomas Halligan
Ms. Michelle Hanlon
Mr. Robert Logan
Mr. Matthew Marsiglio
Mr. Bruce Seiler
Vacant – Organized Labor Representing
& Refrigeration

DEPARTMENT PERSONNEL ATTENDING

Mr. Keith Lambert, Director, Administration, BCC
Mr. Kevin Kalakay, Chief, Mechanical Division, BCC
Ms. Dianne Barmes, Manager, Licensing and Compliance Division, BCC
Mr. Jon Paradine, Chief, Building and Permits Division, BCC
Mr. Matthew Gay, Inspector, Mechanical Division, BCC
Mr. Norm Klug, Inspector, Mechanical Division, BCC
Mr. Dan Morris, Plan Reviewer, Mechanical Division, BCC
Ms. Amanda Johnson, Departmental Analyst, Administrative Services Division, BCC
Ms. Tracie Pack, Departmental Analyst, Administrative Services Division, BCC
Mr. Joseph Froehlich, Assistant Attorney General, Office of the Attorney General

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chairperson Finch called the meeting to order at 10:06 a.m. A quorum was present at that time.

2. APPROVAL OF AGENDA

A **MOTION** was made by Secretary Riley and **SECONDED** by Board Member Howson to approve the agenda. **MOTION CARRIED UNANIMOUSLY.**

3. APPROVAL OF MINUTES – MAY 27, 2021

A **MOTION** was made by Secretary Riley and **SECONDED** by Board Member Howson to approve the minutes of the May 27, 2021 meeting. **MOTION CARRIED UNANIMOUSLY.**

4. NOMINATION AND ELECTION OF VICE CHAIRPERSON & SECRETARY

A. Vice Chairperson

A **MOTION** was made by Vice Chairperson Finch and **SECONDED** by Secretary Riley to nominate and re-elect Board Member Jason Finch as Vice Chairperson. **MOTION CARRIED UNANIMOUSLY.**

B. Secretary

A **MOTION** was made by Board Member Sedine and **SECONDED** by Secretary Riley to nominate Board Member Sedine as Secretary. **MOTION CARRIED UNANIMOUSLY.**

5. VARIANCE REQUESTS

A. Emma Hearth and Market

Ms. Susan Israel's request for variance for Emma Hearth and Market was presented to the Board for relief from the requirements of Section 507.2 of the 2015 Michigan Mechanical Code (MMC).

Mr. Steve Zieverink and Mr. Joe Infante, Miller Canfield and provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Mowbray and **SECONDED** by Board Member Brown to approve the request for variance for Emma Hearth and Market based on the manufacturer's recommendations, that it is only used for baking, and to include both wood and gas fuels. (Aye: Board Members Finch, Brown, Howson, Mowbray, Zorn; Nay: Riley, Sedine and Sweeney) **MOTION CARRIED.**

B. Western Michigan University

Ms. Barbara Vader's request for variance for Western Michigan University was presented to the Board for relief from the requirements of Section 507.2 of the 2015 Michigan Mechanical Code (MMC).

Ms. Barbara Vader, Mr. Andrew Johnson, PBA, and Mr. Brian Baganick, Hobbs & Black provided testimony for the review.

Following discussion, a **MOTION** was made by Secretary Sedine and **SECONDED** by Board Member Sweeney to approve the request for variance for Western Michigan University as submitted. **MOTION CARRIED UNANIMOUSLY.**

6. **APPLICANTS APPEALING DENIAL**

A. Ryan Andringa – Mechanical Contractor Examination

Mr. Ryan Andringa appeared and provided testimony before the Board to appeal denial of his Application for Mechanical Contractor Examination per the requirements of 2016 PA 407, Section 807.

Following discussion, a **MOTION** was made by Board Member Riley and **SECONDED** by Board Member Mowbray to postpone Mr. Andringa's appeal pending legal advice and direction from the Office of the Attorney General regarding application of statutory requirements of licensure. **MOTION CARRIED UNANIMOUSLY.**

B. Stephen Pavlik– Mechanical Contractor Examination

Mr. Stephen Pavlik appeared and provided testimony before the Board to appeal denial of his Application for Mechanical Contractor Examination per the requirements of 2016 PA 407 and the Board of Mechanical Licensing Rules.

Following discussion, a **MOTION** was made by Board Member Riley and **SECONDED** by Secretary Sedine to approve in part Mr. Pavlik's appeal for license classifications 1 and 2 and postpone in part license classifications 6 and 7 pending legal advice and direction from the Office of the Attorney General regarding application of statutory requirements of licensure. **MOTION CARRIED UNANIMOUSLY.**

C. Evan Sakat – Mechanical Contractor Examination

Mr. Evan Sakat appeared and provided testimony before the Board to appeal denial of his Application for Mechanical Contractor Examination per the requirements of 2016 PA 407 and the Board of Mechanical Licensing Rules.

Following discussion, a **MOTION** was made by Board Member Riley and **SECONDED** by Board Member Sweeney to postpone Mr. Sakat's appeal to allow him additional time to gather information proving his experience. **MOTION CARRIED UNANIMOUSLY.**

D. Edward Sheridan – Mechanical Contractor Examination

Mr. Edward Sheridan did not appear to provide testimony before the Board to appeal denial of his Application for Mechanical Contractor Examination per the requirements of 2016 PA 407 and the Board of Mechanical Licensing Rules.

Following discussion, a **MOTION** was made by Board Member Riley and **SECONDED** by Board Member Sweeney to postpone Mr. Sheridan's appeal allowing him the opportunity to appear and provide testimony at the Board's next regularly scheduled meeting. **MOTION CARRIED UNANIMOUSLY.**

7. **PETITION FOR APPROVAL/CERTIFICATE OF ACCEPTABILITY**

A. Laddertech LLC d/b/a Ladderport

Mr. Bob Gaines presented Laddertech LLC d/b/a Ladderport's Petition Application for Certificate of Acceptability for Ladderport Ladder Receiver to 24 feet to the Board.

A **MOTION** was made by Board Member Riley and **SECONDED** by Board Member Sweeney to recommend approval of the Petition Application for Certificate of Acceptability to the State Construction Code Commission for Ladderport Ladder Receiver to 24 feet as submitted. **MOTION CARRIED UNANIMOUSLY.**

B. Rheia, LLC

Mr. Nathan Good presented Rheia's Petition Application for Certificate of Acceptability for Rheia "Home Run" Air Distribution System to the Board.

A **MOTION** was made by Secretary Sedine and **SECONDED** by Board Member Riley to recommend approval of the Petition Application for Certificate of Acceptability to the State Construction Code Commission for Rheia "Home Run" Air Distribution System with the condition that it is installed to the applicable Michigan Mechanical Code(s). **MOTION CARRIED UNANIMOUSLY.**

8. **MEET & GREET - MICHIGAN INTERNATIONAL TALENT SOLUTIONS (MITS)**

MITS Program Director Annie Fenton provided a presentation introducing herself and their program to the Board.

9. UNFINISHED BUSINESS

None.

10. NEW BUSINESS

A. HVAC Programs

The Bureau requested the Board use its expertise to assist in creating a list of trade schools and universities that could be provided as adequate and trusted sources for training.

11. BUREAU QUARTERLY REPORT

Director Lambert reported on the following:

Informed the Board that the 2018 Michigan Plumbing Code went into effect September 2018, that the Michigan Building and Mechanical Codes had their public hearing, and the Bureau is getting ready to open the Michigan Energy Code.

The Bureau continues to work with auditors regarding their findings during its 2020 audit. BCC is addressing any issues with resources the Bureau has including one of the findings stating the need to update codes more timely.

12. PUBLIC COMMENT

None.

13. NEXT MEETING DATE – MAY 25, 2022

The Board is scheduled to meet next at 10:00 a.m. at 611 West Ottawa Street, Lansing, MI 48933 in Upper Level Conference Room 3 on May 25, 2022.

14. ADJOURNMENT

A **MOTION** was made by Board Member Howson and **SECONDED** by Board Member Sweeney to adjourn the meeting at 1:14 p.m. **MOTION CARRIED UNANIMOUSLY.**