

**Ohio Manufactured Homes Commission**  
**February 20, 2013**  
**10:00 AM**  
**5100 Parkcenter Avenue, Suite 103**  
**Dublin, Ohio 43017**

**Members Present**

Tim Apel  
Evan J. Atkinson  
Wally Comer  
Jim Demitrus  
Regina Hanshaw  
Emory Helmuth  
Dan Rolfes, Chair  
Ron Younkin, Vice Chair

**Commission Staff**

Janet M. Williams, Executive Director  
Mavis Giska, Licensing Supervisor  
Jared Rose, Inspector/Investigator  
Gary Whitaker, Inspector/Investigator

**Legal Counsel**

Walter McNamara, AAG  
James Evans, AAG

**Members Absent**

**Guests**

Warren Connolly, OCIB  
Rodney Hemming, Elsea, Inc.  
Bill Geniella, AMHRO  
Joe Maskovyak, Ohio Poverty Law Center (OPLC)  
Andrea Reichman, OMHA  
Jarrod Hittle, ODNR, Floodplains  
David Kelly, Park Operator

**Call to Order**

The meeting was called to order at 10:10 AM by Chair, Dan Rolfes.

**Re-appointment**

Regina Hanshaw was reappointed to the Commission. The Commission is happy to have her back on board.

**Roll Call:**

All Commissioners were present.

**Election of Officers:**

**Action:** A motion was made by Ron Younkin and seconded by Jim Demitris to reappoint Dan Rolfes as Chair. The motion passed unanimously.

**Action:** A motion was made by Dan Rolfes and seconded by Evan Atkinson to reappoint Ron Younkin as Co-Chair. The motion passed unanimously.

### **Approval of the Minutes:**

**Action:** A motion was made by Ron Younkin to approve the minutes from the December 19, 2012 meeting. The motion was seconded by Evan Atkinson with Regina Hanshaw abstaining. The motion passed unanimously.

### **Public Comment:**

Bill Geniella, AMHRO President spoke about The Sands Community, operator David Unger, where the Attorney General's office has levied fines in excess of \$100,000 and yet this matter is still outstanding and unresolved. Mr. Geniella was requesting an update from the Attorney General's office as to the status of this situation. In addition, Mr. Geniella indicated that McMahan's Mobile Home Park, which was discussed at a recent Working Group Meeting, had an issue supplying residents with heat due to a conversion of propane gas to natural gas and was, informed that there were still many residents without heat. Mr. Geniella was concerned about the OMHC staff not having authority in this type of situation. Additionally, Mr. Geniella mentioned a park operator who recently purchased a park and raised rents without the proper 30 day notice substantially and who is not offering leases to the tenants. Lastly, Mr. Geniella wanted to propose educational requirements for park operators and residents with the takeover of park licensing from the Ohio Department of Health.

Warren Connally, Ohio Certified Inspection Agency stated that there are park operators who are setting up homes in their park but do not want to turn on utilities which causes a delay in finaling the home.

Executive Director, Janet Williams stated that this is an item on the agenda and would be discussed later in the day.

### **Executive Director's Report:**

Executive Director, Janet Williams introduced Gary Whitaker and Jared Long, Inspector/Investigators and wanted to welcome them to the Commission staff. Executive Director, Janet Williams discussed their background and years of experience in the industry and is very excited to have them on board!

Executive Director, Janet Williams introduced our new AAG, James Evans and wanted to thank Walter McNamara for his years of service to the Commission.

Executive Director, Janet Williams presented a list of three (3) applications for dealer licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Emory Helmuth to approve the three (3) applications as dealers listed on the ratification list pending receipt of the signed affidavit meeting the place of business requirements with an inspection of the dealership at a later date. The motion passed unanimously.

Evan Atkinson requested we now complete the dealer inspections prior to ratification since we have two inspector/investigators on staff and would like the Commission to consider continuing education for dealers. There was discussion that this requirement would have to go into Law and Rules. Asst. Director, Mavis Giska indicated that we should also review the requirements for a sales contract and will have some suggestions to add to those requirements as well when going through the next Rule revisions. Regina Hanshaw indicated that the Board of Building Standards has a probationary period whereby their licensees must attend a class and that might be something the Commission consider as well.

Executive Director, Janet Williams presented a list of nine (9) applicants for salesperson licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Emory Helmuth to approve the nine (9) applicants, listed on the ratification list. The motion passed unanimously.

### **Division of State Map for Inspectors:**

Executive Director, Janet Williams presented a map of the state divided by the inspector/investigator handling that county. Also on the back side of the map is a list of counties broken down by inspector/investigator alphabetically.

### **Budget Report:**

Executive Director, Janet Williams provided the combined revenue and expenditure overview for FY 13 to date. She explained that now the Commission will have two funds, the existing 4K9 Funds, as well as the newly founded, 5MC Fund. She further explained that the Commission owns the 5MC Funds, and the 4K9 Fund is shared with approximately 29 Boards and Commissions. All revenues collected for licensing of the parks, fines and excess funds will go into the 5MC funds. She was happy to report for the first time ever revenue far exceeded the expenses. Total expenditures to date are, \$326,346, and total revenues to date are, \$994,087.

### **Settlement Received:**

**Action:** A motion was made by Ron Younkin and seconded by Evan Atkinson to accept the settlement in the first time case against Ronald W. Duvall for setting a home without first obtaining a permit. The motion passed unanimously.

### **Parks in Flood Plains and Permits:**

As stated in our Rules, the Commission will take applications for homes being set in a flood plain in parks. This process will be reviewed at a later date.

### **Water Disconnects in Parks:**

Executive Director, Janet Williams indicated that there are two parks that we are dealing with that water is being threatened to be turned off due to nonpayment by the park operator. The staff is asking for guidance on how we handle these issues going forward with the threat of utilities to parks being shut off. Discussions followed regarding what jurisdiction the Commission staff has. It was decided in the meantime to refer to Poverty Law to assist in these endeavors until proper guidelines are established working through the AG's office.

### **ABS Pads and Mixing Sets:**

There was discussion on mixing ABS pads with other foundation systems. It was the consensus that ABS pads could be mixed with like for like foundation systems, but not with any other mixed type of foundation systems. It was further discussed as to whether or not there were any studies done on mixing ABS pads with other foundation systems. Inspector, Jared Rose was going to check into this further.

### **Boarded up and Abandoned Homes in Parks:**

There was discussion about homes in parks that are abandoned and are a safety hazard to the park residents. It was the consensus of the Commission that if the park operator owned the home, then they should board up the home as quickly as possible to remove the safety issue and then remove the home from the park. In the event the home is not owned by the park operator, there is a process that the park operator must follow in order to gain title to the abandoned home under House Bill 520 and it could take some time for the park operator to gain control of that home. If there is possible life safety or health issues, the local health department should be notified.

### **Pipeline Workers – RV's in Parks:**

It was decided at a previous Commission meeting that our Laws and Rules are silent regarding RV's in manufactured home parks and that we do not have the authority to allow or disallow RV's in parks. Should a park allow more than four (4) in their park, they would have to have a license for an RV park with the Ohio Department of Health.

### **Home Set-up without Utility Connections:**

Warren Connolly with OCIB had indicated that park operators are installing homes in their parks but do not want to turn on the utilities, particularly water and sewer, until the home is sold or occupied. This causes issues with finaling these homes within the 180 day permit period. After discussion, those operators should request an extension of the permit to the inspection agency, in writing, and the inspection agency can issue an extension for compliance purposes.

### **Three Contiguous Lots – Park or No Park?**

There was discussion on what constituted a park based on the Law and Rule language. Walter McNamara, AAG, indicated that he had been reviewing the language and Jim Evans was going to further look into this for further direction.

### **Parks Transfer:**

Executive Director, Janet Williams first talked about the excess funds received from Local Health Districts (LHD). The Law indicates that any excess funds the LHD's may have in excess of \$2,000 on December 1, 2012 are to be forwarded to the Commission for deposit into the 4K9 fund by December 31, 2012. A total of \$143,752 has been received.

Executive Director, Janet Williams referred to the report of licensees that were included in the packet. Asst. Director, Mavis Giska indicated as of yesterday we have processed 1,388 park operator applications for 2013. Of the 1,388 applications received, 210 applications were incomplete. There are 238 operators that have not responded. There have been significant issues with the lot count for each park which has caused additional work in order to process the applications. Staff is continuing to work on contacting those parks that are not responding and those that are incomplete.

Executive Director, Janet Williams indicated that there have been conversations with Gene Phillips with ODH regarding outstanding items that will be turned over to the Commission. ODH is to furnish a list of approved park developments or redevelopments that are waiting on final inspection from ODH.

Executive Director, Janet Williams reported that staff is working on finalizing distribution of park inspections in those areas not covered by the LHD. The final distributions should be finalized and distributed to the Third Party Agencies in the near future.

Executive Director, Janet Williams referred to the state map in the packet outlining which areas of the state are covered by the Inspector/Investigators and the alphabetical list on the reverse side of the map by county.

Executive Director, Janet Williams also referred to the bulletins in the packet that went out regarding Rule revision notification, the Inspector/Investigator maps, and a bulletin regarding base support/spacing in parks.

**Out of State/Virtual Dealers:**

Asst. Director, Mavis Giska indicated that we do have an application form for out of state/virtual dealers that had been reviewed by the AG's office. Walter McNamara, AAG indicated that as part of our next Rule revisions there should be some language changes to accommodate the licensing of these dealers for clarity purposes.

**New Business:**

Executive Director, Janet Williams indicated that she would be testifying on the Fiscal Years 2014/2015 biennial budget today at 5:00 pm in front of the House Committee.

Executive Director, Janet Williams again thanked Walter McNamara, AAG for his years of service to the Commission and wished him well in his new endeavors.

Executive Director, Janet Williams wanted to also thank Ron Younkin for accompanying her to the Governor's office for a meeting regarding staffing and staff, pay increases.

**Adjournment:**

**Action:** A motion was made by Wally Comer and seconded by Emory Helmuth at 3:00 pm to adjourn. The motion passed unanimously.

Minutes respectfully submitted and certified by Executive Director, Janet M. Williams

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**Janet M. Williams**  
Executive Director  
Ohio Manufactured Homes Commission

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**Dan Rolfes**  
Chair  
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission**  
**March 20, 2013**  
**10:00 AM**  
**5100 Parkcenter Avenue, Suite 103**  
**Dublin, Ohio 43017**

**Members Present**

Tim Apel  
Evan J. Atkinson

Jim Demitrus  
Emory Helmuth

Dan Rolfes, Chair  
Ron Younkin, Vice Chair

**Members Absent**

**Commission Staff**

Janet M. Williams, Executive Director  
Mavis Giska, Licensing Supervisor  
Jared Rose, Inspector/Investigator  
Gary Whitaker, Inspector/Investigator

**Legal Counsel**

James Evans, AAG

**Guests**

Rodney Hemming, Elsea, Inc.  
Joe Maskovyak, Ohio Poverty Law Center (OPLC)  
Andrea Reichman, OMHA  
David Kelly, Park Operator  
Marlene Knopsnider, Installer  
Terry Swackhammer, Installer  
Elaine Gaulk, Park Owner

**Call to Order**

The meeting was called to order at 10:10 AM by Chair, Dan Rolfes.

**Roll Call:**

All Commissioners were present with the exception of Regina Hanshaw and Wally Comer.

**Approval of the Minutes:**

**Action:** A motion was made by Ron Younkin to approve the minutes from the February 20, 2013 meeting. The motion was seconded by Evan Atkinson. The motion passed unanimously.

**Public Comment:**

Marlene Knopsnider, installer spoke and asked about the possibility of there being a park owner/installer agreement. She did not want the installer to be held responsible for things that they have no control of. She also asked if it would be possible to have a book of the rules available for the installers. She also suggested that inspections agencies use a standard application form.

Terry Swackhammer, installer spoke on his name being used on applications when he was not the installer.

### **Executive Director's Report:**

Executive Director, Janet Williams again introduced our new AAG, James Evans. Included in the Board packet was biographical information on Jim. We are happy to have him on Board and look forward to working with him.

Executive Director, Janet Williams presented a list of four (4) applications for dealer licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Emory Helmuth to approve the four (4) applications as dealers listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of twelve (12) applicants for salesperson licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Emory Helmuth to approve the twelve (12) applicants, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of one (1) applicant for an installer's license that met the requirements for an installer's license.

**Action:** A motion was made by Jim Demitris and seconded by Ron Younkin to approve the one (1) applicant for an installer's license, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams stated that she and Assistant Director, Mavis Giska attended a chapter meeting of the OMHA up in Kent on March 19, 2013. The meeting was very well received with a lot of good information since the takeover of the manufactured home communities. She also states that Tim Williams from the OMHA spoke and had lots of great information and facts regarding the shale and oil in Ohio.

### **Inspectors getting Favorable Results:**

Executive Director, Janet Williams stated that the inspectors are getting very favorable results. They have worked with parks to correct potholes, they have worked to avoid having water being disconnected in communities, and they have gotten hazardous homes torn down. Gary Whitaker has sent out many 180 letters and is receiving many calls as a result.

### **Budget Report:**

Executive Director, Janet Williams provided the combined revenue and expenditure overview for FY 13 to date. She explained that now the Commission will have two funds, the existing 4K9 Funds, as well as the newly founded, 5MC Fund. She further explained that the Commission owns the 5MC Funds, and the 4K9 Fund is shared with approximately 29 Boards and Commissions. All revenues collected for licensing of the parks, fines and excess funds will go into the 5MC funds. She was happy to report revenues far exceeded the expenses. Total expenditures to date are, \$392,852, and total revenues to date are, \$1,108,590.

### **Unlicensed Parks:**

There was a discussion on communities that the local health department took away their license, when they should still be licensed. Staff asked for direction on those parks in operation, but no license. It was determined that we would have to grandfather in those parks and attempt to get them compliant.

### **Water Disconnects in Parks:**

Executive Director, Janet Williams indicated that because of invention with the Commission, one Community averted having their water turned off. A second community in Sandusky is in jeopardy of being turn off. Janet Williams and inspector, Jared Rose will be meeting up in Sandusky on Tuesday to discuss the situation.

### **Setbacks in Parks – Diagrams:**

Inspector, Jared Rose put together three pages of setback diagrams that will be very helpful to community owners to visualize what the setback should look like in different years.

### **Footings & Skirting & Vapor Barriers:**

There seemed to be some confusion on these issues and a discussion ensued.

### **Staff Attorney:**

It was suggested by a Commissioner that perhaps the Commission needs a staff attorney. Executive Director Janet Williams stated that it is not just as easy as saying we need one and we go out and get one like you could do in the private sector. In the state we would have to justify and be approved by the Attorney General's office. She also stated that the Commission has submitted their FY14/15 budget and it did not include a staff attorney. She did state that money was set aside for a personal services contract for legal services, although do get the contract she will still have to work with the AG's office for approval. She is in the process of setting up a meeting with the AG's office.

### **Possible OMHC Newsletter:**

Commission staff presented a draft of a newsletter that they thought would be a good idea for the Commission to start sending out to keep licensees informed of all sorts of things. Commissioners agreed that it would be a good idea. They would also like to see the discipline actions added to the newsletter.

### **Language Added to the FY14/15 Budget:**

Staff got clean-up statutory language added to the FY14/15 Budget bill.

### **E-Licensing Upgrade:**

All Boards and Commissions are in the process of updating our database that stores all licensing information. OMHC is in a test group that will roll out before others.

### **Parks Transfer:**

Licensing Application Update:

Executive Director, Janet Williams referred to the report of licensees that were included in the packet. Asst. Director, Mavis Giska indicated as of yesterday we have processed 1,388 park operator applications for 2013. Of the 1,388 applications received, 210 applications were incomplete. There are 238 operators that have not responded. There have been significant issues with the lot count for each park which has caused additional work in order to process the applications. Staff is continuing to work on contacting those parks that are not responding and those that are incomplete.



Executive Director, Janet Williams reported that staff is working on finalizing distribution of park inspections in those areas not covered by the LHD. The final distributions should be finalized and distributed to the Third Party Agencies in the near future. The map will also be update to show who is inspecting in what areas.

**New Business:**

Executive Director, Janet Williams was sorry to acknowledge the passing of Lenny Staffrey, inspector for John Grivensky at the Central Inspection Bureau.

Executive Director, Janet Williams stated that the Commission had been contacted by the State Auditor's office and they would be having a meeting on Thursday to discuss the upcoming audit.

A motion was made to go into Executive Session to consider the promotion or compensation of a public employee pursuant to RC 121.22(G)(1) by Jim Demitrus, the motion was seconded by Ron Younkin. There was a roll call vote, Dan Rolfes, Ron Younkin, Evan Atkinson, Jim Demitrus, Tim Apel and Emory Helmuth.

**Adjournment:**

**Action:** A motion was made by Evan Atkinson and seconded by Jim Demitrus at 3:35 pm to adjourn. The motion passed unanimously.

Minutes respectfully submitted and certified by Executive Director, Janet M. Williams

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**Janet M. Williams**  
Executive Director  
Ohio Manufactured Homes Commission

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**Dan Rolfes**  
Chair  
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission**  
**May 15, 2013**  
**10:00 AM**  
**5100 Parkcenter Avenue, Suite 103**  
**Dublin, Ohio 43017**

**Members Present**

Tim Apel  
Evan J. Atkinson  
Wally Comer  
Jim Demitrus  
Regina Hanshaw  
Emory Helmuth  
Dan Rolfes, Chair  
Ron Younkin, Vice Chair

**Commission Staff**

Janet M. Williams, Executive Director  
Gary Whitaker, Inspector/Investigator  
Jared Rose, Inspector/Investigator

**Legal Counsel**

James Evans, AAG

**Members Absent**

**Guests**

Rodney Hemming, Elsea, Inc.  
Joe Maskovyak, Ohio Poverty Law Center (OPLC)  
Andrea Reichman, OMHA  
Warren Connolly, OCIB  
Bill Geniella, AMHRO  
Rick Binder, Binder's Inc.  
Elizabeth Birch, OMHA

**Call to Order**

The meeting was called to order at 10:10 AM by Chair, Dan Rolfes.

**Roll Call:**

All Commissioners were present.

**Approval of the Minutes:**

**Action:** A motion was made by Evan Atkinson to approve the minutes from the March 20, 2013 meeting. The motion was seconded by Emory Helmuth. The motion passed unanimously.

**Public Comment:**

Bill Geniella from AMHRO wanted to thank the Commission staff for their efforts on behalf of the manufactured homes industry.

### **Executive Director's Report:**

Executive Director, Janet Williams presented a list of three (3) applications for dealer licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Regina Hanshaw to approve the three (3) applications as dealers listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of nine (9) applicants for salesperson licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Emory Helmuth to approve the nine (9) applicants, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of three (3) applicants for an installer's license that met the requirements for an installer's license.

**Action:** A motion was made by Evan Atkinson and seconded by Jim Demitris to approve the three (3) applicants for an installer's license, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams asked for an approval from the Commission for Verandah Properties for re-development of their Streetsboro community. This re-development was started with the Ohio Department of Health (ODH); they approved a variance for the property for lot sizes not being in compliance. ODH also made a recommendation that the Commission approve this re-development.

**Action:** There was a motion made by Tim Apel and seconded by Jim Demitris to approve the re-development of the Verandah Property in Streetsboro. The motion passed unanimously.

### **Inspectors getting Favorable Results:**

Executive Director, Janet Williams stated that the inspectors are getting very favorable results. Inspector/Investigator, Gary Whitaker shared a Community Complaints Report on behalf of both inspectors. He stated that they will be tracking their various calls and putting them into categories based on whatever the issue was. They will continue to share what the complaints that they are receiving month. The report also gives the frequency of the issue. The Commissioners thought it was a great idea to track the information.

### **Budget Report:**

Executive Director, Janet Williams provided the combined revenue and expenditure overview for FY 13 to date. She explained that now the Commission will have two funds, the existing 4K9 Funds, as well as the newly founded, 5MC Fund. She further explained that the Commission owns the 5MC Funds, and the 4K9 Fund is shared with approximately 29 Boards and Commissions. All revenues collected for licensing of the parks, fines and excess funds will go into the 5MC funds. She was happy to report revenues far exceeded the expenses. Total expenditures to date are, \$488,670, and total revenues to date are, \$1,227,107.

### **Audit:**

Executive Director, Janet Williams stated that she and the staff continue to work with the Auditors to complete the two year audit. She stated that this audit, the auditor was on site only three days, the audit two years ago the auditor was in the office for a month. She felt comfortable there would be no issues.

### **Testimony to the Senate:**

Executive Director, Janet Williams testified in front of the state Senate for OMHC's FY14 and 15 budgets. She said the testimony went very well. The President of the committee thanked her for her very thorough and informative testimony, the committee had no questions.

### **Legal Counsel:**

Executive Director, Janet Williams asked for an approval from the Commission to do some hiring of outside counsel to research some issues that the Commission needs legal advice and guidance on, for an amount not to exceed \$10,000. She stated because of the fiscal year we would have to have another contract at the beginning of the next fiscal year.

### **Statutory Language Changes Added to FY14/15 Budget:**

Executive Director, Janet Williams stated that the statutory language that was submitted into the Budget Bill was for some unknown reason pulled out of the House version of the Bill. She stated it was not directed at the Commission; apparently all language that was submitted by several Boards was cut. The Commission was notified by our Office of Budget and Management representative and he directed us to resubmit it into the Senate version of the Bill. Qiana Jones from the Commission staff re-entered into the Senate version.

### **E-Licensing Upgrade:**

Executive Director, Janet Williams reported all Boards and Commissions are in the process of updating our database that stores all licensing information. She also reported that the Commission staff met with the group from Canada who is completing the new system. She stated it was grueling, a week long, all day long, working through every aspect of our licensing. Then staff had to proof after the Irondata Company returned the information for accuracy. Mavis Giska from the staff spent many hours working with them. OMHC will be in the first roll out group, which should be in December, 2013. They are working closely with the Commission to ensure that the transfer runs smoothly as we are the only agency that our system has to interface with another system.

### **Setbacks in Parks – Diagrams:**

Inspector, Jared Rose put together three pages of setback diagrams that will be very helpful to community owners to visualize what the setback should look like in different years. The pages handed out were revisions to what was previously handed out. Please note the revision dates at the bottom for the most up to date version.

### **ABS Pads:**

Included in the packet was a letter from Hayman Engineering to Cecil Ayllon from PolyVulc USA, the black pad folks. It basically stated that ABS pads are a viable solution and that they should be allowed for use under new or used homes in a discontinuous foundation. He went on to state that installation of the PolyVulc pads should be designed to direct water away from the foundation, that is no water should be allowed to flow under the foundation. The pads should also be properly protected from the effects of frost. It should be noted that information has been requested of all the major manufacturers of ABS pads and PolyVulc was the only response received thus far.

### **Staff Meeting with AMHRO President:**

Staff met with AMHRO President, Bill Geniella. Bill stated issues of concern, one specially being park operators providing yearly leases. Staff stated that there was a memo that was going out to all park operators, specially stating some important rules that they needed to be reminded of. The memo will also state all park operators can find copies of our Rules at [www.omhc.ohio.gov](http://www.omhc.ohio.gov), under the laws and rules tab. Executive Director, Janet Williams reminded everyone that these are not new rules, instituted by the Commission; these are existing rules that were brought over from the Ohio Department of Health (ODH) and had been their rule for decades. They also talked about a memo going out to the dealers, brokers and salespersons with additional rules.

### **Nuisance Decision Tree:**

Inspector, Jared Rose presented a nuisance decision tree so when a nuisance comes in there is a path to follow. He received the basic outline for the tree from Clark County Combined Health Department.

### **Eighty Percent Rule for Installers:**

There was a discussion on the rules that installers were to be present for at least eighty percent of the set of a home. OMHC inspectors felt that rule is being violated and maybe it should be changed.

### **Parks:**

Licensing Application Update:

Executive Director, Janet Williams received information from Asst. Director, Mavis Giska indicated as of yesterday we have processed 1,388 park operator applications for 2013. Of the 1,634 total parks, 40 applications were incomplete; this is compared to 199 incomplete at the last meeting. There are 39 operators that have not responded, this is compared to 99 not responding at the last meeting. There have been significant issues with the lot count for each park which has caused additional work in order to process the applications. Staff is continuing to work on contacting those parks that are not responding and those that are incomplete.

Executive Director, Janet Williams reported that staff is working on finalizing distribution of park inspections in those areas not covered by the LHD. The final distributions should be finalized and distributed to the Third Party Agencies in the near future. The map will also be updated to show who is inspecting in what areas.

Executive Director, Janet Williams spoke about a complaint form that the staff is instituting when there is a complaint in a community.

Executive Director, Janet Williams spoke about a bulletin that was sent out to park operators, notifying them that they need to be aware of all the rules and be following them. Also included with that bulletin was a home placement (removal) form, which park operators need to be sending in to the Commission within 48 hours.

### **Dealer Bulletin:**

Executive Director, Janet Williams spoke about a bulletin that was sent out to all dealers, brokers and salespersons, bring to their attention that effective December 1, 2012 there were new rules that took effect. It stated they needed to read and be aware of all rules, but pointed out that there is a new code of ethics for dealers, brokers and salespersons, also that there is new fining ability.

## **New Business:**

### **EMA:**

Executive Director, Janet Williams talked about an email and conversation she had with Steve Ferryman, Mitigation and Recovery Administrator. Mr. Ferryman approached her about a grant proposal that he was writing. The language below is from the grant proposal that would help fund that effort:

*Manufactured home parks are at an increased risk of injury and loss of life from tornadoes and severe storms. The Ohio EMA Mitigation Branch staff will coordinate with the Ohio Manufactured Home Park Commission (<http://omhc.ohio.gov/Home.aspx>) to develop community safe room outreach materials for manufactured home park operators and residents. The outreach materials will educate the target audience on: tornado risk, available mitigation options (with a focus on community safe rooms), and potential funding sources. The purpose of developing and distributing these materials is to increase the awareness of tornado risk and the availability of Hazard Mitigation Assistance funds for community safe rooms. Digital copies of these materials will be shared with county emergency management directors for local distribution at public events. The outreach materials will likely be in the form of a tri-fold brochure and/or double-sided flyer.*

*Multiple meetings with Ohio Manufactured Home Park Commission staff will be required to: learn more about our respective organizations, formalize the outreach material message, draft outreach material content, and identify additional distribution methods. The meetings and successful creation of the outreach materials will create a partnership between the two organizations that will lead to additional wind mitigation in the state including: risk awareness activities, community safe room construction, regulatory options, and discussion on developing incentives to mitigate risk.*

After speak with the Board, they felt that maybe the idea was a little idealistic and were concerned on what actually it would involve from the staff. Director, Williams stated to Mr. Ferryman that the staff is current spread very thin and she didn't know what staff resources might be available.

### **MHI Las Vegas:**

Board members who attended the Las Vegas MHI conference reported that the conference went well and was well attended with over 800 in attendance, with lots and communities and finance folks in attendance.

### **Hoppers Mobile Home Park:**

Executive Director Janet Williams and Inspector/Investigator, Jared Rose reported the Hopper's Mobile Home Park in Sandusky is in the process of being shut down. The management of the park has not paid anything on the water bill for over two years and the water in being shut off August 1, 2013. There will be a community fair for the resident on a Saturday in June with many local agencies and officials there to assist in moving the residents. Jared is work with other parks in the area to have residents moved.

A motion was made to go into Executive Session to consider the promotion or compensation of a public employee pursuant to RC 121.22(G)(1) by Jim Demitrus, the motion was seconded by Emory Helmuth.

There was a roll call vote, Dan Rolfes, Ron Younkin, Evan Atkinson, Jim Demitrus, Tim Apel, Wally Comer, Regina Hanshaw and Emory Helmuth.

**Adjournment:**

**Action:** A motion was made by Wally Comer and seconded by Jim Demitrus at 3:30 pm to adjourn. The motion passed unanimously.

Minutes respectfully submitted and certified by Executive Director, Janet M. Williams

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**Janet M. Williams**  
Executive Director  
Ohio Manufactured Homes Commission

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**Dan Rolfes**  
Chair  
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission**  
**July 17, 2013**  
**10:00 AM**  
**5100 Parkcenter Avenue, Suite 103**  
**Dublin, Ohio 43017**

**Members Present**

Tim Apel  
Evan J. Atkinson  
Jim Demitrus  
Regina Hanshaw  
Dan Rolfes, Chair  
Ron Younkin, Vice Chair

**Commission Staff**

Janet M. Williams, Executive Director  
Mavis Giska, Assistant Director  
Gary Whitaker, Inspector/Investigator  
Jared Rose, Inspector/Investigator

**Legal Counsel**

James Evans, AAG

**Members Absent**

Wally Comer  
Emory Helmuth

**Guests**

Rodney Hemming, Elsea, Inc.  
Joe Maskovyak, Ohio Poverty Law Center (OPLC)  
Andrea Reichman, OMHA  
Warren Connolly, OCIB  
Bill Geniella, AMHRO  
Rick Binder, Binder's Inc.  
Elizabeth Birch, OMHA

**Call to Order**

The meeting was called to order at 10:20 AM by Chair, Dan Rolfes.

**Roll Call:**

All Commissioners were present with the exception of Wally Comer and Emory Helmuth

**Approval of the Minutes:**

**Action:** A motion was made by Regina Hanshaw to approve the minutes from the May 15, 2013 meeting. The motion was seconded by Jim Demitrus. The motion passed unanimously.

**Public Comment:**

Bill Geniella from AMHRO spoke on the situation in Vintage Village located in NE Ohio, Trumbull County. He stated there are potential health safety issue, the roads are bad, possibly selling homes without a license and they are charging \$15 or \$16 dollars to read and produce a water bill for the residence.



There was a discussion on water and billing. Some communities are getting volume discounts on water, but fail to pass a savings along to residents. Through out the discussion it was stated that community operators can charge what they want, there is no regulation.

Mr. Geniella also stated he would like to see educational programs for owners, operators and residents in communities.

Commissioner Regina Hanshaw asked AAG Jim Evans to talk to PUCO on this issue.

### **Executive Director's Report:**

Executive Director, Janet Williams reported that the front door to the Commission's suite now has a window as well as a keyed entrance for safety and security.

Executive Director, Janet Williams presented a list of six (6) applications for dealer licenses that met the requirements for a dealer's license.

**Action:** A motion was made by Jim Demitris and seconded by Ron Younkin to approve the six (6) applications as dealers listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of fifteen (15) applicants for salesperson licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitris and seconded by Ron Younkin to approve the fifteen (15) applicants, listed on the ratification list. The motion passed with Dan Rolfes reclusing.

Executive Director, Janet Williams presented a list of two (2) applicants for an inspector's license that met the requirements for an inspector's license.

**Action:** A motion was made by Jim Demitrus and seconded by Regina Hanshaw to approve the two (2) applicants for an inspector's license, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of one (1) Third Party Agency for a certification to inspect, they met the requirements for a Third Party Agency.

**Action:** A motion was made by Jim Demitrus and seconded by Regina Hanshaw to approve the one (1) Third Party Agency, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of one (1) Community for licensure, who met the requirements to be licensed as a Community.

**Action:** A motion was made by Jim Demitrus and seconded by Regina Hanshaw to approve the one (1) Community, listed on the ratification list. The motion passed unanimously.

### **Licensing Counts:**

Assistant Director, Mavis Giska gave a report of the current active licensing counts as follows:

Brokers	8
CE Sponsors	1
Health Depts.	5
Inspectors	55
Installers	258
Third Party Agencies	4
Building Depts.	18
New Home Dealers	224
Communities	1,595
Salespersons	234
Used Home Dealers	12
Home Makes	647

Commissioners asked on future reports to include a key that tells what the different initials stand for on the report.

### **Outside Legal Counsel:**

Executive Director, Janet Williams explained that with the new fiscal year we would have to have another personal services contract going forward with the law firm of Shoemaker and Howarth. She asked that the contract be for \$10,000.

**Action:** A motion was made by Ron Younkin and seconded by Evan Atkinson to enter into a personal services contract with the law firm on Shoemaker and Howarth for legal services as needed not to exceed \$10,000. The motion passed unanimously.

### **FY14/15 Budget Bill – Language Removed:**

Executive Director, Janet Williams reported statutory language she had submitted in the budget bill that had passed through the Senate was removed by the Conference Committee just hours before the budget billed passed. Both changes would have made the law “cleaner”, but she felt the Commission would still have the authority in both sections 4781.121(F) and 4781.29. An outside source she spoke with felt maybe the Office of Budget and Management (OBM) maybe felt that other sections of our Revised Code already gave us the authority and it was redundant. The change that was submitted for 4781.28, which was a typographical error was changed.

### **Out of State Dealer Licensing:**

Staff received materials researched by Kevin Shoemaker. Staff will review materials and report at a later date.

### **Sequential Address/Lot Numbers in Parks:**

This topic was discussed as it is coming up during some of the park inspections. Ideally all numbering should be done sequentially. The Commission going forward will ensure that in new development all numbering will be sequential. The Commission cannot go back on existing communities and have them change what they currently have.

### **Process to Appoint Receivers in Parks:**

The Commission will work with the Attorney General's office to work up a process. It was stated that if a business is a corporation, there must be underlying litigation.

### **Unlicensed Parks:**

There was a discussion regarding communities that at one time had a license and the license was not renewed by the local health district because they stated that it did not comply with have the entrance and exit into the community. With having 127 different health districts prior to the Commission taking over, there were many instances when this issue was treated very differently across the state. Some off course did license them and others (we think only a few) would not. We believe we are talking about very small lot counts in these communities. The staff will work to identify those communities that their license was dropped and get them in compliance.

### **Inspectors getting Favorable Results:**

Executive Director, Janet Williams stated that the inspectors are getting very favorable results. Inspector/Investigators, Gary Whitaker and Jared Rose are tracking their various calls and putting them into categories based on whatever the issue was. They will continue to share what the complaints that they are receiving month. The report also gives the frequency of the issue. From January 1 until July 17, 2013 they have tacked 667 complaints.

### **Budget Report:**

Executive Director, Janet Williams provided the combined revenue and expenditure overview for FY 13 as well as the to date revenues and expenditures for FY 14. She explained that now the Commission will have two funds, the existing 4K9 Funds, as well as the newly founded, 5MC Fund. She further explained that the Commission owns the 5MC Funds, and the 4K9 Fund is shared with approximately 29 Boards and Commissions. All revenues collected for licensing of the parks, fines and excess funds will go into the 5MC funds. She was happy to report revenues far exceeded the expenses. Total expenditures for FY 13 to date are, \$585,418, and total revenues for FY 13 were, \$1,312,116. There will continue to be some expenses for FY13 that had been encumbered expenses. Total expenditures for FY 14 to date are \$20,631 and total revenues of \$23,742.

### **Audit:**

Executive Director, Janet Williams stated that she and the staff continue to work with the Auditors to complete the two year audit. They hope to be completed soon.

### **ABS Pads:**

Jared Rose, Inspector/Investigator is working with an engineering firm to get design specific drawings for ABS pad sets.

**Development vs. Re-Development:**

There was a discussion in which the Commissioners agreed in the case of re-development of lots, ex. taking two lots and making it one, to fit a large home, the requirement would have said you would need sidewalks. Sidewalks would not just be installed in front of that one new lot.

**Taking a Home Down to the Frame and Building a Stick Built??**

There was some discussion on the topic. If the home was taken down to the frame, it is not a HUD home, it would be a stick built home. Then the question, are stick builds allowed in manufactured home parks. If they were allowed they would have to be inspection by the building dept. Executive Director Janet Williams stated that unless there were engineered drawings to say that a stick built home could be supported on the frame of a HUD home and that the foundation system that was holding that frame would be acceptable she didn't know how a building department could even approve it. The question was then brought up about allowing RV's in MH Communities. It was decided to topic would be revisited at a later date.

**FY14 Calendar of Meeting:**

**Action:** A motion was made by Jim Demitrus and seconded by Ron Younkin to approve the list of scheduled meeting for FY14. The motion passed unanimously.

**New Business:**

It was suggested that a subcommittee meeting be set up.

A motion was made to go into Executive Session to consider compensation of a public employee pursuant to RC 121.22(G)(1) by Jim Demitrus, the motion was seconded by Tim Apel.

There was a roll call vote, Ron Younkin, Evan Atkinson, Jim Demitrus, Tim Apel, and Regina Hanshaw.

**Adjournment:**

**Action:** A motion was made by Evan Atkinson and seconded by Tim Apel at 3:30 pm to adjourn. The motion passed unanimously.

Minutes respectfully submitted and certified by Executive Director, Janet M. Williams

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**Janet M. Williams**  
Executive Director  
Ohio Manufactured Homes Commission

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**Dan Rolfes**  
Chair  
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission**  
**September 18, 2013**  
**10:00 AM**  
**5100 Parkcenter Avenue, Suite 103**  
**Dublin, Ohio 43017**

**Members Present**

Tim Apel  
Evan J. Atkinson  
Jim Demitrus  
Regina Hanshaw  
Emory Helmuth  
Dan Rolfes, Chair  
Ron Younkin, Vice Chair

**Commission Staff**

Janet M. Williams, Executive Director  
Angel Legge, Program Administrator  
Gary Whitaker, Inspector/Investigator  
Jared Rose, Inspector/Investigator

**Legal Counsel**

Allan Showalter, AAG

**Members Absent**

Wally Comer

**Guests**

Rodney Hemming, Elsea, Inc.  
Joe Maskovyak, Ohio Poverty Law Center (OPLC)  
Andrea Reichman, OMHA  
Warren Connolly, OCIB  
Elaine Gauck  
Elizabeth Birch, OMHA

**Call to Order**

The meeting was called to order at 10:25 AM by Chair, Dan Rolfes.

**Roll Call:**

All Commissioners were present with the exception of Wally Comer.

**Approval of the Minutes:**

**Action:** A motion was made by Regina Hanshaw to approve the minutes from the July 17, 2013 meeting. The motion was seconded by Ron Younkin. The motion passed unanimously.

**Public Comment:**

None

**Executive Director's Report:**

Executive Director, Janet Williams introduced one new staff member and new AAG. Executive Director, Janet Williams stated that Mavis Giska was officially gone from the Commission and has started her new career in North Carolina with a property management company. Mrs. Giska wishes everyone well and misses

them dearly. Angel Legge comes to the Commission with lots of experience in communities and park side of Commission. She has been working on a newsletter to put out to the counties, a handbook for residents of communities and has revamped the Step by Step Installation Guide to reflect only installs performed in a community.

Allan Showalter is our new AAG who replaces James Evans. Executive Director, Janet Williams stated there is a short bio in the packet introducing Allan Showalter to everyone and giving a little bit of history about him.

Executive Director, Janet Williams discussed waiving the license fee for staff inspectors. Regina Hanshaw asked Mr. Showalter if other agencies of the state waive fees for entities they manager. Mr. Showalter stated he is unaware of that practice being done. Mr. Younkin recommended that staff members pay the fee and the Commission would reimburse them. Mr. Demitrus stated there needs to be a written policy in regards to how this is handled in the future.

**Action:** A motion was made by Regina Hanshaw and seconded by Jim Demitrus to have staff inspectors pay the fee themselves and then the Commission would reimburse them through the traditional reimbursement process. The motion passed unanimously.

Executive Director, Janet Williams presented a list of nine (9) applicants for salesperson licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitrus and seconded by Emory Helmuth to approve the nine (9) applicants, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of two (2) applicants for an installer's license that met the requirements for an installer's license.

**Action:** A motion was made by Jim Demitrus and seconded by Ron Younkin to approve the two (2) applicants for an installer's license, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of one (1) applicant for an inspector's license that met the requirements for an inspector's license.

**Action:** A motion was made by Jim Demitrus and seconded by Emory Helmuth to approve the one (1) applicant for an inspector's license, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of two (2) applications for dealer licenses that met the requirements for a dealer's license.

**Action:** A motion was made by Jim Demitrus and seconded by Ron Younkin to approve the two (2) applications as dealers listed on the ratification list. The motion passed unanimously.

### **Inspectors Getting Favorable Results**

Investigator/Inspector Gary Whitaker gave the inspector report along with an updated report on how many complaints have been received and resolved by the Commission staff. Ron Younkin asked what were the majority of the issues and how are they being resolved. Mr. Whitaker spoke of the most common problems and the staff has done to resolve the issue. Dan Rolfes stated it would be helpful to have a column on the spreadsheet showing how many issues are unresolved vs. resolved. Mr. Whitaker explained that all the complaints listed on the report are resolved complaints. Investigator/Inspector Jared Rose explained the feature in e-licensing the staff is now utilizing to track complaints and issues with communities and how this feature will streamline the process and help to reduce any missed complaints.

### **Budget Report:**

Executive Director, Janet Williams provided the combined revenue and expenditure overview for FY 13 as well as the to date revenues and expenditures for FY 14. Total expenditures for FY 13 to date are \$609,837 and total revenues for FY 13 were \$1,312,116. Total expenditures for FY14 are \$135,941 and total revenues to date for FY14 of \$74,926. Executive Director, Janet Williams also enclosed a report showing the Revenue and Expenses since the existence of the Commission. This report reflected our growth and continuing progress.

### **Audit:**

Executive Director, Janet Williams stated that she and the staff have finished the audit and expect favorable results.

### **E-Licensing:**

Executive Director, Janet Williams spoke in regards to the continuing project of converting over to the new database and where that process was at. It is still on track and scheduled to be complete in 2014.

### **Home Set Report:**

Executive Director, Janet Williams went over the Home Set Report showing the breakdown of homes set for 2013 to date. Evan Atkinson raised the question of the follow up of the 180 day timeline on permits and expressed the need to have a dedicated person tracking this information. The board then discussed options on ways to better the process of getting homes finalized. It was mentioned that some possibilities would be to hold payment until the final is received, add electric to the final inspection, and change the items inspected on the electrical inspection to prevent homeowners from occupying the home simply because the electric is now on or charging a deposit that would be refunded once final was received. Regina Hanshaw would like to see a report showing how many permits are finalized after the first initial reminder is sent out vs. the follow up notice.

### **Speech to AOHC:**

Executive Director, Janet Williams discussed a recent presentation she conducted with the Association of Ohio Health Commissioners (AOHC). She covered the annual inspection and how that process is going. Nancy Osborne from Ottawa County also spoke from the perspective of a sanitarian doing the inspections.

### **Meeting with AMHRO:**

Executive Director, Janet Williams met with Bill Geniella, President of AMHRO on August 20, 2013 to discuss some items of concern the organization has. Issues brought up by Mr. Geniella were concern over communities receiving the bulk water rate but passing the rates of residential consumers to the residents, RV's being permitted in communities, continuing education classes for owners and operators and a possible booklet to be given to residents so that they understand their obligations as residents in a Manufactured Home Community.

### **ABS Pads:**

Jared Rose, Inspector/Investigator is working with an engineering firm to get design specific drawings for ABS pad sets. The engineering firm that he had planned to work with has not been as responsive as he would have liked. Mr. Rose was given names of a few other engineering firms that may be of assistance and he will be in contact with them.

### **Email Received Regarding RV's:**

Executive Director, Janet Williams discussed an email that was received from the Director of the Tuscarawas County Regional Planning Commission in regards to manufactured home communities allowing RV's to be placed in the community. They have many questions mostly pertaining to who is the authoritative body to govern them. Questions were raised by board member as well and it was decided that AAG, Allan Showalter will research the topic and bring in back for further discussion.

### **Email to Inspectors, ABS/PVC:**

Investigator / Inspector, Jared Rose discussed an email that was sent out to the inspectors regarding ABS and PVC drain lines and the mixing of the two. The issue was researched with the Board of Building Standards as well and their decision on the matter and the results were explained in an email that was forwarded to Manufactured Home Inspectors. Jim Demitrus raised the concern that the definition given contradicts itself. It was decided that it will be a topic brought up in a Working Group meeting.

### **Feral Cats:**

Executive Director, Janet Williams shared an article she recently found in regards to the feral cat problem in Franklin County.

### **Installer /Park Operator Agreement:**

Executive Director, Janet Williams showed a draft of the new Installer/Park Operator Agreement that will be used as stated. Jim Demitrus would like to see an additional line for the Community Owner's name and number as managers come and go.

### **Home Placement Form:**

Executive Director, Janet Williams showed a revised Home Placement Form that is more user friendly.

### **Set up meeting for Working Group:**

Executive Director, Janet Williams discussed the desire to reinstate the working group that was once in existence to help hash out issues and concerns that come up with installations and inspections. Several names were given as possible interested parties who would like to be a part of the group. It was discussed that the Commission would like to see this group meet before the next board meeting.

### **Bulletin To Communities:**

Executive Director, Janet Williams spoke of a bulletin that will be going out to the communities that was prompted from the presentation she gave at the AOHC conference. Concerns were raised with the expectations and ideas out there with communities and past inspections. The bulletin discusses the new procedures and what is expected from the communities in regards to those procedures.



## **New Business:**

The topic of a recent tragic fatal fire that occurred in Highland Mobile Home Park located in Tiffin, Seneca County was mentioned. Executive Director, Janet Williams shared that she had received calls from ABC news and the Toledo Blade asking for information on any recent inspections done on the home or the community. Jim Demitrus acknowledged that is an international news story reaching up into Canada.

Evan Atkinson addressed the concern of the need to inspect homes that were going to be temporarily placed on display for the upcoming OMHA home show in the Spring of 2014. It was agreed that there was not a need to inspect the homes as they will not be occupied as a resident.

It was stated the Commissioners felt they had given the authority to the Executive Director position to make all necessary professional and clerical staff employment decisions, including but not limited to hiring and termination since day one of the Commission. To ensure their position, Commissioner Jim Demitrus proposed a resolution in regards to the delegation of the Executive Director.

**Action:** A motion was made by Jim Demitrus that the Ohio Manufactured Homes Commission delegate the authority to the Executive Director to make all necessary professional and clerical staff employment decisions, including but not limited to hiring and termination. The motion was seconded by Evan Atkinson. The resolution was passed unanimously.

A motion was made to go into Executive Session to consider the employment, dismissal, or discipline of a public employee pursuant to RC 121.22(G)(1) by Jim Demitrus and seconded by Evan Atkinson.

There was a roll call vote; Dan Rolfes, Ron Younkin, Evan Atkinson, Jim Demitrus, Tim Apel, Emory Helmuth and Regina Hanshaw.

## **Adjournment:**

**Action:** A motion was made by Evan Atkinson and seconded by Tim Apel at 3:30 pm to adjourn. The motion passed unanimously.

Minutes respectfully submitted and certified by Executive Director, Janet M. Williams

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**Janet M. Williams**  
Executive Director  
Ohio Manufactured Homes Commission

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**Dan Rolfes**  
Chair  
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission**  
**December 18, 2013**  
**10:00 AM**  
**5100 Parkcenter Avenue, Suite 103**  
**Dublin, Ohio 43017**

**Members Present**

Dan Rolfes, Chair  
Ron Younkin, Vice Chair  
Evan J. Atkinson  
Tim Apel  
Jim Demitrus  
Emory Helmuth

**Commission Staff**

Janet M. Williams, Executive Director  
Angel Legge, Program Administrator  
Gary Whitaker, Inspector/Investigator  
Jared Rose, Inspector/Investigator

**Legal Counsel**

Hilary Damaser, AAG

**Members Absent**

Regina Hanshaw

**Guests**

Joe Maskovyak, Ohio Poverty Law Center (OPLC)  
Andrea Reichman, OMHA  
Warren Connolly, OCIB

**Call to Order**

The meeting was called to order at 10:15 AM by Chair, Dan Rolfes.

**Roll Call:**

All Commissioners were present with the exception of Regina Hanshaw.

**Approval of the Minutes:**

**Action:** A motion was made by Jim Demitrus to approve the minutes from the September 18, 2013 meeting. The motion was seconded by Emory Helmuth. The motion passed unanimously.

**Public Comment:**

Executive Director, Janet Williams was asked by President of AMHRO, Bill Geniella who was unable to make the Commission meeting, to publically acknowledge how well Commission staff member Angel Legge handled an issue with a community in Hamilton County with regard to a water issue and billing of the water. Bill felt Angel went above and beyond to assist both AMHRO and the residents with the issue and wanted to thank her.

Third Party Agency inspector Warren Connolly wanted to address several issues with the Commission. The first item being the need of ventilation vs. the type of foundation present. The second item was what type of skirting was required with each type of foundation. The final question was how many outriggers must be installed and what was the ruling in regards to the outrigger installed by the factory.

Ventilation vs. Foundation Type: Warren stated that he was under the impression that if concrete runners were used, plastic was not required. Evan stated that few years ago a sheet was put together explaining when vapor barrier was to be used. Angel Legge retrieved the sheet Evan spoke of and each member reviewed the sheet and stated that this sheet is the correct guidelines and is unsure why there is a concern at this time. Jared Rose stated that he felt foundations were not being done to code and wanted additional language and requirements brought into law. Dan Rolfes referred Jared Rose to the Russ Fling's study and stated that the Commission follows the guidelines set forth as a result of that study. Evan Atkinson stated that the Commission is the authority having jurisdiction, and they are the ones who can set the frost depth. Hilary Damaster AAG stated that it appears the confusion may lay with the definition of frost depth and how it is explained in the ORC. She suggests a policy is made that will further define frost depth so that it accurately reflects what frost depth means and how the Commission expects inspection agencies to comply with this definition. This discussion covered both the first and second items that Mr. Connolly spoke of.

Outriggers and Factory Installed Outriggers: Warren stated that during the last continuing education class it was brought up that two outriggers must be installed and if the home has one installed by the factory that one does not count as the second outrigger. Warren feels this is incorrect and needs clarification. Jared Rose stated that the manufacture guidelines on outriggers states that two must be installed and a factory outrigger does not qualify as the second one and therefore if two of the manufacture of the outriggers is not used, the warranty on the outriggers will not be honored. Jared stated that if there is a factory installed outrigger, you must still put it in place but then add an additional second one so in the end, you now have three outriggers.

Based on the afore mentioned discussions the following motions were passed;

**Action:** There was a motion made by Ron Younkin stating that; The Commission determines that for support footings inside the perimeter of the home, frost depth is not to be considered when the home is skirted. The motion was seconded by Jim Demitrus. The motion passed unanimously.

**Action:** There was a motion made by Evan Atkinson stating that; The following shall be enforced as a policy until such time that the rule can be changed. 4781-6-03.2(A), removing the second sentence; In any site, all organic material such as grass, roots, twigs, and wood scraps shall be removed from the underneath of the manufactured home and in areas where footings are to be places. The new sentence shall read; Any site vegetation shall be removed under the pad. The motion was seconded by Emory Helmuth. The motion passed unanimously.

**Action:** There was a motion made by Evan Atkinson stating that; The following shall be enforced as a policy until such time that the rule can be changed. 4781-6-03.3(L)(2)(b)(i), removal of the second sentence which reads; The use of engineered plastic composite pads must be used in conjunction with solid perimeter skirting in accordance with paragraphs (D)(1) to (D)(4) and (E)(1) to (E)(6) of rule 4781-6-02.5 of the Administrative Code. The motion was seconded by Jim Demitrus. The motion passed unanimously.

### **Executive Director's Report:**

Executive Director, Janet Williams announced that it was the last official Commission Meeting for Ron Younkin. Ron served as the Vice Chair of the Commission since its inception in October of 2004. Janet stated the Commission has always been able to rely on Ron's expertise in the industry; he is a valuable asset to the Commission and will be missed. He has had exemplary attendance and never missed the Commission Meetings. She presented him with a certificate of appreciation for his time served with the Manufactured Homes Commission.

Executive Director, Janet Williams announced that the Commission now has a State vehicle to be shared by the Commission staff. In the past our Commission was reimbursing travel expenses to staff in the amount of about \$2400 for a three month period. The staff vehicle should cost the Commission approximately \$1200 for a three month period.

Executive Director, Janet Williams presented a list of fifteen (15) applicants for salesperson licenses that met the requirements for a salesperson's license.

**Action:** A motion was made by Jim Demitrus and seconded by Emory Helmuth to approve the fifteen (15) applicants, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of two (2) applicants for an installer's license that met the requirements for an installer's license.

**Action:** A motion was made by Jim Demitrus and seconded by Ron Younkin to approve the two (2) applicants for an installer's license, listed on the ratification list. The motion passed unanimously.

Executive Director, Janet Williams presented a list of five (5) applications for dealer licenses that met the requirements for a dealer's license.

**Action:** A motion was made by Jim Demitrus and seconded by Ron Younkin to approve the five (5) applications as dealers listed on the ratification list. The motion passed unanimously.

### **Inspectors Getting Favorable Results**

Investigator/Inspector Jared Rose gave the inspector report along with an updated report on how many complaints have been received and resolved by the Commission staff.

### **Budget Report:**

Executive Director, Janet Williams provided the combined revenue and expenditure overview for FY 13 as well as the to date revenues and expenditures for FY 14. Total expenditures for FY 13, which should be final amount is \$654,297 and total revenues for FY 13 were \$1,312,116. Total expenditures for FY14 to date are \$332,717 and total revenues to date for FY14 of \$559,012.

### **E-Licensing:**

Executive Director, Janet Williams spoke in regards to the continuing project of converting over to the new database and where that process was at. It is still on track and scheduled to be complete in December of 2014.

### **Seal Update Report:**

Executive Director, Janet Williams informed the board that a comprehensive spreadsheet was put together since the last meeting to show the status of permits issued. Ms. Williams stated that Angel Legge prepared the spreadsheet so she asked Mrs. Legge to explain the findings. Angel Legge explained the information on the spreadsheet was compiled from data on permits issued from July 1, 2012 through June 18, 2013. These dates were chosen to give a full year's worth of data on permits that would be expiring up to the day of the Commission meeting. As of today, 2288 permits have been issued, 1838 have been finalized, 33 have been granted extensions and 417 permits have expired. The spreadsheet also should the activity of each inspecting agency that had issued permits during that timeframe and the status of those permits as well as the breakdown of permits issued in communities vs private sets. Several board members discussed the concern over the number of expired permits and ways to combat this problem. Mrs. Legge stated that the staff is in the process of hiring two additional employees and one of those new hires main focus will be following the seal issuance very closely and getting to the root of why the permits are expired without being finalized so we can intelligently discuss ways to address the problem.

### **Park Renewal Report:**

Executive Director, Janet Williams asked Angel Legge to provide an update on the status of the communities renewing their license to operate for 2014 that are due by December 31, 2013. Angel Legge informed the board that as of the date of the meeting, 906 of the 1614 communities have completed the renewal for 2014 at a percentage of 56%. We are expecting a rush of renewals within the next two weeks.

### **LHD Responses for MOU's for 2014 Community Inspection Season:**

Executive Director, Janet Williams explained that it was the time of year to renew the MOU's with the LHD's that were performing the community inspections on behalf of the Commission for your area. Of the 72 LHD's that performed inspections in 2013, 34 of them have signed and returned the MOU for the 2014 season and we are expecting the other 38 to return as well. The deadline for them to have them back to our office is December 31, 2013.

### **RV's in Communities:**

Executive Director, Janet Williams explained that due to Allan Showalter not being able to attend this month's meeting, his findings on legal matters pertaining to RV's in communities would be addressed at a future meeting.

### **Engineering Services:**

There was a discussion on the need for future engineering services. Specifically the possibility of engineering services for plans review as well as engineering services for drawings that the Commission would want drawn up. Executive Director, Janet Williams asked the Commission for an approval of a dollars amount for the engineering services.

**Action:** There was a motion made by Evan Atkinson and seconded by Jim Demitrus not to exceed \$10,000 for engineering services as stated by the Executive Director. The motion passed unanimously.

At approximately, 1:30 pm. Chair, Dan Rolfes had to excuse himself from the meeting due to a conflicting schedule and Commissioner, Emory Helmuth had to leave at noon so there was no longer a quorum available. The decision was made to continue with the meeting in an informative manner so that Executive Director, Janet Williams would be able to update the remaining members present of matters.

### **Fines Against Communities:**

Executive Director, Janet Williams announced that the staff is looking at a procedure to bring community operators in that have failed to become compliant with inspections or complaints against them for 119 hearings. She discussed the ability to fine said operators under the ORC 4781.121. Evan Atkinson stated that he is very concerned over the parks that have failed to renew for 2013 and feels that moving forward with prosecution of those 13 operators is a must. This will be a discussion at the next meeting.

### **Working Group Session:**

Jared Rose spoke of the recent working group session that was held on October 29, 2013 and the outcome of said meeting. The minutes from the meeting are included in each member's board packet showing who was present for the working group. Executive Director, Janet Williams asked for each member to review the working group minutes and prepare to discuss concerns or questions at a later date if necessary.

### **Ambulances in Communities:**

Members Jim Demitrus and Tim Apel wanted to inform members and staff of a problem they are dealing with in their area. Franklin Township in Northern Ohio has passed an ordinance that states if there are more than 5 visits to an address, the land owner becomes responsible for the ambulance bill regardless of the reason why the ambulance was called to the address. This is causing a great impact on the communities in the area. One community owner has received a bill for \$19,400 for services rendered to homeowners in his community. Due to the fact that the operator is the land owner, the township states that the operator is then responsible for ambulance runs made to the community. Mr. Demitrus and Mr. Apel discussed meetings they have had with the township and other agencies in regards to this matter and were asking what if anything the OMHC can offer in this matter. Janet Williams stated that as far as the OMHC is concerned, it is not an area they would be able to offer assistance on but advised them to seek legal counsel.

### **Bulletin to Communities:**

Executive Director, Janet Williams stated that a bulletin went out to all communities with regard to annual inspections of the communities and the follow ups of those inspections.

### **EPA Memo:**

Executive Director, Janet Williams notified the board members that Susan Baughman with the Division of Drinking and Ground Waters with the Ohio Environmental Protection Agency had sent her an email in regards to the new penalty program for public water systems that fail to monitor and report contaminants. Ms. Baughman asked Ms. Williams to please share this information with staff and members. Ms. Williams stated that a copy of the email and information on the new policy and program is included in each member's packet. The email was also forwarded to all community operators.

### **Fires in Communities:**

The Commission inserted into the packets information on fires that happened in communities. The staff receives Google updates of anything happening in manufactured home communities. All information that we receive will be going into the file we have on that particular community.

### **New Business:**

Executive Director, Janet Williams states that she again asked OBM to include in the Mid Budget Review the statutory language clean up that the Commission sought in the Budget Bill that was removed by the consensus committee.

Included in the Commission packets is the registration form for the 2014 continuing education classes.

At this time, the group closed. Per the Hilary Damaser, AAG, due to there no longer being a quorum a motion to adjourn was not needed.

Minutes respectfully submitted and certified by Executive Director, Janet M. Williams

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**Janet M. Williams**  
Executive Director  
Ohio Manufactured Homes Commission

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**Dan Rolfes**  
Chair  
Ohio Manufactured Homes Commission