

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 October 20, 2017

Lenexa City Hall – 17101 W. 87th St Parkway Lenexa 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:

Tony Adamson (Merriam/VP/Secretary)
Bill Sandy (Fairway/Treasurer)

Members:

Mike Flickinger (Gardner)
Russell Thornburg (Johnson Co)
Matt Souders (Lenexa)
Bill Sandy (Fairway)
Tim Ryan (Overland Park)
Tony Adamson (Merriam)
Rolland Grigsby (Leawood)
Tyler Wirth (Shawnee)

Associate Members and Guests:

George Schluter (KC-HBA)
Greg Cox (SAB Homes)
Sean Reid (Douglas County)
Greg Paulsen (ASHRAE KC Chapter)

Previous Meeting Minutes

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

Associate Announcements

1. Johnson County Contractors License, DF License follow up, Russell Thornburg— Russell stated that there have been a couple of things that have come up from the last movement. Russell stated that what Sean Reid had proposed had been changed and the only thing that has changed is that Bob Thornton and him went back and studied just how much experience the contractors had to have from what they had on the website. Russell stated that once they went back and read what had been put together previously, the 5 years of experience was something that the board members had put together which pertained to the DF license. Anyone that got in on the program under the grandfather clause under education, this is where the 5 years came from, so they came back and left everything as it was with the exception of the 5 years. The reason they came back and studied this is because the questions keeps coming around concerning fire alarms. Russell stated that the DF License reads that this license shall entitle the holder thereof to install, repair, maintain, service and test and inspect automatic sprinkler standpipes systems for all structures. Then it goes and breaks it down to include all sprays, deluge, carbons, foams and dry chemicals, inert gas and all related lines, tanks, fire control systems appropriate for ongoing. Russell stated that when they read that as a group in Lenexa it was written up for fire suppression and now they have another group coming and asking so if they need a license for fire alarm which license would they get and Russell stated that he would swing it towards the DE license. So now it has come back and the questions has been raised do we really want them to have a DE license to install fire alarms. Russell stated that Tim Ryan ran into this just like he did and so they came back and said that instead of having someone go and get a NICET test, which really does not apply and to also not make them get a full-blown DE for low voltage, why not have a separate license for Fire Alarms. Russell stated that NFPA does have certification and testing requirements for Fire Alarms through UL and there is testing, certification and materials for Fire Alarms and Russell turned it over to Tim.

Tim stated that the DE license has nothing to do with Fire Alarms and in his particular case, what Overland Park accepted was that they had taken the NICET fire alarm certification. Tim stated that it is rare that Fire Alarm companies are taking out permits for the work that they are doing, but in this case, they did and they would have to have a Class B license or the DE license and so there is no license for Fire Alarm Companies. Sean Reid stated that several of the members may recall that a number of years ago that the proprietor of Jade Alarms Systems came and spoke with the group about this and a couple other issues. The group had discussion and Sean remembers Steve Thompson talked about the development of the DF license and having the NICET 3 or 4 certification was determined to the requirement for the DF license and came to the conclusion that there was not a need at the time to development an Alarm license and everyone was doing different things at the time.

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Some Cities were requiring DF licenses and some were requiring DE license which bother Sean at the time because do you really want Alarm to be able to do every type of electrical when they really are not qualified and some Cities were requiring DM licenses if devices were being placed in the ducting systems. So, there was a wide range of approaches at the time and the group decided not to move forward because it was focused on Jade Alarm getting a license. Russell stated that due to the number of companies which keep coming in he believes that a license can be created with the NICET that has the alarm side to it and the UL side to it and there can be a number of brackets in there were the alarm companies can get testing and focus on only the alarm side of it. Russell stated that if it is fire sprinklers and you say go get a DF and it fits but the alarm guys have been the ones driving this conversation. Tim stated that concerning the UL side of it all fire alarm panels and monitoring systems have to be UL certified and the installers have to be certified. Russell stated that he does not believe that it is a big number but Sean stated that it may be a bigger number if you provide a category for it. Tyler Wirth stated that he ran into this issue quite a few times where they go into an existing building and they are only replacing the fire alarm and nothing else, Tyler stated that it happened at City Hall and he asked the Fire Marshal what licenses were required and he stated that whatever license the City required.

Sean Reid stated that the problem becomes like in Overland Park where their ordinance states that they cannot issue a permit unless you a licensed contractor or the owner/occupant of a single-family dwelling. Tim stated that the owner/occupant thing really is not a good thing and Tim stated that more and more they are running into house flippers which are tied to the real estate people and technically they are the owner of the house when they are working on it. Sean stated that Contractors licensing deals with that issue which the licensing requirements specify a maximum of 3 per year, however; Russell stated that the key to that is that it has to be “New Construction”. Sean stated that it was always his understanding that this regulation was to address house flippers or contractors who claim they are not contractors but they were building 10 houses a year. Tim stated that this requirement is becoming more and more burdensome because it is hard to enforce.

Russell asked if the members would be interested in working out language that he can put back before the CLRB and JOCOBO to see that there would be a license requirement for Fire Alarms. George stated that his electrician wires his houses for smoke detectors and everyone stated that what was being discussed was mainly for commercial fire alarms and monitoring systems. Sean stated that you could do it like it was done for concrete or framers and break it into commercial versus residential or just make it for everything. Russell stated that if a company has a fire alarm system in a house then the company may need to have a license, however; Sean stated that most residential systems are wireless and so would not need a licensed contractor to install them. Russell stated that he is not thinking about residential because mainly what he is being called about is commercial systems.

Tony Adamson stated that this discussion came up when the group was considering the DF license and Matt stated that the reason it was not discussed was because the group wanted to get the DF completed before moving on to something else. Russell stated that he knows the group visited this issue before and the CLRB says why don't they just go and get a DE and Russell and Tim are thinking, what is the reason for making a company get a DE license for a low voltage system. Tim stated that the direction he believes the group needs to go is for

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commercial only. Russell asked the group if a company came in and said they have a UL certification or a NICET 3 or 4 certification then they are certified and can get a license to pull permits.

Matt asked if any jurisdiction accepts a fire alarm system in a house in lieu of single station smoke detector. Tyler Wirth stated that he does have subdivision which are required to be alarmed and monitored because of the fire flow within the subdivision but that it still has to have the single station smoke detector in the areas where they are required within the house. Tyler stated that the developers submitted an alternative to make all construction 1 hour rated due to them not have the proper fire flow from the fire hydrants within the subdivision.

Tim Ryan stated that he would direct Russell to putting together a draft for the group to look at for commercial fire alarm installers and contractors, which was a motion and Matt seconded the motion. The motion was voted on and passed for Russell to put together a draft for the group to review for commercial fire alarm installers and contractors and the qualifications and/or experience they will be required to have before a license is issued.

Matt Souders asked in R-2 occupancies the code requires single station smoke alarms which are interconnected. If the building is more than 3 stories then they are required to install a fire alarm system in the common areas of the building. He asked if any accepted a fire alarm system detectors in lieu of single station smoke alarms inside the units. Matt stated that he did not know why anyone would not allow them because it would set off the entire system and the fire department does not like them because if someone gets smoke while cooking their burgers then it sets off the entire system. Tim stated that per the intent of the code the smoke detector which sets off the fire alarm meets that intent. Tim stated that from a fire protection stand point it is a much better system because you know that it is going to get people out of the building which is what you want the system to do.

2. How to file a complaint with the CLRB—Russell Thornburg

Russell handed out documents listing every jurisdiction's information, name of Building Official, address and phone numbers. Russell stated that when contractors start asking them questions and instead of trying to answer their questions they can just tell the contractor to contact the jurisdiction and give them the information so that they know who to call and ask for. Russell stated that the document which he handed out is a new document which Johnson County has required him to put together but it has been updated since people have retired or have changed jurisdictions. Russell stated that before he handed this information out at the training he wanted to make sure that it was all correct. Matt stated that his title was incorrect and that his title was Building Services Supervisor. Russell stated that if there is a reason for any of us to bring someone to the CLRB there is a reason to do this is to get that contractor's attention before their peers. Russell stated that 90% of the time most items will be taken care of but if for some reason you need to get their attention and you need for them to do something, the resolution which was sent out has a list of violations which they can actually do such as, did not get a permit, did not finish the project, did not get inspections, and the contractor has been a challenge and they have been doing this over and

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over and over and so what can be done is to go down through the 1812 section exhibit A and go down and talk about each thing that they did wrong per section as we see it and when Russell knows there is a complaint coming he picks up the phone and makes a call to the Building Official to let us know it is coming his way. Russell will give help in writing one up and how it has been done in the past and the Building Official has to write something back for it to move forward. Russell stated that he worked with Tyler and gave him assistance in writing one up and it has to get to him in a time period where Russell can take it to their attorney and have him read it and have his support and in turn Russell writes a letter which goes out to the contractor, the letter is sent certified mail so that he gets his 10 days' notice before the meeting and then everything between that homeowner and contractor and building official has either been resolved or it goes to the CLRB. Tim asked Russell if he knew how many times in the past has the CLRB revoked someone's license and Sean stated that he knew of 3 different times. Russell stated that currently the District Attorney currently has 60 some contractors that are not allowed to work in Johnson County, who still holds a contractor's license and still gets free education. Tim asked what the reason was for the District Attorney not allowing businesses to operate in Johnson County? Russell stated that what they are trying to do is to get the judges to understand the licensing program because what they are doing is over on the judges' side they have contractors who have done some horrible things such as, took money, did not perform the work, wrote bad contracts, etc.

Russell stated that to the question of how effective has the CLRB been, the first line of business is to not take the contractor's license away but to work with the homeowner or building official to resolve the issue. Tim asked so what are the judges doing with contractors. Sean stated that typically Johnson County District Attorney's office approaches a complaint about a contractor using their primary tool through the consumer protection division and that is fraud. Sean went on to say that they can prosecute a contractor for committing fraud and all the cases that were prosecuted while he was with Johnson County were for fraud. In Kansas in order to be convicted of fraud you must take money and provide no service/work or materials for that job. Pepper once described it to Sean in this manner saying that if you were to take \$70,000 from a person and you were to drop a nail on the property or you pound one nail in a piece of wood then you have not committed fraud, however; if you take money and you do not provide materials or labor then that is when you have committed fraud and the DA's office would prosecute you and it is a criminal prosecution. The problem is and always has been that with the Johnson County Contractors Licensing program rules and regulations and they resolution, there was nothing in either one which said that contractors which have been found guilty of fraud or who have lost their licenses in other jurisdictions to prevent them from getting a Johnson County License. Russell stated that there were over 60 companies on the list.

Russell went back to what was the role played by the CLRB for companies when it came to discipline. The main purpose is to get that contractor to back into compliance with the homeowner and building official. Long before we deal with the business and there is a cross over where the building official wants the company taken before their peers and it is amazing what happens for that homeowner from the time of that certified letter to the CLRB meeting, and most of the items get resolved, that is not to say that licenses are not revoked or suspended or probation times are added to the contractor's license. What has

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happened lately is that when someone has had such complaints and it is either a code or contract complaint, when it becomes a contractual complaint or fraud or something which Russell is not familiar with then he directs it to the DA so we have communication from both groups. Tim stated that it would be nice if they reciprocated and tell us so that we have a list of who can not practice and so licenses would not be issued to those companies/individuals. Russell stated that he brought a list to the group about 6 months ago and was shown to the group because it was open record. What Russell is trying to do is to say that if the company/individual has done something that bad, then revoke their license and that is what Russell is trying to get the judge/s to understand that if someone has violated something to that extreme to where they are not allowed to practice in Johnson County then let's not give them a license and get free education. Tim stated that their might be a bigger question here because if someone walks into his office and files for a permit and they have an active license, however; the judge has stated that they are not allowed to work in Johnson County then his legal staff is going to want to know about this. Tim stated that this is a legal question which he needs to bring up with his legal staff. Russell stated that if the judge makes a ruling where a contractor is not allowed to work in Johnson County then this would include Overland Park and any other jurisdiction on Johnson County. Russell stated that he had his Assistant DA come and speak at the CLRB and he had 2 people in the meeting which have been in the business for over 20 years and they never knew what the DA did. Sean spoke up and said that there were members on that board who were aware of the DA interactions with Contractor's Licensing.

Russell stated that he wanted to go back to how do you get a complaint to the CLRB and that would start with sending your complaint to Russell or he calls the Building Official and let them know that a complaint is coming in and he would send the Building Official the resolution, the persons name and what they are talking about and if we feel that is should be brought to the CLRB board a letter would be drafted, in line with the resolution and send it back to Russell and then he forwards it on to the attorney and then the attorney would let him know if it is worth pursuing or not and that is when he turns it over to the attorney so that the attorney can communicate with the Building Official to make sure that everything is right and then the letter is written up and certified and sent out to the contractor.

Tony Adamson asked a question concerning something Russell had stated about getting in touch with the Building Official if a compliant came in to him and the question of who else would submit a complaint and the answer was the homeowner could submit a complaint. Russell stated that homeowners are all the time calling him up about complaints and the first thing he asks them is have you talked with the Building Official. Tim stated that the complaint that they get most of the time is that the homeowner did not check their background, they pay them 50% of the money up front and the contractor does a little bit of the work and then the are gone and are never heard from again, which there is not a whole lot that can be done when something like this happens but it would be nice to know if someone was on the list for not being able to work in Johnson County prior to a permit being issued, if a permit was issued at all. Russell stated that he believes that he could get a new list because the information is open to the public.

Sean stated that would you not want to have something in the regulations of the Contractors Licensing Program that if someone was found guilty of a felony in a Johnson County

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District Court for contractor activities that their license would be revoked. Tim stated that this would be a question which should be asked to Mr. Ford and if Mr. Ford says that we can do this then it should be something that should be looked into.

Tony Adamson asked if everyone was comfortable with how to take a complaint to the CLRB board and Matt stated that he really did not know what they were doing with Pepper and Sean stated that she is a DA investigator which is her actual role. Matt went on to say so companies/individuals have been convicted of contractor crimes and the judge has said that they can not work in Johnson County. Matt was not sure what he was to do with the information and Tim said that he was going to take it to his legal staff that it has come to his attention that there are contractors which has been convicted of a crime by a Johnson County Judge which has said that this contractor is no longer allowed to perform contracting/ construction duties in Johnson County then is Overland Park no long allowed to issue this person/company a permit if they know that he is trying to perform work. Tim stated that it is does not pertain to just the unincorporated part of Johnson County but also every incorporated jurisdiction in Johnson County and Sean stated that it would depend on how the judge wrote the decision and if the judge wrote it well and said that it pertains to all of the unincorporated part as well as all incorporated political subdivisions therein, then that would cover all of Johnson County, however; if it was not written that way then it might not include those jurisdictions which are incorporated and would depend on what your City attorney says.

Russell stated that CLRB is all about codes, that is it. The Consumer Protection Act is all about fraud and that is all this organization has brought to them. Tim stated that when you talk about code it is how code is defined which includes public safety and welfare so if you have a person/company impacting a person's welfare by stealing their money then this may effect how the definition of code pertains to the CLRB. Russell stated that he could not elaborate on this and Sean stated that in Chapter 18 of the resolution there are 8 items that the contractor license review board can judge on. Russell stated that the CLRB is on one side and the Consumer Protection Act is on the other side and they are trying to find ways so that both sides can work together and he has developed that relationship and he has invited the DA to come to a JOCOBO meeting to speak to the group and he was not able to get that time set up with the Assistant DA. Russell stated that when he found out about the list he brought it to the group and what he has done is to ask that Emily talk with the Judge to revoke a contractor/person license. So Johnson County is trying to find a way to take the card and privilege back which the contractor has lost by being found guilty and to keep them from going somewhere else and doing the same thing by using the card and privilege they have with JCCL. Russell stated that the CLRB will only give a company probation up to a certain amount of time and then they have to come back and show the CLRB that they have earned the right to come back in and get off probation and so no company/person every loses their license unless you have found yourself on the court/judge side of things. Tim asked if there was a sunshine date attached of if it was indefinite and Russell stated that the last one which he saw was that the contractor was indefinitely suspended from working in Johnson County. George stated that he had not seen the judgement but he would have to say that it was a Stated Judge and that this particular individual was suspended from working in the state of Kansas not just Johnson County.

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Sean stated that it would be nice to see just how the opinion was written because different judges may write it in different ways. Tim stated that he thinks that going back to what started all this that if there are companies which the courts have said that they are not allowed to work in Johnson County, then the jurisdictions should receive a copy of this list so that each jurisdiction can have a conversation with their City Attorney's. Sean stated that he never knew there was a list and that Pepper at that the time worked for Contractor licensing and Sean stated that he never knew of anyone losing the ability to practice in Johnson County. Russell stated that when it gets to the CLRB it is because we want them to come before their peers. Russell stated that before he saw the list, he did not know it existed either and he took a step back and if it says that they have conditions then it is because they have made an agreement with someone. Rolland stated that he sees 2 companies on the list which they issue permits to on a weekly basis.

Old Business

1. Discussion of task force for 2018 Code Adoptions. Tony Adamson stated that there may not be enough members present to discuss putting together a task force for the 2018 Code Adoption process. Tony Adamson stated that at the last meeting Anoush had contacted Matt to let the group know that he would be willing to chair the taskforce and it was discussed.

Tim stated that Overland Park has started the process and that he has spoken with the powers to be and they still want Overland Park to do their own thing and they have all the books and other stuff that they need and their hope is that they will have the review of the codes done by the end of 2017 and by the first of 2018 that they can start putting together their taskforce and going over the items which they feel or the stake holders feel are the critical one and so far he has not seen anything that has alarmed him but of course he has not gotten to the Energy Code as of yet. Tim stated the codes are trying to change how firewalls are to be built, somewhat and he has not quite got his mind around how the changes effect the contraction process and they have the food trucks that the fire department has in the fire code which require fire suppression systems in them and he has no idea how that is going to work and has told the fire Marshal, that as the Fire Code Official, if he wants it then they would no longer be responsible and that they would take it out and put it somewhere else and get it out of the codes. Tim stated that they have new requirements for identifying what an occupiable roof is and how to deal with occupiable roofs which is a good thing. Tim stated that he has not seen anything that is earth shattering in the codes. Matt asked Tim if they were planning on maintaining the same level of energy efficiency and not changing anything and Tim stated that it was on the table to leave it as it is and not changing anything.

George wanted to update the members on what the KCHBA is doing on code adoption. George stated that the KCHBA has formed a committee which has not met yet and it looks like they will be putting it off until after the 1st of the year and Kansas City MO, the other largest permitting jurisdiction said that they were not going to work on it until after they get their new IT system in and he is not sure when that will be. George stated that they wanted to have it all completed prior to elections in April and Matt asked if KCMO can get it done

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by then and George stated that he expects them to be able to have it completed before the April elections. George stated that he does not see anything in the codes which have been adopted in the 2015 or 2018 IRC as long as there is not a big push to make changes in the energy area and they stay where they are at and they plan on meeting within the 1st or 2nd week in November and their National Association has recommended changes and the 2015 recommendations are out and he has it and in talking to Tim and emailing staff and they expected they would have NHB's recommendation by the 1st or 2nd week in November so when they have that they will get together and have their package together as to where they would like to see the IRC go and there are a few things which changed and taken a look at and one of them is the requirement of CO detectors in area where remodeling is not taking place and Tim stated that everything pertaining to the existing building including residential is all in the IEBC. Matt said that he did not think that it applied to existing buildings and Tim stated that it has always been there and applied to single family structures. Russell stated that this is what they want you to think but he disagrees 100%. Tim stated that if you read the Scope and Applicability of the code and it covers everything and it depends on how the jurisdiction changes or adopts chapter 1 administration of the code. George stated that honestly they do not want to work with a dozen different groups and he knows that last month that JOCOBO stated that they wanted to start with the IRC and if a group is formed and if you are going to start with the IRC then the HBA will be there and in the past years the HBA has had a good working relationship with Overland Park and they have allowed the stake holders to voice their opinions and to get their view points in and if they go that way they the HBA will work with them as well. They would rather not have a bunch of different groups doing it to be honest. Matt asked Tim if the HBA is involved with their code adoptions and Tim stated that they have at least 1 to 2 home builders on the task force and George stated that Overland Park has also allowed them to come and express their view point during the code adoption review period. Tim stated that Overland Park is considering having one task force for Residential and one task force for Commercial but that has not been decided as of yet.

Matt asked if Overland Park was requiring sheet rock to be installed on basement ceilings and Tim stated yes depending on what they use for the floor joists in the house, or they can sprinkler the basement. Matt said that Overland Park only requires sheet rock if the floor joists are web trusses but the code states that anything other than 2x10 shall require sheet rock to be installed on the ceiling. Matt also stated that with the different jurisdictions we are all over the map with the HERS rating and Tim stated that the 2015 codes took care of that problem because if you look at it there is a table in the Energy Code, Energy Index Rating table. George stated that in 2015 there was an agreement between RESNET and ICC and now they have entered into an agreement. Tim stated that Overland Park is looking at making amendments to the code which will include temporary structures, such as stages, due to the Indiana State incident. George stated that one other thing that he can think of in Residential is that it allows you to eliminate emergency egress from the basement if you have a bedroom in the basement and have it sprinklered, but the code does not stipulate if it means the entire house or just the basement be sprinklered.

Matt asked about insulation in the basement and George stated that if most jurisdictions go to an Energy Index rating that this would solve the problem of insulation in the basement because most builders do not want to put insulation blankets in the basement because of

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what is growing behind the blankets in the basement, which could be mold, so they have gone to using the Energy Index Rating to pass it. Tim stated that they tried to get that provision in the performance code and may even take a look at that because he believes the more performance based it is the better it is. Tony asked what is the number that they are going to going with and Tim stated that it would come out of the code book. Russell stated that the HERS rating does a couple of things, it allows you to break every industry and manufactures rules because a HERS rater is going in to see what percentage of insulation is missing and they have a scale of 1, 2, 3. Russell has fought this issue with Johnson County and has proved his point very well and they brought all the HERS raters in and they have basically stated that they are going to stay with the HERS raters certifications rules and not the energy code manufacturers set of rules. Russell stated that if you are going to go this route and not insulate the basement, when all ground is anywhere from 48 to 54 degrees and you are looking at energy that you are throwing away then you are basically looking at it as if you had a window in a wall. Russell stated that in Minnesota he would agree with George that fiberglass against a concrete wall and in a rim joist is not effective. Tony Adamson asked about the encapsulated insulation and both George and Russell stated that it was even worse because they have learned it the hard way because concrete is going to sweat. Russell stated that to go the HERS route you accept less than what the code has already told you to put in the wall and that it must go from touching, going from top to bottom and not missing any percentage. Tim stated that this has always been the argument with HERS rating that in the Energy Code it has provisions which are mandatory, but if you come in with a HERS rating then are these still mandatory? Matt stated that he understands the code as that if it is mandatory then you must do it and if you want to do a HERS rating then you can do both but you must do what is mandatory per the code and Tim stated that this is also how he understands it to be.

Russell asked the group of anyone had ever seen a HERS rater rate a wall as a 3, where the insulation of that wall is missing 15%. Russell stated that this is one of the challenges that we have with this HERS rater is that they have grades which are 1, 2 and 3 and where 15% of the wall could be missing insulation and it is a pass according to HERS. Tim stated that the other argument is that if you look in the Energy Code the energy efficiency of your thermal envelope is all performance oriented and he gives you windows which have a very low U-coefficient and he goes on the other side of the house and he has one that a very high coefficient which exceeds the coefficient of the code as long as it all averages out then he is good to go. Russell stated that if he had a homeowner that says he has water running down the inside of the wall and ice forming on the inside and we say that it is okay because we used the HERS index rating. Tim stated that this is a different section of the code which says that the builder is required to build the structure to where it resists the weather. George stated that there is another philosophical question that you can ask and that is are you willing to give up our authority and see if it is done properly to someone whom he is going to pay to do that inspection for him and that is a real issue with him. Russell stated that there is only one group locally which certifies the HERS rating and George stated that every HERS rater has a principal that they work under and they have to submit their analysis to that person and that person has to review 1 in every 10 and they have to be RESNET certified.

Tim asked the group if anyone was still doing the blower door testing and Russell stated that believes that Johnson County still requires a blower door test to be done. Tim stated that

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they required 10% and then they stopped having them do the blower door testing. George stated that he found that when they did an analysis with KCMO and they paid for a year of additional charge for building permits and if the builders were installing the house wrap properly and caulking the bottom plate that they would pass the blower door test so KCMO said that they were not going to have them do it any more. George stated that he was going to mention another thing that started in 2008 or 2009 where the jurisdiction started requiring these steel plates between the doors and the frame. Tim stated that Overland Park Police started it and Tim stated that 2 guys in the Overland Park Police Department got this started but Overland Park did not know that they were Police Officers until after they had left and started making money from the sale of these products. George stated that they took it to the IRC committee in 2012 and it got turned down 11 to 0 by committee to consider it and they did not come back in 2015 or 2018 and it is his proposal to come out. Tim stated that he is talking to the wrong guy and if he wants to go against he police department and have it removed then that is on him. Russell asked if it was in the Building Code IRC and George stated that it is a local code amendment and has to be written into the local ordinance. Tony Adamson stated that Bob Muenz brought it to our Board Members and Jam Brace came out to demonstrate how it worked and got it written into the local codes. Tim stated that Overland Park Fire Department could not get into the houses with their battering ram.

Tony Adamson stated that we needed to get back to the task force for 2018 Code adoption. Overland Park is doing their own thing and he was not involved during the last task force which adopted the 2012 codes so he is not familiar with the process and that during the last meeting that Travis recommended starting with the IRC. Matt stated that what they ended up doing last time was that Overland Park did most of the work with the HBA and JOCOBO adopted what had been recommended by the 2 groups. Matt asked if the differences are that significant from one place to another and George stated that it really was not and that he would like to see one uniformed residential adoption throughout the Metropolitan area and it makes it easier on the builders but he knows that there is going to be some minor difference and one minor difference was the HERS ratings. So it was decided that it would remain under the old business and would be brought back up at the November meeting. Matt asked if there was anything that Overland Park needed from the group and Tim stated that they might be looking at handing off to someone else to take a look at. Tony Adamson made a statement on what Jay Woodward had stated on the free code book and Tony asked if anyone else had called about the free books and stated that it is not an actual paper copy of the code book but the electronic version which comes free with your subscription.

New Business

- A. December meeting. Sean stated that he was just a guest and not an associate member but he thinks that it is interesting that Tony Adamson has assumed the roles of President, Vice President and Secretary so as long as Bill Sandy is willing to remain Treasurer that Tony Adamson should just be elected everything else.

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Bill stated that unless the group wanted to have a December meeting, which normally does not occur that it would be cancelled.

- B. Officer Elections. Tony Adamson stated that he did not have any issues with moving up to the Presidents spot but that there were 2 open spots to be filled which is Vice and Secretary and with a limited number of people to choose from someone is going to need to fill those positions.

Sean wanted to encourage everyone who had staff members who are Kansas Disaster Assessment team certified as inspectors or admin to come to the October 31 1pm to 5pm recertification class and is also good for new certification. Sean stated that it was at no cost and that Wes has been kind enough to make the space available and Jim Sherman and Sean would be teaching the class and it is important because one of the things that they would be discussing that the State has completely changed the call out procedures. Tim asked who the Regional Coordinators were and Sean stated that they remained as the Board Members with one exception.

Tim stated that Overland Park has had a number of disasters and asked if everyone had heard of Everbridge? Sean stated that when he was working for Johnson County that his number remains on their database and Tim stated that they might want to consider using it to notify people because they have sunk so much money into this system they are looking for ways to utilize the system. Sean stated that this is a good idea because what the change is from the State is that they will not longer contact AIA or HOA for call outs. Tim stated that EverBridge wants to utilize it for everyday things not just emergency operations and Sean stated that the system works great and he has been on their call out list for 3 to 4 years and it works flawlessly and if you pull up Johnson County Official Website it has the notify JOCO logo on it. Tim stated that Russell should talk with the Regional Coordinator about using this system. Sean stated that with the Everbridge system you can sign up as a resident, employee and you can put up to 4 or 5 phone numbers. Tim asked if the system could be used to notify damage assessment responders in Johnson County or at the state level. The question that Tim asked is can the system be expand the system to those that are not in Johnson County to be notified and Sean stated that he is currently being notified using his Douglas County phone numbers. Sean said that he thinks this is a good idea but that he thinks it should go to the HOA coordinator Jim Sherman and it needs to be a decision by the HOA board. Sean stated that part of the issue with the State's notification system and the reason that they have backed away from AIA and HOA and the Kansas Disaster Assessment team is because of the Red Cross has started doing their own assessments that have no foundation in reality and they show up and start conducting assessments and has become problematic.

Russell stated that he has made a commitment to do this and that only governmental people can come to this and that is why the numbers are low and 47 was the number going to the class. Tim asked if the badges would change or if they would maintain the same badges and Sean stated that it would be up to the State because they are State produced badges and what they did at the ABM meeting is that they sent one of their machines and produced badges right on site.

Russell stated that he did not want to complicate the matter and to keep in mind that Russell is Contractor Licensing and if you have a disaster in your area and have a flood of people coming through and so Emergency Management came to him and asked him he was going to make them license up and he said yes he would, are they going to have to pass a test yes, are they going to have

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to prove that they have experience yes. Russell did not give them any waivers and Russell wrote Emergency Management and said that the only way that you can over write his rule is to get an attorney from upstairs to overwrite him.

Tim stated that he just did one of the practice sessions and they brought in an outfit out of Texas called TEEX and they are the number one trainer for Emergency Operations Center Nation Wide and they get them in here every 2 years and that is one of the major components is managing the workforce that comes in to help to make sure they have licenses and comply with rules and regulations or else they don't get in and if you have someone saying they want to vary from that procedure then first of all that is in the Administrative part of the EOC and the power to be would have to change that upon a disaster and they can not do that. Sean stated that no one has done that and in fact there is access to a computer program that is specifically designed to run parallel with the licensing program and is a registration program for groups of people who come in to do labor that is not regulated by Contractor Licensing such as tree removal companies. Russell stated that when Emergency Management involved him they were asking him if he would bend the rules and that answer which he gave them was that "NO". Tim stated that he has been asked that same question and he is wondering which rules is he talking about bending, because the qualifications of the labor force has to stay the same and they still have to meet the codes, Tim went on to say that you can bend the rules and say that the plan review process can be skipped as long as the builder is willing to take the plans which have already been approved and are on file with the City and take them and build the building exactly the same as the plans which the City has already approved or the Builder gives us a set of plans stamped and signed from a licensed Architect or Engineer. Tim stated that he could waive the requirement for plan review all day long, because in a disaster situation there are going to be items which are going to have to be given up in order for the City to start the recovery process. Tim stated that Overland Park did an overlay of the Greensburg tornado over Johnson County and computerized how much damage was done to Johnson County, this was several years ago and the computerized model showed that there would be over \$10,000,000,000 and over 40,000 structures damaged or totally destroyed and the question that you have to ask is how do you recover from that, and the first question that he had for his planning department was with all these commercial buildings being destroyed by the tornado would they require the process to start over at the Planning level and the answer from his planning department was, absolutely and Tim stated that this would not happen. Tim stated that they would pull the plans off the shelf that you already have and if they are willing to build the building back to the exact specifications which have already been approved by the City and if they are willing to do this then they would be issued a permit, here are the plans, go build it, end of discussion. Tim stated that everyone would still have to get a permit, still have to meet all the codes, will still have to comply with the approved plans, the question is that if the approved plans are already on the shelf from when it was constructed the first time, then why would it not be approved to be rebuilt if destroyed by a natural disaster.

Russell stated that if we all had a bunch of contractor's come into his office from any of our jurisdictions during a disaster, what is he willing to do for them. Matt asked if there was a streamling approach for contractors to get their licenses and Tim stated that there are reciprocating agreements and Sean stated that Johnson County has 2 reciprocating agreements, one with Miami County and one is with the City of Lawrence Kansas and Russell stated that this is not big enough for the disaster that Tim described. Tim stated that what he believed they were asking is that whenever you have a disaster there are things which you do not think about and so lets say that we have Greensburg tornado hit Johnson County so know you have contractors coming in asking if Johnson

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County licenses contractors, which the answer would be yes so then if you have the 2 jurisdictions which reciprocate and you also have people coming from Texas and Arkansas coming in and so the question is, if they present a current ICC license, which Sean stated that ICC does not license individuals, they just provide testing. Tim asked if the contractor where to provide some sort of documents which show that they have met some other recognized licensing process, would JCCL provide them with a license. Russell stated that the thing to keep in mind is that everyone in this room is that we need more contractors and Russell is going to say, here is our set of rules. Russell stated that if a roofing contractor came in with a license from Minnesota that he would automatically approve that because Minnesota does have a roofing license but if they came in with a roofing license from Texas then he would not because he knows that this just does not exist, except MEP contractors. Sean stated that the Contractor License Review Board is on record as stating that if a contractor comes in with a valid Certified license that Johnson County has a license for then they shall be recognized as having met the requirements of education and licensing. Tim stated that you need to have a discussion on a global issue, first of all is Johnson County Commissioners is going to need some sort of policy or mandate to vary from rules and regulations which have been adopted and would they be willing to pass some sort of temporary ordinance to give Russell complete authority to allow contractors, through some sort of process, however they deem necessary, to allow contractors, based on standards set out by them to get licenses through a streamlined process and show their qualifications which would then determine if they would be allowed to obtain a license or not to work in Johnson County.

George stated that the biggest black mark on the home remodeling business are these fly by night contractors who follow the storms and the HBA hears about it every time there is a disaster somewhere. Sean asked what would the trigger be, is it the Declaration of a disaster or would it be like the wind event like Iowa had where every roof in town was torn to shreds. Tim stated that to him the trigger would be that if he, Overland Park, had to ask for assistance such as additional inspectors, plans examiners from the HOA chapter then at that point he is going to want some sort of a process to screen these contractors coming in doing work. Sean tossed out that he felt that Jerry Mallory would say that his opinion would be that us as Building Officials have latitude within the contractor licensing program to determine who and under what circumstances gets a license and that Russell is not saddled with that responsibility. Tim stated that if a natural disaster were to hit Overland Park then he would have a lot of things going on and ultimately, he can set up and make those decisions but he is going to call Russell and say that he needs help with this. George stated that we do have, at least in the residential field a lot of contractor from the Missouri side which have licenses from KCMO or Independence but do not have a JCCL license.

Tim said that by FEMA regulations states that every jurisdiction is supposed to have emergency management, and part of the emergency plan is that you as the licensing coordinator would come up with a list of which states you recognize, what organization are you will to look at their credentials and say if they have these credentials from these states or organizations then they are acceptable. This needs to be prepare this document so that there is a list of emergency manager plan which is already established that says that if you have a license from these states or organizations then you can have a license and if you don't, then they are not able to get a license from JCCL.

Sean stated that this is difficult to do because Kansas State law which he thinks preempts county law with regard to Contractor Licensing, for at least 3 different disciplines say that they must pass an ETS derivative test, ICC test or IATMO test with a score of at least 75 percent or high. Kansas and

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a handful of other states have 75 percent for passing most other states do not, they take 70 percent. Tim stated that when you have a multitude of damaged structures you can not use your day to day rules when you have this type of situation because it is going to take a lifetime if you do. Sean agreed and said that if you still look at Greensburg, they still have not recovered from their disaster. Sean said that as Building Officials we have the ability to say that we will take any license from anywhere, but Tim said it would be nice if that was established somewhere. Russell stated that he and Tim have traveled a lot of country and Russell can turn to Tim and ask him which states that they have taught in which would be acceptable, but if Russell turned to Tyler and asked him the same question, it would be difficult for him to answer that questions due to Tyler not have as much knowledge concerning how the States license. Russell stated that someone is going to have to put trust in him and Tim to come up with this list and Tim stated that this is point, that due to Russell having control of the Contractor Licensing and if the County's emergency management plan has a list of contractor's, States or Organizations which they trust then if a disaster where to happen in any jurisdiction then we would be able to call Russell up and ask him for that list. Tim went on to say that if with the list he has the ability to say that even though someone is not on the list, if they are able to give him credentials and prove that they are doing the work then he can give the okay for them to have a license, he is still going to keep a list of where all the contractors are located and keep a record of who has come in to Overland Park to do work. Tim stated that the next time that they have another exercise he told Russell that he would try to make sure that he was in the EOC center to see how it all works. Russell stated that he understands that we all need to be prepared and he is trying hard to find a way to be prepared, for all of Johnson County and the jurisdictions involved.

Russell stated that there are States that he would not hesitate to accept their credentials and Tim stated that if he needs Code Officials, Building Inspectors, there are a lot of organizations in Texas that he would contact as well as people in Kansas which he knows. Russell stated to Tim that because they have taught a lot and have met a lot of people so it is easier for them to network because of this. Russell stated that they need to pull a list together and talk about it and keep talking about it and possibly throw some States together and maybe something can be put together on this.

Tony Adamson stated that there will be a meeting for November at which time if it is decided that there will not be a December meeting then Officer Elections need to be held and decided on.

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

Adjournment

The meeting was adjourned around 2:40 pm. The motion was made by Tim Ryan and seconded by Matt Souders, a vote was taken and all members were in favor.

Minutes recorded by Tony Adamson