

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 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 12:34 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: Mike Flickinger (Gardner)
Tim Ryan (Overland Park)
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)
Russell Thornburg (Johnson County)
Jasper Diederiks (Heartland)
John Hogan (Vivco Components)
Greg Paulson (ASHRAE-KC Chapter)
Jay Woodward (ICC)
Christy Martin (Concrete Promotional Group)
J.D Lorenz (Hallmark Building Services)

Previous Meeting Minutes

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

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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 Mark Wassom seconded to approve the treasurer's report. The motion was approved by the members.

Associate Announcements

Trusses- Jasper Diederiks introduced John Hogan as one of the founding members to the truss association and has been working with him with various organization. Jasper stated that one of the reasons they wanted to come and talk with JOCOBO is that the truss companies and some of the builders and developers are really concerned because they do so much stick framing in this area and some of the reports coming back to them is that it is difficult to use trusses so his agenda is to see how to make it easier and get direction as to what they need to do to make it easier to use trusses. They have MiTek industries and ITW which write their programs for them and they have become very innovative and incorporate all codes. Jasper stated that they give their salesmen and their customers have a program called The Sapphire and some of the Cities are interested in using it right now. This software allows you to download the whole building with the trusses and layout where you can walk into a building, you can rotate it, zoom in on it, look at connections and it is free and available for any City which would like to use it. John Hogan stated that Eagle has a cloud based system as long as you have the pin number they can send it to you in an email and you can look at any particular job and look at it in 3D.

Jasper stated that they lost a person from their chapter and in a letter to Jasper he stated that it was just hard to build using trusses in Kansas and as the President of this Chapter and the Truss Association he has to take note to what the people are saying, the manufacturers, the builders and everyone is saying that it is difficult to use trusses and what are we doing wrong and this is what they want to ask the Cities, what can they do different, maybe make some changes in the submittals to make it easier to use trusses. Jasper stated that they estimate that between 65 and 70 percent of the houses in the greater Kansas area are stick framed versus trusses for roof construction.

Mitch Dringman asked if the issues were coming from the Municipalities during plan review or from the field application of the people using them. Jasper stated that the field application of trusses they are not having any issues because they send out all the documentation before the rough inspection there is a set of as-built drawings to the site. So the documents that the Building Official will get on his first inspection will be the sealed set of drawings but it is getting the permit and some Cities are still asking for 3 sets of drawings and they have gone paperless a long time ago. John Hogan stated that they are still have requests for the drawings at the permit stage instead of the framing stage, which at that point, the job has not been secured and if the company submits the sealed drawings at the permit stage and someone else gets the job his legal documents are in the file and that links him to the job forever and if there is ever a catastrophic failure then he will have to defend himself in court on a project that he had nothing to do with.

Mitch asked with a show of hands who allows for deferred submittals for roof trusses. I believe that only Johnson County and Overland Park did not allow for deferred submittals. Tim Ryan stated that they still review the plans but that they do not issue the permit without the truss package being

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submitted. Russell asked how can you review a set of plans if you do not have the specifications and why would you want to review it at rough in. Matt stated that they do not review them at rough in. Matt stated that they know they have the house and that it meets all zoning, wall bracing and foundation and so Lenexa will go ahead and issue the permit and then they have to submit the truss calculations to the City before the first inspection and Russell asked when do they review the truss documents and Matt stated sometime between the issuance of the permit and before the first top rough inspection. Jasper stated that some counties will allow for an estimate to be ran and will except that, since estimated programs are very good and if they have run one the County will except this document as a preliminary document not for construction. Jasper stated that this causes a lot of confusion because the Building Official will show up with those drawings and they are not marked the same and makes it very difficult. Jasper stated that they are not trying to dispute how the Cities due their review of plans or what documents they ask for and they want to accommodate the jurisdictions. Jasper stated that he does a lot of work in Overland Park they have to tell their builder that they have to give them an open order up front, because he does not pay an estimator the same as what he pays a designer because a designer is doing engineering work and using an engineering program and it cost him a lot of money to do designs and not get paid for it. Russell stated that when a plan comes in on his desk, there are 4 or 5 things that he already knows, the general contractor does not know who will be doing the foundation, plumbing, electrical or who will be doing the trusses and they understand this but one thing that right before they release the plans is to know who is doing what so that it is very clear so he has watched them use an engineer to check the architect and an architect to check the engineer put when you pick up the phone and ask for clarity it is amazing what is heard on their side and the engineer has not even got the rough draft of the layout, the layouts are just a good way for them to see the design but does not show point loads. Jasper asked that single family and two-family require an engineer of record and Tim stated that in Overland Park they are required to be signed and sealed by a design professional and Russell stated that since trusses are an engineered product, there is no code book to follow.

Matt asked Tim if that was in their ordinance and Matt stated that it was because it was a subject which was discussed last week. Matt stated that for those jurisdictions which do not have it specifically spelled out in their ordinance, he understood from the discussion that the documents did not need to be sealed as long as they met the prescriptive requirements of the code. Russell stated that the trusses are an engineered product which Jasper agreed and Russell stated that because they are engineered they are required to be stamped. Jasper asked if we thought that a stick framed house was not engineered and how do we derive the size of the lumber and that we look at a table which is prescribed. Russell stated that a house is a box and if you are inside the box then you are fine and if you are outside the box then you need to get an engineer. Jasper asked who is checking that and they are not being judged on the same level and that he is just bringing to us what is being brought to him as President of the Truss Association and everyone is up in arms about they feel is happening and things need to change or we have to get advice for how to make it easier for the truss manufacturer. Travis stated that maybe they needed to get truss design in the IRC or the model code because if it is prescriptive out of the IRC then, in some case you would not need engineering documents, unless it is required per the jurisdictions ordinance but a truss system is going to be an engineering system where it does not fall into the prescriptive code where we can say that it meets all the requirements prescribed. Matt stated that all of their residential plans are sealed and Travis stated that theirs are as well but trusses fall outside the requirements of the prescriptive code. Tim stated that the problem that they are running into in Johnson County is that they are not building normal size homes, the average home that is being constructed is 5000 to 6000 square feet which is

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not your typical size homes, these homes are custom built, with cuts and point load issues and Overland Park wants to make sure that those are all addressed prior to issuing a permit. Matt went on to say that the other issue that they have ran into is that typically when they defer the drawings they typically do not have the plans on rough in, the plans are not approved, and now they are calling the City Manager because they will not do the rough in inspection for the builder.

Jasper stated that what his company, John's company and a few other companies have done in the past for the customers is that when they deliver a package it is a sealed package for the framer as well and he knows that inspector has to take his copy form the office but that is something that goes back to the builder or developer is to get the sealed drawings in time. Matt stated that his main issue is that even though they defer the drawings, they get the truss drawings, they review them and approve the drawing, however; when they show up on site, they are not correct and they then have to resubmit the drawings. Jasper stated that what is going on in that situation is that the builder has taken his estimate drawings to the City and they are not the as-builts for the project. Jasper stated that the estimate sheets are always numbered whereas the if it is an engineered drawing it is going to have TO1 or AO1 or something to that effect. Jasper stated that this happens so often that he just re-emails the correct drawings. Matt stated that when this happens it takes time because then it has to go back through the review, however; Jasper stated that at the end of the day this is costing their industry money and they are trying to keep their costs low because he believes that they have a far better product then stick framing provides. Jasper stated that trusses are an engineered product and in tornados that have come through recently, the stick framed houses are flat, whereas the truss houses were still standing a lot more than the stick framed houses.

Russell stated that one of the things that he was going to testify when he was in St. Louis was how do we get this into the code book because the way it is written in the code book is that if it is in the ordinance then you apply it this way. One of the coolest things that Russell had a truss company say when he was in Minnesota and they all used roof trusses, very little stick framing and because they required the engineered stamped drawings at plan review, they took the time to read the specifications, look at the point loads on the house, did the checks that they needed to do and worked with the engineer and designer and builder, the truss company said that they had a lot less mistakes, a lot less call back and they had very little trouble because of the effort of the plan reviewer and the homeowner got the best results with the product. Russell stated that what they needed to do was to get the builder to get the drawings to the jurisdiction to be reviewed. Someone stated that the houses that are being built are of commercial size and Jasper stated that he agreed and that maybe there should be a change to the way that they do business with a developer and say that a house of a certain size needs to be inspected and reviewed the same way that commercial truss designs are reviewed. Tim stated that it keeps coming up that it needs to be put into the code, however; what would be put into the code. Tim stated that the code does not regulate each jurisdictions procedure on enforce the codes and if you submit that through the code process it will DOA and it will never get into the code. Tim stated that he was still a little confused on what the problem is and does not see and issue with everyone getting the construction documents to them before issuing the permit, it does not seem to be a problem, if you tell someone that this is the procedure then they will meet the procedure. Jasper stated that he has had 2 framers which have gone back to Texas recently and a Truss company which has left the area and they have told him that it is just difficult to construct using trusses in Kansas. Tim asked Jasper if they had given him any specific reasons why they felt it was difficult to use trusses because just saying that it was difficult is a broad statement. Jasper stated to the members that he did not believe that what they

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were doing was wrong, all that he was trying to do is find a way to speed up the process for approving truss designs documents, so that more trusses can be used, because compared to the rest of the country, Kansas uses fewer trusses in construction by a 70 to 30 margin. Tim said that he would like to have more details as to why this is the case and he has a hard time believing that the market share is strictly driven by how people are requiring the plans to be submitted. Tim stated that they have a lot of contacts in Texas and that he could call down to Texas and see what they are doing down there that is different from what is being done here. Travis stated that he has seen an increase in market share tip into trusses rather than stick frame. Tim stated that the area that they are talking about is mainly single family because in Overland Park they are building a lot of apartments and they are all using truss designs and Jasper stated that apartments, hotels, etc. Jasper stated that commercial is fine, however; single family is where they are struggling. Jasper stated that from what he can tell it is all about the dollar because it is costing the builder less to do a stick framed house then a truss framed house in the short term, not in the long term.

Russell stated that he can explain that really easily, because the builder does not have to go and rent a crane or some other device to carry 2x10 up on the roof like you do for trusses because they have to be raised to the roof by a crane or boom truck which costs money. Jasper stated that he looked into this issue and he stated that a truck can be rented for around \$112 to \$120 an hour and if you do it through the beam company where you get your steel beams from it brings it down to around \$95 an hour and it does not take, a good contractor, more than 4 hours to set a house. Matt stated that our area is unique in that we have one of the largest HBA association in the metropolitan area and we just do a bunch of unique things in our area that other areas are not doing. Jasper stated that they are wanting trusses to become something exciting not only for the builders but for the Cities as well and that is why they have innovative programs. Matt stated that he was interested in this program that allows him to access the plans through a cloud and Jasper stated that he could email it to him but that it would be job specific and once the plans have been emailed to the City/inspector you do not have access to change anything on the program, all you can do is view it. Russell asked if a plan review could be done through this software and John Hogan stated that he did not think that you could, that it is just a visual device because you are not going to see the seals and Jasper stated that the seals will be saved in the package and you will have all the seals and layout.

Russell Thornburg made an amendment to the previous months minutes stating that he was not the Northeast Disaster Representative for the Heart of America ICC Chapter but that Barry Walthall is in that position.

There was no other discussion on trusses.

Old Business

A) Define experience for DF contractor's license

Steve Crull stated that he had asked all members to think about defining the experience for DF license. Steve asked Russell where we were with it and Russell stated that we were not very far with it and that he still has his CLRB looking at it and he has asked them to put it on hold until the Building Officials have had a chance to look at it so the question comes back to if you look at what they have posted on the internet and someone comes in wanting a DF

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license and they say that this City requires a license so Russell says to the contractor, what type of work are you doing and see if it fits in the box. Russell read item number 4 which states to provide documentary evidence of the qualifying individuals experience. Candidates qualifying with a Bachelor's of Science degree must provide evidence of 5 years' experience. Russell stated that he read that 5 years of experience and he assumed in his mind, in the sprinkler business, however it does not say that so he asked the question, "In what". Russell stated that they are being pushed a little bit on what does 5 years' experience mean? Russell has come back and given the members a document as to what NICET says 5 years of experience means. Russell stated that he has put together a definition of how 5 years of experience should be worded.

Tim stated that the problem is going to be that in the very first sentence in the scope is that it says because you are talking about fire suppression not fire protection equipment. Fire protection equipment can mean fire alarms, extinguishers, dry chemical systems, halon, etc. Tim asked if they are going to include fire pumps in this document, hood and duct systems which is all fire protection systems and this is only a water based fire suppression system then he believes that the first sentence needs to be changed. Russell asked if someone was coming into our jurisdiction what is it that we want for our area and that is what he is questioning and he did not even look at the scoping sentence and he does not want the putting up hangers on the piping or labeling the piping so he is looking for a clean-up on the definition and Tim asked what was the intent of having a DF license and was it just for fire sprinkler contractor's or for alarm companies. Russell stated that he sent the Fire alarm to electrical. Tony stated that he asked the same question at a previous meeting as to why the DF license was created and was told that it was because the Fire sprinkler companies were coming in with deferred submittal of suppression systems which were not under the general permit or general contractor and so they would get their own permit. Tony went on to say that in Merriam they normally put them under the general contractor.

Tim stated that he does not have an issue with Fire alarms being under electrical as long as it is stated as such. Russell stated that he needs clarification as to what to do so that when he does a DF license we are sending back into our jurisdictions. Tim stated that he believed that they were on the right track it was just a matter of clarifying whether this is only for a fire suppression contractor then we need to identify it in the scoping statement. Russell stated that we would need to go back and find out what fire protection equipment means.

Mark Wassom stated that he believes that Range hoods would have to be pulled out since most of the systems are put in by the Mechanical contractor and are pre-engineered. Russell stated that he does have Mechanical contractor's teaching Hoods 1 and 2. Matt stated that they have sub's Matt stated that a lot of the times they come pre-made and all the fire protection contractor is doing is putting the agent tank in. Tim stated that the fire alarm guys are some form of electrical contractor and the suppression for hoods and ducts is some level of mechanical contractor and fire suppression and sprinkler guys are their own group. Russell stated that the history of Johnson County Contractor licensing has been very broad and that is one of the good things about it and then come in and bring training to each one of their organization, he understands that, however; when someone comes in and challenges the definition of what 5 years of experience means, could it mean 5 years of retail sales, which Russell stated that they have ran into before by the suppliers and if you have been

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buying your piping from a certain supplier for 15 years and somehow that is 5 years of experience. Matt stated that if a person sales a product every day for 5 years you are going to learn a lot about the product and you might know more about the product then the laborer installing the pipe. Tim stated that what Russell needed to do is to have some provision in the electrical license and call it DEF or something like that and a DMF for mechanical guys and then what you have here to include changing the scoping statement to include giving each type their own license type because if you are going to leave them under the one type then you are going to have to break them out separately and provide provisions under the tasks for each one.

Russell stated that he would put something together and bring it back to the members let us work it all out and keep working the bugs out until we have something to take to the CLRB Board and present it to the CLRB and then let them work it out and then have both groups so that when we do something we are all together on it. Travis stated that if the mechanical contractor is putting in all the hood systems and someone else is just doing the ansul systems maybe you just have one and it covers both dry and water suppression systems and take out the fire protection systems because it makes a broad statement Tim stated. Matt asked if everyone was in agreement that the words “Fire Protection Equipment Services” should be removed. Mark made the suggestion of changing fire sprinkler to fire suppression.

A motion was made to remove Fire Protection Equipment Service and replace Fire Sprinkler with Fire Suppression. Matt Souders made the motion and Travis Torres seconded the motion. A vote was taken and all members were in favor and no were against.

Russell then asked to define 5 years of experience. Travis stated that in the definition which was presented to the members that the words “water based fire protection system” should be removed and replaced with just “fire suppression systems.

Tim Ryan made a motion that Russell Thornburg with creating this DF contractor’s license where it talks about having 5 years of experience to include the definition which Russell has written with the exception to read as follows;

To provide documentary evidence of the Qualifying Individual’s experience demonstrating 5 years of full time experience in the design, layout, installation, and project management of fire suppression system or the equivalent. Possession of a NICET Automatic Sprinkler System Level III or IV or Water Based Sprinkler Layout Level III or IV is prima facie evidence of meeting the experience requirements.

Matt Souders seconded the motion and a vote was taken. All members were in favor and none were against.

Russell stated that he would know take it back to the CLRB and they will get what they say and then bring it back to the members before he updates the website. Matt asked that while we were on the subject does the members want to add something to the DE license to include the fire alarm signaling system. Russell asked to wait on doing anything with the DE license at this time and let him review what it says and then bring something back to the members in July for us to look at, review and possibly make a decision on at that time.

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Mark Wassom made a recommendation that if NICET was going to be considered then he recommended considering Fire Protection Engineering in there as well because some people choose to become a professional engineer designing suppression systems or go and get their NICET. Mark stated that NICET is a technician's license and PE is an engineering license. Russell asked does a PE know anything about suppression systems and Mark stated that yes if they focus is specifically on designing suppression systems.

Jay Woodward stated that if someone has their PE license then they have something that can be gone after really easily if they are operating outside the area of the expertise and they are going to more protection of that then they are of the Johnson County License. Jay stated that most professionals care about maintaining their licenses and want to keep it. Jay stated that the Board of Technical Professionals will take care of them at that point.

No further discussion on DF licenses.

New Business

1. Temp C of O spread sheet. Steve Crull stated that he handed out a spread sheet earlier and also sent out an email to all members asking 3 questions,
 - a) Whether or not the jurisdiction issued C of O,
 - b) If there was a fee charged for the C of O and,
 - c) Is there a time limit placed on the C of O and is there a charge to extend.

Steve stated that the spread sheet showed the answers which he received from the different jurisdictions and he just wanted everyone to know what each jurisdiction was doing and this is what he compiled. Steve stated that at Mission Hills they have been very generous with their C of O and are going to start cracking down a little bit so that is why he sent the email out to see what everyone else was doing. Russell stated that when he was in Minnesota they charged \$500 to \$1000 because they knew going into winter that the ground might not be able to be seeded and they had to have the grass to prevent erosion and other things so that they would have the money to finish it up.

2. Mid Rise Wood Framed Buildings- Travis stated that his City Administrator called him shortly after that fire in Overland Park and was asking him questions concerning the differences in Wood framed construction type 2 to type 5 construction in cost and Travis told him that they were going to review that with everyone else with the 2018 codes and see if anyone is amending but it seems like the code is going to the opposite way with this and is going to allow taller and taller wood framed buildings and he did not know if anyone was getting some push like in Overland Park where the fire took place, is the administration concerned with having structures that are 4 to 5 stories. Russell asked Tim to tell a little bit about the fire that took place in Overland Park.

Tim stated that he has been getting calls from all over the country and he has spoken with people from New Jersey where they had the Avalon Fire and he has spoken with the Building Official in Raleigh where they had the big fire downtown and a whole lot of people are overreacting and one thing that we all need to keep in mind is this fire happened when the building was under construction and was very vulnerable and you can not stop that, it happened and it may happen again. Tim stated that NFPA does have a standard that is adopted by the fire code and if you want to enforce it, it does have regulations for when a building is under construction. Tim stated that he has been in contact with NFPA and they have been out because of these fires and basically the standards are out there but their records show that very few people are adopting them or if they are adopted they are not being enforced. Tim stated that in this instance, there was a person standing fire watch while the person was working, welding and it still happened. Tim stated they were doing everything they should have been doing and it still happened so he does not know what you would do from a regulator standpoint. Tim stated that the fire did not start on that column until almost an hour after they had stopped welding on it. Tim stated it is one of those conditions where you have very dry conditions and a lot of wind to create the perfect storm. Tim stated that Travis mentioned these tall wooden structures and the Cross Laminated Timber Adhoc Committee, the American Wood Council flew him and some other building officials up to Vancouver to see the dormitory building they were building on Campus and witness the fire testing they are doing on some of these building and it has already passed the ASTM E119 testing and in the Adhoc the International Associations of Fire Fighters did not believe that was enough testing so they created their own testing which does not meet any ASTM standards and the Adhoc committee will determine if it passes or fails but the first series of testing has achieved a 4 ½ test. The testing done by ASTM E119 it achieved a 3 ½ test with 87,000 pounds loaded on it. Tim stated that he believes that with the discussions that he has had with Adhoc committee, he does not think this is a situation where it will not be put into the code but it needs to be put into the code for consistency because jurisdictions are already allowing it and they are getting ready to build one in New York City and are building one in Seattle currently. Tim stated that they are going to get built and no one is going to be able to stop them, so the code has to get some consistency to it so that the building officials know what they are supposed to be doing. Tim said there is some opposition to this kind of construction with the American Iron and Steel Institute and the PCA which is speaking against it but it is really neat stuff, it is basically heavy timber, 7 or 8 inches of solid wood wrapped in 5/8-inch sheet rock.

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Tim stated that the way the panels are constructed, none of the interior walls are bearing walls. The columns have 4 bolts coming out of them and there are 4 panels and they slide it into place and bolt it down and it is basically just a big slab of wood. Tim stated that most of the building officials that he has spoken to said that if they were to bring this type of construction into their jurisdiction that they would allow it. Matt asked what is he criteria for allowing it and Tim stated that it is meeting the same requirements for Iron and Steel. Tim stated that currently heavy timber is in the code for buildings up to 4 or 5 stories but they are planning on building High Rise building using this type of construction. Tim stated that initial concern was the cost, that it cost more to build one of these cross laminated timber buildings then it would to use concrete and steel and now they have figured out how to get that cost to where it is competitive and one of the things that is attractive to owners and builders is the one dormitory in Canada from the time they completed the concrete pedestal completed to top out at the 18th story was less than 30 days.

Russell stated that he sat in the class in Minneapolis before Tim started going to these places and Russell took an interest in it then and it reminded him of a class he took so Russell has asked Buddy Walters to come and teach about it. Russell stated that they are not showing an interest in coming here yet but with a little bit of influence from Tim they can get them here but they only want to talk to engineers and Russell can not fill a room with 50 engineers. Jay Woodward stated that they have a new one from ES on staff and might be able to get him a number for them. Tim stated that Canada has a lot of buildings built out of this type of construction and everything they do is wood and it is hard for him to believe that the task force is not going to get it put into the code but there is a lot of opposition to it.

Christy stated that the National PCA and National Concrete Association has been working really hard on this but they are very open to this type of construction as long as they meet the engineer criteria and fire criteria. She does know that the Wood Works and Wood Industry is pushing for the 5-12 market building floors and Canada really started it and it has come down through Washington and Seattle and it is coming across the country.

There was conversation concerning the NFPA standards and fire watches and Christy stated that she has been tracking fires all over the country but the point is that it has happened in 37 places and in the month of March there were actually 6 in the United States including the one in Overland Park. Tim stated that one of

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the things that most everyone has experienced is when a developer tries to get their plans through and they do not have their hydrants in yet and how they are always pressing to get the project started, but if those hydrants had not been there and working, the situation would have been much worse. Tim stated that he spoke with his City Manager about all the calls he gets concerning projects getting started prior to having all the fire protection devices, hydrants, installed and sometimes they have been told to do that, however; this is the reason for not allowing projects to begin without having proper fire protection installed to protect the project and the personnel during construction. Tim stated that they used 3 million gallons of water to extinguish that fire and the fires around that structure as well.

3. Group Homes- Travis.

Travis stated that he has missed the last meeting and that he just wanted to share with the group what they are doing in Leawood and all the homes in Leawood is a change in use to other than a single-family home and would require a suppression system and fire alarm system and have in most of the group homes. A couple of years ago a group home applied for a license and did not want to install the suppression system and the way they do things it was not cost effect for their business and they challenged Leawood's Ruling by citing the State Statute and some other things. Travis stated that first they went to the Board of Appeals and was denied and the Code of Appeals decided that it needed to be sprinklered and then they went to the Fair Housing Accommodation meeting and they were granted up to 5 occupants receiving care, which is the same as the 2006 code requirements. Travis said that since then they were Subpoenaed by the Feds because last year someone filed a complaint with the Feds that deal with the Fair Accommodations and Housing and they provided them with all their correspondence with them and he thinks that it is still in the works and it is a case by case basis so that anyone can come in and file for a Fair Accommodations and that they are required to sprinkler them and install fire alarms system and you are welcome to file for a fair accommodations but most of the ones that have come in have come in have put suppression and fire alarms. Tim stated that every jurisdiction can get a list from the State Fire Marshall's office. Travis stated that the State Law prevents Cities from Zoning group homes out altogether and they are allowed to be in the community, with up to 8 people with 2 care givers in the home in a single-family district and that part is not an issue with Leawood but it is per code, a change in use and the code states that it needs to be sprinklered and alarmed. Tim stated that the stipulation concerning Fair Housing is that you can not provide any code ordinance that is any different than a single-family

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home and if you do not require a single-family home to be sprinklered than you can not require a group home, in a single-family neighborhood to be sprinklered. Travis stated that their attorney feels that they are able to enforce their adopted building codes for that particular use group and the way the state statute is written is very vague. Tim stated that Overland Parks attorneys say that it is not about the State statute it is about Federal Law and Federal Laws say that you can not do it. Jay Woodward said that HUD's opinion is that they are a single family home and you can not treat them any differently. Tim stated that Overland Park has 5 Federal complaints against them right now and the interesting part about this was that the Feds met with their lawyers and then after the meeting Tim was asked a series of questions that he had to answer and he went through them and one of the questions he was asked is, " Would he be willing to adopt the requirements that the State has of the 3 minute fire drill and he stated that he would not and the reason for that is that he talked to the chairman for the Code making panel for NFPA and he stated that the 3 minute fire drill is a joke and was only put in to the code political reasons and that the ICC codes provide a lot more protection for these people then the NFPA documents do but the NFPA kicks in because the money that is being received is coming from CMS which is the Center for Medicare and Medicaid Services and CMS only recognizes NFPA 101. Travis asked Tim if Overland Park has allowed group homes to not have a suppression system and Tim stated that Overland Park has changed it back to the 2006 code where a group home is allowed to have 5 or less people, however, there are usually 7 or 8 people in the home and are still having an issue with the number of people in the structure. Tim stated that he was on a conference call after the fire and with the State Fire Marshall and Kansas Department of Aging and Disability and that was an interesting finger pointing and one of the things they found out which the State Fire Marshalls office did not even know was that the Kansas Department of Aging and Disability licenses the provider and not the home, so you could have a provider that has 20 of these homes out there and State Fire Marshalls office does not know about them and KDAD does not give anything on how many homes there got or anything, they just give the provider the license and then they got into the situation on the fire drill and if you read the provisions in the 101 code it just talks about the person physical ability to get out of the home by themselves but in these fires it is not the physical ability as much as their mental ability to get out due to other disabilities that the person might have and even though physically they are able to get out, mentally they are like children so when they are scared they go and hide and that is what happened with the 2 people that the fire department had to haul out of the building, they were just sitting there in their rooms on the floor perfectly conscious, perfectly able to get out and they were not moving.

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Mitch asked Tim who was responsible for timing these fire drills and Tim stated that the provider just has to send in a report showing that they conducted the fire drill, it was witnessed and that all the people got out of the building and they State Fire Marshalls office will sanction the report and every report they had on this provider said that they got all the people out in 2 minutes or less and the actually fire there were boots on the ground and going into the building within 8 minutes and they were still in the building so obviously the 3 minute fire drill does not work. Tim stated that he received today from the AG's office is that they are going to fine the provider \$1000 for the fire and \$1000 on 4 other properties which he did not have proper licensing on those homes.

There was further discussion on group homes with the building officials. Tim stated that this is happening all over the country, it is not just local and what he is planning on doing and he has already spoken with the CEO of ICC and CEO of Building Sciences which is what they were created to do and Tim is willing to write them a letter of request for them to research this issue and put out a white paper on it and that white paper goes directly to the President of Congress and it will be interesting to see how it turns out and ICC has agreed to help pay for the study and they are going to ask NFPA to help pay for it and get the different agencies to help foot the bill for this study to be done because it will take a long time to research it.

Travis said that it would be something to look at for all jurisdictions when they have the round table discussions concerning the 2018 codes.

Tim stated that a there was place and he thought it was Avalon Arizona which was hit with a \$90,000 fine for enforcing the building codes concerning group homes. He was just letting everyone know that they can get fined for enforcing the building codes. Mitch thought that only ones getting into trouble were those municipalities which were not providing some form to have group homes and having a distinction of saying they allow group homes but now you have to put in suppression systems. Tim stated that jurisdictions have to provide reasonable accommodations but the Feds do not tell you what is reasonable and then they do not agree with your definition of what reasonable is. Tim stated that during their conference call between KDAD and the State Fire Marshalls office, that KDAD backed the State Fire Marshalls office down like we would not believe.

Tim asked how many of the jurisdictions were allowing Helix for reinforcement. Christy stated that Lee's Summit, Olathe, Independence and Blue Springs. Tim

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stated that they still are not allowing it and Travis stated that he kicked it back and asked them to provide more information to him on it and he has not heard anything further. Christy Martin stated that there was a presentation done for the group on Helix last year. Tim stated that there is a lady that is the past Chairman of the American Concrete Institute and she told him that it was only allowed for Slabs and she stated that under the ACI standards Helix can not be used as a substitute. Tim stated that this person stated that there were problems with dispersions in the mix and there is another company that has some fiber that they have created some goo or something that helps with the dispersion within the mix but he was told that it should not be used as a substitute for reinforcement. Matt stated that he asked them if they could demonstrate the equivalence to the Johnson County Foundation standard and they never really did. Travis stated that Apex stated that it was equivalent to the Johnson County Foundation standards but they would not tell the group that it was equivalent to the IRC standards.

4. Steve stated that he had one more item which was not on the agenda which was that Dave Utterback is going to retire and asked if the group wanted to do something. Matt suggested having the JOCOBO meeting out at the new Lenexa City Hall building. Steve stated that he would entertain a motion to move August 18, 2017 meeting to the Lenexa City Hall. Bill Sandy asked if they could get a head count of all the people that will be attending the meeting. Bill stated that JOCOBO pays \$230 for the normal meeting and that we are averaging 20 people for a normal meeting so if they were planning on 30 to 35 people and how much it would cost.

Mitch made a motion to move the August 18, 2017 meeting to the new Lenexa City hall and Travis seconded the motion. A vote was taken and all members were in favor. None against.

Set Date for Next Meeting: Meeting to be held at St. Andrew's Golf Club, 11099 W. 135th St., Overland Park, Ks, on June 16, 2017 at 12:00PM.

Adjournment

The meeting was adjourned around 1:39 pm. The motion was made by Steve Crull and seconded by Mark Wassom, all members were in favor.

Minutes recorded by Tony Adamson