



April 2, 2025 at 1:00pm

City Center - 3rd Floor Conference Room

601 Caroline Street, Fredericksburg, VA 22401

Meeting Minutes

Board Members Present: John Mersiovsky, Patrick Farrell, Melissa Colombo, Alan Merryman, and Chris Huie

Introduction: Chief Building Official Schaffer made opening statements to explain the expectation of the board to meet annually within the first quarter of the year. He introduced Mrs. Caren Onks as the newly appointed Secretary for both the LBBCA/LBFPCA board. In the absence of the previous Chairman, Chief Building Official Schaffer then turned the meeting over to the board secretary.

Call to Order: Secretary Onks called the meeting to order at 1:00pm.

Role Call: The following board members were present: John Mersiovsky, Patrick Farrell, Melissa Colombo, Alan Merryman, and Chris Huie. No board members were absent.

Others Present: Caren Onks, Board Secretary; John Schaffer, Chief Building Official; Logan Stanley, Deputy Fire Marshal; Jeff Bragg, Deputy Building Official & Construction Plans Reviewer; and Alan Crisp, Fire Marshal

Approval of Minutes: Secretary Onks addressed the previous meeting's minutes from June 15, 2023. She called for a vote to approve the minutes. Board member Mersiovsky motioned and approval was seconded by board member Farrell.

Election of Officers: Secretary Onks then moved on to the election of a Chairman and Vice-Chairman. She then read the PRESIDING OFFICER section of the Virginia DHCD Local Board of Appeals Manual (2022) to provide a brief overview of the roles and responsibilities of the position. Secretary Onks then opened the floor for nominations for board Chairman. Board member Colombo nominated board member

John Mersiovsky. He accepted the nomination. A call was made for additional nominees. No other members were nominated. A verbal vote was taken by all members and board member Mersiovsky was unanimously elected as Chairman. Secretary Onks then opened the floor for nominations for Vice-Chairman. She explained that the Vice-Chairman would be responsible to act as Chairman in Chairman Mersiovsky's absence. She then again opened the floor for nominations. Board member Merryman nominated board member Chris Huie. He accepted the nomination. No other members were nominated. A verbal vote was then taken by all members and board member Huie was unanimously elected as Vice-Chairman. Secretary Onks then turned the meeting over to newly elected Chairman Mersiovsky.

Approval of LBBCA and LBFPCA Bylaws: Chairman Mersiovsky then moved on to the approval of the bylaws. He asked about there being two different sets of bylaws. Secretary Onks explained that there was one for the Local Board of Building Code Appeals and a separate one for the Local Board of Fire Prevention Code Appeals. Chairman Mersiovsky inquired about the differences between them and Secretary Onks explained that they were almost identical with the exceptions of a few variations in the legal processes for appeals. Secretary Onks explained that these bylaws are new for this year so board members may not have reviewed them previously. Chairman Mersiovsky inquired as to whether or not the bylaws could be amended. Secretary Onks confirmed that they could be amended. Chairman Mersiovsky then suggested a few minutes for board members to read through the LBBCA Bylaws. Board member Colombo pointed out a numbering error for correction. She also suggested the addition of term limits. Chairman Mersiovsky then called for a vote to accept the bylaws with the suggested amendments. Board member Melissa Colombo motioned to accept and board member Chris Huie seconded the motion. It was passed unanimously.

Chairman Mersiovsky then called for a few moments for board members to read through the LBFPCA Bylaws. During this time Chairman Mersiovsky inquired about the Fire Marshals and their role with the board. Explanation was given by Chief Building Official Schaffer that should an appeal ever arise, it would be because someone was in disagreement with a decision made either by Chief Building Official Schaffer, or by one of the Fire Marshals. Because of this, they will always be acting in the capacity of the defense, while the board would make judgement on the case. It was further explained that Secretary Onks would always be the point of contact for everyone, as she is the unbiased party to all involved. Board member Colombo raised a question about the separation of boards. Deputy Fire Marshal Logan Stanley explained that City of Fredericksburg ordinance 10-213A states that "The Building Code Appeals Board shall serve as the Fire Prevention Appeals board." It was further explained that because of the limited number of appeals, the need for separate boards had not been established. Board member Colombo and Chairman Mersiovsky then expressed that they would like City of Fredericksburg ordinance 10-213A to be added into both bylaws. Board member Colombo asked about the policy for electronic voting in the instance that a decision couldn't be made during a regularly scheduled meeting. A brief discussion was had about the possibility of proxy voting outside of a meeting. Chairman Mersiovsky then called for a vote to amend both Bylaws to include the City ordinance, term limit specification, and adjust the numbering. Board member Farrell made the first motion and it was seconded by board member Huie. It was passed unanimously. Secretary Onks said that she would need to look into the code language pertaining to proxy voting further as it was her understanding that proxy voting electronically would still have to be done in a virtual meeting setting and not informally. Chief Building Official Schaffer said that they would need the opportunity to check with the state for clarification.

Open Comments and Questions: Chairman Mersiovsky asked for a brief overview of the last appeal case heard by the board. Chief Building Official Schaffer provided a synopsis of the case and its outcome. He then answered any additional questions that board members had about the specifics of the case.

Chairman Mersiovsky then asked if there were any additional comments or questions. Secretary Onks explained that during Chief Building Official Schaffer's remarks, she had made the requested changes by hand to both the LBBCA Bylaws and the LBFPCA Bylaws. She asked the board to review the changes to both documents and then vote for their adoption. The board members each read through the changes to both documents at which time Chairman Mersiovsky called for a motion to accept the changes and adopt the Bylaws. Board member Farrell motioned and board member Merryman seconded the motion. The vote was carried unanimously.

One last request was made by Chairman Mersiovsky for additional comments or questions. Secretary Onks explained that she would do the meeting minutes and email them to all of the board members as soon as possible. She noted that she would also be sending them a contact sheet for all of the board members and a copy of the revised bylaws. Secretary Onks also reminded everyone that the meeting minutes would be available through FIOA for all meetings. She conveyed that Mr. Luther, the Secretary to the Virginia Technical Review Board, had stressed the importance of board members understanding the definition of Quorum. She further explained that conversations about board business in informal settings or group emails where a majority of the board members were copied, also qualify as meetings and are subject to FOIA. Chief Building Official Schaffer then made remarks about conflict of interest for board members. He explained that any board members that has a conflict of interest with an appeal case should recuse themselves for the duration of that case. He also noted for the board members, the current number of days specified by code that the board would need to meet within for each different appeal type.

Adjournment: Chairman Mersiovsky then called for a motion to adjourn the meeting. The motion was made by board member Farrell and seconded by board member Colombo. The meeting was officially adjourned at 1:58pm.