

Energy Efficiency Building Codes Working Group 12/2/2010 Meeting Notes

Members Present (includes teleconference attendees): Tim Ryan, *Chair*; Sam Alpert; Trudy Aron; Dorothy Barnett; Bob Fairbanks; Sandy Jacquot; Jerry Mallory; Tina Rakes; Chris Wilson; Glen Wiltse

KCC Staff: Joe Harkins, Liz Brosius, and Ray Hammarlund

Guests: Roger Kroh, MARC; Neal Ezell; Greg Talkin, Unified Government Wyandotte County

Welcome and introductory remarks

Tim Ryan welcomed new members—Dorothy Barnett, Bob Fairbanks, Leslie Kaufman, and Glen Wiltse—and reported on the 2012 IECC changes approved last month in Charlotte. Ryan noted that the changes constitute a complete rewrite of the energy code and that DOE representatives and energy codes advocates outnumbered more mainstream codes officials at this meeting. Ryan discussed changes in EC 13 and EC 47; he mentioned the increase in required wall insulation from R-13 to R-20, the mandatory blower-door test, higher ratings for equipment, and stated that the bottom line is that cost of construction will increase under the 2012 provisions. Noting Overland Park's resistance to adopting IECC 2009 due to increased costs, Ryan said getting the 2012 codes adopted will be a challenge.

Commissioner Harkins asked whether any of the 2012 changes were based on a benefit-cost analysis, and Ryan reported that ICC simply indicates that a change will or will not increase costs, and that the majority of the 2012 changes are expected to increase costs. He mentioned that the National Assoc. of Homebuilders (NAHB) reported that they asked DOE to provide cost-benefit data, but never received this information; Ryan said he wasn't able to find any such analysis published by DOE, although DOE said they'd provided the requested information to the NAHB.

Glen Wiltse noted that getting IECC 2009 adopted in Sedgwick County will be a hard sell, due to the costs, and that there's a perception that conserving energy just leads to utilities increasing their rates. Bob Fairbanks said that although Hutchinson doesn't require plans for single-family dwellings, he thinks homebuilders are generally doing a good job with energy efficiency, though they may not be aware of new energy code provisions. Chris Wilson mentioned that she'd participated in some recent meetings with the City of Topeka, regarding the 2009 codes, and they too are concerned about the expected cost increases.

There was a general discussion about homebuilders who are using energy efficiency to market their homes: Ryan noted this was successful strategy in his area, while Chris Wilson said Topeka area homebuilders were having trouble selling homes that met 2009 codes.

Updates from staff

Liz Brosius updated the Working Group on some of staff's activities in recent months:

- Following discussions with key legislators, the Working Group decided not to introduce amendments to KSA 66-1227 and KSA 66-1228 during the 2011 session; this decision was approved during a conference call on November 1, 2010.
- KCC staff provided testimony on all of its ARRA-funded programs, including the building energy codes initiatives, to the Joint Committee on Energy and Environmental Policy, November 9, 2010 (copy of the testimony was provided to the members).
- Energy codes survey of cities and counties is nearly completed; a final draft will be circulated for review and a final draft is expected to be completed before the end of the year.

Brosius walked through a preliminary ("straw man") plan for achieving the Working Group's goals by 2017, in which staff would develop partnerships/coalitions in different regions to develop and implement appropriate strategies in 57 target cities and counties (two handouts: plan and timeline). The regions are defined as (1) Northeast Kansas: Lawrence, Topeka, Manhattan, and Mid America Regional Council (MARC) cities and counties; (2) South-central Kansas: Regional Economic Area Partnership (REAP) cities and counties; and (3) Statewide: all other Cities of the 1st Class, plus other interested cities and counties. Staff will work with key partners in each region to develop regional advisory groups: MARC and Johnson County Contractor Licensing in NE Kansas, REAP and Wichita Area Homebuilders Association in South-central Kansas, and the League of Kansas Municipalities (LKM) for the Statewide region.

Brosius introduced the idea of developing some kind of certification program that would be equivalent to IECC 2009, as an alternative approach in jurisdictions that are unable to get target codes adopted. Ryan said self-certification may not do a whole lot, but a third-party certification could be an option. Wiltse noted that Sedgwick County allows third-party inspections for some things, but thought certifying 2009 energy codes would require verification by the jurisdiction. Fairbanks also expressed some reservations about third-party inspections. Wilson said she thought builders would like the certification option and mentioned that NAHB had developed their own green building certification (nahbgreen.org). Ryan noted the importance of design and design review for energy systems and asked Trudy Aron for the architect community's perspective. Aron said that most architects fall back on State's applicable standard in the absence of local code; she didn't think most architects would endorse a requirement

to have an architect for every single-family dwelling and noted that that would be a costly requirement. The general consensus was that certification could be a workable approach for some jurisdictions and would require cooperation between building industry and codes officials.

Harkins referred to the data collection and monitoring part of the plan and asked the group how difficult it was to get updated data on permits that have been issued for both new and renovated structures. Several codes officials explained that these data are compiled by jurisdictions on a monthly basis and submitted to several entities for compilation. These data should be easy for staff to access.

Harkins also asked if the Working Group had any objection to the formation of additional regional coalitions that would assist staff in developing and implementing regional strategies. Members supported the idea and suggested that staff reach out to builders, designers, codes officials, and elected officials. Ryan noted that the importance of having consistent codes in jurisdictions in the Kansas City area and other metro areas; the goal is good, strong codes that can be enforced.

Ryan encouraged staff to consider having a presence at various trade show, association meetings to raise awareness about energy codes. Greg Talkin from Heart of America Chapter, ICC, was in the audience and said he'd follow up with Brosius about an educational presentation at their April meeting. Fairbanks mentioned the Hutchinson Area Homebuilders spring expo.

Member updates, feedback

Ryan invited Neal Ezell, Lawrence homebuilder, to talk to the group about his energy efficient homes. Ezell, who is also a member of the Lawrence Building Code Board of Appeals advisory group, reported that he built 6 spec homes (approximately 2,500 square feet; under \$300,000 price range) last year, all of which sold quickly (5 sold before being completed) and were built to EnergyStar specifications (HERS score of 50-54). He estimated that his energy efficient homes cost \$7,000 more than similar, less-efficient homes and owners will save about \$1,100 annually on their energy costs. He offers a 2-year warranty on their energy costs as a marketing tool.

Harkins mentioned that staff had first developed an interest in a certification program, following discussions with Ezell about his experiences in Lawrence.

Ryan asked members for updates, news from their associations. Aron reported that AIA had recently held an ADA seminar and noted that the 2012 code had many new accessibility provisions, noting that there will be a learning curve for designers, builders, and enforcement community for all aspects of the new codes. Dorothy Barnett mentioned that the Climate and Energy Project was implementing a new Take Charge

Challenge in 16 cities across Kansas, in partnership with the Kansas Energy Office. Fairbanks said he appreciated being invited to serve on the Working Group and found this first meeting very informative. Sandy Jacquot mentioned that she and Don Moler had met with Harkins and Brosius and were pleased to continue to collaborate and assist in outreach to their members regarding energy codes. Tina Rakes noted that she was working through the Heart of America chapter to find ways to assist codes officials from smaller jurisdictions attend association meetings and also to find ways to help codes officials navigate the energy codes requirements, which are very new to many of them. Jacquot noted the different culture and focus in many of the smaller communities. Wilson thanked the Working Group, staff for the recognition of the challenges facing the building community with respect to codes. Wilste said he was glad to be participating with the Working Group and raised a concern that the State's energy efficiency programs may generate lower-quality work that is not code-compliant.

Ryan asked whether there was additional federal funding for training? Rakes said she would follow up on this and report back. Roger Kroh, also in attendance, mentioned that MARC had received DOE funds to offer trainings.

Additional business, direction to staff

Brosius asked Working Group if they wanted staff to coordinate an objective cost-benefit analysis. Following a brief discussion, the Working Group directed staff to begin to take steps to get this done.

Other venues and groups were suggested for ongoing outreach: Wichita home show (Sedgwick County will have a booth); a similar event in Kansas City, Kansas; Wichita Energy Summit in January; Kansas City Institute for Construction Excellence; and the Building Owners and Managers Association (BOMA).

Meeting adjourned.