

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 May 19, 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)
Mitch Dringman (Prairie Village)
Mark Wassom (Olathe)
Matt Souders (Lenexa)
Bill Sandy (Fairway)
Steve Crull (Mission Hills)
Tony Adamson (Merriam)
Anoush Fardipour (Johnson County)

Associate Members and Guests:

Russell Thornburg (Johnson County)
Joshua Clark (KCHBA)
George Schluter (HBA)
Christy Martin (Concrete Promotional Group)

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 Mitch Dringman seconded the motion. The motion was approved by the members.

Treasurer's Report

Bill Sandy gave the Treasurer's report beginning and ending balances and all payments made to date. A motion and a second to approve the treasurer's report was given and recoded and the motion was approved by the members.

Johnson County Building Officials Association (JOCOBO)

Associate Announcements

There were no Associate announcements to be heard.

Old Business

Steve Crull gave the statement that Russell Thornburg did not want to talk about fireplaces but just wanted everyone thinking about it and keeping it in mind. Russell stated that what he should do is write something up and so that all the Building Officials in Johnson County gets to see it and that all members who participate in JOCOBO is able to see something, write something and then it can be taken before the CLRB. Steve stated that this would be a good idea because all the building officials were not at the last meeting to see the information.

George stated that after the last meeting last month he would do some investigating with the companies that install factory built fireplaces and he called the 3 largest companies and spoke with them and they said that no one in the metropolitan area on either side of the state line has required certification or training. One of the company's that he spoke with stated that they would love to see certification happen because they are the only company where their manufacturer has a certified program for their installers. George stated that in new construction they plumber is installing the gas line, the electrician is installing the electrical to it and all they are doing is assembling components of the unit, however; as Steve stated they are installing the flue piping and the fire stopping, however; no jurisdiction in the area is requiring a separate permit and certification for installing the flue ducting for the fireplace. Tony Adamson stated that the question that may need to be asked when looking at plans is who will be installing the ducting for the fireplace and will it be the mechanical contractor? George stated the most of the mechanical contractors are not familiar with the requirements for the fireplace manufacturer and they have not been trained to install the ducting for those units, however; the installers who sell the units have been trained.

Russell stated that when we are talking about new installation versus existing construction there is a dividing line. Russell stated that we just needed to take our time, put something together and if it takes 6 months to get our ideas out and on paper, make phone calls and due our research so that when we come back we come back as a whole to the CLRB and then the CLRB will know what has been said or not said so when this individual comes back to them we can say that the JOCOBO has made this decision and this supports the CLRB and the CLRB supports JOCOBO.

New Business

1. Who is accepting a N.C.B.D.C seal (National Council of Building Designers Certification).

Mitch asked if anyone had seen the seal and Steve stated that he has seen it before and saw it on Russell's email. Russell stated that he ignores it. Bill stated that he just tells them that they will get a stamp from someone who is licensed in Kansas. Mitch went on to say that for this project, which was a small room

Johnson County Building Officials Association (JOCOBO)

addition he did not except his seal in lieu of a Kansas Registered Architect or Engineering seal, he simply accepted a plan which met all the requirements of the IRC for this particular project. Mitch stated that he would not accept it on construction documents for a new house build because he would not be comfortable doing that but for this project he did not have an issue with accepting the plans as drawn. Mitch stated that he had zero issues with what was drawn for this project and it was a really good set of plans. Steve Crull stated that he was on the website for State of Kansas Board of Technical Professions and they do not recognize that organization. Matt asked if the Board of Technical Professions require someone who prepares documents to be licensed by them. Steve stated that the Board does require Architects and Engineers to be licensed but they do not even mention designers. Matt stated that this was his point, that they are not authorized to prepare documents in the state of Kansas.

George stated that there is another group called AIBD (American Institute of Building Designers) and they do a lot of house plans and he has used them many times and the ones he has dealt with has always had a structural engineer review their plans and put their seal on the plans. Mitch stated that he did receive a letter from the same individual stating that the plans had been reviewed by a licensed engineer, even though all the pages were not stamped by the engineer it showed that the plans had been reviewed by a Kansas Registered Engineer.

Russell stated that the word Certified/ Certification bothers him because he does not certify any contractor he simply is saying that they have met the requirements and he believes that the builders association got caught one time using the word "Certified" and it came back and backfired on them, so he has stayed away from using the word "Certified".

Mark Wassom asked about the Kansas exemption for single family home with not needing to be sealed and Steve stated that Jim Sherman mentioned something to that effect. Mark stated that they have had a couple of architect after they have denied their plans due to not being sealed and have had the architect come back and say that Kansas State Law says they do not have to be sealed. Mitch stated that until someone wants to take the City of Prairie Village to court and sue what is in the Municipal Code then the plans will be sealed. Mark stated that in Olathe's code it is not clear so they have landed on in the past that it was okay if they wanted to follow every prescriptive item in the IRC then they could except that argument but if the plans call out for any performance design items then it has to be sealed. Anoush stated that if he has plans which are not stamped by an Architect or Engineer he does not have an issue with it as long as they follow the IRC, however if any component of those plans or building needs to be certified by an engineer then only those components are required to be stamped not the entire house. George stated that he would have an issue if he brought a set of plans in to be reviewed and Mark were to tell him that it has to follow prescriptive and he wanted to use performance based energy code

because the architect or engineer does not know anything about the energy requirements.

Mark stated that another item that he gets with plans being submitted is that the whole set is stamped by and Architect and Kansas law states that Architects cannot stamp Engineer's drawings and Engineer's cannot stamp Architect's drawings and they have had some issues with Architects stamping structural drawings, due to the plans making it through plan review and then possible field modifications are done and the letter is needed to show that the modifications meet compliance, they will not let the Architect stamp the letter, it needs to be a structural engineer. Anoush stated that a lot of architectural drawings submitted for residential with his experience that the company already has engineered documents and if you ask for them they will provide them for you.

Mitch stated that PV ordinance stated that all documents are required to be sealed by a Kansas Registered Design professional but does not state a Registered Architect or Engineer. Mitch has always been with the understanding that some architects are trained to do engineering calculations but he would assume if someone is going to put their professional seal on the drawings then they should not be putting their seal on the plans. Russell stated that he has been known to question an architect or engineer in their discipline in what they are drawing up and have asked them to prove their discipline and they have had to write a letter stating that they worked for such and such and this particular field and did this structural and with that letter Russell and the City is covered on both sides because there was a civil engineer that all he knew was concrete and steel and knew nothing about wood and you could tell by his numbers being used and the conversation went something like this " God does not make wood this way and neither does man" and the engineer replied and said that it was not his problem here is what makes it work and that is when it was discovered that he did not have any discipline in wood. That was the end of discussion on that topic.

2. Group Homes: Mark stated that he has had a lot of discuss concerning the group home or care home like the one where a fire broke out in a few months ago but the one that he had recently which was a congregate living facility where people are either just out of jail or trying to find jobs where there is a place for them to live while they are trying to get back on their feet so they have evaluated the congregate living facility really close and it is clear in the IBC what that needs to follow and he wanted to clarify that the reason he is asking is because they are showing up in residences and they are trying to convert residences into a commercial building. Steve asked if zoning would need to take place at that point and it should. Mark stated that he called the State and he was told that the State still regulate and licenses them but that they just classify them as residential board and care just like if it was for disabled persons, Group Homes, even though they are not receiving care and are really not under supervision the state is still looking at them this way so this particular applicant stated they did

Johnson County Building Officials Association (JOCOBO)

not need to sprinkler the building and Olathe said that it did not apply in this situation and that it was the incorrect occupancy for what the structure was being used for and has been a real conflict because the State is saying one thing and giving them an exemption and then the City is saying that this an IBC regulated commercial building and you need to provide suppression system for the building. Mark was not sure if any other jurisdiction had run into them.

Steve stated that he believed that Tim had the same frustrations because he has run into it a few times in Overland Park and he is not getting any response from the State. Mark stated that the response that he received from the State was that the more restrictive requirements apply between the local requirements and their requirements, which Mark stated that he received it in writing via email but with that State exception they are saying that the City is being unreasonable because of requiring the sprinklers. Tony Adamson stated that John Hollis has spoken with someone concerning some sort of convalescent housing in a residential area of town and that the owner of the property would be installing sprinkler systems inside the structure, however; there were other things that they were running into such as the number of parking spaces and that they do not want to comply because then it looks like a commercial use building in a residential area.

Mark stated that one thing that he has noticed is that they are just showing up. He recently received a list of every home licensed by the State in their City and some of them he was not aware of. Matt asked what were they applying for and Mark stated that they just wanted to convert their home into a space for congregate living, so at least they did come in to try and get a permit but when they were given the requirements they flipped out. Matt stated that certain requirements would kick in such as; ADA, loading requirements, exit signage, emergency lighting, fire alarms, sprinklers, etc. Anoush asked if the State was still on the 2006 I-Codes and Mark stated that he thought they were. Mark stated that with this particular type of facility it is a Medicaid issue so they are enforcing 200_ life safety code which he was not sure which year they were on so their IBC does not come into the mix, they are going off the 101 codes. Mark stated that the real difference is the way they are classifying it so even though there is not care being given, they are still calling it a care home. Mark stated that he gets the exemptions on a care home because you do have some supervision there, they have a staff person there to help them out and watch over what is going on but in this half-way/congregate living residence, it is just an apartment building, there is no supervision, no one there to watch over things unless the landlord shows up once a week.

Mitch stated that Prairie Village was getting multiple inquiries about group homes and days care facilities in residential properties and when asked his opinion he stated that that he would fall strictly what it states in the IBC and the code book and it was his opinion that the State says that sprinklers are not required in residential structures which refers to single family residences and does not take

Johnson County Building Officials Association (JOCOBO)

into account and was not intended for group homes and Mark stated that he has received that clarification as well. Mark stated that he has asked the State as many questions as he could to make sure that he was doing everything that he should be doing and it has all checked out. Mark stated that he just wanted to be sure that he was looking at things that same way that everyone else was looking at them. Matt brought up the fact that OP has a lawsuit pending. Mitch stated that one of the email chains stated something to the effect that if everyone was able to exit the building within 3 minutes, how would that be enforceable. Mark stated that in one of the emails it was mentioned that someone made a fair housing claim and they did allow it to go in.

3. Steve stated that Russell Thornburg had some things to add. Russell stated that this is something that we are not done taking about and it will not be solved today but what he did was take it to the CLRB Board and what he wants us to do is look down at number 4 and if someone does not have an education or degree and they want to come in and they want a DF license, in order to get a sprinkler license you have to come in with a 1 or 2 as follows or you have to have a NICET level 3 or 4 Automatic Sprinkler System Layout or NICET Water Based Sprinkler Layout level 3 or 4, there is no ICC exam for a DF. Russell asked what does qualifying experience mean? Tony Adamson asked what if someone has been in the field for 10 or 15 years but just does not have a Bachelor's degree, Russell stated that he is fine with this. Russell stated that the vagueness of the program has been one of the best things to get them in to training but what they have come up with over the years is 5 years of experience in fire protection and what does that mean? Russell stated that he has a person that has been bothering him for over a year and it keeps driving him back to this and that is why he is bringing it back to the JOCOBO members. Russell stated that JOCOBO needs to decide what it is that they want to have for a person to be qualified to be able to install a fire sprinkler system. Russell stated that he went to NICET to find out what they require for 5 years of experience and there may be other ideas, so in the last CLRB meeting he tabled this item because he had not brought it to the members so he will be sending out emails and what are they doing when installing the fire sprinkler, are they doing the calculations, there are jurisdictions requiring contractors to have a DF license when all they are doing is installing alarm systems, there are contractors doing the remote piping and the control heads which is what he thinks 5 years of experience means so he does not know we as building officials want in our jurisdiction but this is what we currently have but we have left it open for what 5 years of experience means.

George asked if he wanted to build a house in a jurisdiction and Russell stated that we could not talk about residential and sprinklers and George stated that if he wanted to sprinkler his house under 13R would he require that a licensed DF contractor install the system. Anoush stated that 13R and 13D are required to have engineering design because they are hydraulic systems and are required to be designed but if you want to follow the cookbook method of the IRC under chapter 29 they have their own stand-alone system which uses the existing

Johnson County Building Officials Association (JOCOBO)

domestic water and water pressure which have their own sprinkler system and heads for those types of systems that use pex or any other type of PVC system which is totally different and are not required to be designed as long as you follow that but when they follow 13D, 13R or 13 then those are all NFPA and they have to follow those. Russell stated that we should ask Mark Wassom because Mark makes the contractor sprinkler their basements when it is unfinished and Russell asked if a plumber could do this work and Mark stated yes, they could and the plumber would be required to be licensed as a plumber. Russell stated that he would like for the group to define for him what 5 years of experience means and then they will put it all in the package and let everyone look at what that is and this is where the 2nd items comes in which Russell stated that they have invited all the permit techs to come to their office to meet with their staff and also talk about how the jurisdiction may have fire protection as yes they need a license, that is why they have invited the permit techs to come meet with them and to discuss some of these items and break them and give them better guidance on these things.

Tony Adamson asked what sort of continuing education courses are provided for the DF license and Russell stated that the 2 classes they have put on one they put on using NFPA D for plumbers, by plumbers, to plumbers so that they would know how to install it and they have brought in a Fire Marshall just in general to talk about if a house was sprinklered that this is what we would be expecting to see.

4. Russell said that he wanted to give us some information on Disaster and asked how many of us had our disaster card updated and not many raised their hand. Russell stated that on the disaster card that he went to the Salina, the HOA disaster meeting and realized that not one metro jurisdiction in Johnson county were there so that meant that the disaster training missed all of us so he thought to himself and would it be alright if they brought the disaster training to our back yard so that we could get this all set up and Russell stated that it was a very boring presentation and Mark Wassom stated that he needed show Russell some of the back and forth emails that he had on this subject because he has been asking for it for months so Russell is planning to bring it here to make sure we all get the training. So with that being said Russell was elected an officer and how he was elected as officer was because Anoush refused to be elected so that kicked him in as being elected as the Regional Rep for disaster which we all go back to Jim Hindershaw or Jim Sherman and when he went in and looked at what Shawn had put together, which Shawn has a good box of things that we need, which consists of 2 staplers, 2 jackets, 2 flashlights with dead batteries and a whole bunch of placards which he has, however he has been on call for the last 3 days with the disaster group, which they thought we might have some problems in Salina, Dodge and some other problems here so he went looking for the box of things which tells him that none of us are prepared. Russell stated that each jurisdiction is to have their own placards, he found forms which dated

Johnson County Building Officials Association (JOCOBO)

back to 2000 and is now out and once he gets his hands on whatever is current he will send it out to the Jurisdictions.

Tony Adamson stated that most jurisdictions have their own EMA director which takes care of all those things. Tony stated that he did not know who would be the EMA director for Merriam. Matt spoke up and stated that this is a great point because we have the county and its Management Services which heads it all up and all the Cities are supposed to filter into them and most of the City representatives are fire personnel and so it seems like there are multiple paths which this disaster response protocol takes. Russell stated that he has been to the Johnson County Emergency Center talking about what we require for licensed contractor's coming in and making repairs after the disaster and while sitting in the meeting he started talking about placard and they have no clue of our world nor are we on their bulletin board anywhere so they looked at him and said that they need him on their committee and he said that he did not need to be on another committee but he did realize really quickly that Johnson County is clueless to what we do so if we had a tornado which hit any of our City's, Johnson County would jump up and do their emergency center, call Red Cross and call their other people and the last people to be called would be the City's. Russell stated that they will be cutting a new path and that we will be calling them and they are going to call us to come and help assess the structures and do we have the proper paper work to be filled out, placards and all other necessary documents to track what has been done. Matt asked when the class will be and Russell stated that he will be sending this information out to each jurisdiction as to the time and date. Matt asked do we get ICC CEU's for this class and Russell said that our State does not recognize the disaster class from ICC. Matt asked if ICC recognizes this class and Russell said he did not know. Mark stated that he thought ICC stopped giving their test. Russell stated that he needs to being the guy in and have pictures taken and get all the cards set up.

Mark asked Russell if he could talk with him about the back and forth he has had with that group because he said that he went and took it in Topeka and the class was bad, the guy which taught the class new very little of what he was talking about and he told Jim or whatever his name was that he was going to train his own staff and that they were not going into the State system. When Mark asked for a local class they guy told him that he would have to go to Salina and Mark told him that he could not shut his department down to send them all to class and he was not very corruptive. Russell said that he has got the Salina group to agree to come this way but he also knows that their presentation needs some help.

5. Russell asked if everyone had received an email inviting them to the CLRB meeting, and did we not find this strange that we had never received a letter before and Russell stated that there was a reason for this, but he invited Josh Clark, the Building Association and he wanted the participating jurisdictions in this meeting because what is going on in the CLRB is no big deal for us because

Johnson County Building Officials Association (JOCOBO)

we have trusted them for a long time but what is going on in other places we need to be made aware. What Russell has been saying to the Johnson County Building Officials is that we are the participating members and are part of the success of the program so when we get a letter like the one sent out the other day, you know you should go and that something is going on. Steve asked if he received it a few days ahead of time and Russell stated that it was received one day before the meeting. Steve asked if we could get it in advance so that we can anticipate the meeting and make plans to attend. Russell stated that he was so worried about what was going on that he made a personal phone call Josh to get Josh there and to another person to get them there and then he thought about the JOCOBO members. Russell stated that 5 or 6 months ago he stated that if we wanted something to change what is it that needs to be done and that is to work together and the CLRB has been doing a great job and he has been going up and sharing with the Administration how important every jurisdiction is to the program so he is just keeping that in the forefront and when Matt called him and asked if he was supposed to be there because he had an agenda item which needed to be taken care of and cleaned up so Russell was able to share a little bit more with Matt.

George asked if the meeting was held and Russell stated that it was held and George asked what happened. Russell stated that they do not know yet because it is all up in the air. They were given some recommendations and those recommendations were taken to the CLRB but they were not brought to the participation jurisdictions. Mitch stated that his perspective of the meeting is that for a long time that CLRB has financially been functioning very well and that the costs of everyone's membership has been kept down and has always been a priority and still is for the CLRB to maintain that low cost, however with the CMO's office from the County now getting involved, which they have always been involved but with Jerry Mallory and Shawn Reed being gone, now they are getting more involved and there is some overages of money's in an account, which is okay to be held over, however; now they are putting out ideas of how the CLRB can save even more money and he thinks that there are some questionable suggestions on behalf of the CMO's office and he feels as if they do not have any idea the contacts that the CLRB has with the ICC and it is like outsider's stepping in to get some control on this money and think that they can do a better job of managing things and they just do not know anything.

Steve asked if these meeting happen on a regular basis and Russell stated that they do and that he would send out the dates and times of these meetings. Russell stated that he works with the contractor's first, then the participating members second and the CLRB board. Mitch stated that without the building officials or Municipalities were not recognized then it would not even be there, we work hand in hand. George asked if this group meets on a regular basis or just on an as needed basis and Russell stated that they meet every month and the only time that they do not meet is during their conferences and whenever they do not have a quorum. Mitch stated that he was not quite clear during the meeting

Johnson County Building Officials Association (JOCOBO)

about the CMO's office the study that they referred to as to increasing the fee's for the contractor's licenses and is a study that is going to cost the CLRB \$100,000 to have done.

6. Anoush asked if he could bring up the Haunted Houses and if there was anything that and does anyone have any in their jurisdiction and Steve stated that he might have some in Mission Hills but not in the since that he is referring too. Anoush stated that there is a new trend where individuals are wanting to turn abandoned houses into haunted houses and has anyone had a case for this happening. Anoush stated that he is looking at them from the letter of the code and Steve stated that they are becoming big business and using them year after year not just using a residence but a commercial building. He has one case coming to them where they have had it for a couple of years and no one knew they were running it the County just found out and they just stopped them and now they coming to the County for zoning and building and now he is just looking at the building part of it.

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