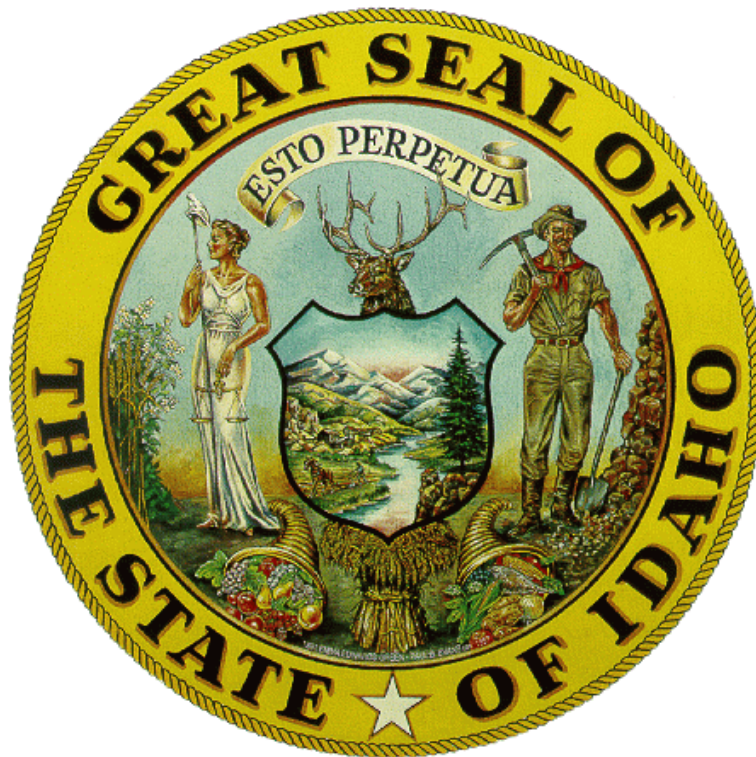


DIVISION OF BUILDING SAFETY
FACTORY BUILT STRUCTURES
ADVISORY BOARD
VIDEOCONFERENCE MEETING

MAY 14, 2019



FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 01

Agenda and Minutes

PRESENTER: Markus Alley, Chairman

OBJECTIVE: Approve Factory Built Structures Advisory Board's May 14, 2019 Agenda and February 12, 2019 Meeting Minutes.

ACTION: Consent

BACKGROUND:

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Tentative Agenda and Draft Minutes



TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

FACTORY BUILT STRUCTURES ADVISORY BOARD VIDEOCONFERENCE MEETING

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d'Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello
Teleconference – 877-820-7831--529619
dbs.idaho.gov – (208) 332-7137**

**Tuesday, May 14, 2019
9:30 a.m. – 11:30 a.m. (MDT)
8:30 a.m. – 10:30 a.m. (PDT)**

9:30 a.m. CALL TO ORDER – Markus Alley, Chairman

- Roll Call & Introductions
- Open Forum

CONSENT AGENDA

1. Approval of the May 14, 2019 Agenda and February 12, 2019 Draft Minutes – Markus Alley

INFORMATIONAL AGENDA

2. Amendments to the Idaho Installation Standard – Ron Whitney, Deputy Administrator and Spencer Holm, Deputy Attorney General
3. Manufactured Home Installation Tag – Mike Davis, Lead Inspector
4. Number of Units from Out-of-State Manufacturers/Retailers Unlicensed in Idaho – Mike Davis
5. Elimination or Consolidation of Manufactured Home Licenses – Patrick J. Grace, Regional Manager
6. Administrator Report – Chris L. Jensen, Administrator
 - a. Financial Report

11:30 a.m. ADJOURN

For additional agenda information, refer to the packet, available one week prior to this meeting, at the DBS's central and regional offices and <https://dbs.idaho.gov/boards/fbsboard/fbsmeetings.html>. All times, other than beginning, are approximate and scheduled in accordance to Mountain Daylight Time (MDT), unless otherwise noted. Agenda items may shift depending on the Factory Built Structures Advisory Board's preference. 05/06/2019rb

**FACTORY BUILT STRUCTURES ADVISORY BOARD
VIDEOCONFERENCE MEETING**

Tuesday – February 12, 2019 – 9:30 a.m. (MST)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello**

DRAFT MINUTES OF THE FEBRUARY 12, 2019 MEETING

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, rather to record the significant features of those discussions.

Chairman Markus Alley called the meeting to order at 9:36 a.m. (MST)

Board Members Present:

Markus Alley, Chairman
Ken Roche
Spencer McLean
Mike Jensen
Kenna Draper
Brian Mattson – Teleconference
Jeff Chrisman – Teleconference

DBS Staff Members Present:

Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
Larry Jeffres, Regional Manager, Region 1
Patrick J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Shelly Farris, Regional Supervisor, Region 3
Lisa Stover, Building Program Supervisor
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Installation Standard Checkoff List – Doug Strunk, Idaho Housing Alliance (IHA), has received questions about the checkoff list in the Idaho Installation Standard on the installation of homes. It was determined this topic would be addressed under agenda item *07 Amendments to the Idaho Installation Standard*.

Local Jurisdictions and Plans – Certain jurisdictions have questioned Scott Flynn, Indie Dwell, on permitted plans by DBS. Rules and statute state DBS have authority over modular buildings built in factories. Once it leaves a factory, and there is an insignia, it complies with code. It was determined the confusion is on the regulations of manufactured versus modular units. Jurisdictions should contact the Division’s Building program regarding questions on its approved plans.

Teri Ottens, Idaho Association of Building Officials (IDABO), suggested Mr. Flynn attend an upcoming training session by IDABO to discuss his product and issues, since the majority of IDABO members are unfamiliar with his shipping container components.

◆ **Approval of the February 12, 2019 Agenda, July 10, 2018 Draft Minutes, and November 8, 2018 Special Draft Minutes**

MOTION: Spencer McLean made a motion to approve the February 12, 2019 Agenda, July 10, 2018 draft minutes and November 8, 2018 special draft minutes as presented.

Prior to a second on the motion, Chairman Alley asked, and Deputy Attorney General Spencer Holm stated, the best practice would be to address Mr. Strunk's topic *Installation Standard Checkoff List* under Open Forum.

◆ **Open Forum (Cont'd)**

Installation Standard Checkoff List (Cont'd) – Daniel Kangas, S and D Mobile Home Set Up and Service, questioned who is responsible for completing the required HUD installation checkoff list so a new manufactured home can receive a certificate of occupancy. Currently, installers pull the installation permits and complete the form; however, believe it is the inspectors and/or building officials responsibility as they have access to the permits, as well as verify all work has been installed in accordance to the law.

Additional modifications are necessary to the Idaho Installation Standard. Deputy Administrator Ron Whitney suggested collaborative meetings be held with industry and DBS to review the Idaho Installation Standard, as well as the checklist and processes; implementing a better procedure.

◆ **Approval of the February 12, 2019 Agenda, July 10, 2018 Draft Minutes, and November 8, 2018 Special Draft Minutes (Cont'd)**

MOTION: Ken Roche made a motion to approve the February 12, 2019 Agenda, July 10, 2018 draft minutes and November 8, 2018 special draft minutes as presented. Spencer McLean seconded. All in favor, motion carried.

◆ **Statewide Training and Meeting Report**

State law requires all installers and inspectors take eight hours of continuing education every three years. A Statewide Training and Meeting report was provided in the packet. In October and November 2018, IHA offered five continuing education classes with additional training planned in the spring.

◆ **Discussion Regarding Requirements for Contractor Trade Licensing for Out-of-State Manufacturers**

Idaho has a Reciprocity Agreement with Oregon and Washington for prefabricated structures. The Chairman brought forth a life safety concern on units coming into Idaho from out-of-state manufacturers that do not have state-run programs; specifically, no license requirements and inspections. The state of Idaho cannot enforce its licensing laws on outside manufacturers; however, does complete plan reviews based on its own codes to those manufacturers. Idaho also looks at third-party agencies that inspect, based on Idaho's approved plans, units coming into Idaho from out-of-state manufacturers that may not require licensure.

◆ **Governor's Executive Orders**

In January 2019, Governor Brad Little issued the following executive orders:

Executive Order 2019-01 Licensing Freedom Act 2019 – Provides additional information on the Licensing Freedom Act, originally introduced in Executive Order (EO) 2017-06. The top two recommendations in the new EO establishes a "sunrise" review process for new proposed licenses and a "sunset" review process on existing licenses.

Executive Order 2019-02 Red Tape Reduction Act – Requires agencies to designate an existing employee as its Rules Review Officer; which is Regional Manager Patrick J. Grace for DBS. Prior

to proposing a new rule, each agency shall submit to the Division of Financial Management an impact statement; identifying the impact the proposed rule will have on individuals and small businesses. In addition, at least two existing rules will need to be repealed or significantly simplified, or a statement clearly stating why existing rules cannot be simplified or eliminated.

◆ **Eliminate Specialty License for “Mobile Home Set-Up or Installers”**

Plumbing Program Manager John Nielsen has recommended to the Plumbing Board to eliminate the mobile home specialty license since post 1976 manufactured homes have their own installations standards and are regulated by HUD. The installers would still be required to pull a permit for HVAC and plumbing.

Doug Strunk questioned whether changes need to be made to the Idaho Installation Standard as it currently requires plumbing be installed by a licensed plumber. In addition, HUD necessitates a state licensed installer. HUD’s Model Manufactured Home Installation Standard 3285 would apply if HUD handled the installation program within Idaho. Currently, Idaho handles its own program. Deputy Attorney General Spencer Holm agreed the Idaho Installation Standard will eventually need to be changed.

◆ **Manufactured Home Installation Tag**

Pursuant to statute, an installation tag must be obtained for each installation of a new manufactured home. The installer or owner of a mobile home must pay a fee for an installation tag; providing information on the home to DBS. Currently, the Division receives the same information from other sources monthly; therefore, it is redundant for the owner or installer to pay/provide the same information. The Division has researched this issue; however, has only found information in Idaho’s statute and rules. When asked, Mike Davis, Lead Inspector for Factory Built Structures, will contact the Institute for Building Technology and Safety, contractor for HUD, and confirm whether an installation tag is still necessary.

ACTION: The Lead Inspector will contact HUD’s contractor to confirm whether it is necessary to require an installation tag.

ACTION: The topic *Manufactured Home Installation Tag* will be placed as an informational item on the May 2019 Board meeting agenda.

◆ **Amendments to the Idaho Installation Standard**

The State adopts the Idaho Installation Standards for used manufactured homes installed in Idaho. Since the adoption of the 2018 edition, DBS has identified two items that need modified; roof snow loads and frost line. (A handout of the existing provision, as well as proposed amendment was provided to the Board.) Moving forward, the Division would include a page in the standard; identifying amendments since the last wholesale edition. When it’s time to adopt a whole new edition, the amendments would be incorporated into the new standard.

It was questioned whether amendments need to go through the rulemaking procedure. Deputy Attorney General Holm offered to research; bringing an answer to the May 2019 Board meeting.

ACTION: The Deputy Attorney General will provide clarification on whether code changes to an existing code cycle must go through the proper rulemaking process.

Again, Deputy Administrator Whitney recommended the collaborative meet to review the checklist and standards; determining what needs to be changed and whether administratively the changes can be made, and/or should they be a rule change.

ACTION: The topic *Amendments to the Idaho Installation Standard* will be placed as an informational item on the May 2019 Board meeting agenda.

◆ **Administrator Report**

Deputy Administrator Ron Whitney provided the Administrator Report in the absence of Administrator Chris L. Jensen.

Financial Report – The Board’s financials are in good shape. DBS has been tasked to create a fee modification schedule, which will reduce cash flow in the reserve account.

◆ **Number of Units from Out-of-State Manufacturers/Retailers Unlicensed in Idaho**

For the May 2019 Board meeting, Board Member Mike Hampton requested, and Mike Davis offered, a report of units coming from out-of-state manufacturers/retailers unlicensed in the state of Idaho.

ACTION: The Lead Inspector for Factory Built Structures will provide a report of units coming from out-of-state manufacturers/retailers unlicensed in the state of Idaho at the May 2019 Board meeting.

ACTION: The topic *Number of Units from Out-of-State Manufacturers/Retailers Unlicensed in Idaho* will be placed as an informational item on the May 2019 Board meeting agenda.

◆ **Adjournment**

MOTION: Spencer McLean made a motion to adjourn the meeting. Mike Jensen seconded. All in favor, motion carried.

The meeting adjourned at 12:14 p.m. (MST)

MARKUS ALLEY, CHAIRMAN
FACTORY BUILT STRUCTURES
ADVISORY BOARD

RON WHITNEY, DEPUTY, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

These DRAFT minutes are subject to possible correction and final approval by the Factory Built Structures Advisory Board. 05/02/2019rb

FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 02 Amendments to the Idaho Installation Standards

PRESENTER: Ron Whitney, Deputy Administrator and Spencer Holm, Deputy Attorney General

OBJECTIVE: Provide awareness to, and input from, the public if DBS makes any amendments to the Idaho Manufactured Home Installation Standards.

ACTION: Informational

BACKGROUND: **February 2019** – The State adopts the Idaho Installation Standards for used manufactured homes installed in Idaho. Since the adoption of the 2018 edition, DBS has identified two items that need modified; roof snow loads and frost line. (A handout of the existing provision, as well as proposed amendment was provided to the Board.) Moving forward, the Division would include a page in the standard; identifying amendments since the last wholesale edition. When it’s time to adopt a whole new edition, the amendments would be incorporated into the new standard.

It was questioned whether amendments need to go through the rulemaking procedure. Deputy Attorney General Holm offered to research; bringing an answer to the May 2019 Board meeting.

Again, Deputy Administrator Whitney recommended the collaborative meet to review the checklist and standards; determining what needs to be changed and whether administratively the changes can be made, and/or should they be a rule change.

PROCEDURAL HISTORY:

ATTACHMENTS: No Documentation



FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 03

Manufactured Home Installation Tag

PRESENTER: Mike Davis, Lead Inspector

OBJECTIVE: Determine whether it is necessary to require an installation tax.

ACTION: Informational

BACKGROUND: Pursuant to statute, an installation tag must be obtained for each installation of a new manufactured home. The installer or owner of a mobile home must pay a fee for an installation tag; providing information on the home to DBS. Currently, the Division receives the same information from other sources monthly; therefore, it is redundant for the owner or installer to pay/provide the same information. The Division has researched this issue; however, has only found information in Idaho's statute and rules. When asked, Mike Davis, Lead Inspector for Factory Built Structures, will contact the Institute for Building Technology and Safety, contractor for HUD, and confirm whether an installation tag is still necessary.

PROCEDURAL HISTORY:

ATTACHMENTS: No Documentation



FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 04 Number of Units from Out-of-State Manufacturers/ Retailers Unlicensed in Idaho

PRESENTER: Mike Davis, Lead Inspector

OBJECTIVE: Provide a statistical report on units coming into Idaho from out-of-state manufacturers/retailers unlicensed in Idaho.

ACTION: Informational

BACKGROUND: For the May 2019 Board meeting, Board Member Mike Hampton requested, and Mike Davis offered, a report of units coming from out-of-state manufacturers/retailers unlicensed in the state of Idaho.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: No Documentation



FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 05 Elimination or Consolidation of Manufactured Home Licenses

PRESENTER: Patrick J. Grace, Regional Manager

OBJECTIVE: Discuss the possibility of eliminating or consolidating manufactured home licenses.

ACTION: Informational

BACKGROUND: Last year, the DBS and industry provided recommendations to the Board in response to Executive Order 2017-06 related to the Licensing Freedom Act. Pursuant to Executive Order 2019-02, and a memorandum from the Governor's office, the DBS and Board need to review whether to move forward with implementing those recommendations. The recommendations made at that time, and would now be under consideration, are the possible elimination or consolidation of manufactured home retailer and resale broker licenses, as well as revising the RME (responsible managing employees), and salesman licenses.

PROCEDURAL HISTORY:

ATTACHMENTS: No Documentation



FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 06

Administrator Report

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Provide an overview of the Division's current activities.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Factory Built Structures Advisory Board meetings.

PROCEDURAL HISTORY:

ATTACHMENTS: No Documentation



FACTORY BUILT STRUCTURES ADVISORY BOARD

Agenda Item No. 06a

Financial Report

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Review financial report for the Factory Built Structures Advisory Board Fund.

ACTION: Informational

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS: Financial Report





Division of Building Safety
FACTORY BUILT STRUCTURES - 0229-28
 Fiscal Year 2019 Financial Statements
 As of 03/31/2019

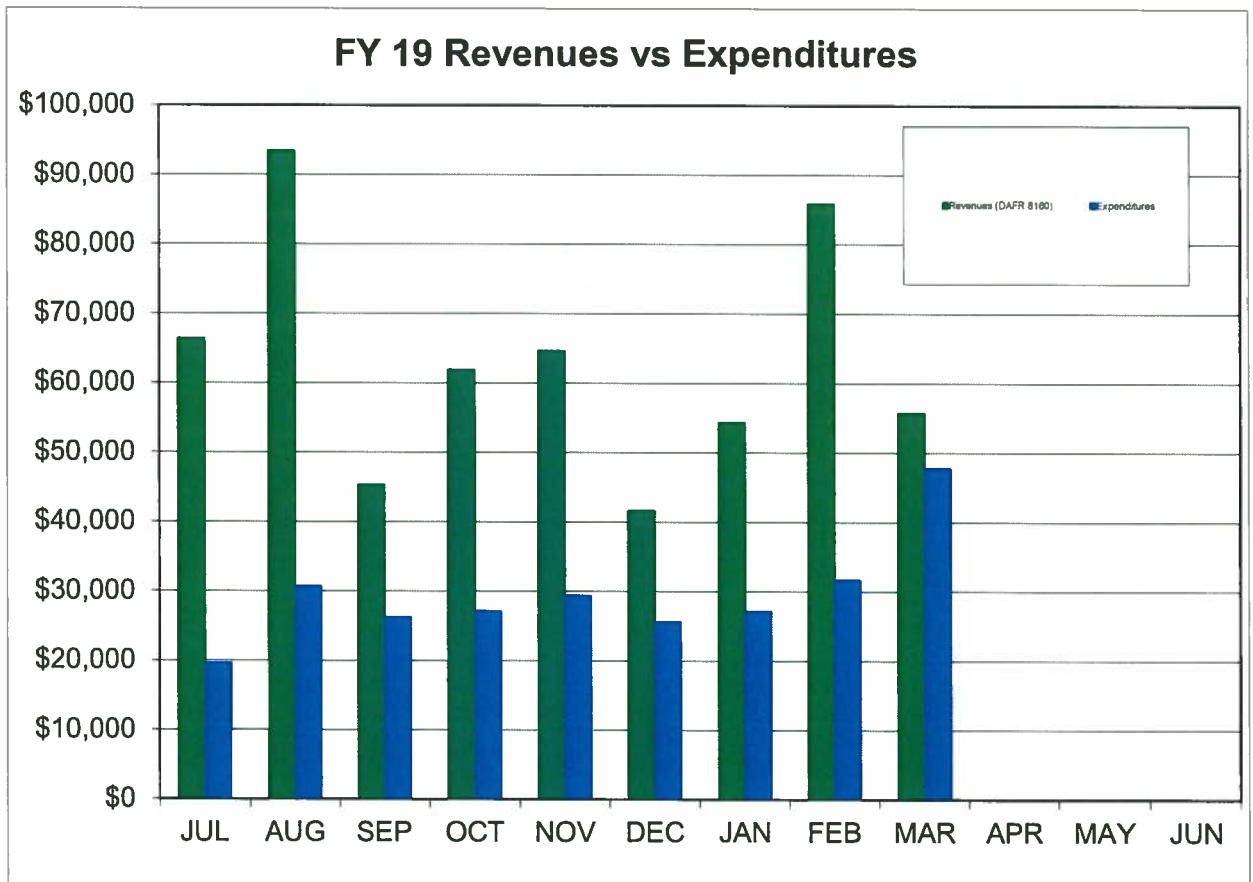
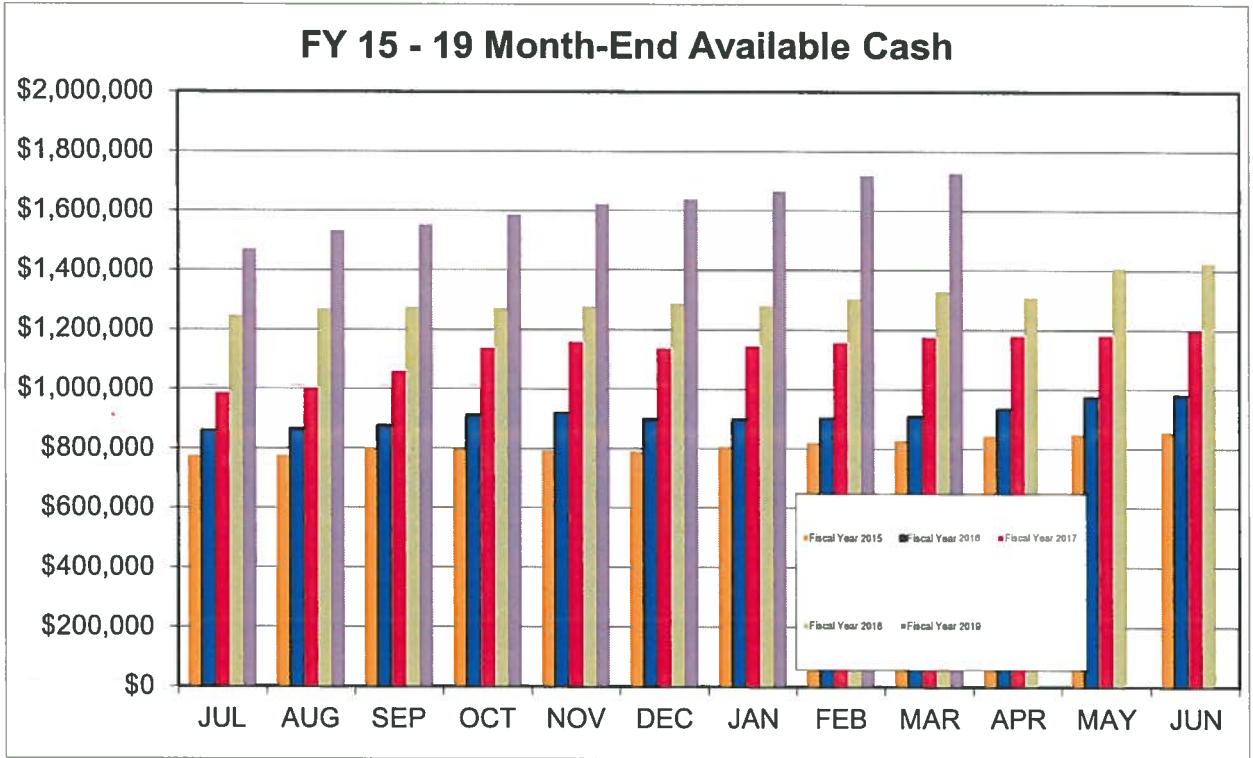
Statement of Revenues and Expenditures

Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	487,489	568,368	116.6%	(80,879)	143,504	711,872	146.0%
Expenditures							
Personnel:	380,600	204,002	53.6%	176,598	75,159	279,161	73.3%
Operating:	71,200	43,947	61.7%	27,253	7,628	51,575	72.4%
Capital:	35,689	16,565	46.4%	19,124	19,124	35,689	100.0%
Total Expenditures	487,489	264,514	54.3%	222,975	101,912	366,426	75.2%
Net for FY 2019	-	303,854			41,592	345,446	

Statement of Cash Balance

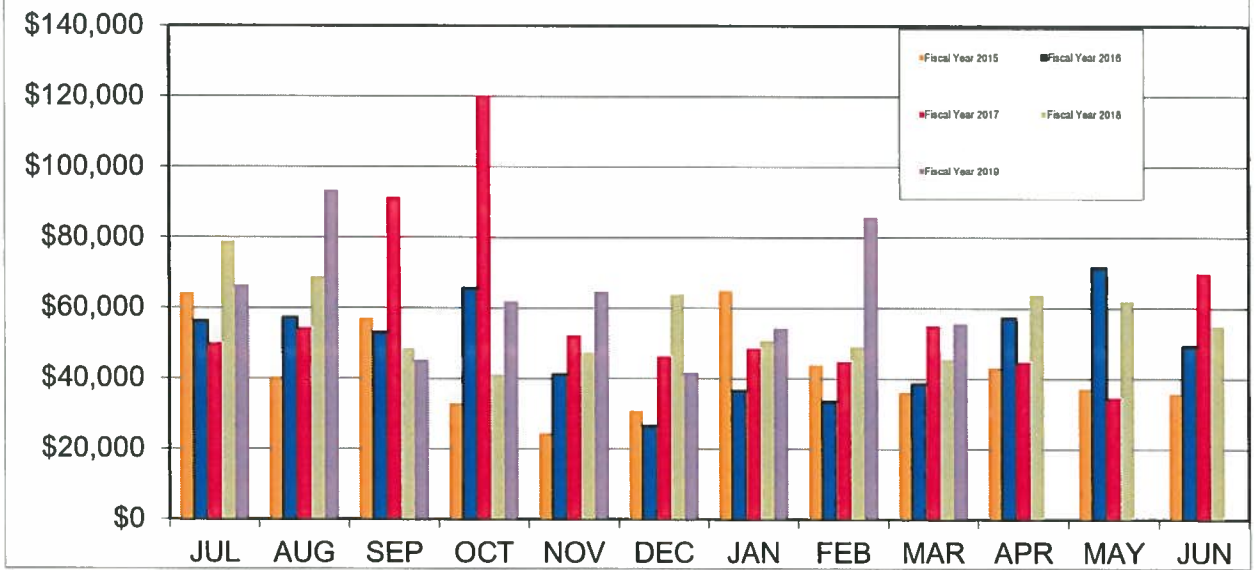
July 1, 2018 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of March 31, 2019	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
1,422,024	568,368	(264,514)	130	1,726,007	41,592	1,767,600

FACTORY BUILT STRUCTURES - 0229-28



FACTORY BUILT STRUCTURES - 0229-28

FY 15 - 19 Revenues



FY 15 - 19 Expenditures

