



TMS 402/602 COMMITTEE

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MAIN COMMITTEE

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SUBCOMMITTEES

CONSTRUCTION
REQUIREMENTS
JONATHON MERK

DESIGN
MARK MCGINLEY

FORM & STYLE
JAMES FARNY

EMPIRICAL
JASON THOMPSON

GENERAL
REQUIREMENTS
CHARLES CLARK

PARTITION & INFILLS
CHARLES TUCKER

PRESTRESSED MASONRY
ARTURO SCHULTZ

REINFORCEMENT &
CONNECTORS
HEATHER SUSTERSIC

SEISMIC & LIMIT
DESIGN
JOHN HOCHWALT

STRUCTURAL MEMBERS
ECE ERDOGMUS

VENEER & GLASS BLOCK
BRIAN TRIMBLE

TMS 402/602 2022 Main Committee Minutes

First Session April 7, 2022

Second Session April 9, 2022

Dallas, Texas

Date Issued: April xx, 2022

SESSION 1 – April 7, 2022

ATTENDANCE

Voting Member Attendance

Voting Member Attendee	Present	Voting Member Attendee	Present
John Chrysler	X	Andres Lepage	
Dave Pierson	X	William McGinley	X
Richard Bennett	X	Darrell McMillian	X
Gerald Dalrymple	X	Jonathon Merk	X
Dan Abrams		Khaled Nahlawi	
David Biggs	X	Jerry Painter	
Charles Clark	X	Jennifer Popehn	
Tom Corcoran		Max Porter	X
Todd Dailey	X	Alan Robinson	X
Jamie Davis		Alireza Sayah	X
Patrick Dillon	X	Art Schultz	X
Mohamed ElGawady		Paul Scott	X
Chulwuma Ekwueme	X	Benson Shing	
Ece Erdogmus	X	Kurt Siggard	X
James Farny	X	Heather Sustersic	X
Ed Freyermuth	X	John Tawresey	
Tom Gangel		Jason Thompson	X
Charles Haynes	X	Brian Trimble	X
John Hochwalt	X	Charles Tucker	X
Ed Huston	X	Scott Walkowicz	X
Keith Itzler	X	Rachel Will	X
Matthew Jackson		David Woodham	
Lane Jobe		John Zarzecki	

Voting Members Present – 31; Voting Members Not Present – 15

Non-Voting Committee Member Attendance

Non-Voting Committee Member Attendance	Present	Non-Voting Committee Member Attendance	Present
Farhad Ahmadi		Philippe Ledent	X
Eric Alford		Kyle Lochonic	
Craig Baltimore		Paulo Lourenco	
Steve Borman		Brad Maurer	
Polihronis Bourdaniotis		Don McMican	
Russ Brown		Mike Merrigan	
Paul Byrd		Michael Miller	
Jerry Carrier		Greg Mowat	
Robert Chamra	X	Monika Nain	
Marcos Corradi		Jason O'Dell	
Carlos Cruz-Noguez		Steven O'Hara	
Paul Curtis		Guilherme Parsekian	
Leroy Danforth		Gary Pasquarell	
Jeremy Douglas		Russ Peterson	X
Anindya Dutta		Tom Petreshock	
Wael El-Dakhakhni		Donato Pompo	
Matthew Farmer		Gary Porter	
Cortney Fried	X	Laura Redmond	
Edward Gerns		Mike Ripley	X
Stephen Getz		Brian Roye	
Asok Ghosh		Sam Rubenzer	
Diane Gould		Luke Scoggins	
Bill Griese		Paul Scott	
Matthew Hamann		Jay Snyder	
Trey Hamilton		David Sommer	X
Ron Hunsicker		Andreas Stavridis	
Keith Itzler		Tina Subasic	X
Cathleen Jacinto		Jennifer Tanner	
Gaur Johnson		Bret Terry	
Steven Judd		Adrienn Tomor	
Anton Kava		Gustavo Tumnialan	
Walter Laska			

TMS Representatives Attendance

Phil Samblanet – Staff
 Noah Buchanan – Staff

Visitors Present

Canan DaVela	Adam Hutchinson	Richard Rydel
Bob Duke	Jeff Pendleton	Adam Hutchinson
Ben Harris	Sunup Matthew	Leslie Seaton
Michael W. Brown	Kenton McBride	

First Session – April 7, 2022

1. Call to Order

The meeting was called to order at 5:05 p.m. central time by Chair Chrysler. There were 31 of 46 Main Committee voting members present at this session.

Self-introductions were made.

2. Business Items

2.1. Antitrust Statement

The Antitrust Statement was distributed to all Committee members with the Agenda prior to the meeting. A motion to waive the reading of the Antitrust Statement was approved by acclamation with no objections or abstentions.

2.2. Attendance Roster

The Main Committee Secretary circulated the meeting attendance roster to record attendance. The Committee Roster was circulated for members to note changes in contact information.

3. Approval of Agenda and Minutes

The proposed Agenda was distributed electronically on April 4, 2022, copy attached.

Chair Chrysler proposed the addition of the following items which were included in the attached revised Agenda presented to the Committee:

- 7.10.4 Ballot Item 20-SM-016 (J Chrysler)
- 7.10.5 Ballot Item 20-SM-190 (J Chrysler)
- 7.10.6 Ballot Item 20-SM-020 (J Chrysler)

Motion to approve the Agenda as amended by Huston with second by Trimble. The Agenda as amended was approved by acclamation with no objections or abstentions.

Minutes of the October 2021 Main Committee meetings were distributed on November 17, 2021 by the Secretary electronically.

Motion to approve the Minutes as distributed by Erdogmus with second by McGinley. The Minutes were approved by acclamation with no objections or abstentions.

As these are the last scheduled in-person meeting of the Main Committee, the minutes from these Main Committee meetings will be distributed electronically and approved by letter ballot.

4. Cycle Calendar/Working Draft

The current working draft is dated April 1, 2022.

Target dates for completion of this Code cycle are:

- Complete responses to Public Comments – Target April 15, 2022
- TAC Review of Public Comments – April 15, 2022 – May 26, 2022
- If TAC Accepts Responses, Post Closure – June 1, 2022
- TMS Board Acceptance – June 2 – July 2, 2022
- Publish TMS 402/602-2022 – August 2022.

Possible Ballot Items:

- No-Protest Editorial – April 15 – May 15, 2022
- Ballot for Technical Corrections Only – April 15 – May 15, 2022

5. Reports

5.1 Membership Report – Dalrymple

The Main Committee is in balance with 46 voting members consisting of 10 Producers, 22 Users, and 14 General Interest classifications.

Agenda item 5.1.2 Disband 2022 Committee when TMS 402/602 Complete was tabled until the April 9, 2022 Main Committee session.

5.2 Staff Report – Samblanet

At the recent ICC hearing, ICC decided that because empirical design was eliminated from the TMS 402/602 documents, the 2022 edition must be reviewed as a new standard instead of an updated standard. The standard must be published and in print by August 2022 to meet ICC's review schedule.

Samblanet requested that the Committee perform a careful review of the current working draft and notify him of needed corrections.

5.3 TMS 402 TAC Liaison Report – Walkowicz

No report.

6. Balloting

The focus of the subcommittee meetings on April 8, 2022 is to address unresolved negatives. All unresolved negatives are listed in the Section 7 of the attached Agenda. Main Ballot 20 has 15 unresolved negative votes and Ballot 21 has 18 unresolved negative votes.

No new business can be balloted.

7. First Session Main Committee Adjournment

The first session was adjourned by the Chair at 6:30 p.m. central time until 8:00 a.m. on April 9, 2022.

SESSION 2 – April 9, 2022

Voting Member Attendance

Voting Member Attendee	Present	Voting Member Attendee	Present
John Chrysler	X	Andres Lepage	X
Dave Pierson	X	William McGinley	X
Richard Bennett	X	Darrell McMillian	X
Gerald Dalrymple	X	Jonathon Merk	X
Dan Abrams		Khaled Nahlawi	
David Biggs	X	Jerry Painter	
Charles Clark	X	Jennifer Popehn	X
Tom Corcoran		Max Porter	X
Todd Dailey	X	Alan Robinson	X
Jamie Davis	X	Alireza Sayah	X
Patrick Dillon	X	Art Schultz	X
Mohamed ElGawady		Paul Scott	X
Chulwuma Ekwueme	X	Benson Shing	
Ece Erdogmus	X	Kurt Siggard	X
James Farny	X	Heather Sustersic	X
Ed Freyermuth	X	John Tawresey	X
Tom Gangel		Jason Thompson	X
Charles Haynes	X	Brian Trimble	X
John Hochwalt	X	Charles Tucker	X
Ed Huston	X	Scott Walkowicz	X
Keith Itzler	X	Rachel Will	
Matthew Jackson		David Woodham	
Lane Jobe		John Zarzecki	

Voting Members Present – 34; Voting Members Not Present – 12

Non-Voting Committee Member Attendance

Non-Voting Committee Member Attendance	Present	Non-Voting Committee Member Attendance	Present
Farhad Ahmadi		Walter Laska	
Eric Alford		Philippe Ledent	X
Craig Baltimore		Kyle Lochonic	
Steve Borman		Paulo Lourenco	
Polihronis Bourdaniotis		Brad Maurer	
Russ Brown		Don McMican	
Paul Byrd		Mike Merrigan	
Jerry Carrier		Michael Miller	
Robert Chamra	X	Greg Mowat	
Marcos Corradi		Monika Nain	
Carlos Cruz-Noguez		Jason O'Dell	
Paul Curtis		Steven O'Hara	
Leroy Danforth		Guilherme Parsekian	
Jeremy Douglas		Gary Pasquarell	
Anindya Dutta		Russ Peterson	X
Wael El-Dakhakhni		Tom Petreshock	
Matthew Farmer		Donato Pompo	
Cortney Fried		Gary Porter	
Edward Gerns		Laura Redmond	X
Stephen Getz		Mike Ripley	X
Asok Ghosh		Brian Roye	
Diane Gould		Sam Rubenzer	
Bill Griese		Luke Scoggins	
Matthew Hamann		Paul Scott	
Trey Hamilton	X	Jay Snyder	
Ron Hunsicker		David Sommer	X
Keith Itzler		Andreas Stavridis	
Cathleen Jacinto		Tina Subasic	X
Gaur Johnson		Jennifer Tanner	
Steven Judd		Bret Terry	
Anton Kava	X	Adrienn Tomor	
		Gustavo Tumnialan	

TMS Representatives Attendance

Phil Samblanet – Staff
 Noah Buchanan – Staff

Visitors Present

Canan DaVela	Adam Hutchinson	Richard Rydel	Rick Crooks
Bob Duke	Jeff Pendleton	Adam Hutchinson	Dawn Rogers
Ben Harris	Sunup Matthew	Leslie Seaton	Nebgja Mojsilouc
Michael W. Brown	Kenton McBride	Tom Elliott	

Second Session – April 9, 2022

1. Call to Order

The meeting was called to order at 8:00 a.m. central time by Chair Chrysler. There were 34 of 46 Main Committee voting members present at this session.

2. Subcommittee Ballot Items with Negative Votes

See the attachments to these Minutes for information presented by the subcommittees during the meeting for details of items brought to Main Committee for action.

2.1 Construction Requirements – Merk

Ballot Item 20-CR-010 (PC182): Subcommittee motion to find Hochwalt's negative persuasive (Subcommittee vote: 8-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 21-CR-001B (PC 049): Subcommittee motion to find Bennett's negative persuasive (Subcommittee vote: 8-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

2.2 Design – McGinley

Ballot Item 20-DE-168 (PC 168): Subcommittee motion to find Robinson's negative persuasive (Subcommittee vote: 15-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

2.3 Empirical – Thompson

The subcommittee had no items to bring to Main.

Thompson commented on the ICC requirement that the 2022 TMS 402/602 documents be reviewed as a new standard because the empirical design section was deleted this cycle. He believes that the TMS 402/602 standards are well positioned to be accepted. Sustersic stated that the TMS Existing Masonry Guidelines Task Group may include empirical design in the future edition of their guidelines so that there will be a reference for its continued availability.

2.4 Form & Style – Farny

The subcommittee completed all its work and did not meet.

2.5 General Requirements – Clark

The subcommittee met with 7 voting members in attendance, 1 corresponding member and 5 guests.

Ballot Item 20-GR-044 (PC 044): Subcommittee motion to find Pierson’s negative persuasive (Subcommittee vote: 7-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 20-GR-096 (PC 096): Subcommittee motion to find Bennett’s negative persuasive (Subcommittee vote: 7-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 20-GR-125 (PC 125): Subcommittee motion to find Tawresey’s negative persuasive (Subcommittee vote: 7-0-0).

Discussion: Tawresey explained the differences between a legislative code and consensus code and the applicability of each.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 21-GR-125 (PC 125): Subcommittee motion to find Robinson’s negative persuasive (Subcommittee vote: 7-0-0).

Discussion: Samblanet indicated that there would still need to be a response to the Public Comment. The Chair indicated that the Public Comment would be carried forward to the next cycle. The subcommittee discussed addressing this item in the Technical Corrections ballot but decided not to pursue that avenue. Several Committee members recommended that additional explanation of this issue discussed in Ballot Item 20-GR-125 (PC 125) be included in the next cycle.

Main Committee Vote: 28-6-0. Motion passes.

Main Committee Response to PC 125: Thompson motion: The subcommittee proposed two separate ballot items with revisions that received persuasive negative votes. The item could not be resolved and will be carried forward for consideration during the next code cycle. Second by Huston.

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 20-GR-130 (PC 130): Subcommittee motion to find Tawresey's negative persuasive (Subcommittee vote: 7-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 20-GR-131 (PC 131): Subcommittee motion to find Hochwalt's negative persuasive (Subcommittee vote: 7-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 20-GR-135 (PC 135): Subcommittee motion to find Hochwalt's negative persuasive (Subcommittee vote: 7-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Ballot Item 21-GR-135 (PC 135): Porter withdrew his negative vote at the Main meeting.

Ballot Item 21-GR-160 (PC 160): Subcommittee motion to find Bennett's negative persuasive (Subcommittee vote: 7-0-0).

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

Discussion of Ballot Items 20-GR-169 (PC 169) and 21-GR-169 (PC 169) were tabled briefly and brought back before the Committee for action.

Ballot Item 20-GR-169 (PC 169): Motion by Clark to find Hochwalt's negative vote persuasive and consider this item during next code cycle. Second by Haynes.

Discussion: There was no discussion.

Main Committee Vote: 30-0-1. Motion passes.

Ballot Item 21-GR-169 (PC 169): Subcommittee motion to find Thompson's negative vote persuasive.

Discussion: There was no discussion.

Main Committee Vote: 31-0-0. Motion passes.

Main Committee Response to PC 169: Motion by Clark for response to the Public Comment: The subcommittee proposed two separate ballot items with revisions that received persuasive negative votes. The item could not be resolved and will be carried forward to the next code cycle. McGinley second.

Discussion: Huston noted that nothing was lost by delaying this issue to the next cycle. Trimble noted that there were other references in the documents for this item and the issue need not be balloted now.

Main Committee Vote: 31-0-0. Motion passes.

Ballot Item 20-GR-200 (PC 200): Subcommittee motion to find Hochwalt's negative vote persuasive.

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes.

2.6 Partitions & Infill – C Tucker

The subcommittee did not meet and had no items to present to the Main Committee for action.

2.7 Prestress – Schultz

The prestress subcommittee had no items to present to the Main Committee for action. The subcommittee will have a couple of items to include in the Technical Corrections ballot.

2.8 Reinforcement and Connectors – H Sustersic

The subcommittee met and 8 of 15 voting members were present.

Ballot items 21-RC-001 and 21-RC-002 (PC 045): Schultz withdrew his negative votes on each ballot item.

Ballot Item 21-RC-002 (PC 045): Subcommittee motion to find Bennett's negative persuasive editorial (Subcommittee vote: 8-0-0). An editorial change request will be issued for this item on the editorial ballot.

Discussion: There was no discussion.

Main Committee Vote: 34-0-0. Motion passes. (Note: Bennett withdrew his negative vote

on April 11, 2022 via e-mail.)

Ballot Item 21-RC-009 (PC 086): Subcommittee motion to find Biggs' negative non-persuasive (Subcommittee vote: 8-0-0).

Discussion: There was discussion centered around the use of mechanical splices could change the "d" distance for mechanically spliced bars. The subcommittee intent was to maintain space around the couplers for grout flow. Biggs felt mechanical couplers did not require encapsulation in grout.

Main Committee Vote: 32-1-0. Motion passes.

2.9 Seismic and Limit Design – Hochwalt

Ballot Item 20-SL-021 (PC 139): After discussion, Biggs withdrew his negative vote at the Main meeting.

The subcommittee will pursue this issue in Biggs' negative comment on the Technical Correction ballot.

Ballot Item 20-SL-023 (PC 147): Subcommittee motion to find Tawresey's negative persuasive (Subcommittee vote: 12-0-0).

Discussion: There was no discussion.

Main Committee Vote: 31-0-0. Motion passes.

Ballot Item 20-SL-024 (PC 137): Subcommittee motion to find McGinley's negative persuasive (Subcommittee vote: 12-0-0).

Discussion: There was no discussion.

Main Committee Vote: 31-0-0. Motion passes.

Ballot Item 21-SL-024 (PC 137): Subcommittee motion to find Sustersic's negative persuasive (Subcommittee vote: 12-0-0).

Discussion: There was no discussion.

Main Committee Vote: 31-0-0. Motion passes.

General Committee Discussion: Ballot Items 21-SL-018.1 (PC 116), 21-SL-018.2 (PC 116), 21-SL-018.3 (PC 116), 21-SL-018.4 (PC 116)

Public Comment PC 116 has been addressed by the Committee. In addition, the subcommittee presented four options through Main Committee ballot items 21-SL-18.1 through 21-SL-18.4 to address the 180 degree hook requirements for horizontal bars in special shear walls. See the attached slides used in the presentation to the Committee for detailed information.

The current working draft language requires that all horizontal reinforcing in special shear walls have 180 degree hooks. The ballot options put before the Committee varied the threshold range at which hooks were required from $V_u/\phi V_{nm} > 0.15$, 0.20, or 0.40 in ballot items 18.1 through 18.3. In ballot item 18.4 the requirement for hooks was deleted.

The subcommittee recommended the provisions in ballot item 18.2 which set the threshold value at $V_u/\phi V_{nm} > 0.20$. A subcommittee motion was put forth for adaptation of Ballot Item 21-SL-018.2 by finding the negative votes non-persuasive.

Much discussion ensued regarding the research reviewed in developing these ballot items. Some research indicated that hooks were beneficial and other research indicated that hooks provided no or marginal increase in performance and ductility. Some members of the committee were of the opinion that the research indicated that the Committee could technically justify acceptance of any one of the provisions put forth in the ballot items. The consensus was that requiring all horizontal reinforcing in special shear walls to be hooked was excessive based on the research available. Others felt that the more conservative approaches as presented in the ballot items were preferable, especially in high seismic zones.

During the discussion Bennett, Robinson, Clark, Huston, and Walkowicz withdrew their negative votes on Ballot Item 21-SL-018.2 (PC 116).

Questions were raised regarding potential changes to R values for special shear walls in ASCE 7. Though changes were possible, some members of the Committee felt that there was sufficient justification to maintain the current R values with the relaxation in hook requirements.

Several straw poll votes were taken on the ballot options presented by the Subcommittee, and it appeared that the Committee's preference was Ballot Item 21-SL-018.3 (PC 116).

Thompson made a motion to table the vote on Ballot Item 21-SL-018.2 (PC 116).

Negative voters Trimble, Clark, Pierson, Scott, Sustersic, and Davis withdrew their negative votes on Ballot Item 21-SL-018.3 (PC 116) at the Main meeting.

Several Committee members felt that the threshold in 21-SL-018.3 (PC 116) was too liberal and should not be adopted. The Subcommittee Chair indicated that the Committee must come to a consensus on this issue otherwise the existing requirement is that all horizontal bars in special shear walls must be hooked which is a situation that the Committee does not seem to feel is necessary.

Bennett called for the question to end the discussion and vote on a motion on Ballot Item 21-SL-018.3 (PC 116) and for discussion to be closed. **Main Committee Vote:** 30-2-0.

Ballot Item 21-SL-018.3 (PC 116): Motion by Thompson to find Abrams, Robinson, Huston, and Jackson negatives non-persuasive. Second by Davis.

Discussion: There was no discussion.

Main Committee Vote: 25-6-1. Motion passes.

Ballot Items 21-SL-018.1 (PC 116), 21-SL-018.2 (PC 116), and 21-SL-018.4 (PC 116): Motion by Bennett to withdraw the ballot items. Second by Pierson.

Discussion: There was no discussion.

Main Committee Vote: 27-3-1. Motion passes.

The subcommittee will have an item for the Technical Correction ballot.

2.10 Structural Members – Erdoganus

Ballot Item 20-SM-078: Subcommittee motion to find Hochwalt persuasive.

Discussion: There was no discussion.

Main Committee Vote: 29-0-0. Motion passes.

Ballot Item 20-SM-111: Hochwalt confirmed that he had withdrawn his negative vote prior to the Main meeting.

Based on comments to Ballot Items 21-SM-111 and 21-SM-026, the subcommittee will submit an editorial change request to Figure CC-5.1.-11. An additional editorial change request will be submitted to address removal of “Reinforced” from Section 5.2.1.6. The Chair polled the Committee, and no objections were put forth to these requests for editorial changes.

Ballot Items 20-SM-016, 20-SM-190, and 20-SM-020: Chair Chrysler included proposed responses to Public Comments for the three ballot items in the Agenda. Motion by Trimble to approve the responses as contained in the Agenda. Second by McGinley.

Discussion: There was no discussion.

Main Committee Vote: 31-0-0. Motion passes.

2.11 Veneer– Trimble

Ballot Item 21-VG-014, 015 (PC 014, 015): Subcommittee motion to find Biggs’ negative unrelated. (Subcommittee vote: 12-1-0).

Discussion: Biggs indicated that the issue was partially addressed in 21-VG-112, 186 (PC 112, 186) where Hochwalt’s negative vote was to be proposed to be found persuasive and indicated that the subcommittee was unable to fully develop a response to the Public Comment. Biggs stated that he continued to believe that the tables in question should not be included in the code. Trimble indicated that the tables were incorporated into the code through past Main Committee ballots and that Ballot Item 21-VG-014, 015 (PC 014, 015) added additional language to the commentary to provide additional background information to the designer. Biggs’ negative opposed the tables which were already approved by the Committee and his comments did not address the added commentary language which was

the subject of the ballot item. Thus, the subcommittee's motion to find Biggs' negative vote unrelated.

Main Committee Vote: 27-1-2. Motion passes.

Ballot Item 21-VG-014, 015 (PC 014, 015): Subcommittee motion to find Gangel's negative unrelated. (Subcommittee vote: 12-1-0).

Discussion: There was no discussion.

Main Committee Vote: 28-1-1. Motion passes.

Ballot Item 21-VG-112, 186 (PC 112, 186): Subcommittee motion to find Hochwalt's negative persuasive (Subcommittee vote: 13-0-0).

Discussion: There was no discussion.

Main Committee Vote: 30-0-0. Motion passes.

Ballot Item 21-VG-129.6 (PC 129): Subcommittee motion to find Thompson's negative persuasive (Subcommittee vote: 13-0-0).

Discussion: There was no discussion.

Main Committee Vote: 28-0-0. Motion passes.

Ballot Item 21-VG-144, 148 (PC 144, 148): Subcommittee motion to find Hochwalt's negative persuasive (Subcommittee vote: 13-0-0).

Discussion: There was no discussion.

Main Committee Vote: 28-0-0. Motion passes.

Ballot Item 21-VG-156, 157 (PC 156, 157): Hochwalt withdrew his negative vote at the Main meeting.

The subcommittee will have some editorial change requests for the editorial ballot.

Ballot Item 19-VG-117: Thompson's negative was found persuasive at the October 2021 Main Committee meeting. The subcommittee inadvertently missed balloting a response to this Public Comment. Chair Chrysler will address a response to the Public Comment.

2.7 Executive Subcommittee:

Ballot Item 21-EX-001: Thompson confirmed that he had withdrawn his negative vote on this ballot item at the Main meeting.

The Chair asked all subcommittees to submit meeting minutes to the Chair, Secretary, and Samblanet for posting as soon as possible.

The Chair asked for a motion to approve the Standard Closure Statement distributed with the Agenda.

Committee Motion: Motion by Tucker for contingent approval of the Standard Closure Statement distributed in the Agenda package for submission upon completion of the Committee work. Second by Schultz.

Discussion: There was no discussion.

Main Committee Vote: 28-0-0. Motion passes.

The Chair asked for a motion to approve disbanding of the Committee upon completion of Committee work.

Committee Motion: Motion by McGinley to disband the Committee contingent upon completion of Committee work. Second by Haynes.

Discussion: There was no discussion.

Main Committee Vote: 28-0-0. Motion passes.

3. Old Business

There was no old business brought before the Committee.

4. New Business

There was no new business brought before the Committee.

5. Incoming TMS 402/602 Committee Chair Introduction

Chair Chrysler introduced Scott Walkowicz the incoming Committee Chair for the 2028 code cycle. Walkowicz has not made committee assignments yet but will have that completed in the next several months and looks forward to working with both continuing and new committee members.

5. Special Presentations

On behalf of the 2022 TMS 402/602 Committee and TMS, Paul Scott presented Chair Chrysler and Secretary Dalrymple custom pen and pencil sets handmade by Phil Samblanet in thanks for their service to the Committee.

6. Adjournment

The meeting was adjourned by the Chair at 11:45 a.m. central time.

Respectfully submitted,



Gerald A. Dalrymple
TMS 402/602 Main Committee Secretary

Attachments:

Main Committee Agenda April 7, 2022 as amended with attachments

Subcommittee Reports presented at Main Committee



TMS Antitrust Statement

The antitrust laws are the rules under which the United States competitive economic system operates. Their primary purpose is to preserve and promote free competition. It is The Masonry Society's policy to strictly comply in all respects with the antitrust laws.

Society meetings, association events and workshops by their very nature bring competitors together. Accordingly, it is absolutely necessary to avoid discussions of legally sensitive topics and especially important to avoid recommendations with respect to these sensitive subjects. Agreements to fix prices, allocate markets or customers, engage in product boycotts and to refuse to deal with third parties are automatically or per se illegal under the antitrust laws. It doesn't matter what the reason for the agreement.

Accordingly, at any Society meeting, discussions of prices, including elements of prices such as allowances and credit terms, quality ratings of suppliers, and discussions which may cause a competitor to cease purchasing from a particular supplier, or selling to a particular customer, must be avoided. Also, there may not be any discussion that might be interpreted as a dividing up of territories or customers.

An antitrust violation does not require proof of a formal agreement. A discussion of a sensitive topic, such as prices, followed by parallel action by those involved in or present at the discussion is enough to show a price fixing conspiracy. As a result, those attending Society-sponsored meetings must remember the importance of avoiding not only unlawful activities, but even the appearance of unlawful activity.

As a practical matter, violations of these rules can have serious consequences for a company and its employees. The Sherman Antitrust Act is both a civil and criminal statute. Violations are felonies punishable by penalties of up to \$10 million for corporations and by imprisonment of up to three years or penalties of up to \$100,000, or both, for individuals. The Justice Department, state attorney general, and any person or company injured by a violation of the antitrust laws may bring civil actions for three times the amount of the damages, plus attorneys' fees and injunctive relief.

Antitrust investigations and litigation are lengthy, complex, disruptive and expensive. Therefore, all companies and their employees must not only comply with the antitrust laws in fact but must conduct themselves in a manner that avoids even the slightest suspicion that the law is being violated. Associations, because they bring competitors together, are natural targets, along with members alleged to have participated with or through the association.

The following is a list of topics that must never be the subject of any type of agreement among competitors, whether explicit or implicit, formal or informal. Such topics should NEVER be discussed at TMS meetings. This list is not exhaustive of prohibited topics or subjects. Please consult legal counsel in the event of any confusion or question over whether a topic is permissible or appropriate for discussion among Society members:

- a. Prices to be charged to clients, customers or by suppliers;
- b. Specific methods by which prices are determined, with directions as to "how to do it" or even less;
- c. Division or allocation of markets or customers;
- d. Coordination of bids or requests for bids;
- e. Terms and conditions of sales, including credit or discount terms;
- f. Terms for distribution of products;
- g. Targets for production of products or the level of production;
- h. Specific profit levels;
- i. Exchange of price information as to specific customers;
- j. A boycott of or a refusal to deal with a customer or supplier;
- k. Compilation of "approved" lists of customers or suppliers.
- l. "Profit" levels...i.e., "here's what our members need to do to make money."
- m. Whether a company's pricing practices are "unethical," "improper," etc.
- n. Coordination of "bids" or "requests for bids" or requests for proposals ("RFPs").
- o. Standards or codes to eliminate competition.

When in doubt about discussing any topic, consult with your own legal counsel, or with the Society's legal counsel, to be sure you are on safe antitrust ground. When unsure, play it safe and avoid the topic.

Conflict of Interest Considerations:

- placing (or the appearance of placing) one's own self-interest or any third-party interest above that of the Society; while the receipt of incidental personal or third-party benefit may necessarily flow from certain Society

activities, such benefit must be merely incidental to the primary benefit to the Society and its purposes;

- abusing their Board membership by improperly using their Board membership or the Society's staff, services, equipment, resources, or property for their personal or third-party gain or pleasure, or representing to third parties that their authority as a Board member extends any further than that which it actually extends;
- engaging in any outside business, professional or other activities that would directly or indirectly materially adversely affect the Society;
- engaging in or facilitate any discriminatory or harassing behavior directed toward Society staff, members, officers, directors, meeting attendees, exhibitors, advertisers, sponsors, suppliers, contractors, or others in the context of activities relating to the Society;
- soliciting or accepting gifts, gratuities, free trips, honoraria, personal property, or any other item of value from any person or entity as a direct or indirect inducement to provide special treatment to such donor with respect to matters pertaining to the Society without fully disclosing such items to the Board of Directors; and
- providing goods or services to the Society as a paid vendor to the Society only after full disclosure to, and advance approval by, the Board, and pursuant to any related procedures adopted by the Board.