

# Building BLOCKS

September, 2023

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## 2023 Medina County Fall Parade of Homes ...

**It's on! With 15 entries this fall, we are offering homes to tour, homes to view online, remodeled basements, and developments. What we need is Parade Sponsors! Please consider supporting this event.**



We are excited to announce we will be holding a Fall Parade with a nice variety of entries. New developments will be introduced to the public, along with homes they can tour in person, homes they can tour online, and remodeling tours to see what can be done with basements, additions and more. It's

great opportunity for the Medina County HBA to share their members' best with the public.

Our event is always FREE to the public which means people can tour any and all homes at their leisure and even visit multiple times to share what they've found with their friends and family.

Part of what makes our event successful is the support of our Associate Members and, interestingly enough, September is Associate Member Appreciation Month. That being said, we want all our Associate Members to know how much we do appreciate their support throughout the

### In This Issue ...

**Golf Outing Photos/Highlights!**

**Hill 'N Dale Upcoming Event -  
October 4 - Info/Form**

**NAHB Savings, Discount &  
Rebate Programs - Rebate  
Deadline 9/8/2023**

**Legislative News**

**Fall BBQ Dinner - Details**

**Sedgwick on Workers' Comp  
Enrollment Deadlines  
Approaching & Control of  
Hazardous Energy + More!**







year with participation and sponsorship of our several events. Your sponsorship of the Parade of Homes helps build the budget for more advertising, thus more traffic in the homes so we are appealing to you now to seriously consider supporting this event.

You can see more information about sponsorship on page XX.

As we've done in the past with success, we are doing Fox 8 commercials showing some of the homes, New Day Cleveland spot highlighting the event, print and digital advertising, online behavioral targeting, etc.



Be sure to come out and support

your fellow members during the event by both viewing the virtual entries online, as well as stopping by and touring their physical models. It's a great way to visit with the builders (many are on-site), as well as see your products on-site.

We also welcome, with the builders' permission, having our associates help out at the models. You can reach out directly to the builders that will be in the Parade and see how you can help. Banks, title companies, suppliers, etc. - this is another great way to get involved.

We would also like to thank all the building companies that are participating in the Parade. You are the ones that make it happen and, even though interest rates are somewhat high, it's still important to stay within the consumers' radar so when they do decide to build, put on an addition, or search for a new neighborhood, they will think about the builders they've seen actively in the community. ■

John Sumodi	366.5*
Andy Leach	150*
Bob Knight	98.5*
Mike Hudak	68*
Mark Zollinger	49*
Doug Leohr	35*
Russ Sturgess	29*
Mark McClaine	15
Dave LeHotan	12
Rob Root	8
Jake Lewis	6.5
Rex Gasser	4.5
Tom Rafferty	3.5
Sean Smith	2
Ray DiYanni	1.5
Ben Schrock	1
Paul Spenthoff	1
Mark Strouse	1
Jeff Stuart	1

Above list has been updated via the most current NAHB Spike Club Roster Report

\*Current Life Spike status

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## From the MCHBA Office ...

Members and Friends:

Despite the crazy weather, our annual Golf Outing still ended up being a fun event. Thank you to all our golfers who 'toughed it out.' We had incredible rain the night before, 4 holes were unplayable, we had a downpour, lightning and then a super hot, humid afternoon - wish we could put our order in for weather ahead of time.

Be sure to RSVP for our Shooting Event on October 4th. This will be an unparalleled opportunity to experience Hill 'N Dale's outstanding venue and have a fun day with friends, employees, customers, etc. Limited spots. You can sponsor a station too!

Watch for the Parade ... we have 15 entries right now and it's a nice blend of models to tour, homes to visit online, developments, and basement remodeling - very exciting! We still need sponsors so be sure to reach out.

*Susan Bloch*

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## 2023/24 Save The Dates

**Sept. 30-Oct. 15, 2023**

**MCHBA's Fall Parade  
of Homes Models to tour  
online and in person,  
new developments &  
remodeling.**

**October 4, 2023**

**MCHBA's Hill-N-Dale  
Shootout Reserve NOW -  
limited spots. See pp. 13-14**

**October 26, 2023**

**BBQ, Bourbon Tasting  
& Wine See page 19.**

**February 27-29, 2024**

**2024 Int'l Builders Show  
(IBS) Las Vegas. FREE  
Registration during Sept.  
See page 6 for more details!**



# From the Executive Director

Members and Friends:

I was pleased to see the number of builders at our recent Golf Outing at Shale Creek. We had 84 golfers scheduled and most of them finished up in spite of the exciting weather that day. Thank you for supporting your association.

Our Fall Parade of Homes starts Saturday, September 30th through Sunday, October 15 this year. I hope our members can get out and see the models that are available to tour, as well as check out on-line the virtual ones presented as well. I am also asking our associate members to consider supporting this event through sponsorships as well. Supporting your builders helps support your business through increased sales and stronger business partnerships.

Consider participating in our 'first-ever' Hill-N-Dale Shootout outing on Thursday, October 4th. This is a first for our association and we are anticipating a unique event at an outstanding venue. There are limited spots and they are filling up fast so get your reservations in soon. See pages 12-13 for more information.

Your Board of Directors is having a retreat September 22 to discuss various ways to strengthen our organization and offer more value to all of our members. We welcome your input so let us know how we can help!

As always, we appreciate and value your membership. Enjoy this beautiful weather we're having and see you at the Shoot-Out and our BBQ Dinner.

Respectfully:

Dave LeHotan  
Volunteer Executive Director



**MEDINA  
COUNTY**  
Home Builders  
Association



**MEDINA  
COUNTY**  
Home Builders  
Association

## Board of Directors

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**Dave Artrip**

**Charlie Ash**

**Jake Berger**

**Alison Hall**

**Mike Hudak**

**David LeHotan**

**Michael Martin**

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**Douglas Krause**

**John Sumodi**

## Committees

Safety & Training | Sales & Marketing

Government Affairs | Building Codes

Subdivision Regulations

Membership | Parade of Homes

**ADDRESS: P.O. Box #233**

**Valley City, OH 44280**

**Phone: 330/725-2371 or**

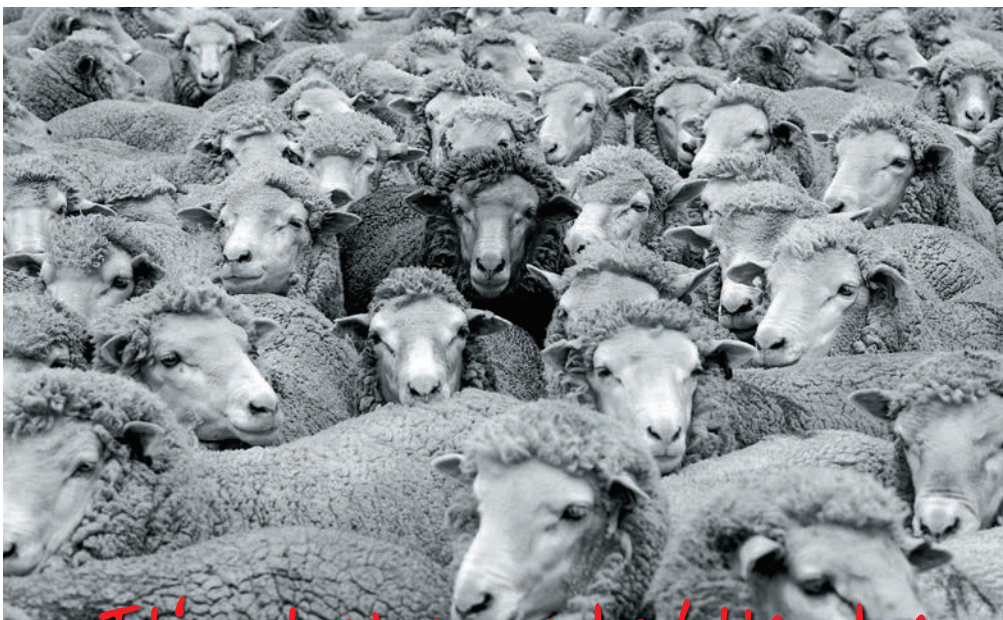
**330/483-0076**

[www.medinacountyhba.com](http://www.medinacountyhba.com)

[moreinfo@medinacountyhba.com](mailto:moreinfo@medinacountyhba.com)

[susanb@medinacountyhba.com](mailto:susanb@medinacountyhba.com)

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*It's not always a bad thing being  
the black sheep of the group!*



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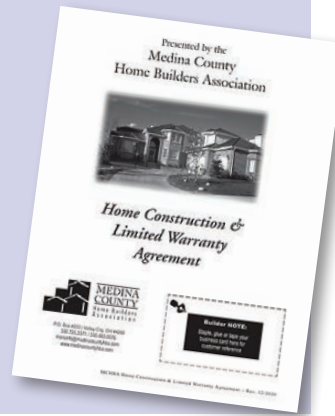


## OFFICIAL MCHBA WARRANTY

# Professional Tools for our Builders

The HBA has the professional business tools you need for home sales. The MCHBA Home Construction & Limited Warranty Agreement packages are available for only \$35 each. Or, if you have your own contract

and you just need the Limited Warranty Agreement, the warranty with presentation folder are available for just \$25 each. We encourage you to use these tools for your protection, peace of mind, credibility in your home buyer's mind, plus they're a great resource tool for your customer to keep all their pertinent construction paperwork all in one handy location. Call the HBA today and order your professional home buyer warranty tools. Just one of your advantages of being a member.



# Member News

## Renewed Builders

Legacy-Carrington Builders, Ltd. – Medina

Straub Homes, Inc. – Sterling

## Renewed Associates

Mason Structural Steel, Inc. – Walton Hills

Osborne-Medina, Inc. – Medina



**MEDINA  
COUNTY**  
Home Builders  
Association

## Support Your Association

Remember, whenever possible, always try to do business with and patronize our Parade Sponsors, your Fellow Members and support your Medina County HBA & local community! Working with someone who is not a member? Let us know and we'll reach out to invite them to join our association! Application available online.

Thank you to our members for renewing your MCHBA memberships. We value your membership and appreciate your support.



NAHB MEMBERS  
**Save up to 30%  
on Houzz Pro!**

[Redeem Now](#)





## **OHBA TESTIFIES DURING FIRST HEARING OF THE OHIO SENATE SELECT COMMITTEE ON HOUSING**

The Senate invited the Ohio Home Builders Association (OHBA) to participate in the initial hearing of its Select Committee on Housing. Executive Vice President, Vince Squillace, presented the state of housing in Ohio, having been underbuilt for decades. After further illustrating the challenges faced by home builders and land developers, he continued to explain the areas needing attention and review: zoning, density and development standards. Throughout his testimony, Vince also pointed out areas where the legislature had been helpful, including helping to create the residential building code adoption process, passage of HB 175 deregulating ephemeral streams, and the inclusion of beneficial property tax assessment provisions in the most recent budget bill. OHBA was one of several groups invited to testify before the recently created committee. The committee hearing can be viewed at the link below:

<https://www.ohiochannel.org/collections/ohio-senate-select-committee-on-housing>

The Select Committee plans to hold several more meetings in Columbus over the next month, and then hold regional hearings around the state. OHBA's testimony has been attached.



**FEB 27 - 29, 2024  
LAS VEGAS, NV**

If you register for the 2024 NAHB International Builders Show in September, your exhibits passes are FREE (and full education passes are discounted) for you and your spouse. There is no cost to register and no penalty for cancelling/not attending.

Ohio room blocks are: Encore Hotel (\$289 plus tax – NAHB Headquarters hotel) and the Paris (\$209 plus tax per night).

You might consider purchasing tickets (\$65 each) for the House Party. It is a great party and it sells out fast. This year's house party will be held at the Drais rooftop nightclub at the Cromwell Hotel and Casino.

Questions?? You can contact Fred Tobin, IBS Ambassador via email at [ftobin41@aol.com](mailto:ftobin41@aol.com)

## **OHBA TO MEET WITH TAX DEPARTMENT FOR MORE DETAILS ON RESIDENTIAL DEVELOPMENT PROPERTY TAX ASSESSMENT CHANGES**

OHBA is scheduled to meet with the Ohio Department of Taxation to discuss updates on the status of the application process established in HB 33 making changes to Ohio Revised Code 5709.56. The new provisions exempts from property tax the value of unimproved land subdivided for residential development in excess of the most recent sale price from which that land was subdivided. The exemption is authorized for up to 8 years, or until construction begins or the land is sold. The statute requires an application be submitted to the Department of Tax before the exemption is given. From initial discussions, Tax is working internally on this process. We hope to have more details following the meeting in September.

## **U.S EPA AND ARMY CORP ISSUE REVISED WOTUS RULE**

Earlier this week, the Environmental Protection Agency and U.S. Army Corps of Engineers issued a revised, final waters of the United States (WOTUS) rule under the federal Clean Water Act in the aftermath of the Supreme Court Sackett ruling. The red-lined version of the rule can be found at the link below. While the rule is being reviewed by stakeholder groups, it appears to provide an improvement, at least in Ohio. The recent SCOTUS ruling specifically mentioned there must be a relatively permanent connection and the released rule seems to match that concept. There is some question around the use of the term 'relatively permanent', which is defined in other EPA regulations, but not the new rule released. Stay tuned as to how this will play out in the field and permitting process.

Feel free to contact OHBA with any questions or concerns.





## Want To Start Getting **Money Back** For Products You Already Use?



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# \$1,526.65





# PHONES DOWN IT'S THE LAW



As of April 4, 2023, it is illegal to use or hold a cell phone or electronic device in your hand, lap, or other parts of the body while driving on Ohio roads. If an officer sees a violation, they can pull you over.

Drivers over 18 years old can make or receive calls via hands-free devices, including:

- ✓ **Speakerphone**
- ✓ **Earpiece**
- ✓ **Wireless headset**
- ✓ **Electronic watch**
- ✓ **Connecting phone to vehicle**

In most cases, anything more than a single touch or swipe is against the law.



## CAN I STILL USE BLUETOOTH?

This new law allows drivers over 18 to make or receive phone calls using “hands-free” technology such as Bluetooth or integrated systems within the vehicle, as long as you don’t hold or support the device or manually enter letters, numbers, or symbols. If you must physically manipulate your device, you should pull over to a safe location and park your car before handling.

## WHAT'S OFF LIMITS?

With very few exceptions, anything that involves using, holding, or supporting a device **while driving** is off limits. This could include:



**Dialing a phone number**



**Sending a text message**  
*voice to text is legal via “hands free” method*



**Updating or browsing social media**



**Video calls or FaceTime**



**Browsing the internet**



**Watching videos**  
*GPS/navigational displays are allowed*



**Playing games**



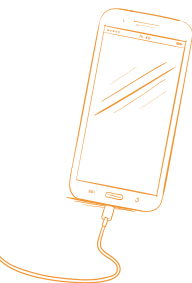
**Recording or streaming video**

Drivers can listen to audio streaming apps and use navigational equipment if they turn them on before getting on the road or use a single touch or swipe to activate, modify, or deactivate them.

**Remember, drivers under the age of 18 are still restricted from using their devices in any way, including hands-free features.**







## EXCEPTIONS INCLUDE:

- ✓ Drivers reporting an emergency to law enforcement, a hospital, health care provider, fire department, or similar emergency entity.
- ✓ Drivers holding a phone to their ear only during phone conversations, if the call is started or stopped with a single touch or swipe.
- ✓ Drivers holding or using cell phones and other electronic devices while stopped at a traffic light or parked on a road or highway during an emergency or road closure.
- ✓ First responders (law enforcement, fire, EMS) using electronic devices as part of their official duties.
- ✓ Utility workers operating utility vehicles in certain emergency or outage situations.
- ✓ Licensed operators using an amateur radio.
- ✓ Commercial truck drivers using a mobile data terminal.

## KEEP IN MIND — EVEN IF YOU CAN, THAT DOESN'T MEAN YOU SHOULD.

Looking at your cell phone while stopped at a light can potentially endanger your family, friends, and neighbors. Drivers have a responsibility to watch for people crossing the street or other drivers and bicyclists who haven't yet cleared the intersection. Ohioans are counting on you to pay attention.



## ENFORCEMENT

When the new distracted driving law takes effect on April 4, 2023, the Ohio State Highway Patrol and local law enforcement will issue warnings for six months for violations as part of the effort to educate and help motorists adapt to the new law.

Beginning October 5, 2023, law enforcement will start issuing citations for violating this law.

## PENALTIES

### 1<sup>ST</sup> offense

Two points assessed to license, up to a **\$150 fine**.\*

### 2<sup>ND</sup> offense

Three points assessed to license, up to a **\$250 fine**.

### 3+ offenses

Four points assessed to license, up to a **\$500 fine**, possible 90-day suspension of driver license.

### X2

**Fines doubled** if the violation occurs in a work zone.

For more information, visit:

**PhonesDown.Ohio.gov**

*\*Completion of a distracted driving course can help avoid the fine and points.*



Department of  
Public Safety





# A Successful Parade Takes Teamwork!

## And we could really use your team's assistance!

We are excited to announce our 2023 Fall Parade of Homes and are planning for it to be a truly spectacular event. Builders rely on teamwork to build and complete their homes and teamwork to help bring their work to the public's attention. That's where you, our associate members, come in, and help us make a BIG difference.

What's in it for you? Besides helping the local industry which ultimately helps you, plus *great visibility* for both your company and the event ... here's the lowdown:

- Business name and logo on the MCHBA website as a supporter of the event which links directly to your website;
- Business listed in press releases submitted to media;
- Logo on the map/model handout (printed & online);
- Listed in Building Blocks as a Parade sponsor for 3+ months; and
- Free 1/6 page ad in 3 issues of Building Blocks (size upgrade available).



**MEDINA  
COUNTY**  
Home Builders  
Association

### PARADE DETAILS

**DATES:** Sat., Sept. 30<sup>th</sup> – Sun., Oct. 15<sup>th</sup>

**HOURS:** Sat & Sun ONLY 12-5 pm,  
closed Mon-Fri

**SPONSORSHIP:** \$500 – You get everything listed. Want to do more? Contact the HBA directly. We sincerely appreciate your consideration as we depend on your Sponsorship dollars to help with marketing.

**Planned Media Promotion / Advertising:**  
Virtual tour & map online (each model has its own details page & website links - all media driving visitors to the website); Fox 8 TV commercials, New Day Cleveland spot & Facebook Live segment; The Plain Dealer (print advertising); The Post (editorial and digital advertising); direct on-line marketing based on searches & demographics, & potentially more (dependent on final available budget)

**Participation Deadline:** August 31, 2023

*Don't miss this opportunity!  
Call 330.483.0075 today or  
email Susan Bloch at [susanb@medinacountyhba.com](mailto:susanb@medinacountyhba.com).*





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\*Terms Apply.





# MCHBA's Sports Event of the Year!

## SAVE THE DATE!



**Wednesday  
October 4, 2023**

Hill 'N Dale Club is a private club for sportsmen and their families offering a place to hunt, shoot, fish and enjoy the outdoors on a stunning, scenic property located off Poe Road in Medina Township.

Their shooting sports offer a variety of options from sporting clays, skeet, five stand and trap with over 30 different available stations.

Our MCHBA event will feature the following:

- 16 different stations
- Limit of 64 participants / 4 people to a team
- Shotgun start (event runs from 9am to 1-1:30pm)
- Per person cost includes course fee, 100 targets, shells, carts, and 2 people sharing a gun
- Box lunch served at their pavilion after shooting
- Station sponsorships and event sponsorship available

This private club, started in 1954, has a nine-year waiting list for membership so our event offers a unique opportunity to check this place out and enjoy a fun morning of shooting sport, meeting new and old friends, and enjoying good food.

Watch for more details on this exciting event in the next issue of Building Blocks!

3605 Poe Road | Medina, OH 44256 | 330-725-2097  
[www.hillndaleclub.com](http://www.hillndaleclub.com)





# RESERVE YOUR SPOT NOW!!!



## MCHBA's Sports Event of the Year!

**Wednesday  
October 4, 2023**

**Shooting Team Participation [\$175 per member / \$200 per non-member - limited spots]:**

**Names (required)**

**Company**

**Phone # to verify**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Place me with a team \_\_\_\_\_

**Sponsorship Opportunities:** \_\_\_\_\_ Lunch Sponsor [\$300 - limit 1]

\_\_\_\_\_ Event Sponsor [\$1500 - limit 1] \_\_\_\_\_ Station Sponsor [\$300 - limit 16]

**Package Discount:** Sponsor a station and bring a 4-person team, take 15% off your total

**Billing:** \_\_\_\_\_ Invoice me \_\_\_\_\_ Check (enclosed) \_\_\_\_\_ Credit Card (see below)

Credit Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Name on Card \_\_\_\_\_ 3/4 digit code \_\_\_\_\_

PLEASE NOTE: All fees nonrefundable | no shows will be billed.

**Please return completed form with your check or credit card information**

**BY SEPTEMBER 27, 2023 to: MCHBA, P.O. Box #233, Valley City, OH 44280**

**Phone: 330.725.2371 or 330.483.0076 • Email: [susanb@medinacountyhba.com](mailto:susanb@medinacountyhba.com)**





## Results of the Medina County Home Builders Association Annual Golf Outing ...

*1st Place Team:*

Score of 45  
(10 under par)

Shane Bolon

Tyler Light

Tim Pelton

Adam Beckwith

*Closest to the Pin:*

Tim Pelton

*Longest Drive:*

Ed Householder

*Longest Putt:*

Doug Krause

*Skins (\$95 each):*

Hole #8, Score - 3

Craig Morton

Jeff Pankratz

Tim Thompson

Steve Madar

---

*50/50 Winner of \$290*

Mark Strouse

Decor Design Construction, LLC

---

*Lottery Tree Winner*

Brian Fields, Parkview Homes

Brian won \$59 in tickets, \$50 in cash, \$250 in gift cards and an entry to the Cash Explosion drawing. Congratulations Brian!





**Water Sponsor**



**Box Lunch Sponsor**



**LEGACY HOMES  
Putt Off Sponsor**



**LEGACY HOMES  
Proximity Sponsor**





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Sponsor**



**Golf Cart  
Sponsor**



**19th Hole  
Sponsor**



**BBQ Dinner  
Sponsor**





# Par Level / Hole Sponsors





# Par Level / Hole Sponsors





# MCHBA Fall BBQ



Thursday, October 26, 2023

Event 4-8pm

You're invited to join us for our second Fall BBQ Dinner evening event. See box below for all the ways you can participate!

We'll have bourbons and wine for tasting, delicious BBQ food to eat, cash bar for beer, and a lot of friends to meet and mingle with.



## WAYS TO PARTICIPATE

**Rent a Table / Share Your Business**  
\$350 per Table - 2 FREE dinners/tastings  
(\$150 Value)

**Sponsor a Bourbon**  
\$250 per Bourbon (You'll be talked  
about all night - priceless)

**Join us for the Tasting & BBQ Dinner**  
- \$75 per person - bring your spouse,  
significant other, friends, etc.

Menu includes: Beef Brisket, Pulled Pork, Mac-n-Cheese, Mashed Potatoes, Baked Beans, Salad, Rolls & Boozy Cupcakes!

Email [susanb@medinacountyhba.com](mailto:susanb@medinacountyhba.com) how you want to participate and we'll take care of the rest.

## Event Location:

Amy's Arbors Rustic Event Center  
1780 Center Rd. ((the old Valley Tack)  
Valley City, OH 44280

South side of Center Rd., west of Gandalf's Pub



---

## Workers' compensation enrollment deadlines approaching

### **Enroll now!**

Sedgwick has mailed Group Rating and Group Retrospective Rating enrollment and reenrollment materials to qualifying employers. Don't miss out on the opportunity to save significantly on your workers' compensation premium.

In addition to annual premium savings, Sedgwick, our endorsed Partner, is proud to deliver full-service workers' compensation claims management and cost containment strategies to nearly 60,000 hard-working Ohio employers.

Sedgwick clients annually save \$160 million in workers' compensation premium through the two highest performing savings options - Group Rating and Group Retrospective Rating.

- Group Rating - over \$4 billion in savings over the past ten years
- Group Retrospective Rating - over \$1 billion has been earned by participants since implementation in 2009

For traditional Group Rating, Sedgwick must receive your enrollment by November 10, 2023. For Group Retrospective Rating, Sedgwick must receive your enrollment by January 26, 2024.

If you would like to request an analysis or if you have any questions, contact our Sedgwick program manager, Dominic Potina at [dominic.potina@sedgwick.com](mailto:dominic.potina@sedgwick.com) or 614-579-4723.



---

## Control of hazardous energy

The Control of Hazardous Energy, also known as Lockout/Tagout (LO/TO), is an OSHA regulation designed to prevent unexpected equipment startup or release of hazardous energy which could result in employee injuries. The purpose is to develop a set of procedures which, when used properly, will ensure that machinery or equipment is safely de-energized, isolated from energy sources, and cannot be operated during maintenance or servicing. The Occupational Safety and Health Administration (OSHA) implemented the “Control of Hazardous Energy” standard (29 CFR 1910.147) in 1989. Although the standard has saved many lives since its inception, it continues to fall on OSHA’s Top 10 violations coming in at number 6 in 2022.

Major program elements include:

Written Energy Control Program: Employers are required to develop and implement an energy control program that outlines procedures, training, and documentation related to lockout/tagout. The program should establish a clear policy, assign responsibilities, provide employee training, and include periodic inspections.

Identify the Equipment Needing LO/TO Procedures: Audit your facility for equipment needing LO/TO procedures. Facilities may have many types of powered equipment, so be sure you do a thorough audit.

Evaluate and Document Energy Sources: Energy sources come in a variety of forms. Ensure you look at all energy sources, such as electrical, mechanical, hydraulic, pneumatic, chemical or thermal. When performing the energy audit for each piece of machinery, keep an open mind. There may be more than one source of energy. If you are unsure about specific energy sources, find someone within the organization that is knowledgeable, such as maintenance.

Lockout Procedures: The procedure to properly lockout the energy source is important to ensure its effectiveness and prevent accidental re-energization. Procedures may vary from machine to machine but a standard lockout/tagout procedure includes:

- 1) Notify affected employees about the lockout/tagout process.
- 2) Shut down the equipment using normal shutdown procedures.
- 3) Isolate energy sources by deactivating switches, valves, or other controls.
- 4) Apply lockout devices to energy isolation points.
- 5) Verify that all energy sources are effectively locked out and the equipment is inoperative.
- 6) Perform the necessary maintenance or servicing tasks.
- 7) Before re-energizing, remove lockout devices and notify affected employees.

In addition to the locks, tags are used to notify employees that the piece of equipment is under repair or maintenance and should not be started. Tags, alone, do not offer the same level of safety as a lock. They should not be used by themselves as a replacement. Instead, they can be used in addition to the locking device. There are many types of tags available so find the one that is best for your facility.

Employee Training: Employers are responsible for ensuring that employees involved in maintenance or servicing activities receive comprehensive training on lockout/tagout procedures. Training should cover the purpose of the program, hazardous energy sources, proper application of lockout/tagout devices, and the importance of following established procedures.

OSHA defines three groups within the standard that require training.

- 1) Authorized Employees - Is a person who locks out or tags out machines or equipment in order to perform servicing or maintenance on that machine or equipment.
- 2) Affected Employees - An employee whose job requires him/her to operate or use a machine or equipment on which servicing, or maintenance is being performed under lockout or tagout, or whose job requires him/her to work in an area in which such servicing or maintenance is being performed.
- 3) Other Employees – An employee whose work operations are or may be in an area where energy control procedures may be utilized, shall be instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machines or equipment which are locked out or tagged out.

Periodic Inspections: Finally, periodic inspections must be conducted to ensure ongoing compliance with lockout/tagout procedures. Typically, the Authorized employees need to demonstrate and verify that energy control procedures are being followed correctly. A competent person should perform the periodic inspections and if any deficiencies are witnessed, the employee should be retrained on the program.

Once the program and training are complete, be sure to update your program whenever new equipment is brought in, additions to or changes in energy sources occur or there are new authorized employees. There may be other changes so be sure to keep the policy up-to-date. It is important to comply with the LO/TO standard to comply with the regulations, but more importantly protecting workers from hazardous energy-related incidents.

If you have any further questions or comments about OSHA's Lockout Tagout Standard, please contact Andy Sawan at 330-819-4728 or by email [Andrew.sawan@sedgwick.com](mailto:Andrew.sawan@sedgwick.com).



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*By Vincent J. Squillace, CAE, Executive Vice President*

## YOUR ASSOCIATION FEDERATION IS IMPORTANT

Just returned from the association management conference of NAHB where executive officers from across America meet. The purpose of the meeting is to promote professionalism and the ability of your staff to advance the needs of the membership, home construction, remodeling, and land development efforts. It makes us all stronger and more effective.

NAHB along with us, OHBA, and your local association are all guardians of your industry, your business, and the housing needs of the community. We play a unique role only your federation can provide. This is of great value to you all regardless of the size of your company or the volume of your business. If you're in this industry, we have your back.

Our load of issues here in Ohio grows on a regular basis. We deal with building, zoning, and property tax issues. We are major proponents of economic growth and expansion. We promote private property rights and production of housing through the free enterprise system. NAHB provides similar benefits and much more. Their annual convention is a national showcase of the industry. Our local associations are grassroots strongmen. Not many associations or professions can match our ability at all levels of government.

On a sad note, I must mention the passing of OHBA Past President Dick Moses of Toledo. He was an incredibly avid supporter of OHBA, NAHB and his beloved Toledo. A leader in all respects. We will all miss him mightily. ■

## NAHB Kicks off Associate Member Appreciation Month

Throughout the month of September, NAHB is celebrating the countless contributions, efforts, and accomplishments of its roughly 70,000 Associate members during Associate Member Appreciation Month.

Associate members make up nearly two-thirds (65%) of NAHB's members and come from a wide variety of specialties that are vital to the industry, including subcontractors, financial services, retail and wholesale, and sales and marketing.

"Associates are not only vital to our association," says NAHB Chairman Alicia Huey in her special message to Associate members, "but are in fact the driving force behind a key contributor to our nation's GDP."

Associates provide the support, trade skills and materials that every housing professional needs to do everyday business, and, when you visit NAHB.com in the coming weeks, NAHB will highlight the strength of their work.



**Q2'23 CLAIM DEADLINE  
EXTENDED! DEADLINE FRIDAY,  
SEPT. 8TH TO CLAIM!**

Now is the time for our Builder and Remodeler Members to claim for Q2'23. Builder and Remodeler Members may claim for manufacturer rebates for residential jobs completed between April 1 through June 30, 2023.

**Q2'23 Extended Claiming Deadline is Friday, September 8, 2023**

Two new participating manufacturers have joined and are available for members to claim rebates beginning with Q2'23:

- Genie Garage Door Openers
- Simpson Strong-Tie Structural Connectors

They join the participating manufactures that began participating with Q1'23:

- GAF Roofing
- Honeywell Home (Air Quality, Smart Home Controls, Thermostat, Water Solutions, and Zoning)
- Kidde Fire Safety (Smoke and Carbon Monoxide Alarms)
- Panasonic Ventilation (Panasonic Bath Fans and Swidget Smart Switch, Outlet, and Inserts)
- Westlake-Royal Building Products (Including: Exterior Portfolio, Royal Siding, Trim, Moulding and Shutters, Portsmouth Shakes and Shingles, Select Siding, and American Premium Shutters)

Along with dozens of others that have participated for years!

Personalized assistance is available. Please reach out to the HBA Rebates Team with any questions. [www.HBArebates.com/aboutus](http://www.HBArebates.com/aboutus)

**Claim Today, Don't Delay!**

[www.HBArebates.com/claimform](http://www.HBArebates.com/claimform)

**Q2'23 Extended Claim Deadline:**  
Friday, September 8, 2023

**Claim for Residential Jobs**  
Completed April 1 through June 30, 2023. ■





We have been serving professional builders for more than 90 years. Our business is all about serving you. We are a one-stop-shop for all your building needs, making sure you are set up for success before, during, and after your projects.

## CARTER LUMBER MANUFACTURING

As skilled framing labor availability continues to decrease throughout our industry, prebuilt components are more important than ever for home builders. That's why we've **invested heavily** in our component manufacturing plants, to guarantee that in every market we service, our professional builders have the components they need, when they need them.

The **thirteen** component plants across our footprint are capable of producing roof trusses, floor trusses and wall panels for our customers. Our state-of-the-art facilities guarantee high quality production of trusses and wall panels.

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Canton, OH 44710  
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### Elyria

41625 Griswold Rd.  
Elyria, OH 44035  
(440) 934-5266

### Madison

6320 N. Ridge Rd.  
Madison, OH 44057  
(440) 428-1110

### Medina

3725 Medina Rd. Ste 108  
Medina, OH 44256  
(330) 725-6760

### Middlefield

14601 Kinsman Rd.  
Middlefield, OH 44062  
(440) 834-8164

### Solon

6199 SOM Center Rd.  
Solon, OH 44139  
(440) 248-5355

Below and on the next 9 pages is a summary of the NAHB key issues for the month of August. You'll find information in regard to WOTUS, Job Corps/HBI funding, the Maui, Hawaii relief efforts, Davis-Bacon prevailing wages and more.

If you have any questions, feel free to reach out to NAHB Ohio State Rep Randy Strauss at 440-935-2929 or [randykstrauss@aol.com](mailto:randykstrauss@aol.com)

## Key NAHB Housing Issues

1. In the aftermath of the U.S. Supreme Court decision in *Sackett v. Environmental Protection Agency*, the Environmental Protection Agency and U.S. Army Corps of Engineers have issued an amended, final waters of the U.S. (WOTUS) rule. NAHB believes the amended rule is a missed opportunity to provide regulatory certainty to the home building industry.
2. With shelter inflation accounting for a staggering 90% of the overall inflation rate in July, NAHB is calling on policymakers at all levels of government to take actions that will help boost the nation's housing supply. Increasing housing production will help ease a stubbornly high housing inflation rate that is harming the overall economy.
3. A House appropriations subcommittee has eliminated funding for Job Corps in fiscal year 2024, which begins on Oct. 1, 2023. Its Senate counterpart has funded the program at the full \$1.7 billion level for fiscal 2024. As the appropriations process moves forward, NAHB will fight to retain the Job Corps program at full funding levels.
4. NAHB is working to help in the Hawaii wildfire recovery efforts. We are providing direct technical and educational assistance to the BIA of Hawaii to help guide its response for their Maui neighbors who were devastated by wildfires.
5. The federal government is making \$1.2 billion available for state and local governments to adopt updated energy codes. NAHB is working with builders and HBAs to help them take steps now to engage with their state and local jurisdictions to advocate for workable outcomes.
6. The U.S. Department of Labor has published a final rule updating the Davis-Bacon and Related Acts (DBRA) regulations regarding the calculation of prevailing wages in local areas. The new rule, which goes into effect Oct. 23, fails to address many of NAHB's concerns made during the rulemaking process, including the DBRA's overly burdensome contractor requirements



and wage determinations that are misrepresentative of the real wages being paid in an area.

7. Housing market snapshot: Single-family starts and new home sales moved higher in July while existing home sales fell. Meanwhile, builder confidence in the single-family market fell six points in August to the breakeven point of 50, as rising mortgage rates helped to end a streak of seven straight monthly gains.

### **\*\* A reminder that September is Associate Member Appreciation Month**

Associate members bring great value to our HBAs and the federation. They provide an enormous range of services, products and expertise that are essential to building the nation's housing. And our message with the Associates moving forward is "We All Build" – because we are all together in the home building business.

### **New WOTUS Rule a Blow to Housing Affordability**

- The Environmental Protection Agency and U.S. Army Corps of Engineers have issued an amended final waters of the United States (WOTUS) rule in the aftermath of the recent U.S. Supreme Court decision in the case of *Sackett v. EPA*.
- Unfortunately, the revised WOTUS rule – which was made with no public input from interested stakeholders -- represents a blow to housing affordability. The Supreme Court's Sackett decision made clear the federal government only has authority over relatively permanent waterbodies.
- But the Biden administration failed to provide a definition of a "relatively permanent" waterbody.
- Furthermore, the revised WOTUS rule fails to exclude from federal jurisdiction all "ephemeral features," which only possess water following a rainfall event.
- This uncertainty regarding what waters are subject to federal jurisdiction sets the stage for continued federal overreach, bureaucratic delays during the

wetlands permitting process, and regulatory confusion for home builders and land developers.

- In short, the new WOTUS rule is a missed opportunity to provide regulatory certainty to the home building industry.
- Making matters even more confusing, several federal district courts had already issued a preliminary injunction against the Biden WOTUS rule released in January, which now prevents the agencies from implementing the recent WOTUS amendments issued on Aug. 29. This means the revised WOTUS definition will only apply in 23 states, the District of Columbia and the U.S. Territories.
- In the other 27 states, the agencies are implementing the pre-2015 regulatory regime and the Sackett decision until further notice. The end effect is additional regulatory uncertainty, with our members having to comply with two different rules.
- NAHB is proactively participating in the litigation in 27 states to encourage the agencies to, among other things, define a clear definition of a relatively permanent waterbody to provide regulatory certainty to the home building industry.
- Meanwhile, NAHB will continue to meet with EPA and U.S. Army Corps of Engineer officials to seek further clarity regarding the newly enacted WOTUS rule for the other 23 states. We will urge the agencies to expedite approvals for jurisdictional determinations and Clean Water Act 404 permits based on an approved jurisdictional determination.
- The agencies have indicated they will hold stakeholder hearings on the new rule in the near future. Additionally, NAHB has requested a standalone meeting with the agencies to brief our nation's home builders and land developers on the amended rule.
- We will also continue to meet with federal officials to air our concerns with the new rule, offer pragmatic changes that maintain environmental protection of our nation's waterways, and restore common sense and predictability to the federal wetlands permitting process.



- View NAHB's [WOTUS webpage](#) where additional information will be posted on the content of this new rulemaking.

### **States Under the 2023 Rule as Amended:**

Arizona	Illinois	Nevada	Pennsylvania
California	Maine	New Jersey	Rhode Island
Colorado	Maryland	New Mexico	Vermont
Connecticut	Massachusetts	New York	Washington
Delaware	Michigan	North Carolina	Wisconsin
Hawaii	Minnesota	Oregon	

### **Pre-2015 Regulatory Definition of WOTUS Consistent with Sackett:**

Alabama	Iowa	Nebraska	Tennessee
Alaska	Kansas	New Hampshire	Texas
Arkansas	Kentucky	North Dakota	Utah
Florida	Louisiana	Ohio	Virginia
Georgia	Mississippi	Oklahoma	West Virginia
Idaho	Missouri	South Carolina	Wyoming
Indiana	Montana	South Dakota	

### **Housing Accounted for 90% of Overall Inflation Rate in July**

- With [shelter inflation accounting for a staggering 90% of the overall inflation rate in July](#), NAHB is calling on policymakers at all levels of government to take actions that will help boost the nation's housing supply in order to ease a stubbornly high housing inflation rate that is harming the overall economy.
- The July Consumer Price Index (CPI) reading was 3.2%, but data from the Bureau of Labor Statistics show that more than 90% of the headline gain for the CPI was due to shelter inflation, a combination of rent and owner's equivalent rent, which was up 7.7% from a year ago.
- NAHB is making sure that officials at all levels of government are aware of this housing inflation statistic and we are sending out a loud and clear message:

- The only way to bring down shelter inflation is to enact policies that will allow builders to construct more homes.
- Specifically, NAHB is calling on policymakers to help the Federal Reserve in the effort to bring inflation lower by improving the efficiency of the residential construction market.
- This includes policy changes such as:
  - Speeding up permit approval times
  - Providing resources for skilled labor training
  - Repealing inefficient regulatory rules
- Boosting the housing supply will help tame inflation, satisfy unmet demand, achieve a measure of price stability in the for-sale and rental markets, and ease America's housing affordability crisis.

### **Working to Protect the Job Corps Program**

- Despite strong objections from NAHB, a House appropriations subcommittee has eliminated funding for the Jobs Corps program beginning on Oct. 1, 2023, when the new fiscal year begins.
- NAHB is aggressively reaching out to House lawmakers to urge them to fully restore funding for the Job Corps program.
- For nearly 50 years, NAHB's educational arm, the Home Builders Institute (HBI), has been a trusted national training program contracted by the Department of Labor when outsourcing their Job Corps construction training contracts.
- Given the severe labor shortage in the construction industry and HBI's long track record of preparing students with the vocational trade skills and experience they need for successful careers in the home building industry, funding for Jobs Corps is needed now more than ever.
- And that's the message we continue to hammer home in the halls of Congress.



- For fiscal year 2024, the Senate Labor Appropriations subcommittee has funded Job Corps at the fiscal 2023 level of \$1.7 billion.
- As the appropriations process moves forward, we will call on House and Senate conference appropriators to ensure any final appropriations bill retains the Jobs Corps program at full funding levels.

### **NAHB is Helping Hawaii Wildfire Recovery Efforts**

- NAHB is providing direct technical and educational assistance to the BIA of Hawaii to help guide its response for their Maui neighbors who were devastated by wildfires.
- The BIA of Hawaii has set up a fund to accept grants and donations. NAHB members, HBAs and others looking to help support rebuilding efforts in fire-affected Maui are encouraged to donate at [hbifoundation.org](https://hbifoundation.org).
- NAHB has sent AI videos, press release templates and other communications resources to the BIA of Hawaii so that it can effectively distribute consumer education messaging on rebuilding to those in need.
- NAHB's State and Local Government Affairs team is also working closely with BIA lobbyists to advance state-level advocacy efforts in response to the wildfires.
- An NAHB delegation will travel to Hawaii in late September to support rebuilding efforts.
- For those looking to support the relief effort, there are several local disaster relief designated funds to aid and support the communities hardest hit by the wildfires:
  - [\*\*The Hawaii Community Foundation - Maui Strong Fund \(HCF\)\*\*](#)
  - [\*\*Maui Food Bank\*\*](#)

- [Maui United Way Disaster Relief Fund](#)

## **More Stringent Energy Codes Could be Coming**

- Your state and local jurisdictions may soon seek to adopt more stringent energy codes.
- There are two reasons. First, the International Energy Conservation Code (IECC), which serves as the baseline code for many, is getting more stringent. Second, there is federal money available specifically for state and local governments to update their energy codes.
- Most notably, the Inflation Reduction Act that was signed into law last year provides \$1 billion to support the efforts of state and local governments to adopt updated energy codes.
- While this is the current law of the land, [NAHB was able to get legislation passed by the House](#) that would repeal the specific section of the Inflation Reduction Act that provides \$1 billion to pressure state and local governments to adopt updated energy codes that are more costly and restrictive. NAHB is working to get a companion Senate bill introduced this month.
- But as of now, regarding updates to the energy codes, there are many relevant groups out there who are poised to help state and local governments get that \$1 billion pot of money.
- For example, Kansas City recently approved new building standards to align with the 2021 IECC.
- Every builder and HBA need to take steps now to be prepared.
- First, you need to understand where the pressure is coming from and develop an outreach and action plan. Next, you need to be prepared to participate with information, data and technical support to direct the efforts of your state and local jurisdictions and advocate for workable outcomes.



- The goal is for builders and HBAs to:
  1. Reach out to your state and legislators and try to convince them to NOT apply for the grants due to the significant construction cost impacts and negative impacts on housing affordability; and
  2. If your states still choose to apply for a grant, convince your legislators to apply for the Department of Energy's Resilient and Efficient Codes Implementation (RECI) funds and NOT the Inflation Reduction Act funds because the RECI funds provide states more flexibility regarding which updated energy codes they choose to adapt.
- NAHB is considering adding staff specifically to travel across the nation and help local HBAs to implement this strategy.
- It is important to engage your state's energy offices and officials. Funding applications that have partnerships are given preference. The Department of Energy specifically lists "associations of builders and design and construction professionals," such as state and local HBAs in the NAHB Federation, as acceptable partners for states on applications.
- Engage your state and local officials and HBAs now to see if there is an opportunity to partner on an application. [NAHB's website includes many resources to assist HBAs](#). You can also see which version of the IECC your state currently uses and get more information on partnering with states.
- For more information on the codes front, contact Neil Burning, NAHB's Vice President of Construction Codes and Standards, at [nburning@nahb.org](mailto:nburning@nahb.org).
- Karl Eckhart, NAHB's Vice President of Intergovernmental Affairs, is coordinating with HBAs on this matter. His email is [keckhart@nahb.org](mailto:keckhart@nahb.org).

## Final Davis-Bacon Rule Fails to Address Builder Concerns

- The U.S. Department of Labor (DOL) has published a [final rule](#) updating the Davis-Bacon and Related Acts (DBRA) regulations regarding the calculation of prevailing wages in local areas. The new rule goes into effect Oct. 23.
- In the home building industry, the final rule primarily affects multifamily builders who participate in certain HUD and Federal Housing Administration (FHA) Multifamily Mortgage Insurance programs.
- This final rule fails to address many of NAHB's concerns made during the rulemaking process, including the DBRA's overly burdensome contractor requirements and wage determinations that are misrepresentative of the real wages being paid in an area.
- Key changes to the current DBRA regulations include:
  - Returning to the original "three-step method" to determine prevailing wages on Davis-Bacon covered projects for the first time in 40 years. This process allows DOL to determine the prevailing wage of a given area if only 30% of workers surveyed report the same wage rate.
  - Removing a ban on combining urban and rural wage rates when determining the prevailing wages of a given area, which could make multifamily housing projects in rural areas cost-prohibitive.
  - Expanding the types of activities that would categorize a worker as covered under the Davis-Bacon labor standards. For example, the rule states survey crew members may be subject to prevailing wage requirements depending on the activities they perform.
- DOL's Wage and Hour Division will provide an overview of the changes in a [free webinar](#) for interested parties on Sept. 13 and 14. The webinar will contain the same information on both days.



## Housing Market Snapshot

### Housing Starts

(July 2023)

Total: 1.45 million<sup>•</sup>

Single: 983,000<sup>•</sup> Multi: 469,000<sup>••</sup>

### **Home Sales\***

(July 2023)

New: 714,000<sup>•</sup>

Existing: 4.07 million<sup>••</sup>

### **Median Home Prices**

(July 2023)

New: \$436,700<sup>••</sup>

Existing: SF: \$436,700<sup>••</sup>

\*Seasonally Adjusted Annual Rate; Arrows indicate direction from previous month for starts and sales and year for prices.

**NAHB/Wells Fargo Housing Market Index** – The index, which measures builder confidence in the market for newly built single-family homes, fell six points to 50 in August from a reading of 56 in July. This was the first drop in builder sentiment following seven consecutive monthly gains. Any number over 50 indicates that more builders view sales conditions as good than poor.

**NAHB Chief Economist Robert Dietz's analysis:** “With many home owners choosing to stay in their current home to preserve their existing low mortgage rate, resale inventory is limited, thereby increasing demand for new home construction and pushing up single-family starts in July even as builders continue to struggle with increased uncertainty stemming from rising mortgage rates. Falling builder sentiment in August is a reminder that housing affordability is an ongoing challenge, as builders continue to grapple with elevated construction costs stemming from a dearth of construction workers, a lack of buildable lots and ongoing shortages of distribution transformers. In order to bring down shelter inflation, which accounted for 90% of the overall inflation rate in July, we need to enact policies that will allow builders to boost the nation's housing supply.”