

Ohio Manufactured Homes Commission
January 25, 2006
10:00 AM
Executive Office Place
Dublin, OH

Members Present

Evan Atkinson
John Brant
Jim Demitrus
Emory Helmuth (arrived 12:15 PM)
William Laubacher
Dan Rolfes, Chair
Jim Shea
Roger Suppes
Ron Younkin, Vice-Chair (arrived 11:30 AM)

Members Absent

Commission Staff

Julie Combs, Executive Director
Janet Williams

Legal Counsel

Megan Boiarsky, AAG
Barry McKew, AAG

Guests

Andrea Reichman, OMHA
Lauren Lubow, AAG
Britt Strottman, AAG
Martin Susec, AAG
Matt Lampke, Deputy AG
Tim Williams, OMHA (arrived 3:00 PM)
Holly Dorr, OMHA (arrived 3:00 PM)

Call to Order

Re-appointed Commissioner Bill Laubacher was sworn by Matt Lampke, Deputy Assistant Attorney General, Executive Agencies section.

The meeting was called to order at 10:00 AM by Dan Rolfes, Chair

Roll Call

Roll call was read with all members present with the exception of Ron Younkin, and Emory Helmuth both of whom arrived late. Congratulations were extended to Bill Laubacher for his reappointment and to Ron Younkin who is to be inducted into the MH/RV Hall of Fame in August.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the last meeting December 14, 2005 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Evan Atkinson. All members were in favor and the motion passed unanimously to approve the minutes.

Public Comment

No public comment was made at this time. Later in the meeting public comment was received and is included below.

10:15 Guest speaker

Speaker: Marty Susec, Assistant Attorney General
Topic: Open Meetings and Public Records

Mr. Susec handed out two books to each Commissioner; the Ohio Sunshine Laws Update Summer 2005 and the Ohio Sunshine Laws Public Records and Open Meetings Acts Training Manual 2006. Mr. Susec briefly discussed the content of the Training Manual including Public Records obligations of a Public Office, the recommended method for response to a records request, the exemptions to a records request, and the importance of a records retention schedule. He also discussed the Training Manual open meetings materials including the definition of a public body, the obligations of a public body under the open meetings act, and the responsibilities of a public body with regard to open meetings and executive sessions. He then took questions regarding these topics. He discussed these topics generally and referred the commissioners to Megan Boiarsky, AAG assigned to the commission for specific information.

11:15 Commission Business

A discussion of the timetable for rules to go to JCARR, including a review of annual meeting dates ensued. A copy of the LSC language amending 125 SB 102 to be attached to the OBM correction bill was distributed. According to Megan McClory at OBM, the Governor is anticipated to sign the OBM correction bill, not yet in the legislature, near April 1, 2006. That would place the effective date for OMHC rules near July 11, 2006. This is dependent on having the rules approved by the Commission and ready by April.

Julie Combs pointed out that a more complete class similar to the training just done by Mr. Susec and provided by both the AGs office and the Ethics Commission for all commissioners, executive directors and especially for Governor's appointees will be held on March 2d. Jim Demitrus will attend as he is a Governor's appointee and has not had the training. The other commissioners believe they had the training in 2004. Julie Combs has not had this training and may need to attend the March 2 one. General consensus was to keep the March 2, 2006 commission meeting date already scheduled by OMHC.

Action: John Brant moved and Bill Laubacher seconded that pursuant to 4781.10 the George Porter taught course offered by American Home Source in Cincinnati on November 8&9, 2005 for initial licensing be accepted as an approved course and that American Home Source be an approved initial licensing course sponsor with the application and fees as discussed in the statute. Julie Combs indicated that the application and fees were collected last fall as per the draft rules and in advance of the course being offered and she expressed that this motion was not suggested sooner because she thought the rules for approval of a course had to be passed by JCARR first. John Brant stated that it was alright because of the direct grant of authority by the statute from 4781.10. Dan Rolfes recused himself. All other Commissioners voted yes. Emory Helmuth and Ron Younkin were still absent at this time.

Reports:

The Fiscal Operations Expenditure and Revenue Second Quarter Report was discussed. Dan Rolfes requested additional information on the DAS line items under the payroll account section 6091. Staff agreed to provide that information in future. A discussion regarding the future of the rental contract for the offices followed. It was generally agreed upon that less expensive office space should be explored or that this space should be renegotiated at some future time. Janet Williams reminded the Commission that the administrative rules specify the office shall be located in Dublin.

Action: Bill Laubacher moved and Ron Younkin seconded the approval of the fiscal operation report. All Commissioners voted yes.

Human resources were discussed. Julie Combs provided draft position descriptions (PDs) for two positions, one for a Fiscal/Licensing Specialist in CAVU and CAS, the other for an Investigator/Inspector. She advised that she believed OMHC needed both these positions soon in order to be ready to come on line with licensing by July 11, 2006. After discussion regarding the need for a full time Specialist position, Roger Suppes and other Commissioners suggested that the Executive Director contact other boards and commissions with regard to sharing a position. The Commission generally agreed that staff should seek to share a position and at the same time post these positions and report back on findings at the next meeting.

12:15- 12:45 Working Lunch

A discussion of the draft rules followed. All the following rules which were passed, passed with the understanding that there may be non-substantive changes in numbering or lettering and that the rules may be reformatted to comply with JCARR rules.

The draft of the Continuing Education rules was discussed.

Action: John Brant moved and Bill Laubacher seconded to adopt the rules for Continuing Education known as 4781-9-01 through -06.

The draft of the Inspection rules was discussed. Questions as to whether OMHC could pass on fees or inspection seal costs to the Department of Health were raised and passed on to the AAGs. Two questions were referred for informal opinion: Can we charge the Department of Health at all with regard to the inspection seal and Can we set a cap for the total inspection cost charged by the Department of Health? Megan Boiarsky will report back on these next meeting.

Action: Roger Suppes moved and John Brant seconded that it shall be the intention of the Commission to ensure that 100% of all manufactured home installations in Ohio be inspected per 4781.04(B)(8). The motion passed unanimously.

Action: John Brant moved and Jim Demitrus seconded to approve all of the Inspection rules known as 4781-7-01 through -06 with the exception of 4781-7-01-(G) which was postponed. All voted yes except Roger Suppes who abstained.

The draft of the Installers Licensing rules was discussed.

Action: John Brant moved and Roger Suppes seconded approval of the rules known as 4781-8-01 through-10 with the exception of 4781-8-01 (B) (12) which was deleted. The addition to the application of questions to elicit information as to felony convictions was postponed.

The draft for the Alternate Dispute Resolution process rules was discussed.

Jim Shea expressed concern about preempting HUD standards regarding the language in the definition of defect in the manufactured home. States cannot preempt the HUD safety and construction standards for the homes themselves. He suggested that language directly from the safety and construction standards be used even though this language is somewhat more limited than the HUD and state statutory dispute resolution language.

The Commission agreed through general consensus to limit the dispute resolution process to those complaints made in the first year of a new home not only with respect to defects but also with respect to

installation, and warranty issues. This general consensus went against the advice of the AGs office. The Executive Director also advised the Commission to take the advice of the AGs office.

Several other sentences in the dispute resolution draft rules were discussed. Changes were suggested to staff. The vote on the draft of the dispute resolution rules known as 4781-10-02 was postponed until the next meeting.

Copies of the HUD Dec.8, 05 redline standards as modified during the 1-12-06 Standards (Foundation and Installation) Working Group was distributed for review. Staff requested again that Commissioners discuss the document with the working group members they see regularly and come to the next meeting ready to fully discuss and adopt the draft standards for Ohio.

Before beginning the section on Attorney General Activities, the Commission formally thanked Barry McKew for his service during the start-up year. Mr. McKew will be replaced at the next meeting by Cheryl Hawkinson, AAG.

Assistant Attorney General, Megan Boiarsky informed the commission that the Formal Request for Opinion from the AGs office was still in the works. The Opinion section has suggested that the Final Opinion will be available in about two weeks.

The reply to the OMHA public records request was distributed. The AG's reply was that the request was denied for two reasons: one was that the request was too vague, requesting information and not a specific document; the second reason for denial was that the documents in question are not public records.

A copy of the Governor's recommended Ethics Policy had been distributed by email for adoption by the Commission. Julie Combs had worked with the AGs office to add an addendum regarding the special legislative status of the Commission. Roger Suppes recommended that the sentence heading above the addendum be removed from the document. John Brant said there was no reason to have the section with regard to Financial Disclosure, as the Commissioners are exempt from filing a Financial Disclosure Statement. Dan Rolfes expressed concern that he was not prepared to discuss the document and had not had his personal legal counsel review the material. The AAG advised the Commission to adopt the policy. The policy was postponed to the next meeting by general consensus.

At this time, on a request from Mr. Tim Williams of OMHA, Mr. Rolfes recognized Tim Williams for Public Comments. Mr. Williams made a statement regarding ethics policies and the Governor's office. He also expressed concern that the documents requested should be open. Mr. Williams expressed concern that OMHA counsel did not have input during discussion of the formal opinion draft. He emphasized the need for OMHC to have counsel with specific experience in manufactured home law.

Several Commissioners including Ron Younkin and Dan Rolfes expressed the need for counsel with special experience. A discussion regarding hiring outside, in-house, or special counsel ensued. Roger Suppes expressed concern regarding the costs involved in having counsel. John Brant expressed concern with regard to conflict of interest of such counsel if they have clients in the industry while representing OMHC. Other Commissioners noted that the Department of Health had its own in-house counsel and wondered how that was done.

Action: Jim Shea moved and Emory Helmuth seconded a motion for staff to explore the process of acquiring general, special or in-house counsel from the AGs office. John Brant requested a roll call vote. Dan Rolfes, Evan Atkinson, Jim Shea, Jim Demitrus, and Emory Helmuth voted yes. Roger Suppes, John Brant, and Bill Laubacher voted no. Ron Younkin had to leave prior to this vote. With a vote of 5 yea and 3 nay; the motion passed.

The AAG recommended that staff contact Carrie Hertel with regard to the hiring of counsel. Roger Suppes requested that Carrie Hertel come in to speak directly to the Commission. Julie Combs stated she would arrange this for the March meeting.

Roger Suppes requested that the Commission make a decision as to whether or not the February 8th meeting was needed. Staff expressed concern that the schedule would be full for the March 2 meeting possibly compromising the rulemaking schedule. The February 8 meeting was generally agreed to be unnecessary and was canceled.

Meeting Adjourned by 5 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

March 2, 2006

10:00 AM

Executive Office Place

Dublin, OH

Members Present

Evan Atkinson (arrived 10:20 AM)
John Brant
Jim Demitrus (arrived 1:15 PM)
Emory Helmuth (arrived 12:45 PM)
William Laubacher
Dan Rolfes, Chair
Jim Shea
Roger Suppes
Ron Younkin, Vice-Chair

Members Absent

Commission Staff

Julie Combs, Executive Director
Janet Williams

Legal Counsel

Megan Boiarsky, AAG
Cheryl Hawkinson, AAG

Guests

Andrea Reichman, OMHA
Peter Thomas, AG
Don Wester
Kari B. Hertel, AG
Steve Binns, ODH

Call to Order

Re-appointed Commissioner Roger Suppes was sworn in by Cheryl Hawkinson, Assistant Attorney General. Roger Suppes was congratulated and Cheryl Hawkinson was introduced and welcomed to her first meeting. The meeting was called to order at 10:00 AM by Dan Rolfes, Chair

Roll Call

Roll call was read with all members present with the exception of Evan Atkinson, Emory Helmuth and Jim Demitrus all whom arrived late. Congratulations were extended to Roger Suppes for his reappointment.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the last meeting January 25, 2006 Meeting.

Action: Motion was made by Ron Younkin to accept the minutes; it was seconded by John Brant. All members were in favor and the motion passed unanimously to approve the minutes.

Public Comment

No public comment was made at this time. Dan Rolfes invited Kari Hertel to make her presentation on special counsel now, moving up that discussion from later in the day.

10:15 Guest speaker

Speaker: Kari B. Hertel, Attorney General's Office, Special Counsel Division

Topic: Special Counsel

Kari Hertel stated that special counsel in Ohio was called "outside counsel". Kari Hertel specializes in helping agencies like the Commission find the outside counsel to best serve its needs. Kari negotiates the prices and prides herself on keeping the special counsel hourly rates low. In the spring, she meets with agencies to determine what their special counsel needs are and what their budget looks like. She emphasized that all special counsel are tasked with working with the state AAGs. John Brant asked if special counsel can make interpretations of statutory law. Kari stated it's a waste of money. Special counsel is bound not to give any different advice than the AAGs with regard to administrative law. John Brant asked how disagreements between special counsel and AAGs are resolved. Kari said that final interpretations are determined by the AGs office. Jim Shea asked about in-house counsel. Kari clarified that in-house counsels or general counsels are always state employees. Kari emphasized that general counsels are her contacts within an agency. Dan stated that outside counsel is needed to get industry specific advice on the HUD code not for administrative matters. Kari asked that the commission determine what the need for counsel is. She also emphasized that both in-house and special counsel worked with the attorney general's office. Roger Suppes asked about part-time counsel; Kari stated that conflict of interest is a concern. Kari stated that part-time counsel cannot also have other clients. Jim Shea asked about statutory authority. Cheryl stated by law that AGs are legal counsel for the state. Kari stated that the legal advice from counsel not hired through her would not be privileged. Dan requested Kari Hertel join a conference call with the legislative working group to discuss this in more detail, and she agreed. Staff will make the arrangements.

10:35 Commission Business

There was a discussion regarding election of a Chair and Vice Chair of the Commission.

Action: Roger Suppes motioned that the election of a Chair and Vice Chair of the Commission be on an annual basis with the election of officers to be held on the first meeting of the calendar year. John Brant seconded and all Commissioners voted unanimously.

Action: Ron Younkin motioned to re-elect Dan Rolfes as Chair of the Commission with his term retroactive to the January meeting. Bill Laubacher seconded the motion. John Brant called for the vote and all Commissioners voted unanimously.

Action: Dan Rolfes motioned to re-elect Ron Younkin as Vice-Chair of the Commission with his term retroactive to the January meeting. John Brant seconded the motion. Roger Suppes called for the vote and all Commissioners voted unanimously.

Reports:

Human Resources:

Janet Williams, Administrative Assistant, will have her one year hiring anniversary on March 28, 2006. Julie Combs suggested that the annual review of performance and salaries be held on employee's one year hiring anniversary.

10:45 AM

Motion for an Executive Session for personnel matters, R.C 112.11 (G)(1) was made by Roger Suppes and seconded by John Brant. Dan Rolfes, Ron Younkin, Evan Atkinson, Jim Shea, Roger Suppes, John Brant, and Bill Laubacher all voted yes to the Executive Session.

11:05 AM Commission came out of Executive Session

Action: Evan Atkinson moved to approve a 3% pay increase for Janet Williams. John Brant seconded the motion and all Commissioners voted yes.

Working Group Reports:

Language regarding various licensing and work permits which would require a statutory change were briefly discussed and referred back to the legislative working group for consideration.

Dispute Resolution was discussed. Jim Shea and Julie Combs agreed to work on the language for dispute resolution again and bring it back for the next meeting.

12:15-12:45 Working Lunch followed by more Working Group Reports

Standards (Foundation and Installation): Emory presented the standards from the working group. Dan led a discussion of the standards by taking comments on the standards from each commissioner one at a time going around the room. Staff noted the comments to be incorporated in the next draft.

Roger Suppes suggested that we have the current version sent to Amanda Zibner of Stein and Chapin immediately to begin typing it into proper JCARR approved LSC format. Julie Combs requested action from the commission to enable her to expand the contract in case this should cost more.

Action: Ron Younkin moved and John Brant seconded the motion to modify the existing contract or write a new contract with Stein and Chapin in an amount up to \$10,000 so the standards can be typed in appropriate form. The motion carried unanimously.

A discussion of the date for the next meeting ensued.

Action: John Brant moved and Evan Atkinson seconded the motion to move the next Commission meeting from April 19, 2006 to April 26, 2006.

Staff Items:

Megan Boiarsky, AAG announced that the AGs office has not yet released the final version of the formal opinion we requested.

The modified Governor's ethics policy was introduced and discussed briefly. Several commissioners expressed that they needed to discuss this with their own legal counsel.

Action: John Brant moved and Evan Atkinson seconded the motion to postpone the discussion until the next meeting. The motion passed unanimously.

The records management retention schedule was passed out and discussed.

Action: John Brant moved and Bill Laubacher seconded the motion to adopt the retention schedule as prepared by staff. The motion was approved unanimously.

Staff refereed the commission to several items in the commission package for discussion next meeting. Among these was an initial licensing course instructors list. Staff requested help getting classes going for initial licensing to facilitate the transition into licensing and certifying. Also in the package was information with regard to the two staff positions being requested for consideration at the next meeting including a fiscal impact estimate. Staff requested that the Commission discuss having informal comment periods in March and April. Discussion of comment periods was postponed until the April meeting. Staff handed out sample ID cards for licensees and the costs relative to having laminated cards. The general consensus was the sample 3-up glossy card in common usage in other boards and commissions was an acceptable alternative to more expensive laminating processes.

Meeting Adjourned by 4:30 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

April 26, 2006

10:00 AM

Executive Office Place

Dublin, OH

Members Present

Evan Atkinson
John Brant
Jim Demitrus
Dan Rolfes, Chair
Jim Shea
Roger Suppes
Ron Younkin, Vice-Chair

Members Absent

William Laubacher
Emory Helmuth

Commission Staff

Julie Combs, Executive Director
Janet Williams

Legal Counsel

Cheryl Hawkinson, AAG

Guests

Andrea Reichman, OMHA
Diane Roller, ODH

Call to Order

The meeting was called to order at 10:00 AM by Chair Dan Rolfes.

Roll Call

The following members were in attendance: Dan Rolfes, Ron Younkin, Evan Atkinson, Jim Demitrus, Jim Shea, John Brandt, and Roger Suppes. Emory Helmuth and Bill Laubacher were absent.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the March 2, 2006 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Roger Suppes. A vote was taken and all members were in favor. The motion passed unanimously.

Public Comment:

No public comment was made at this time. John Brant mentioned that Bob Price would like to be a 3rd party inspector and would like to attend Commission meetings.

Staff Report:

Julie Combs distributed a fiscal report which was discussed. The spending, and initial allocation amounts match CAS reports but the remainder amounts do not match. Julie will continue to work with the data.

A discussion of the cost comparisons for renting in different locations was presented.

Action: Ron Younkin moved and Dan Rolfes seconded the motion that the Commission Offices not relocate but that State Real Estate may negotiate a new lease to expand its offices located at Blazer Parkway building. A vote was taken and all members were in favor. The motion passed unanimously.

Executive Director Julie Combs reported on the following third quarter accomplishments:

The Governor signed our statutory change on April 1, '06 giving the Commission the go ahead on rulemaking. Progress continues to be made on the rules. The PE contract for designs has been signed; however the PE has delayed providing the actual plans by the firm's work for HUD.

Janet Williams mailed out 1,835 notices to Park Operators, 174 notices to County Auditors and Treasurers, 52 notices to Retailers and 41 notices to Manufacturers and 23 notices to Suppliers in our first round attempt to locate and identify installers who will be affected by licensing.

In part because of this effort, the Commission now has approx 190 installers listed, a significant improvement over the 7 we started with based on the OMHA member list.

OMHC has received state approvals and we are ready to post and to hire 2 new staff positions.

The Executive Director Julie Combs announced that the office has sent out 7 draft dispute resolution forms, 5 have been returned, 2 have been resolved, 1 on-site investigation was performed and 1 was scheduled.

She also discussed her activities as a resource to local inspection departments, and the recognition of the Commission by HUD as signaled by from HUD. The office has also forwarded information regarding a possible class of homes to HUD.

Chair Dan Rolfes and Vice Chair Ron Younkin expressed concern about moving forward with dispute resolution in advance of the rules and specifically were concerned about a particular investigation. A discussion regarding the use of, and need for executive session followed. John Brant expressed concern regarding over-use of executive sessions. It was determined that executive session was not appropriate for the discussion regarding the particular inspection. A discussion regarding a particular investigation inspection ensued. Dan Rolfes suggested that a letter to the parties involved should be written.

Action: John Brant moved and Roger Suppes seconded a motion directing AAG Cheryl Hawkinson to prepare a letter for the Commission discussing the situation and that Chair Dan Rolfes is authorized by the Commission to sign the letter. A vote was taken and the motion was passed unanimously.

The Executive Director Julie Combs brought to the attention of the Commission a request from other boards and commissions. A B&C group is seeking the opinion of the Commission regarding support for legislative changes which would require finger printing with criminal background checks for all licensees in every state licensing program. The general consensus among the Commission members was not to do fingerprinting or criminal background checks.

Formal AG Opinion Update:

The formal AG opinion is being re considered following the signing of the statutory change in the budget bill by the Governor. AAG Cheryl Hawkinson stated that we cannot predict when the formal AG opinion will be made available. Executive Director Julie Combs commented that in October '05 when the process began, she supported waiting for the opinion prior to completing the rules for Inspections and the Standard. However, she now advises that the Commission proceed with rule writing without the final version of the formal opinion.

Ethics policy:

A first draft of the modified Governor's ethics policy was distributed. John Brant suggested that references to Chapter 102 be deleted, and also suggested that several paragraphs be deleted because they did not apply to the Commissioners. Several Commissioners expressed concern that the first bullet point was so vague as to prevent members from acting or receiving remuneration within the normal course of their sales businesses. AAG Cheryl Hawkinson requested that Julie Combs forward the Ethics opinion provided to the Commission last year. Cheryl stated that she would review the draft ethics policy and bring it back to the next meeting.

Dispute Resolution working group report:

The dispute resolution draft rule was presented and discussed.

Action: John Brant moved and Jim Demetrius seconded a motion to accept the Dispute Resolution draft as amended. A vote was taken and the motion passed unanimously.

Fees for Seals:

A draft of section (G) of rule 4781-7-01 regarding the fees for inspection seals was discussed. Roger Suppes stated he had checked with his legal department and the ODH can pass on the fee for the per house inspection seal.

Action: John Brant moved and Jim Shea seconded a motion to accept the draft fee for inspection seal language as amended. A vote was taken and the motion passed unanimously.

Standards:

The section on standards was postponed pending receipt of PE design drawings and the completion of the standards by the working group.

Adjudication Hearings:

AAG Cheryl Hawkinson explained the rule on adjudication hearing. She stated that the rule is required as it sets forth the procedure for hearings.

Action: Roger Suppes moved and John Brant seconded the motion to accept the draft rules on Adjudication Hearings. A vote was taken and the motion passed unanimously.

Roger Suppes suggested that staff prepare a summary of the rules prior to bringing them to the Commission for the final vote.

Human Resources:

The lack of funding for the proposed two staff positions was discussed. The Executive Director estimated that the two positions would average approx. \$50,000 each although it might be possible to find someone with less experience in the \$30,000s. The Commissioners suggested that for the investigator's position, the salaries be checked with other regulatory boards including architecture, industrial compliance, collective bargaining, and local municipalities. For the fiscal position, the Commission suggested using a temporary again. The Executive Director expressed the need for one investigator to be on staff. She requested that the commission delegate the contracting and selection of staff to the Human Resources Sub Committee. By general consensus the Commission agreed.

Action: Roger Suppes moved and Jim Demetrius seconded that the Fiscal Specialist/ Licensing position be filled by entering into a contract not to exceed \$10,000 for the period through June 30,'06. A vote was taken and the motion passed unanimously.

Discussion of special counsel was passed over as not necessary at this time.

Rulemaking process discussion:

In order to increase public participation in the rule making process, The Executive Director requested that the draft rules be posted on the website. Roger Suppes stated that it was too soon to put the draft rules up. By general consensus it was agreed to post the rules on the website as draft rules after they have been accepted by the Commission in the JCARR format. The Executive Director requested that the Commission schedule a day for meeting with interested parties about the rules; especially with sanitarians and building officials. By general consensus, staff was directed to schedule a day in Dublin for public comment after the draft rules are posted.

Staff reiterated the need for course sponsors. John Brant suggested that Hal Plant might set up courses as he has a side business in providing required courses. Julie explained that staff had visited the new president of OMHA to discuss setting up course sponsorship because OMHA is specifically named in the statute as able to apply to be a course sponsor. Several concerns raised about course sponsorship at that meeting were discussed. General discussion on course sponsorship ensued. Ron Younkin suggested perhaps he could get several folks to work together and get a course sponsored.

A timetable for the JCARR process was passed out and discussed.

Action: John Brant moved and Ron Younkin seconded to adjourn.

Meeting Adjourned by 2:55 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

June 1, 2006

10:00 AM

Executive Office Place

Dublin, OH

Members Present

Evan Atkinson (Arrived 10:10)
John Brant
Jim Demitrus
Emory Helmuth
William Laubacher
Dan Rolfes, Chair
Roger Suppes (Arrived 10:10)
Ron Younkin, Vice-Chair

Members Absent

Jim Shea

Commission Staff

Julie Combs, Executive Director
Janet Williams

Legal Counsel

Cheryl Hawkinson, AAG

Guests

Andrea Reichman, OMHA
LeAnn Todd Hoon, ODH
Don Wester
Robert Foster, Alchemy Services
Dan Lemke, Delaware County

Call to Order

The meeting was called to order at 10:00 AM by Chair Dan Rolfes.

Roll Call

The following members were in attendance: Dan Rolfes, Ron Younkin, Jim Demitrus, John Brandt, and Emory Helmuth, Bill Laubacher. Evan Atkinson and Roger Suppes arrived just as the roll call ended. Jim Shea was absent.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the April 26, 2006 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Bill Laubacher. A vote was taken and all members were in favor. The motion passed unanimously.

Public Comment:

Dan Rolfes opened the floor for public comment. Robert Foster, of Alchemy Services expressed his support of the Commission. He also expressed interest in becoming trainer or course sponsor. Dan Lemke, a Delaware County Code Compliance officer expressed that he did not support requiring additional certification for an inspector before the inspector can inspect installations of manufactured homes. He believes that additional certification is not necessary. He also expressed concern about the cost of certification and wanted the cost of certification kept low. Mr. Lemke also asked about the manner in which home labels would be ordered and accounted for. Mr. Lemke asked about the current status of enforcement powers since the Residential Code had changed.

John Brant replied to Mr. Lemke that the certification is required by statute. Julie Combs directed Mr. Lemke to the Website for a copy of the letter requesting that Building Departments continue their existing enforcement programs until Commission rules were adopted.

ACTION: In order to facilitate the rulemaking process, while all members are in attendance, Dan Rolfes requested that if there were no objections, agenda item 6 “Subcommittee and Working Group Reports” be moved up before item 5 on the agenda. With no objections, the agenda was modified.

4781-10 Dispute resolution rules were discussed. Dan Rolfes discussed his concerns regarding warranty issues and used homes. The sentence “A used home is only eligible for dispute resolution in regard to its installation” was discussed as an amendment.

Action: Roger Suppes moved and John Brant seconded a motion to approve Chapter 4781-10-01 as amended. The motion passed unanimously.

4781-9 Continuing Education rules were discussed.

Action: John Brant moved and Jim Demitrus seconded a motion to approve Chapter 4781-9-01 through -06. The motion passed with Roger Suppes opposed.

4781-8 Installer licensing rules were discussed. 4781-8-01 (B) (10) was reconstructed to contain the date Nov 1, 2007 as the deadline for taking and passing the examination in advance of licensure.

A green page with alternate and reduced licensing fees 4781-8-01 (G) was discussed. Julie Combs presented a projection of revenues based on each fee schedule.

4781-8-07 (F) (6) was discussed. The line was deleted.

Action: John Brant moved and Jim Demitrus seconded a motion to approve as amended on the green sheet regarding reduced licensing fees. The motion passed unanimously

Action: John Brant moved and Bill Laubacher seconded a motion to approve the amendment of 4781-8-01 (B) (10). The motion passed unanimously.

Action: John Brant moved and Evan Atkinson seconded a motion to accept all amendments to 4781-8. The motion passed unanimously.

Action: John Brant moved and Roger Suppes seconded to accept the entire Chapter 4781-8 as amended. The motion passed unanimously.

4781-7 Inspections was discussed. 4781-7-03 (2) and (3) of footing inspection requests was deleted. 4781-7-08 (G) Liability was deleted and changed to match language from the current Ohio residential code as suggested by Roger Suppes.

Action: John Brant moved and Roger Suppes seconded a motion to accept the amendments to 4781-7. The motion passed unanimously.

Action: John Brant moved and Bill Laubacher seconded a motion to accept the entire Chapter 4781-7 as amended. The motion passed unanimously.

4781-06 Installation Standards was discussed. The version provided does not yet have all the appendices or the illustrations. The PE drawings are still not available. If they are not available soon, staff may revisit the contract for services. Julie Combs suggested that the Commission approve the Installation Standards as drafted because the standards are very similar to standards HUD will eventually approve and implement. Additions and modifications to the standards can be completed under future rulemaking and in their current form, the Commission can move forward toward issuing licenses and inspection seals.

Action: Roger Suppes moved and John Brant seconded a motion that the Commission will accept current ODH installation standards in Parks to be incorporated into Appendix A. The motion passed unanimously.

Action: John Brant moved and Ron Younkin seconded a motion to accept the entire Chapter 4781-6. The motion was passed unanimously.

Action: John Brant moved and Roger Suppes seconded a motion to post all these proposed draft rule chapters 4781-6 through 4781-10 on the OMHC website and to send a letter to health districts and inspection departments and other interested parties to notify them that the draft rules were posted on the website.

The Commission discussed holding informal public discussion sessions prior to the official JCARR public hearing as a way to obtain comments and feedback from the affected parties. The first public discussion will be in the morning of June 15, 2006 regarding the standards 4781-6. The second public discussion will be in the afternoon of June 19, 2006 regarding Inspections. John Brant and Ron Younkin agreed to attend the public discussions.

Returning to item 5 on the agenda, the Executive Director passed out the AGs Formal Opinion letter. The final version was discussed. The Commission has the ability to broadly define installation as needed to meet HUD requirements for installation standards. The Department of Health and the Commission are both state agencies and must work in a cooperative manner with regard to inspections.

Cheryl Hawkinson, AAG was called upon to discuss the draft of the Ethics Policy. Ms. Hawkinson stated that the draft ethics policy was in compliance with their statutes.

Action: Evan Atkinson moved and Jim Demitrus seconded a motion to approve the Ethics Policy. The motion passed unanimously. Staff was instructed to send a copy to the Governor's office on official letter head.

The Executive Director requested that IT Policy E.8 (03/20/06) be added to the Commission Policy Manual.

Action: Ron Younkin moved and John Brant seconded the motion to add the IT Policy E8 (03/20/06) to the Policy Manual. The motion passed unanimously.

The JCARR timetable was discussed. Janet made an announcement about Manufactured Homes in the news. A brief discussion of the need for course sponsors ensued.

Action: John Brant moved and Ron Younkin seconded the motion to adjourn.

Meeting Adjourned by 2:10 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

June 21, 2006

10:00 AM

Executive Office Place

Dublin, OH

Members Present

Evan Atkinson
John Brant
Jim Demitrus
William Laubacher
Jim Shea
Roger Suppes
Ron Younkin, Vice-Chair

Members Absent

Emory Helmuth
Dan Rolfes, Chair

Commission Staff

Julie Combs, Executive Director

Legal Counsel

Cheryl Hawkinson, AAG

Guests

Andrea Reichman, OMHA
Tim Williams, OMHA
Gene Phillips, ODH
Tim McClintock, CBO, Wayne Co.
Don Wester, Jr., Installer
Bradley Butters, Independent Electrical Inspector
Steve Binns, ODH

Call to Order

The meeting was called to order at 10:00 AM by Vice-Chair Ron Younkin.

Roll Call

The following members were in attendance: Ron Younkin, Jim Demitrus, John Brandt, Bill Laubacher, Evan Atkinson, Roger Suppes and Jim Shea. Dan Rolfes and Emory Helmuth were absent.

Approval of the Minutes

Ron Younkin requested that the Commission take a few minutes to review the minutes from the June 1, 2006 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Bill Laubacher. A vote was taken and all members were in favor. The motion passed unanimously.

Public Comment:

Ron Younkin opened the floor for public comment.

Tim McClintock, Chief Building Official for Wayne County spoke in favor of the rules. He indicated he was interested in seeking certification from the Commission to do inspections and that his building department was also interested in obtaining certification for a department. He expressed concern that a certified electrical inspector should do the inspections and cited RC 3781- only electrical inspectors can do inspections and only if certified by the BBS. He requested that continuing education requirements be flexible enough to accept reciprocity with courses acceptable to the BBS.

John Brant responded that 3783.01 (B) did not apply. The Commission has exclusive authority over inspections of manufactured homes including electrical and plumbing inspections.

ACTION: In order to facilitate the process, while all members are in attendance, John Brant requested that if there were no objections, the agenda item # 5 a). Executive Directors Report sub item a. Personnel Action with Executive session be postponed to the end of the meeting. There were no objections.

The Executive Director reported that the mailing requested by the Commission at the June 1, 06 meeting to all interested parties, health districts, and building departments was completed.

The Executive Director reported that the fiscal report would be included in the next meeting; Janet Williams has been very busy encumbering funds for the next fiscal year. Roger Suppes expressed concern that monies cannot be arbitrarily moved from one year to the next, rather that the services must be provided in the fiscal year in which they are allocated. Julie Combs stated she was following the DAS procedures as explained to her, which included that if, for example, scheduling reasons the services were not provided, they could still be paid for out of encumbered funds. She agreed to confirm this with the Commission's DAS advisors.

Sub-committee and working group reports:

The working groups for Installation Standards and Inspections had open hearings on June 15 and 19th respectively on the rules posted on the website. The Executive Director passed out summaries of the comments, and copies of letters and email correspondence regarding the rules. Bill Laubacher noted that on the 15th it was observed that the rules on the website for the June 15 hearing were not the most recent rules. Julie indicated that following the June 15 meeting, she had the correct rules sent to be posted on the web site.

The Executive Director presented suggestions from the working groups for changes in language in the rules for the Commissioner's consideration:

4781-6-02 Add a definition of "Shims". Commissioners suggested that the term ACQ shims be changed to pressure treated shims.

4781-6-03 (D)(a) Change HUD's "(not decorative)" to cite the ASTM C-90 standard.

(F)(2)(a) delete that corner piers must be double stacked if they are 3 blocks high- leaving double stacking to 36" high instead.

6-02.3 (N)(1)(a) The term curtain wall has caused some confusion for Auditors. The proposed language changed to non-load bearing wall.

4781-6-02.4(B)(2)(b)

Language is confusing with regard to longitudinal ties in wind zone 1. Roger Suppes also suggested a change to the last sentence in the paragraph. Amended to be clear that no longitudinal ties are required.

4781-6-02.5(E)(6)

Added language to include all HVAC equipment with condensate collectors to provide drainage. Jim Demitrus added language regarding the slope of the drains.

4781-6-02 (7)(B)(4)(b)

2 commenter's misunderstood that 4-wire was being required for 3 wire outside lighting. Amended to state per NEC 2005, and for both E and F also.

4781-7-03(I)(b) sign off card section. In the Inspections open hearing language was drafted for this section to require electrical and plumbing inspections by certified inspectors. 3 persons commented on the 19th and 1 at this meeting have all addressed this concern. Julie stated this was the hot topic for inspectors she has met. John Brant stated the concerns were primarily about the electrical inspections.

A lengthy discussion ensued.

John Brant suggested that instead 4781-6-02.7 F could be amended with a new G and not adopt the suggested language change in 4781-7-03(I)(b). The amendment would require BBS certified electrical inspectors.

Roger Suppes requested that Steve Binns be permitted to comment. Ron Younkin agreed.

Steve Binns, Manager of the Manufactured Home Parks program for ODH stated they had problems finding certified inspectors for MHO. He stated a meeting with Commerce and BBs licensed contractor who has licenses, electrical safety inspectors all had the authority to do inspections in parks. He suggested that a licensed contractor be permitted to do the inspections in parks.

John Brant accepted the amendment to his language that the inspector could be licensed by the OCILB. He also reminded the commission that 55 of the 88 counties did not have certified inspection departments.

4781-8-01A there is an exception allowing a person to install their own home on private property which needs to be added.

4781-8-04(C)(4) Adds the statement that the required continuing education hours for installers is 8 hours for the 2 year certificate.

Agreement was reached to modify the inspectors continuing education hours from 18 to 12 hours for a three year certificate.

4781-10-01(G) Change the citation from 4781-9-03 to 4781-8-03.

Condensate drains were discussed 4781-6-02.6 (D) was amended per the recommendations from the working group.

Action:

John Brant moved to adopt rules as amended for Chapters 4781-6, 4781-8 and 4781-10. James Demitrus seconded the motion. The motion was amended to adopt the amendments to

- 6-02
- 6-02.3
- 6-02.3
- 6-02.4
- 6-02.5
- 6-02.7
- 8-01
- 8-04
- 10-01

The motion passed unanimously.

Action: John Brant moved and Roger Suppes seconded the motion to modify the inspector education from 18 to 12 hours. The motion passed unanimously.

Action: John Brant moved and Evan Atkinson seconded the acceptance of the rules 4781-6, 4781-7, 4781-8 4781-9 and 4781-10 with direction to the Executive Director to file them with JCARR.

The rules passed unanimously. Effective dates were discussed- if all goes smoothly September, use October for planning purposes.

Course Sponsorship was discussed. Ron Younkin indicated that while OMHA was declining to be a course sponsor, Stylecrest was interested in sponsoring courses. Julie Combs agreed to provide Stylecrest with a course sponsor package and to assist them as they prepare their course.

Several commissioners requested that the August 16th meeting include presentations from testing agencies and from course sponsors.

Julie Combs discussed two memos salary raises for staff. One memo states that staff can receive raises up to 5%. The other stated that the average within the agency had to be 3%. Janet's last raise at her anniversary date was 3%.

Action: Ron Younkin moved to go into executive session with regard to personnel matters- the annual review of the Executive Director- John Brant seconded the motion. A roll call ensued. All were in favor of executive session for this personnel matter.

1:15 Executive Session

1:30 Out of Executive Session

Members of the Commission expressed pleasure at the progress of the commission under the Executive Director. Kind words were exchanged.

Bill Laubacher moved and Roger Suppes seconded the motion for Julie Combs to receive a 3% pay raise effect at the beginning of the pay period of her one year anniversary.

There was a discussion regarding if the form provided was the correct form for exempt professional employee evaluations. Goals for next year were requested to be provided at the July 25th Commission meeting.

Frequently asked questions and a flow chart for how an installer should proceed were requested for the website.

Action: John Brant moved and Ron Younkin seconded the motion to adjourn.

Meeting Adjourned by 1:45 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

July 25, 2006

1:30 PM

**6606 Tussing Rd
Reynoldsburg,, Ohio**

Members Present

Evan Atkinson
John Brant
Jim Demitrus
William Laubacher
Dan Rolfes, Chair
Jim Shea
Roger Suppes
Ron Younkin, Vice-Chair

Commission Staff

Julie Combs, Executive Director
Janet Williams

Legal Counsel

Cheryl Hawkinson, AAG

Members Absent

Emory Helmuth

Guests

Allyn Sheldon, Pickaway Building Dept.
Jack Pryor, COCOA/OBOA

Call to Order

The meeting was called to order at 10:10 AM by Dan Rolfes for the purpose of holding a public hearing. The guests in attendance for the public hearing are attached. (The record of the public hearing is available on transcript if requested. The requesting party must pay for the cost of transcription.)

The public hearing was adjourned at 12:00 PM for lunch

The meeting was reconvened and called to order at 1:30 PM by Chair Dan Rolfes

Roll Call

The following members were in attendance: Ron Younkin, Jim Demitrus, John Brandt, Bill Laubacher, Evan Atkinson, Roger Suppes, Jim Shea and Dan Rolfes. Emory Helmuth was absent.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the June 21, 2006 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Roger Suppes. A vote was taken and all members were in favor. The motion passed unanimously.

Executive Director's Report:

Fiscal Discussion:

A copy of the end-of-year fiscal report was included in the package along with CAS print-outs with figures for the end-of -year close-out. A fiscal report showing the allocations for FY 07 and encumbrances from FY06 was also distributed. The Executive Director provided documents with estimates for the additional funding needed for two staff positions.

Action: Bill Laubacher made a motion and it was seconded by Jim Shea to tell Julie Combs to go to the Controlling Board with a request for funds for FY 07 for two additional staff positions. The motion passed with John Brant voting no.

Goals:

Goals for the Commission, Executive Director and staff were passed out. Goals will be reviewed at the August 16, 2006 meeting.

Pandemic Emergency and Building Disaster Plans:

Action: Roger Suppes made a motion and it was seconded by John Brant to approve both documents. The motion passed unanimously.

Transition Report and LSC Report:

To be reviewed at the August 16, 2006 meeting.

The Executive Director noted the following deadlines were keeping her busy:

Controlling Board request due July 27, 06 for FY 07 for CB meeting on Monday Aug. 14, '06.

JCARR last rule corrections and corrections to RSFAs due July 28th for meeting on Monday Aug 7th.

OBM appeals for the FY08-09 due Aug 1st.

LSC report due Sept 1.

Transition Documents Due Sept 15th draft with final due date of Oct. 1.

Along with activities required for the anticipated agency start-up in Mid Sept. with CAVU, etc.

Public comments were discussed. Announcements regarding working groups were made: The Installation Working Group will be meeting at 9:30 on Aug. 8, 06 and the Inspections Working Group will meet the same day at 1:00PM. Julie Combs noted that several individuals attended both groups, and that the groups may need to be combined. Comments were accepted again from Jack Pryor regarding the rules for inspectors. Mr. Pryor repeated his public hearing remarks to the effect that inspectors should not need to take an examination to be certified, if they were already certified. Inspector examination policy and continuing education rules were discussed as were the fees charged to inspectors.

Action: John Brant moved and Roger Suppes seconded the motion to change the charge to inspectors for certification from \$90 to \$30 for a 3 year certificate and to reduce the late fee from \$45 to \$15.00 for inspectors. The motion passed unanimously.

A discussion regarding the need for sanitarians to have an examination and continuing education ensued. Statutory changes would be needed to require this. A letter to the Director of Health was considered. Roger Suppes agreed to pass on the Commission's concerns to his Director regarding sanitarian continuing education and to report back.

The Health Department requested a change in 4781-7-02 adding (H) granting authority to sanitarians to inspect in parks and giving them a grace period. In addition, the Commission agrees as a matter of policy to provide the health department with information regarding who has passed the training course. Additional changes to all the rules to address JCARR concerns and LSC formatting were discussed also.

Action: John Brant moved and Roger Suppes seconded a motion to add 4781-7-02 (H). The motion passed unanimously.

Action: John Brant moved and Evan Atkinson seconded the motion to approve Chapter 4781-7 rules as amended. The motion passed unanimously.

Action: John Brant moved and Bill Laubacher seconded a motion to approve Chapter 4781-6-02 through and including 02.9 rules as amended. The motion passed unanimously.

Action: John Brant moved and Bill Laubacher seconded a motion to approve Chapter 4781-8, 9 and 10 rules as amended. The motion passed unanimously.

The discussion moved to the new rules for consideration, once known as Appendices.

6-02.10 was sent back to the working group for consideration. Roger Suppes asked for more work to be done by the working group on clarifying the call for an inspection for a park's existing foundation.

6-02.13 was discussed. Concerns regarding the statutory authority for this rule and for 6-02.15 and for 6-02.16 were raised. AAG Cheryl Hawkinson agreed to review the proposed rules and the statute and return to the Commission with her comments regarding statutory authority.

Evan Atkinson requested information regarding the performance of the PE firm providing, or failing to provide, the drawings in a timely manner for the Commission.

Action: John Brant moved and Evan Atkinson seconded the motion to send a formal letter regarding failure to perform to the PE. The motion passed unanimously.

Following the motion, Jim Shea indicated he would also call the PE firm to discuss the problems with performance and with errors in billing.

Julie Combs directed the Commissioners to other information in their packages, including the suggested dates for the commission meetings and the BBS newsletter article by John Brant.

Action: John Brant moved and Evan Atkinson seconded the motion to adjourn.

Meeting Adjourned by 3:45 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

August 31, 2006

10:00 AM

5650 Blazer Parkway

Dublin, Ohio 43017

Members Present

Evan Atkinson
John Brant
Jim Demitrus
Emory Helmuth
William Laubacher
Dan Rolfes, Chair
Jim Shea
Roger Suppes

Commission Staff

Julie Combs, Executive Director
Janet Williams, Administrative Assistant

Legal Counsel

Cheryl Hawkinson, AAG

Members Absent

Guests

Andrea Reichman, OMHA
Pamella Weller, Stylecrest
Cal Olsson, Stylecrest
Bradley Butters
Don Wester
Tim Williams, OMHA
Ron Younkin, Greenlawn Homes

Call to Order

The meeting was called to order at 10:15 AM by Chair, Dan Rolfes. Mr. Rolfes recognized Mr. Younkin for being the only Commissioner who has had perfect attendance. Julie Combs presented Mr. Younkin with a set of vintage Ohio State Glass Mugs. Mr. Younkin was also recognized for his recent induction into the RV/MH Hall of Fame. Congratulations were extended to Mr. Younkin.

Roll Call

The following members were in attendance: Jim Demitrus, John Brant, Bill Laubacher, Evan Atkinson, Roger Suppes, Jim Shea, Emory Helmuth and Dan Rolfes.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the July 25, 2006 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Jim Demitrus. The motion passed unanimously.

Dan Rolfes proposed that for this meeting only, the Roberts Rules of Order guidelines regarding limitation of public comment be suspended. He stated that he would take comments from the public throughout the meeting for this meeting only. Members of the public, who raised their hands, would be called on for comment throughout the meeting. The usual public comment period would still be held as well. This proposal was accepted by consensus.

Public Comments:

Pamella Weller from Stylecrest spoke regarding Stylecrest's offering of the initial licensing courses through out the state. The anticipated cost of the 12 hour course would be \$295.00. She is working with staff to complete an application for course sponsor. Joe Tyson will be the primary trainer for the course. The Commission extended thanks to Stylecrest for their involvement in the training course.

Executive Director's Report:

Term renewals were discussed. 3 Commissioners' terms expire December 31, 2006. They are Jim Shea, Jim Demitrus and Evan Atkinson. Mr. Demitrus is a Governors appointee, so staff will notify the Governor of the need for his renewal. Mr. Atkinson's name will be put forward by OMHA to the Speaker of the House. Mr. Shea has indicated he will not be continuing as a Commissioner; we will be asking OMHA to put forward a recommendation to the President of the House with regards to the Manufacturer's representative, Staff will notify OMHA, the Speaker of the House, and the President of the Senate that appointments are needed. In addition, Mr. Younkin's term has been mistakenly believed to also expire in 2006. His term actually expired December 31, 2005 with his additional 60 days of service up in March. OMHA and OMHC Staff have been working with the Speaker of the House to correct this oversight. It is anticipated that the Speaker of the House will reappoint Mr. Younkin and that we will have that reappointment very soon. Mr. Younkin has graciously attended this meeting as a member of the public.

The Legislative Services Commission report which was submitted to meet a September 1, 2006 dead line was distributed. The Transition Report for the New Governor was distributed and discussed. It is due September 15, 2006 for inclusion in a larger document for the Governor. The Mission Statement, Vision Statement, Guiding Principles and Objectives were discussed. Jim Shea and Roger Suppes agreed to work with the Executive Director on refining the guiding principles prior to the September 15, 2006 due date.

Julie Combs requested that the Commission delegate to a Human Resources subcommittee the final hiring decisions for the two staff positions to be filled. Staff will post the position, and will cull the applications for presentation to the subcommittee. The approved job descriptions were passed out and discussed.

Action: John Brant moved and Bill Laubacher seconded the motion to empower the Human Resources subcommittee to make the final hiring decision for the Commission. The motion carried unanimously.

Action: John Brant moved and Roger Suppes seconded the motion to authorize the Chair to negotiate, approve and sign the rental lease. The motion carried unanimously.

An interim fiscal report was handed out; the full fiscal report is reviewed and discussed quarterly.

The Rules Reference page was passed out and read with effective dates and rule review dates.

John Brant asked regarding publication of the standards. OMHC does not have a contract to publish these documents. John Brant recommended that the standards have holes punched and not be bound.

Action: Roger Suppes moves and Bill Laubacher seconded a motion to authorize the Executive Director to go forward to publish the commission standards rules and regulations. The motion passed unanimously.

Action: John Brant moved and Emory Helmuth seconded the motion to approve the Installers licensing form and also moved to delegate any correction of this form and the development of all other application, licensing certification or dispute resolution related forms required to fulfill these duties of the Commission, to the executive director. The motion carried unanimously.

A brief discussion of surety bonds ensued.

The Executive Director requested permission to apply to be a member of the HUD Consensus Committee and attend the meetings. Julie Combs states she would attend the meeting once a year in DC and attend the conference calls. She also noted that she is now attending the conference calls and is on some of the working groups. The position is for a representative government or regulatory agency slot on the Committee. The decision was postponed to the next meeting.

In an attempt to reach all the installers and get the word out, a large mailing is planned including the installers initial licensing application. It's expensive to do this mailing. Staff will include in the mailing parks operators, retailers, health divisions, interested parties, etc.

Julie Combs mentioned that two Examination Development and Administration presentations will be made on the September 20, 2006 meetings. A discussion of the development of the exam, its potential to cost up to \$25,000 and other details of exam administration ensued.

E-Licensing Presentation:

Following lunch, Doug Hart, a contractor formerly employed by the Speech, Language Pathology and Audiology Board, another state regulatory agency, provided information on the E-licensing software available, and formerly known as CAVU. The Executive Director had been pursuing the use of the CAVU software in the Department of Commerce, but Commerce concluded they could not configure their program to meet our needs. DAS has a method for customizing the software for regulatory agencies, so the DAS version will be used by OMHC. The need for a secondary database to capture information from the investigators reports was discussed briefly. Julie Combs clarified that Visa and Master Card has already been set up for the Commission to accept payment but that the American Express fees were determined too expensive and not set up.

Action: Evan Atkinson moved and John Brant seconded the motion to enter into a contract with Doug Hart to develop the E-licensing CAVU software for the Commission and assist the staff with licensing issues at \$35/hr and up to \$2,000.00. The motion passed unanimously.

Sub-Committee and Working Group Reports:

The Executive Director requested that the Foundations and Installations working group be merged with the Inspections working group and be made a standing subcommittee. In order to ensure that there are not too many commissioners in attendance, Evan Atkinson and John Brant from the Inspections working group will co-ordinate and alternate attendance, and Emory Helmuth and Bill Laubacher will also co-ordinate and alternate attendance in an attempt to keep the number of Commissioners at each meeting to 2. (Up to 4 can attend but the Commission has set a guideline of keeping the number of Commissioners in attendance down to 2.) It was agreed by consensus that this merging will take place at the next meeting.

Julie Combs informed the Commission that the PE had sent drawings which were being reviewed by the subcommittee. Jim Shea made a telephone call to the PE to discuss the problem with their failure to perform and the PE sent the drawings. Because the drawings arrived prior to sending the failure to perform letter, staff did not go ahead and send the letter. Commissioners agreed that the letter should not be sent after all since the drawings had arrived. A response to the drawings has not yet been completed by the working group and staff.

Other Items:

The forms for Inspectors, Building Departments and their personnel and the Certification of Third Party Agencies are not yet ready.

Julie Combs listed various public speaking engagements planned for the next 2 months.

September 21, 2006 Executive Director at OEHA Board meeting

September 21, 2006 Dan Rolfes, Ron Younkin, Jim Shea and Evan Atkinson will be on a panel at the OMHA Board Meeting

September 29, 2006 Executive Director at State Commission on Dispute Resolution Panel

October 3, 2006 Executive Director at 4-Chapter meeting in Cuyahoga Falls with Industry (Tim Apel)

October 11, 2006 not yet confirmed for Executive Director at OBOA meeting (Building Inspectors)

October 20, 2006 Executive Director at Northwest OEHA meeting.

Getting the word out is a priority for Commissioners and the Executive Director.

Evan Atkinson requested staff develop a flow chart. Evan Atkinson requested a one page document with the steps for how to install a home from the point of view of a Retailer or a Retailer/Installer and be available by September 21, 2006. Staff could not promise this item but agreed to attempt it prior to the next meeting. Jim Demitrus requested a flow chart from the Residents point of view also.

John Brant suggested that staff needed to contact public utilities with regard to electrification.

Evan Atkinson also spoke to problems with uniformity of inspections, especially for electrical inspections. Julie Combs also mentioned that our Investigator/Inspector will perform inspections where no other authority has jurisdiction, so we should be sure to hire an Investigator who has the ESI credential. A discussion of the south eastern counties inspections problems and the rule as passed by the Commission ensued. A discussion of homes as real property and as a Manufactured Home also followed, the conclusion being that our installation standard still applies when a home which has been declared real property is reinstalled.

The Executive Director noted that information available about State policy with regard to staff raises has been contradictory. She requested that the Commission use as guidelines the step process that has already been established for OCSEA and E1 employees even though all Commission staff are E2 staff. While the Commission is not obligated to follow the pay steps and ranges, the Executive Director requests to have the positions coordinated with these steps and ranges. This is voluntary. She also recommends that the two new staff come in on these steps in E-1 range 12 or 13. The Administrative Assistant position is very like the position 30 on the OCSEA chart. The Executive Director would like to bring all staff into conformance with these steps and charts for all future payroll discussions. This assists staff with budget planning as well. A discussion ensued.

Action: A motion was made by Evan Atkinson and seconded by John Brant to direct the Executive Director to present future staff salaries and raises using the OCSEA and E1 pay range charts as a model or guide and to correct the Administrative Assistants salary from 18.03 hourly to \$18.56 per hour based on the position 30 from the OCSEA chart for the anniversary of her probationary period.

Action: John Brant moved and Evan Atkinson seconded the motion to adjourn.

Meeting Adjourned by 4:00 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ron Younkin
Vice-Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

September 20, 2006

10:00 AM

5650 Blazer Parkway

Dublin, Ohio 43017

Members Present

Evan Atkinson

John Brant

Jim Demitrus

William Laubacher

Dan Rolfes, Chair

Jim Shea

Ron Younkin, Vice Chair

Commission Staff

Julie Combs, Executive Director

Janet Williams, Administrative Assistant

Legal Counsel

Cheryl Hawkinson, AAG

Members Absent

Emory Helmuth

Roger Suppes

Guests

Andrea Reichman, OMHA

Pamella Weller, Stylecrest

Bradley Butters

Tim Williams, OMHA

Troy Warnock, Newark/Licking County

John Overmier, Tie Down Engineering

Tadas Dabsys, PSI

Call to Order

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

Ron Younkin was sworn in as Commissioner.

Roll Call

The following members were in attendance: Jim Demitrus, John Brant, Bill Laubacher, Evan Atkinson, Jim Shea, Ron Younkin and Dan Rolfes.

Election of Vice Chair

Action: John Brant made a motion and it was seconded by Bill Laubacher that Ron Younkin be elected as Vice Chairman of the Manufactured Homes Commission. The motion passed unanimously.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the July 25, 2006 Meeting.

John Brant asked that the spelling of his name be corrected.

Action: Motion was made by John Brant to accept the minutes as amended; it was seconded by Evan Atkinson. The motion passed unanimously.

Public Comments: None

Presentation:

Tadas Dabsys, Vice President from PSI made a presentation on licensure for certification and assessment. Following the presentation, a discussion regarding examination development and administration ensued.

Executive Director's Report:

In order to clean up some items from previous meetings the following eight items were recommended for Ratification:

1. Approval of the minutes from March 2, 2006
2. Approval of the motion to re-elect Dan Rolfes from March 2, 2006 meeting
3. Approval of the motion to modify the contract with Stein and Chapin for typing the standards in the amount of \$10,000 from the March 2, 2006 meeting.
4. Approval of the motion to maintain offices at Blazer Parkway from the April 26, 2006 meeting.
5. Approval of the motion to go into executive session regarding personnel matters from the Jun 1, 2006 meeting.
6. Approval of the motion to accept Chapter 4781-6 of the administrative code from the June 1, 2006 meeting.
7. Approval of the motion to add the IT Policy E8 (03/20/06) to the policy manual.
8. Approval of all actions taken by the Commission at the meeting on June 21, 2006.

Action: Motion was made by John Brant and seconded to Jim Demitrus to ratify the 8 items listed above.

A brochure outlining the steps for Installation was presented and discussed. Following a suggestion by John Brant, Dan Rolfes, Jim Shea, Ron Younkin and Evan Atkinson agreed to meet after the Commission meeting to discuss and edit the brochure.

Biennial Budget materials were handed out. The Fiscal report was distributed.

Information regarding the posting of the two staff positions was shared.

By consensus the Human Resources subcommittee was empowered to make the hiring decision for the Commission as a whole. The HR subcommittee is made up of Dan Rolfes, Ron Younkin, Evan Atkinson (Chair of the subcommittee) and Roger Suppes.

The Executive Director requested approval to apply to the HUD Consensus Committee for Membership. Dan Rolfes expressed concern that the committee would require too much time. The general consensus was to postpone indefinitely the application.

Staff updated the Commissioners with regard to the proposed mailing to all parks operators and retailers, making up approximately 1,500 pieces of mail.

The Executive Director updated the Commissioners regarding speaking engagements around the state, including several speaking engagements by invitation of OMHA or its chapters.

A policy on electronic signatures was distributed.

Action: John Brant moved and Bill Laubacher seconded a motion to accept the policy on electronic signatures.

The Commission delegated to the Executive Director the following:

1. Issue licenses or license renewals to installers who meet the statutory and rule requirements and present a list to the Commission at its next regularly scheduled meeting for ratification
If the applicant does not meet the requirements, the application shall be presented to the Commission at its next regularly scheduled meeting for review..
2. Issue certifications or renewal of certifications for building departments, their personnel, and third party inspection agencies and their personnel that meet the statutory and rule requirements and present a list to the Commission at its next regularly scheduled meeting for ratification. If the building department, its personnel or third party agency does not meet the requirements, the application shall be presented to the Commission at its next regularly scheduled meeting for review..
3. Approve Course Sponsors that meet the statutory and rule requirements and bring the list to the next regularly scheduled Commission meeting for ratification.
If the course sponsor does not meet the requirements, the application shall be presented to the Commission at its next regularly scheduled meeting for review.
4. Mail the renewal notices and letters approving the applicant to sit for the examination.

Action: Jim Demitrus moved and William Laubacher seconded the motion to delegate the authority for the items listed 1 through 4 above to the Executive Director. The motion passed by majority, with John Brant voting no.

A discussion regarding insurance and bonding with clarification of interpretation of the rules for individual licensees are providing the insurance of their company. It was interpreted by general consensus that the company insurance can cover the licensee however; the license is only valid for work with the company and not work on the side. If an employee leaves a company the licensee must arrange for insurance coverage or the license will not be valid.

Sub-Committee and Working Group Reports:

The Installations Subcommittee is waiting on the PE firm to provide the latest version of the drawings. The recent submittal was reviewed and changes were recently requested. We hope to have something more for the November meeting.

The Commissioners concluded by consensus that a PE can choose to use a product in a manner which is not in conformance with the items installation instructions. As an example, a concrete anchor can be placed on a slab or runner and with the house sitting on the slab or runner the weight of the house can be included in the calculation by the PE even if the anchor manufacturer specifies that the weight be provided by actual weight of concrete.

Action: John Brant moved and Bill Laubacher seconded the motion to adjourn.

Meeting adjourned by 3:45 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

Ohio Manufactured Homes Commission

November 15, 2006

10:00 AM

5650 Blazer Parkway

Dublin, Ohio 43017

Members Present

Evan Atkinson

John Brant

Jim Demitrus

William Laubacher

Dan Rolfes, Chair

Emory Helmuth

Ron Younkin, Vice Chair

Roger Suppes

Commission Staff

Julie Combs, Executive Director

Janet Williams, Administrative Assistant

Bradley Butters, Inspector

Legal Counsel

Cheryl Hawkinson, AAG

Members Absent

Jim Shea

Guests

Andrea Reichman, OMHA

Pamella Weller, Stylecrest

Tim Williams, OMHA

Troy Warnock, Newark/Licking County

Robert Foster, Alchemy Services

Judy Foster, Alchemy Services

Jon Chesterson, Midwest Homes

Ken Corbin, Midwest Homes

LeeAnn Todd-Hoon, ODH

Cal Olsson, Stylecrest

Joe Tyson, Tyson Inc.

Brian C. Powrie

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 Jim Shea. Ron Younkin arrived at the end of the roll call.

Approval of the Minutes

Dan Rolfes requested that the Commission take a few minutes to review the minutes from the September 20, 2006 Meeting.

Action: Motion was made by John Brant to accept the minutes; it was seconded by Evan Atkinson. The motion passed unanimously.

Public Comments:

Rob Foster of Alchemy Services spoke in favor of a legislative amendment to add Managers in addition to Installers as a license. The Manager would be the park operator or the retailer. Judy Foster of Alchemy Services spoke in favor of having the state wide licensing exam immediately follow the initial licensing exam.

Ken Corbin requested to ask questions of staff after the meeting rather than use the public comment period. Staff agreed to meet with Mr. Corbin after the meeting.

Joe Tyson introduced himself as a national course trainer. He reviewed his experience with training courses and exams in other states. He also spoke in favor of reciprocity among states.

Executive Director's Report:

Introduction of new staff and ratification of hiring: Bradley Butters and Brian Powrie were introduced as the candidates selected by the subcommittee process.

Action: John Brant moved and Roger Suppes seconded the motion to ratify the hiring both Bradley Butters as investigator/inspector and Brian Powrie as fiscal licensing specialist. The motion passed unanimously.

Ratification of Installers Licenses: An attached list of 104 applicants was distributed for ratification as licensed installers.

Action: John Brant moved and Jim Demitrus seconded the motion to ratify the applicants listed as licensed installers. The applicants are ratified as licensed installers who must meet the requirement to complete the training and examination prior to November 1, 2007. The motion passed unanimously.

Roger Suppes requested that the license verification website have instructions on how to verify a license. Staff agreed to do this as soon as time permits.

The photo-op scheduled for Dan Rolfes giving Emory Helmuth and Bill Laubacher their licenses was postponed for after the meeting.

Discussion and Ratification of Course Sponsors: The Executive Director reviewed a summary of the materials submitted by the proposed course sponsors. The AAG Cheryl Hawkinson recommended that the courses not be ratified until all the correct information was provided and any concerns regarding the courses was addressed to the satisfaction of the Commission. After discussion and review of the materials, the Commissioners expressed interest in using a subcommittee to review training courses for approvals. Staff pointed out that this process was delegated to the Executive Director at the September 20 2006 meeting.

The Executive Director was directed to continue to review the files and that once the files are completed they be brought to the subcommittee.

Action: Roger Suppes moved and Evan Atkinson seconded that the Commission Chair appoint a subcommittee to review and approve course sponsors with ratification of their decision by the Commission following that approval. The motion passed, with Bill Laubacher voting no.

Dan Rolfes appointed Ron Younkin, Jim Demitrus, and Lew Sherrick to the Course Sponsor Subcommittee.

Discussion of Licensees with irregular applications: A discussion ensued to establish policy on applicants who have disclosed they have had a felony conviction. Staff suggests that we consider a legislative change in the future to allow a probationary status and use consent agreements; however, the AAG stated that the Commission does not have statutory authority for probationary status under consent agreements at this time. While initially the discussion focused on a time frame of felonies which were less than 10 years old, the specific nature of the felony was a concern.

There was a discussion of the use of a hearing officer rather than the Commission and the expenses and the protection of the Commission by the use of a hearing officer.

Action: Ron Younkin moved and John Brant seconded the motion that all applications with a felony indicated on the application should be denied with a notice of the right to a hearing under Chapter 119 with such hearings heard by the Commission. The motion was passed unanimously.

Two applications from individuals with felony convictions were complete and before the Commission.

Action: John Brant moved and James Demitrus seconded the motion to deny the applications of Chad Wilt and George Pugsley and notify them of their right to hearing under Chapter 119. The motion carried unanimously.

Contracts: The Executive Director requested that Doug Hart's contract be extended by \$3,000.

Action: Ron Younkin moved and Evan Atkinson seconded the motion to extend Doug Hart's contract by \$3,000.00. Motion passed unanimously.

Discussion of Dispute Resolution cases: The dispute resolution program suspended in April is now in effect. The Commission agreed by general consensus that those persons who received a letter postponing ADR to the fall would now receive a letter that that the ADR program is now available. The Executive Director discussed the steps of the ADR process. The Commission would like summary information about the status of cases. The Commissioners emphasized that opening communication is the first choice over inspection.

The Executive Director reviewed four cases to apprise the Commission of the status of those cases. A discussion of the manner of the inspection and contents of the investigation report process also ensued. The process regarding the clarification of the defect and the assignment of responsibility by the inspector in the report was discussed. The reports will contain the facts about the issue found by the Inspector and the Inspector's forensic assessment of the cause and the assignment of the responsibility. Also the report is distributed to all the parties with time allowed for the parties to work out who and how it will be fixed.

Discussion of status of Building Departments and 3rd Party Inspection Agencies was not discussed at this time. Examination Development and Administration status was also not discussed at this time.

The 1st Quarter spending report was distributed without comment.

Generally the success of Public Speaking was noted. The turn-out at those programs sponsored by OMHA was appreciated.

8. Sub-Committee Reports:

Progress with the plans from the engineering firm is ongoing. The need for a solid slab design was discussed.

Action: Evan Atkinson moved and Emory Helmuth seconded the motion to negotiate with the current engineering firm to contract the slab design for a price up to \$1,000.00

9. New Business:

Evan Atkinson requested that staff develop a letter for retailers to give to home buyers explaining the new rules with regard to licensed installers and work done by home owners. He agreed to be the point person on this item.

Several Commissioners had questions regarding the policies of the Health Department and requested that Roger Suppes, who had left prior to adjournment, be notified that questions about the Health Department foundation inspections would come up at the next Commission meeting.

Action: John Brant moved and Bill Laubacher seconded the motion to adjourn.

Meeting adjourned by 2:25 PM.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission
December 7, 2006
10:00 AM
5650 Blazer Parkway
Dublin, Ohio 43017**

Members Present

Evan Atkinson
John Brant
Jim Demitrus
Dan Rolfes, Chairman
Jim Shea
Roger Suppes
Ron Younkin, Vice Char

Members Absent

Emory Helmuth
William Laubacher

Commission Staff

Julie Combs, Executive Director
Bradley Butters, Inspector
Brian C. Powrie, Fiscal and Licensing
Janet Williams, Administrative Assistant

Legal Counsel

Cheryl Hawkinson, AAG

Guests

Pamela Pollard, Ronfola Reporters
Andrea Reichman, OMHA
Dave Thalman, OMHA
LeAnn Todd-Hoon, OMHA
Troy Warnock, Newark/Licking County
Pam Weller, Styecrest
Tim Williams, OMHA

Call to Order

The December 7, 2006 meeting of the Ohio Manufactured Homes Commission (Commission) was called to order at 10:27 AM, slightly behind schedule due to incimate weather in the surrounding areas. The meeting was called to order by Evan Atkinson, in the absence of Chairman Dan Rolfes. Mr. Rolfes and Mr. Younkin called to indicate they were delayed and will attend the meeting as soon as possible.

In light of the circumstances, the Commission needed to elect an interim Chairman to conduct business.

Action: A motion was made by Evan Atkinson and seconded by John Brant to temporary elect Jim Shea to serve as interim chair in the absence of Dan Rolfes. The motion passed unanimously.

Roll Call

All Commissioners were present with the exception of: Emory Helmuth, William Laubacher.

Approval of the Minutes

The Commissioners reviewed the minutes from the previous meeting. The Commissioners instructed Commission staff to correct an error regarding the attendance.

Action: A motion was made by John Brant and seconded Evan Atkinson to approve the November 15, 2006 minutes as amended. The motion passed unanimously.

Public Comments

No members of the public wished to express their opinions or concerns to the Commissioners.

Roger Suppes requested the Commission discuss the effect of the footing rules on parks and footing thickness for new construction manufactured homes.

Action: A motion was made by John Brant and seconded by Jim Demitrus to table this item until the January Commission meeting. The motion passed unanimously.

Ratification of Continuing Education/Educational Program Sponsors:

Action: A motion was made by Roger Suppes and seconded by John Brant to approve Style Crest as a course sponsor. The motion passed unanimously.

Action: A motion was made by John Brant and seconded by Jim Shea to approve the Ohio Department of Health (ODH) as a course sponsor. The motion passed unanimously.

Action: A motion was made by Roger Suppes and seconded by John Brant to approve Alchemy Services as a course sponsor, contingent upon Alchemy Services changing their advertised telephone number, literature, website, or other material so not to include the words OMHC and/or MHC. The motion passed unanimously.

Ratification of Inspectors:

Action: A motion was made by John Brant and seconded by Roger Suppes to ratify the approval of Inspector Licenses INSP.20060002 through INSP.20060005. The motion passed unanimously.

Ratification of Installers:

Action: A motion was made by John Brant and seconded by Jim Demitrus to ratify Installer Licenses INST.20060105 through INST.20060190, with the exception of INST.20060129, and the addition of INST.20060033, Ron Younkin abstained from this vote; the other Commissioners present voted to ratify the list of installers.

Discussions:

Discussion ensued regarding the clarification of Ohio Administrative Code (OAC) Chapter 4781-07-02, which pertains to the certification of local building departments and private third parties; and how that rule will be applied to third party building inspectors. The Commissioners will review this rule in the future.

During the discussion, Chairman Dan Rolfes and Ron Younkin arrived.

Action: Jim Shea turned over the meeting to Chairman Rolfes.

The Commission suspended their regular meeting at approximately 11:15 AM in order to hear the scheduled “Licensure Denial Hearing” in accordance with Chapter 119 of the Ohio Revised Code (ORC).

A “*Notice of Opportunity for Hearing,*” was issued to Mr. Chad Wilt (INST.20060192), herein “applicant” on or about November 29, 2006. The Notice was generated because the applicant indicated on his licensure application that he was convicted of a Felony in the Fifth Degree “F5” in January 2000.

The Commission’s policy is that all applicants with a felonious background be denied a license with the Commission and be automatically issued a Notice, as prescribed by ORC Chapter 119. The applicant then has the opportunity to state their case before the Commission if they choose to do so.

Evidence was presented by AAG Cheryl Hawkinson.

After hearing the plea of the applicant, the Commission voted to go into Executive Session at approximately 11:25 AM to discuss the applicant’s licensure status.

11:15 am

Action: A motion was made by John Brant and seconded by Jim Demitrus to go into Executive Session.

Voting Aye: Evan Atkinson, John Brant, Jim Demitrus, Dan Rolfes, Jim Shea, Roger Suppes, and Ron Younkin. Voting Nay: None. The motion passed unanimously.

The Commission invited Executive Director Julie Combs to remain in the room during Executive Session.

11:25am

Action: A motion was made by Evan Atkinson to exit Executive Session; the motion was seconded by Jim Demitrus. Voting Aye: Evan Atkinson, John Brant, Jim Demitrus, Dan Rolfes, Jim Shea, Roger Suppes, and Ron Younkin. Voting Nay: None. The motion passed unanimously.

Action: A motion was made by Dan Rolfes and seconded by Evan Atkinson to allow the applicant Chad Wilt (INST.20060192) to be licensed as an installer. The motion passed unanimously. An official copy of the transcript of this hearing is available to members of the public upon request.

Chairman Dan Rolfes explained the findings to the applicant, and thanked him for traveling to Columbus, and wished him well in his future endeavors. The applicant thanked the Commission for their consideration.

Evan Atkinson wanted to know if there was a way to separate foundation installers from the installer license. It was noted that the Commission has previously been told this would require a change in the statute. Cheryl Hawkinson, AAG responded that she would look into this and get further information to the Commission in January. Sub-categories that were discussed include: foundation installer, skirting and trim out crew, set crew, and general contractor.

Executive Director's Report

Contracts

Julie Combs requested the Commission authorize Dan Rolfes to sign contracts with third party agencies to act as the Commission's agent for inspections in areas where there is no commission certified inspection department

In order to meet the January 1, 2007 deadline where a timely response on contracts is needed, and can not wait until the next Commission meeting.

Action: A motion was made by Evan Atkinson and seconded by Jim Shea to permit Chairman Dan Rolfes to sign contracts on the entire Commissions behalf; and to use the electronic signature process previously approved by policy. The motion passed unanimously.

Roger Suppes suggested personal service contracts with individuals to conduct inspections on a temporary basis.

Action: A motion was made by Roger Suppes and seconded by Evan Atkinson to contract with inspectors for installations as necessary and/or to assist on plan review(s). The motion passed unanimously.

The Executive Director reported that Commission staff is hard at work creating an acceptable inspection seal.

Per Evan Atkinson's prior request a document entitled "Notice to Manufactured Home Buyers" (Notice) was distributed for review.

Action: A motion was made by Evan Atkinson and seconded by Roger Suppes to have the Commission adopt and post on the web the "Notice" to inform consumers of what information they should know about the inspection process. The motion passed unanimously.

Dispute Resolution Process

Julie Combs summarized the status of the dispute resolution cases on a handout attached.

Examination Bid Report

The Commission has received bids to develop and administer the licensure examination from the three companies: PSI, Prometric, and ICC. ICC provided two examinations bids for the Commission to choose from, known as choices (A) and (B). A bid summary is attached.

Action: A motion was made by Ron Younkin and seconded by John Brant to approve the ICC (B) bid for ICC to be the developer and administrator for the installer and inspector licensure examinations. The motion passed unanimously.

Inspection Authority Document

Julie Combs distributed an inspection authority clarification document developed with John Brant and Roger Suppes and would like to have the Commission approve the document for posting on the website.

Action: A motion was made by John Brant and seconded by Jim Demitrus to adopt and post the inspection authority document. Roger Suppes abstained from voting. The remainder of the Commissioners approved the motion. The motion passed.

January 1, 2007 Inspection Start Date

A general discussion involving the Commissioners and Executive Director ensued regarding the status of achieving the January 1, 2007 start up date for mandatory inspections on new manufactured homes. Cheryl Hawkinson, AAG indicated she would consent with her office to determine if the Commission could postpone enforcement of

the rules even if their effective date has passed. If the Commission could not, a meeting was penciled in for December 27, 2006 if any changes were needed.

Julie Combs requested that the Commission adjust her compensation to a “step” schedule as located in the Department of Administrative Services (DAS) work rules. Ms. Combs stated that moving to a step pay increase schedule would be beneficial for budgeting purposes. After hearing the justification for a salary adjustment, the Commission voted to go into Executive Session at 3:55 PM.

3:35 pm

Action: A motion was made by Ron Younkin and seconded by Evan Atkinson to enter executive session. Voting Aye: Evan Atkinson, Jim Demitrus, Dan Rolfes, Jim Shea, Roger Suppes, and Ron Younkin. Voting Nay: John Brant. The motion carried.

4:05 pm

Action: A motion was made by Roger Suppes and seconded by Evan Atkinson to exit executive session. Voting Aye: Evan Atkinson, John Brant, Jim Demitrus, Dan Rolfes, Jim Shea, Roger Suppes, and Ron Younkin. Voting Nay: None. The motion passed unanimously.

Soon after exiting Executive Session, there was another motion:

Action: A motion was made by Evan Atkinson and seconded by Dan Rolfes to get the Executive Director on a step pay increase schedule, and to evaluate all step increases for all Commission staff members every July annually, regardless of any signed arrangements or agreements. The motion passed.

After completing all items on the agenda, the Commission meeting was drawn to a close.

Action: A move to adjourn was made by John Brant; seconded by Jim Demitrus. The motion passed.

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission

**Ohio Manufactured Homes Commission
Special Meeting
December 27, 2006
12:00 Noon
5650 Blazer Parkway
Dublin, Ohio 43017**

Members Present

Evan Atkinson
John Brant
Jim Demitrus
Emory Helmuth
William Laubacher
Dan Rolfes, Chairman
Roger Suppes
Ron Younkin, Vice Char

Members Absent

Jim Shea

Commission Staff

Julie Combs, Executive Director
Bradley Butters, Inspector
Janet Williams, Administrative Assistant

Legal Counsel

Cheryl Hawkinson, AAG

Guests

Andrea Reichman, OMHA
Dave Thalman, OMHA
Holly Dorr, OMHA
Robert Foster, Alchemy Services
Rex Littrell, OMHA
Tim Williams, OMHA

Call to Order

The December 27, 2006 special meeting of the Ohio Manufactured Homes Commission (Commission) was called to order at 12:00 Noon.

Roll Call

A roll call attendance was taken. All Commissioners were present with the exception of Jim Shea.

Approval of the Minutes

As this is a special meeting, minutes from the last meeting were not yet available for approval.

Public Comments

No members of the public wished to express their opinions or concerns to the Commissioners.

Discussions:

The meeting began with a discussion about Third Party Inspection Agencies. The Executive Director provided the fee schedules and qualifications of the inspectors for the various third party agency applications. A map was provided showing areas of coverage proposed by the third party agencies and the building departments.

John Brant expressed concern that third party agencies with electrical certifications may not be fully qualified to perform inspections.

Ron Younkin and several Commissioners expressed concern regarding the January 1, 2007 start date for inspections. A general discussion involving the Commissioners and Executive Director ensued regarding the status of achieving the January 1, 2007 start up date for mandatory inspections on new manufactured homes.

Concern was raised regarding the types of foundations for used homes, the lack of foundation designs from the PE under contract, the need to have more time to get information out to the affected industry, the need for inspectors and installers to have more time for training.

John Brant pointed out that the effective date of the rules could be withdrawn. AAG Cheryl Hawkinson made a telephone call to Mr. Hills office to determine if the effective date of the rules could be withdrawn without requiring a hearing. The AAG reported that it could be done if it was done within the next 2 days.

The Commission determined it was necessary only to withdraw the effective date of three rules. 4781-7-01, 4781-7-09 and 4781-7-10 all rules regarding the inspection requirements for Manufactured Homes.

Action: John Brant moved and Ron Younkin seconded the motion to withdraw the effective date of three rules, 4781-7-01, 4781-7-09, and 4781-7-10. Staff was directed to withdraw the rules within the next 2 days. The motion passed unanimously by role call.

A list of items needed in order to establish a new effective date was discussed. These items included:

1. The contracted foundation plan designs completed and approved by the Commission.
2. Third party and building department coverage of all counties with all application materials complete.
3. The examination completed or on track for completion by May 1, 2007.
4. Training completed for third party inspection agency inspectors, with building department inspectors encouraged to complete their training well in advance of the Dec 31, 08 deadline.
5. The inspection seals received back from the printers.

The Commission by general consensus established that 90 days were needed in advance of the inspection rules becoming effective to enable the inclusion of expenses associated with the rules in all installation contracts. The Executive Director noted that in order to meet a July 1, 2007 start up of the installation inspection rules as suggested by OMHA and AMRHO, a decision to start up would be required no later than the March 21, 2007 date. The Commission agreed to review the start up conditions at each Commission meeting starting with the Jan. 24, 07 meeting to determine when the effective date could be set.

A discussion of the possible adverse effects of the withdrawal ensued. The primary concerns voiced by staff included that the 08-09 biennial budget figures were based upon showing earnings during this six month period with the concern that this delay would cause a negative impact upon the 08-09 biennial budget appropriations. Additional concerns voiced by staff included loss of credibility of the Commission and losing the support of building departments and the potential negative impact on the third party inspection agencies who were now hiring or making other monetary decisions based on the Jan. 1, 2007 start date.

Roger Suppes suggested that communication be made with OBM with revision of Fiscal year 07 documents. Commissioners also noted that legislative leadership should be notified of the change in addition to OBM.

Action: A motion to adjourn was made by John Brant; seconded by Jim Demitrus. The motion passed.

Special meeting adjourned 3:15 PM

Minutes respectfully submitted and certified by Julie N. Combs.

Julie N. Combs
Executive Director
Ohio Manufactured Homes Commission

Dan Rolfes
Chair
Ohio Manufactured Homes Commission