

Johnson County Building Officials Association (JOCOBO)

President: Steve Crull- Building Official- City of Mission Hills, scrull@missionhills.gov
Vice President: Ken Hoffman – Plans Examiner – City of Olathe, khoffman@olathe.org
Secretary: Tony Adamson- Building Official- City of Merriam, tadamson@merriam.org
Treasurer: Bill Sandy – Fairway, bsandy@fairwaykansas.org

Meeting Minutes for January 20, 2017

St. Andrews Clubhouse – 11099 W 135th St, Overland Park, KS

Call to Order

The meeting was called to order by President Steve Crull at 12:26 pm. Those present per the sign-in sheet are as follows:

Officers: Steve Crull (City of Mission Hills/ President)
Ken Hoffman (Olathe/VP)
Tony Adamson (Merriam/Secretary)
Bill Sandy (Fairway/Treasurer)

Members: Mitch Dringman (Prairie Village)
Matt Souders (Lenexa)
Michael Flickinger (Gardner)
Eddie McNeil (Westwood)
Travis Torres (Leawood)
Tim Ryan (Overland Park)
Rolland Grigsby (Leawood)
Anoush Fardipour (Johnson County)

Associate Members and Guests: JD Lorenz (Hallmark Building & Supplies)
Andrea Phillips (ASHRAE-KC)
Eirene Knott (BRR Architecture)
Russell Thornburg (Johnson County)
Jasper DieDeriks (M.T.M.A)
George Schluter (HBA)
Jay Woodard (ICC)
Bruce Chyka (PP Homes)
Greg Paulsen (ASHRAE GGAC)

Previous Meeting Minutes

The prior Meeting Minutes were not approved and Ken Hoffman stated that he would have the minutes for October and November ready to be approved at the February meeting.

Treasurer's Report

Bill Sandy gave the Treasurer's report beginning and ending balances and all expenses paid out. Ken Hoffman made the motion to approve the treasurer's report and Michael Flinkinger seconded the motion. The motion was approved by the members.

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Associate Announcements

Steve Crull introduced Anoush as the new Building Official for Johnson County and Michael Flinckinger as the Building Official for the City of Gardner and John Jacobson is the new Building Official for the City of Roeland Park but was unable to attend the meeting.

Bruce Chyka gave a report of the number of HERS rated homes for the 2016 year. Bruce stated that there was over 200,000 homes which were HERS rated. For the State of Kansas for 2015 there were 1199 homes HERS rated and the score was 69 and for 2016 there were 1289 homes HERS rated with no change in the rating index. Bruce went on to say that the report listed the top 6 states in terms of homes receiving a HERS index and the 6 states with the lowest average index. Bruce stated that Kansas was not one of the top 6 but we also were not at the bottom either. He stated that Oklahoma performed over 4,000 and their score was 61 and Missouri only did 600 and their score was 68 and that Nationally the average score was 61. Codes in some areas has driven this analysis and as the newer codes come out they are looking at dropping the numbers into the 50's. Bruce stated that as they come up with newer energy modeling tools that are used that they are starting to give credit for energy efficient appliances that are being used in homes, such as; refrigerators, washing machines, dishwashers can lower the score and typically drops the score a couple of points and the more appliances used could drop the score 3 or 4 points and so this year he thinks that they will see lower scores coming out of the HERS ratings, they have also updated the software to accommodate the usage of water for low flow shower heads, insulated water piping, etc.

Steve Crull asked if there were any other Associate Announcements for anything that was not put on the agenda and there were none.

Old Business

- a) JOCOBO Residential Foundation Guide- Steve stated that at the last meeting there was no decision made. Steve stated that since we getting close to the 2018 building codes the questions is does the group want to wait and move it up to the 2015 or just move it up to the 2018 codes come out and do it at that time. The question was asked if any jurisdiction was going to adopt the 2015 and Steve stated that none that he knew of. Travis asked if the 2018 was even out and the answer was that it was not currently out and would not be until June or July of 2017. Steve stated that the general consensus was to wait and review it once the 2018 codes have come out.
- b) 2012 JOCOBO Deck Guide-Steve stated that there were some changes that needed to be made concerning the language in the guide concerning ledger lock bolts.

New Business

- a) Russell Thornburg-House Flipping—Russell stated that several concerns came in through the phone and that the idea was when a person was flipping a home. Russell stated that he could put it as a contractor buying a house and not living in the house and he is not licensed but is doing the majority of the plumbing, electrical, so on. Russell stated that where he came from there were a certain set of rules and since he is trying to understand what Kansas rules are and how they are looked at. In Minnesota there was a

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rule that if you were a plumber and you wanted to do some plumbing to the house then you were required to live in the house. The same thing would apply if you were an electrician and wanted to do electrical work to a property. Russell stated that he had been receiving calls from investor, agents, development company, etc buying homes. The question that Russell posed to the group was; how many houses can they flip without having a license? The group stated that they could not flip any houses without having the proper licenses and the contractor's whom are licensed doing the work.

Tim stated that in the last year Overland Park has been having issues with companies, investor flipping houses. Tim stated that it has been a mess because they do not get permits and they are tied in with real estate agents. Tim stated that the issue is bad because most do not know what they are doing. Russell stated that he was going to let anyone whom he speaks with to get in touch with the City they are working in to find out what the requirements are for working on their project. Russell stated that he could not remember which City it was but he thinks it was several City's this person was working in and one other items was that he thought they were putting the homes in children's names.

Travis stated that in Leawood the way their statutes are written they have not prevented anyone from pulling a permit if they own the home. Travis stated that sometimes it shows up as an LLC and that they have to go through lengths to show that the person pulling the permit is associated with that LLC but they would inspect it for code compliance just like they would for anyone else. Travis went on to say that there might be a limitation on the number.

Bill Sandy stated that they would allow a person to do the work if they stated that they were planning on living in the property and then 6 months later they are coming in doing the same thing, at that point they would be shut down from doing any work on the property.

Tim asked if anyone had run into a group called The Neighbor Alliance. They are a group that goes in and buys up homes, they are a 501(3c) group that comes in, plays the game with the County on the taxes and liens and they try to come in and pull permits before they have ownership of the property. Tim stated that they have had a few where people have died, there is no mortgage and it is just sitting there and it gets messy really quick. They are not licensed contractor's and they try to do work without having the proper licenses. Tim stated that the real estate agents will tell you that even though they know that the house has been remodeled and the people are house flippers that it is not their responsibility to let anyone know. Tim stated that he was called out to a house where it was remodeled without any permits and the guy was not licensed and he spoke to the real estate agent and asked them why they had not divulged the information that flippers had bought the house and the real estate agent told Tim that it was not their responsibility to divulge that information.

- b) 2018 Code Cycle- Bill Sandy—Steve stated that in the past Overland Park has expressed interest in adopting the 2018 codes and that Fairway was in the same boat as to adopting the 2018 codes. Bill stated that when he first started working for Fairway he tried

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adopting the 2006 codes and that there was push back from the Council several times. Bill stated that Fairway just adopted the 2012 codes in 2014 because that is how long it took them. Bill stated that he wanted to be on top of this when it comes. Steve stated that he just had a discussion with their City Administrator just yesterday about this and she has no problem with staying with the most current code cycle.

Tim stated that Overland Park has started doing work plans to the City Manager and Directors. The first phase is that staff will go through the codes, even though; they are not out yet Overland Park believes they have enough to start the review of the codes and assess the changes to the code. Tim stated that once they have completed their review they will put a report together and put together a task force of stake holders together consisting of, builders, developers, council members, etc. Tim stated that hopefully they can have everything completed and be ready to adopt by January 1, 2018.

Travis stated that he has notified his City Administrator that they are going to evaluate the 2018 codes and hopefully go through the same process they did last time with all the different jurisdictions to make the codes as similar as possible. Travis stated that the process seemed to work fairly well the last time and would like to see it done again with the 2018 codes.

Ken Hoffman agreed with Travis on the process of working together like last time and when they were having the meeting they were trying to coordinate it through Johnson County Contractor Licensing and sent out notices to the contractor's that had the appropriate licenses.

Travis stated that once each Jurisdiction has completed their review that we all get together as a group and talk about the different items as a group and then contacting different contractor's and getting the input.

Russell Thornburg stated that he could tell the group that ICC is going to have the Significant Changes out so that they can be used for training in October and Russell is going to push to have them as a training course for the October conference.

Matt from Lenexa stated that there was movement toward going to the 2018 as soon as they possibly can. Matt asked Tim if they were going to try and do the united front on the codes and Steve stated that there has not been any discussion on it formally yet but that he believes that it is a great idea and Travis stated that he thinks that any jurisdiction that wants to work on it together that they believe that it would work better that way. Travis stated that the only City that was ahead was Overland Park and Kansas City. Matt asked Tim when they were going to be ready and Tim stated that they are hoping to be ready by January 1, 2018. Tim also stated that the way it worked last time is that it is not a bad idea for Overland Park to go first with their adoption of the codes just to see reactions and if there is any push back from the contractors. Tim stated that they were really impressed with the process last time and it was the first time in history where the adoption was on the consent agenda and Tim stated that his boss would like to continue with that process. Matt asked what the name of the group was, and Tim stated that it was the Stake Holders Task Force which consisted of Residential Builders, Commercial

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Builders, Architects, Engineers, Developers and Real Estate individuals and it worked really well. Tim thought that the group that they had worked well together and was on the same page as to the amendments and the compromises being made. Matt asked if they had people for that Task Force group and Tim stated that they have the disciplines but do not have names attached as of yet. Matt asked how does Overland Park go about putting that group together and Tim stated that it was just him and his staff getting together and making recommendations and trying to put people together that actually works in Overland Park. Tim stated that they would probably pull a couple from the code board like the fire protection engineer and an architect from the board, but for the most part Tim will get with his staff and put together some names for the Task Force group.

George Schluter stated that Overland Parks process last time was excellent and really worked well and gave an opportunity for the industry to have input into the process and he would encourage all the jurisdictions to consider following Overland Parks example or that once they get a consensus with the changes and modifications they are making for the other Jurisdictions to follow along because one of the biggest problems that builders have is going from one Jurisdiction to another and finding differences in the codes. George stated that what the builders are looking for is having a consistent code to follow from one Jurisdiction to another.

Steve stated that Michael Flinkinger lead things off with the adoption of the 2012 codes in Roeland Park and he knows that He and Bill relied on what Michael did extensively when they adopted their codes and Steve thinks that we could make the geographic area a little larger. Tim stated that outside of the energy code he does not really see any other section being controversial. Tim stated that he believes that one of the larger items that he sees is the hot dog trucks which have to have sprinklers and be inspected.

Travis stated that the last time was similar to what Overland Park does and a lot of jurisdictions just use what Overland Park has adopted as a blue print, however; there are still going to be some differences in the codes from one jurisdiction to another.

- c) 3rd Party Firestopping Inspections- Eirene Knott mentioned that in the 2012 code there were requirements that were brought into Chapter 17 that requires 3rd party inspection for fire stop penetrations and joint systems for High Rise buildings and buildings in Category 3 or 4 which was not changed in the 2015 or in the 2018 codes. Eirene mentioned that there are provisions in Chapter 17 that allows an inspector to do what is known as destructive testing or they have to witness a certain percentage of the penetrations for the systems being installed, so for instance if a job has 5 penetrations listed then X amount of each penetration would be required to be inspected or the destructive testing would be required to be performed. Eirene stated that many years ago when she worked at Lenexa she had an opportunity to go to 3M and do a hands on workshop getting into fire stopping and wrote an article for Building Safety which gives an overview of why firestopping is important. Eirene stated that through the International Fire Stop Council she has become a 3rd party fire stop inspector and that she just wanted to raise the awareness to all the different Jurisdictions which might not have the manpower to do the fire stopping inspections or how intricate the inspections

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- can be due to the importance of doing them exactly as the UL listing states and part of the inspection is making sure the annual space is correct and the fill material is the correct depth for that penetrating item. Eirene stated that BRR, the company that she works for is starting to provide those services to AHJ's and the importance of providing and maintaining the compartmentation laws, barrier management and if staff is not trained to do the inspections then perhaps the AHJ's need to look at getting it done by 3rd party.
- d) Anoush stated that something just came up concerning Johnson County Parks and Rec going into business of providing rental cabins for the parks, however these structures are called Yurts which is a new avenue they are going to he thinks. This came up in review just 3 days ago and for fire protection and under the Building Codes they would be required to have a sprinkler system based on how the structure is classified. He was asking the group if anyone had had any previous exposure to this type of set up because he did some research and the federal government has some guidelines on this and also the Salvation Army campground and they hired a fire protection engineer, which has a handout, which outlines the height of the building, combustion restraints of the building, maintenance of vegetative growth around the structure, which required them to come up with a comprehensive response which is around 200 pages to be submitted to the jurisdictions for approval or disapproval of the structure. Anoush stated that he has looked at it extensively to meet all sections of the code and the only thing that comes up is providing the fire protection for the structure. Anoush stated that he has not seen any site plans to show how close to the trees they should be because this conversation just came up a couple of days ago, Tim asked if the owner did not want to put sprinklers in the structures and Anoush stated that the owner did not want to install sprinklers and that he is talking with the designers at this time.

- Travis asked if the building was except somehow and how large is the structure which was pointed out that the building was 20x20 and some have 60' diameter. Travis then asked about the occupancy type and Anoush stated that it could be classified as an R-3 for anything which has an occupant load of less than 10 but if you follow the path calls for a sprinkler system under chapter 9, however; the State of Kansas had a moratorium on this but only for single family and 2 family dwellings. Further discussion took place on this subject by other members of the group. Eirene stated that her son was at the Boy Scout Camp near Topeka and they had some of those Yurts and so she could contact them and find out how they handled it. Anoush stated that the intend of the design is for living and human occupancy and sleeping. Tim stated that if you go back to the IRC and IBC has the philosophy that anything that has residential associated with it has to have a suppression system in it and the only exemption that you get from Kansas and any of the other 34 states is that you cannot demand that a suppression system be installed in a single-family home, which this does not comply with.
- e) George asked if anyone has had any requests for permits for what is known as "Tiny Houses" and Anoush stated that he has been consulting with a designer for the past 6 months and to him they seem okay but he is waiting on what they submit. Anoush said that they were wanting to use the containers as housing because of the Intermodel and there are millions of those containers just sitting out. Travis asked if there was an Appendix for "Tiny Homes" in the 2018 and George stated that there was an appendix which deals with "Tiny Homes" which deals with square footage but not some of the

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- other items such as ceiling heights and room sizes and that some are on wheels, so how are they classified as trailer or RV.
- f) Ken Hoffman asked if there were any jurisdictions which had requirements/policy for elevators maintenance/permits. Tim stated that Overland Park had a full program until 2010 when they had lay-offs and they got rid of the program, however, Overland Park still requires that the business owner are required to hire an outside company to do the inspections of public elevators. Tim stated that this included elevators, lifts and escalators and they have to be QEI certified. Tim asked Ken if they were planning on implementing a program and Ken stated that it had already been implemented before Mark was hired. Ken stated that John Kelly had it in there along with a fee increase which was approved by council almost a year ago, while he was still with Olathe.
 - g) Tim stated that there will not be any code hearings this year it is all training and ICC has partnered with BPI, with the University of Arlington in Texas in May and it will all be training.

Set Date for Next Meeting: Meeting to be held at St. Andrew's Golf Club, 11099 W. 135th St., Overland Park, Ks, on February 17, 2017 at 12:00PM.

Adjournment

The meeting was adjourned around 1:26 pm. The motion was made by Tim Ryan and seconded by Bill Sandy, all members were in favor.

Minutes recorded by Tony Adamson