

Johnson County Building Officials Association (JOCOBO)

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

Meeting Minutes for June 16, 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 12:35 pm. Those present per the sign-in sheet are as follows:

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

Members: Mike Flickinger (Gardner)
Mitch Dringman (Prairie Village)
Mark Wassom (Olathe)
Matt Souders (Lenexa)
Bill Sandy (Fairway)
Steve Crull (Mission Hills)
Tony Adamson (Merriam)
Travis Torrez (Leawood)
Tyler Wirth (Shawnee)

Associate Members and Guests: Rolland Grigsby (Leawood)
Sean Reid (Douglas County)
Bruce Chyka (PPHKC)
Jashua Clark (KC-HBA)
Jay Mahaney (Olathe)
Jasper Diederiks (Heartland)
George Schluter (KC-HBA)
Greg Paulson (ASHRAE-KC Chapter)
J.D Lorenz (Hallmark Building Services)
Aaron Wingert (LP Building Products)
Chad Komnick (Miteck USA)

Previous Meeting Minutes

The prior Meeting Minutes from June were considered and Steve Crull asked if there was a motion to approve the minutes. Bill Sandy made the motion to approve and Mark Wassom seconded the motion. The motion was approved by the members.

Johnson County Building Officials Association (JOCOBO)

Treasurer's Report

Bill Sandy gave the Treasurer's report beginning and ending balances and all payments made to date. A motion was made by Tony Adamson and Travis Torres seconded to approve the treasurer's report. The motion was approved by the members.

Steve Crull stated that Ken Hoffman has resigned as Vice President due to him taking a position with Baldwin City Kansas as Codes Administrator which is in Douglas County. Steve stated that according to the bylaws the Secretary is to move up to the VP's position and the Treasurer is to move up the Secretary's position, if they so choose, Bill decided to remain as Treasurer and so Steve asked the members if anyone wanted to be Secretary. There was no one that volunteered so for the time Tony Adamson is going to fill the position as Secretary and VP. It will be taking up again at the next meeting.

Associate Announcements

1. LP Panel Siding-Aaron Wingert Regional Representative for LP.

Steve introduced Aaron Winger who is the Regional Rep for Louisiana Pacific. Aaron said that he appreciated the members allowing him to speak at the meeting. Aaron stated that he is trying to take a proactive stance on something that has him concerned and LP makes all the smart siding in the metro area. Aaron stated that he traveled around the countryside for a decade or so and when he saw LP panel siding he did not know that there were option to the paneling thicknesses and one of his concerns is that of an option that they have called the 38 series which is a 3/8 inch thick siding which comes in the same sheet form. The average lumber dealer carries 76 series which meets code for wind bracing, however; the 38 series does not meet wind bracing requirements and there are some big box stores pushing this out directly to builders and most builders do not buy their lumber from a big box store but this material is being sold full unit quantity and cheaper than the 76 series. Aaron is trying to make the builders aware whether they are using that panel or not and as a manufacturer that want to make sure that what is getting put with their name on it is being used as it was intended to be used. This paneling is intended to go straight to studs and the 38 series is great if you are putting it on your shed or an unbraced wall line. Aaron stated that he wants everyone to know that he is putting himself out as a resource to call and speak with him and the building officials should be careful of the materials being used and to put a tape measure on the bottom edge of the outside paneling to see what thickness the panel is on the house. Jasper stated that he ran into this last week in Lawrence KS and they said that they are having to keep it know because of the box stores and the builders are asking for it and using the material on houses. Aaron stated that they are not wanting to see it be used and that McCray Lumber brought it to Aaron's attention and in KC they are not taking a stocking position on it and they are losing that segment of the lumber package and if the box stores wants to play the price game then play it using the 7/16-inch material not the 3/8-inch material. George asked Aaron what did LP make this siding for and Aaron stated that the single wall construction is a little unique to this area so LP lands a lot of panel here and the 38 series can go straight to studs but a lot of the country uses it but it goes over at least 3/8 inch rated sheeting and the 38 series is the biggest mover in LP inventory for Lowes and LP is a big company and Aaron does not control what goes in and out of the box stores, he only deals with

Johnson County Building Officials Association (JOCOBO)

the lumber dealers. George asked Aaron to type up a small article on what is going on and send it to the HBA and they will get it out to the builders. There was nothing else discussed on this topic.

2. Ventilation Rates, Software changes- Bruce Chyka talked about the HERS rating stated that both ASHRAE standards 6022-2010 and 6022-2013 which is the latest edition calculate the amount of ventilation air that is required for home under new construction. Bruce stated that in the documentation which he handed out that in the highlighted areas it has taken a significant jump from the 2010 to the 2013 and he has been told by RESNET to use the 2013 number in their reporting and anything forward and he does not think that 2012 code is based on the 2010 code. Bruce stated that the decision is because he is getting calls from builders saying that to go from a 80 cfm fan to a 134 cfm fan is going to cost them a jump in price and he is telling the builder that he has to go with the higher number but based on the 2012 that it still could be a viable option. What Bruce is asking the members is do they want to keep on the 2012 or are we looking to adopt the 6022-2013 when it comes out in 2018.

Travis asked Bruce if they were requiring the builder to install the ERV (Energy Recovery Ventilator) and Bruce stated that yes, when it is below 3 air changes per hour. Travis asked what if it is between 3 and 5 air changes per hour and Bruce stated that no he is not, only when it is below 3 air changes. Steve stated that most of the jurisdictions will more than likely be looking at adopting the 2018 codes within the next 12 to 18 months and so at that time thing may change.

George stated that this is his philosophical problem with us using an outside 3rd party that changes their own standards without clearing it through ICC and the Model code process and HERS has done this in other areas and if we are going to rely upon a 3rd party then we need to make sure that they are certified to what our standards are the same way that we require professional engineers to seal a set of plans and RESNET has not been doing that. Matt stated that he thought that the 2015 and later codes recognized RESNET and others in the group stated that this is true, they do recognize the standard. George stated that they are recognized as a single source which sets their own standards without going through any professional review body. Bruce stated that they are not an ASHRAE standard but an ANSI standard. Travis stated that this would match the code for what the codes says because we were not aware that all HERS raters were enforcing the 3 air changes because they normally report it when it is less than 5. George stated that the 2012 National Standards is 3 air changes per hour, however most of the jurisdictions in this area amended it from 3 to 5 air changes. Bruce stated that he is not making the builder provide make up air when it is under 5 but that he is when it is under 3. Travis stated that the National Standard is 5 and it was amended for 3. Bruce stated that the is looking at anything that is under 3 and that he is just wanting to clarify with the group that they are allowing the builder to do the 2010 and not 2013 even though they are being instructed to follow the 2013 standards.

Bruce stated that his company is moving to a different software vender for the ERI calculations and the reports are going to look different but the data is the same and will be full blown in September and instead of the energy code report they will be providing a building profile which lists all the components of the home such as U value of windows, insulations factors, and all that other stuff so Bruce stated that if anyone has any questions

Johnson County Building Officials Association (JOCOBO)

about the new data being presented to call him and he will walk us through the report and he hopes it does not change the scores for the homes being tested.

3. Trusses follow up-Jasper. Jasper stated that he had brought Chad Komnick from Mitek Industries and he is the Senior Designer/Engineer of this area and following up on the what other areas, jurisdictions and other cities and what happens with deferrals and submittals and in Texas Mitek could only identify 3 cities which required a residential diagram to be stamped and in Oklahoma and a lot of Texas do not even require seals and it very from State to State and City to City and Jasper stated that he has yet to find many cities which does not except a referral for Trusses design. Jasper stated that is not common just to give a deferral but that they have to apply for it which they do but there are very few which will not give a deferral. Jasper stated that the Truss Industry as a whole understands that for most houses, engineered drawings are required to be submitted but in order for the process to happen they have to come from the architect and pre designed by someone, engineer of record, architect, etc. So when they get ahold of it, they do not have the job and they have to put an engineer on it to design the trusses and it cost Jasper money and Mitek charges him for the seals and he does not even have the job yet, so he has to ask for a deferral and then what he does is he submits a preliminary drawing and stamps it as such for that particular house but in every case that they have done this they have had the as-builts delivered to the builder and the engineer of record before they have even delivered the trusses. Jasper asked all the members if they had come up with anything that would make it easier for the developers, builders and framers so that trusses can be utilized on more projects?

Sean Reid stated that Douglas County is not City but is a Jurisdiction and they routinely acknowledge and place a condition of issuance the deferred documents for trusses. They have a space in their permitting software which indicates deferrals of documents and builders do not have to ask for it and builders do not have to ask for it and if Sean or Tina is doing reviews they observe those trusses and check the box and they require the truss design have the seal of a licensed Kansas Architect or Engineer but they do not require the layout documents have the seal and they put that as a condition and for the documents to be submitted and approved before a rough in inspection is requested and it seems to work really well. Mitch stated that he does basically the same thing that Sean described but that he requests that the engineer of record see and stamp or write a letter to say that they have reviewed and approved the truss designs. Sean stated that this is a good idea but in his jurisdiction but about 60 percent of houses do not require engineering because they follow the prescriptive requirements of the IRC.

Steve stated that in the time that he has been in Mission Hills he has only had about 3 houses which have used truss design and one of the things that he wonders about is that he sees a lot of architectural sealed plans and none of them are using trusses so he is not sure that it all lays on the jurisdictions and Jasper stated to him that the City is making it tough to use trusses. Steve stated that he had thought about asking some of his architects why they do not use trusses but that he just has not had the time to follow up on it but that he plans to do so. Chad Komnick stated that one of the things that can be proposed to the architect is that sustainability and environmental greenness/ green building is huge these days and trusses are about as green as you can get, you use less lumber and the plates are 98 percent recycled steel and it is something that people are looking for these days. George stated that

Johnson County Building Officials Association (JOCOBO)

in the years that he has been doing this he has never had a customer ask him what kind of roof he is putting on the house. Jasper stated that he suggests that the designer put a note on the truss package which says that these need to be given to the AHJ in a timely manner for their review and approval.

Sean asked if the final sealed set of drawings is produced contemporaneous to the production of the trusses so by the time the truss is dropped on the job site the signed sealed set is there because they do a lot less business than Olathe and it is easy for Sean's staff to know when the truss set comes in the front desk staff talks to the builders all the time and if someone calls in for a framing inspection they look at the software to see if the truss designs have been submitted and let them know if they have not been received but if the builders or framers could learn that when they first get that sealed set of truss documents and deliver it to the jurisdiction, this way it give them time to get it reviewed. Jasper stated that they get a 2 to 3 week window to deliver the documents and have them reviewed and approved by the AHJ. Jasper stated that on the inspection of buildings the structural building components which is the protective body does have a program for building inspector so any city that needs a class on that they will send their engineers down and have them do it for you and there are certain points like on girders that he will find and he will go back and there is a truss broken and it has been inspected and it is not noticed so there are some areas which even the building inspector do not quite see and nailing patterns which are missed and there is a program which is freely available and they will send their own people to come and do it.

Jasper stated that he thinks most of the questions were answered concerning trusses being used in the different jurisdictions and if there is any negative feedback on trusses to call him and let him know. No other comments were discussed concerning this issue.

Old Business

There was not old business to discuss

New Business

1. 2017 OSFM proposed regulations-Travis. Travis stated that Leawood's Fire Department is concerned with the State Fire Marshals amendments to the updated 2012 codes and also changing some of their administrative stuff to match up with the way they are enforcing things, which is what we all do when we adopt new codes. Travis stated that Tim sent out and email to all members and associates and he did not know if anyone had had a chance to review it or have their legal team review the information and he requesting the existing code from the State Fire Marshal's office and he did print it off which it is a lot smaller than what they are adopting, which is like 36 pages and current is like 3 pages. Travis stated that what was interesting is that 22-1-1 which is not part of their amendments interests and they are not proposing to amend this section, however if any jurisdiction adopts the fire code and there are any amendments to sections of the fire code, fire sprinkler requirements or anything else dealing with the fire code those changes are to be sent to the State Fire Marshal's office and this is already on the books. Travis asked if anyone else had concerns

Johnson County Building Officials Association (JOCOBO)

or has reviewed the documents. Sean Reid stated that he did not get the information until late in the afternoon and spent most of the time after Steve sent out the packet information reviewing the minutes from the last meeting and asked what concerns have Leawood's legal team brought up. Travis stated that the State is starting to inch their authority out into our realm and removing the authority having jurisdiction. Travis stated that he did not think that it would mean for them to have some authority or home rule for each jurisdiction. Tony Adamson stated that in section 22-1-1 it states that the modifications shall be reviewed and either approved or rejected by the State Fire marshal. Travis stated that maybe they already have authority over our codes and he just did not realize it. Matt asked Travis what does Leawood's Fire Chief say about this and Travis stated that he just sent this information out just before he came to the meeting but they are concerned with the group homes and it has been amended to say that group homes do not have to be sprinklered which again per their enforcement if he was the State Fire Marshal and he was updating the codes he would want to amend it out of the code because you are not specifically enforcing that item but does this prevent local jurisdictions from enforcing it as well. Travis stated that he has read through the information a couple of times now and now has found the new information and Leawood seems concerned and Tim Ryan with Overland Park seems concerned and is not sure if there is going to be a group that shows up in August when there is a hearing. Matt asked how brought it to Travis's attention and Travis stated that Tim originally sent it out but that their Fire Department has been asking about it once a week. Travis stated that he did have Leawood's City Attorney look at it once this week and she seems to think like Overland Park that they are extending their authority a little bit. Mark Wassom stated that he planned on attending the hearing and coming from the Fire Marshal's Association meeting earlier this week the believes their big concern is the sprinkler requirements and they had someone from the State at the meeting and they tried to say that it has been and always will be that the local jurisdiction can enforce their own codes and that every time they do they end up getting sued and it does not end up getting implemented anyway.

Sean Reid stated that there has been some discussion at the HOA about sending representation to the hearing and discuss of what is out there. Travis stated that his initial take was that this was their updates from the 2006 to the 2012 and cleaning up some of their administrative stuff to make it line up with their enforcement. Mark Wassom stated that some of the things that they are looking at is the 6-person exemption and the 3-minute fire drill and it is all out there and they are trying to firm it up rather than moving away from it. Travis stated that if you were moving to the 2012 codes and you are not going to request sprinklers in group homes he thinks they would be smart to amend it out of the code and to make it clearer in your codes.

Steve Crull asked Travis if Leawood's legal department have said anything about this he said that they have but he did not feel like he got a lot of clarity out of the discussion. Steve asked Mark Wassom if he knew when the hearings were and Mark said that he thinks they are on August 15, 2017 in Topeka. Mark stated that the meeting was at 10am. Mitch stated that he has had 3 inquiries concerning group homes. Mark stated that they have found 3 homes which have occupied without a permit or any inspections and the whole thing came out with the near death fire in Overland Park and the State fined them and then Mark discovered that they had 3 more in Olathe that he did not know about.

Johnson County Building Officials Association (JOCOBO)

Mark stated that the hearing was August 15, 2017 at 10am at the Kansas State Board of Healing Arts which is 800 SW. Jackson lower level Suite A in Topeka Kansas.

2. Kansas Roofers Registration number-Tony Adamson stated that Merriam had received a letter recently directing the City to put the Kansas Registration number on the permit whenever a roof permit is issued. Sean stated that if you look at what constitutes a roof, if you put sheathing on a roof then you are a roofer so framers putting roof sheathing on a building would be classified as a roofer it went as far as saying that if you put a boot cap on the roof then you could be classified as a roofer. Steve Crull stated that this is something that has always been on there applications and it was probably there when Erin was there as well the only question that they have is the placard that they have does not have a place for it but they do not view that as the permit but as the permit card. Steve stated that Jim Sherman sent something out on this issue 2 or 3 months ago and it has become something with that State and if you recently suffered a hail storm and you have an influx of roofers and assist the City with making sure that all the roofers are registered. Sean stated that they will send people out in the field and the General, as he is technically referred actually has gone out and conducted enforcement.

Matt stated that the State called them about it last week and he had an opinion from his legal department which he could not find in writing but there is something in that act which says this act shall not be deemed to conflict with or affect the authority of any state or local agency or commission who's duty or authority is to administer or enforce their ordinances. So if someone comes in and applies for a roofing permit and they do not have the State registrations number on their then this tells him that he can still issue a permit because it is not supposed to affect Lenexa's authority. Matt asked if other jurisdictions would issue a permit without the State Registration number and Steve stated that Mission Hills would not because they have always required the number to be presented at the time the permit is filled out. Mark asked how many of the jurisdictions require permits for reroofing and everyone stated that they do require permits to be issued for new roof installations. Sean Reid stated that Douglas County sort of does it like Olathe where they will not issue permits, do any inspections but they have not removed it from the language of the code.

3. New KDOL pool regulations-Mitch Dringman

Mitch asked how many jurisdictions are dealing with the pool inspections regulations. Tony Adamson stated that Merriam hired someone out of Oklahoma to come in and do the inspection for the Municipal pool slide. Mitch stated that if there is a slide and it is over 15' measured from the pool flood level rim to the portion of the slide where you step into it and it exceeds 15' then an inspection and certification of the equipment is required annually. Mitch stated that if you have spent the amount of time that he has reading through the documents to become a qualified inspector which is governed by the National Associations of Amusement Rides Safety Official (NAARSO) and are required to be a level one inspector and he was unsure as to how much they charged, whether it was a \$400 fee or \$2500 to come out and do a group thing. Matt asked why is this coming to the building codes? Mitch stated that he was bringing it to the members because his boss came to him because on July 1 the pool needed to be inspected or it could not be opened so they came to Mitch and wanted to know if he was certified to inspect the pool slide for Prairie Village and that is one

Johnson County Building Officials Association (JOCOBO)

certification that he does not have. Mitch stated that this all came about because of the death of the child on the Schlitterbahn water slide. Mark stated that they could say that they are not inspecting it because it is the States program so they need to inspect them and Mitch stated that it is a requirement that all pool slides over 15' in height be inspected, certified and approved annually to show that they are suitable for use for that season. Matt stated that an Occupancy permit should not be issued on any new slides until it has been confirmed that this inspection has been completed by a certified NAARSO inspector. Mitch stated that since this law was passed 2 to 3 weeks before July 1, 2017 and the original wording was that they were going postpone the new regulations until 2018, which did not happen and they did hear back from their City Attorney that there is an obscure rule in the Kansas State Legislature that they cannot be sued or found liable by anyone that gets injured on public grounds but the State is still requesting the slides be inspected.

4. August Meeting- Steve stated that the next meeting which is August 18, 2017 will be held at Lenexa City Hall for Dave Utterback's retirement party and the address is 17101 W. 87th St. Parkway, Lenexa KS 66219. Steve asked Matt if he had anything to add and Matt stated that he wanted to thank JOCOBO for stepping up and buying Jack Stack for Dave.

Steve asked if anyone else had anything else that they wanted to talk about before the meeting was adjourned. Mark Wassom introduced Jay Mahaney as a new addition to their department for the City of Olathe. Jay stated that he was currently an architect and practiced in the private sector for over 20 years and in the last 5 years he served as the chief architect for the Missouri Housing Development Commission. Matt stated that it was nice to have an architect in the building codes and Jay stated that he did not like the division between the design trade and the building people and he has found that most people do not care much for the interaction of the architects and he does not believe that it is conducive to the whole process. Matt stated that he believes that it is good to have a broad spectrum of people contributing to what we do.

Set Date for Next Meeting: Meeting to be held at Lenexa City Hall 17101 W. 87th St Parkway, Lenexa KS. 66219 on August 18, 2017 at 12pm at the Southwest corner of east bound 87th St Parkway and Penrose Lane.

Adjournment

The meeting was adjourned around 1:48 pm. The motion was made by Mark Wassom and seconded by Bill Sandy, all members were in favor.

Minutes recorded by Tony Adamson