

# Oklahoma Builder

**Oklahoma State Home  
Builders Association**



July/August 2011

## OKLAHOMA GREEN BUILDING SUMMIT 2011



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**Builder Profile**  
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**Oklahoma State Home  
Builders Association**

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## President's First Word

Mike Herndon

# Looking to the Future

by Mike Herndon

It's my favorite time of the year, and we start to look forward to people moving about, thinking of their future and how much better it would be to own a new safe, energy efficient, long lasting, quality home. I'm writing this in May right after a good rain here in Southern Oklahoma and the air seems cleaner and the attitudes a little more positive. Remodeling seems to still be the glue that holds a lot of our businesses together but there is some movement in the new home area.

It's hard to believe we're already well into the second quarter and my term is almost half over. It has really been enjoyable with opportunities to meet lots of good people. We all know builders come in lots of shapes sizes and skill levels, and I have to admit most of the builders I've met through the association are the cream of the crop. Local associations are doing an excellent job of educating and the improvement in the quality of homes in Oklahoma is noticeable. I would like to thank each of you for helping to make my term enjoyable.

### Life Is Good

Oklahoma life is good and Oklahoma City builders really know how to entertain. I was able to attend the grand opening gala and ribbon cutting ceremony of the new COHBA building on May 12. There was lots of good food, music and most of all time to visit with fellow builders. Governor Fallin

was there along with Lt. Governor Todd Lamb. It was a great evening. Oh, did I mention good food and lots of it? I know many have put a lot of time and energy in helping design and build such a great building. Hats off to the Oklahoma City crew for a job well done.

If you remember back in October, "Forbes" magazine ranked Oklahoma City as one of "America's Most Affordable Cities." Now in May they ranked Tulsa and Oklahoma City in the top 10 "Best Places To Buy A Home Right Now." We better be careful, it looks like the secret is about to get out.

### Stay Involved

I'm on my way this week back to Washington for the board meeting and, looking over the topics of discussion, they're the same this year as last. With appraisal issues, AD&C financing, and mortgage interest deduction still concerns, NAHB continues to work toward getting these issues behind us and the housing industry back on track. I believe we've made some headway in the right direction but have a ways to go.

I would like to impress upon you the importance of staying involved and sharing your knowledge with others. Through you only can we grow our association. Keep up the good work and until next time, remember to think positive.

*"You have to learn the rules of the game. And then you have to play better than anyone else."* — Albert Einstein **OB**



## Associates Council Chair Report

Casey Felix

# Associates Wanted



by Casey Felix

What is an associate member? An associate member of our organization is one that is not an actual "builder" of the homebuilder's association. We are the people who help the builders complete the task of building a home. Whether it is financing the build, supplying products that go in the house or providing services upon the home's completion, an associate member is one that works with the builder to make certain they are able to offer the best quality home possible.

### There's a Place for You!

I became an associate member of our local homebuilders group over five years ago. At the time, I was a lender

in our bank that focused on construction projects. I looked for builders to help finance their spec homes. Currently I have changed my career and serve as a trust officer in the bank. I can still be an associate member! After all, who better to serve the homebuilders with their estate planning than someone that truly understands their business?

The point is, that the Oklahoma State Home Builders Association has a place for you! We are always looking for other associates that play a vital role in the homebuilding industry. If you or your company provides a service or product that a homebuilder can use in their build or their business, we're looking for you! **OB**



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# Top Safety Issues

by Rich Kindberg, Center for Municipal Excellence and Industrial Coordinator/ Construction, for Francis Tuttle Technology Center

I was recently called to a worksite in northwest Oklahoma City. OSHA was there and Central Oklahoma Home Builders had called. The issues seen by OSHA included lack of fall protection, “single board width” 2 X 6 scaffolding, and an “unsafe work site”.. The contractor knew better, but...I thought several issues seemed to be present:

- There were language difficulties between the builder and his subs,
- The subs did not seem to care about safety requirements,
- The builder had left the subs in charge as a result of a possible lack on instructions from the builder.

- This builder left his work site safety and decisions to the “work habits” of the subs. Unfortunately he will pay a fine that comes out of his revenue stream.

The following can be found on the NAHB website, under “Labor, Safety & Health Policy,” and describes the changes to Fall Protection requirements starting on June 16, 2011.

## Residential Fall Protection

What will be required beginning June 16, 2011?

On Dec. 16, 2010 OSHA rescinded STD 03-00-001 - STD 3-0.1A - Plain Language Revision of OSHA Instruction STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction which had been in place since 1995.

<b>Table 1</b>	<b>Interim Fall Protection Guidelines (Dec. 8, 1995 – June 15, 2011)</b>	<b>Fall Protection Requirements of Subpart M (June 16, 2011 and beyond)</b>
<b>General Requirements</b>	Required, unless infeasible or creates greater hazard	Required, unless infeasible or creates greater hazard
Use of Conventional Methods (guardrails, safety nets, or personal fall arrest systems) for fall exposures over 6 feet	Allowed for prequalified tasks identified by OSHA as meeting a greater hazard and other tasks where infeasibility or greater hazard could be demonstrated	Allowed, but employer has the burden to demonstrate conventional methods are infeasible or creates greater hazard before using
Use of alternative methods (slide guards, safety monitoring systems, warning line, etc.)	Required, but does not have to be written	Required, must be written
Training	Employees must be trained to understand and follow the Fall Protection Plan	Employees must be trained to understand and follow the Fall Protection Plan
<b>Roofing-Specific Requirements</b>		
Low Slope Roofs ( 4:12 pitch or less)	Use of warning lines and safety monitoring systems allowed	Use of warning lines and safety monitoring systems allowed
Slope Roofs (over 4:12 up to and including 8:12)	Use of slide guard allowed	Guardrails or personal fall arrest system required
Steep Slope Roofs (over 8:12)	Guardrail or personal fall arrest system required	Guardrails or personal fall arrest system required

This directive allowed employers doing specified residential construction activities to comply with the requirements of OSHA's Subpart M by implementing alternative fall protection and work procedures prescribed in the directive, however without a prior showing of infeasibility or greater hazard and without a written fall protection plan. OSHA did not intend STD 3.1 to be a permanent policy and it has been replaced by *STD 03-11-002 Compliance Guidance for Residential Construction*, which becomes effective June 16, 2011.

The key changes for those engaged in residential construction include:

- Employers will need to follow 29 CFR 1926 Subpart M Fall Protection Regulations.
- Employers will be required to demonstrate the infeasibility of the required conventional fall protection systems of that such systems create a greater hazard if using alternative fall protection measures and a fall protection plan.
- The employer has the burden of establishing that it is appropriate to implement a fall protection plan.
- A qualified person (i.e., person with a degree or extensive experience and who has the ability to solve fall protection problems at the jobsite) must develop a site-specific, written fall protection plan when alternative fall protection methods are used.
- A single, written fall protection plan can be developed for repetitive use (e.g., for a particular style or model of home) so long as the plan fully addresses all issues related to fall protection at each site.
- The use of alternative fall protection measures is limited to "residential construction", meaning (1) the end use of the structure being built is a home (i.e., a dwelling), and (2) the structure being built is constructed using traditional wood frame construction materials and methods (which also includes cold-formed sheet metal stud framing and masonry brick or block construction).
- Slide guards will no longer be permitted to be used in lieu of conventional fall protection methods during roofing work (removal, repair, or installation of weather proofing roofing materials, such as shingles, tile, and tar paper). However slide guards may be used as part of a written, site-specific fall protection plan that meets the requirements of 29 CFR 1926.502(k) if the employer can demonstrate that the use of conventional fall protection would be infeasible **or** create greater hazards.
- When roofing work is performed on low-sloped roofs (i.e., 4 in 12 pitch or less), safety monitoring systems can still be used in conjunction with a warning line system to protect workers on the roof. When such a roof is 50 feet or less in width, a safety monitoring system can be used alone and without a warning line system. Safety monitoring systems must meet the requirements of OSHA 29 CFR 1926.502(h).

The differences between the requirements on the Interim Guidelines and Subpart M are summarized in Table 1.

For more information about Fall Protection for the Residential Construction Industry, contact the National Association of Home Builders (NAHB) Labor, Safety, & Health Policy Department at 1-800-368-5242 ext 8057.

### Residential Fall Protection Related Web Resources

- National Association of Home Builders (NAHB): [www.nahb.org/fallprotection](http://www.nahb.org/fallprotection)

- OSHA Residential Fall Protection: [www.osha.gov/doc/residential\\_fall\\_protection.html](http://www.osha.gov/doc/residential_fall_protection.html)

- NAHB's Builder Books: [www.builderbooks.com/safety](http://www.builderbooks.com/safety)

*Disclaimer: This information is provided as a service of the National Association of Home Builders (NAHB). No legal advice is offered, and no attorney-client relationship is intended or established. These materials are meant for information purposes only; it is not considered a substitute for any provisions of the Occupational Safety and Health Act of 1970 or for any standards written by the Occupational Safety and Health Administration (OSHA). If legal advice or other expert assistance is required, the services of a competent professional person should be sought. — Rev: 2-2011*

(The Oklahoma Career Technology System has some of the best Construction Safety Training available. Contact your local Career Tech Center for more information. Or contact Rich Kindberg at 405-216-7828 for more information.) **OB**



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# OKLAHOMA GREEN BUILDING SUMMIT 2011

September 27-28

Learn up-to-date energy-efficient, building science information.

A two-day conference in September will focus on the economic and environmental advantages afforded by better-built, more energy-efficient green construction methods.

The third annual Oklahoma Green Building Summit (<http://www.okgreenbuildingsummit.com>) is scheduled Sept. 27-28, organized by OSHBA, Oklahoma City Metropolitan Association of Realtors and the Association of Energy Engineers.

The private consulting firm Guaranteed Watt Saver Systems of Oklahoma City has been a pivotal partner in planning the event as well.

Homebuilders, commercial builders, Realtors, appraisers, consumers and other industry professionals will learn about the best in building science for energy efficiency from the nation's premier expert.

Joe Lstiburek, Ph.D., P.Eng., ASHRAE Fellow, provided a thought-provoking presentation at the Oklahoma Green Building Summit 2010, and will be the keynote speaker this year.

Lstiburek is a principal of Boston-based Building Science Corp., and is a Fellow of the American Society of Heating, Refrigerating and Air-Conditioning Engineers. He will provide high-quality, up-to-date building science information to all professionals in commercial, institutional and residential building sectors.

The information will give you a competitive edge in the building industry and teach you how to apply the building science principles to construct durable, healthy and energy-efficient buildings.

Attracting more than 300 people last year, the summit will be held at the Reed Center in Midwest City. Sessions Sept. 27 will focus on residential construction, and commercial construction will be at the forefront Sept. 28. Early-bird registration is \$50 to attend one day of the conference or \$75 to attend both days.



**Keynote Speaker**  
**Joe Lstiburek**



**Todd Booze**

CE credits will be offered in many areas, including several afternoon break-out sessions geared to Realtors' knowledge of construction principles.

Title sponsors are American Electric Power, Climate Master, CenterPoint Energy, Dow Building Solutions, Forest Building Materials of Oklahoma City, Masco, Morrison Supply Company of OKC, OG&E and ONG.

Builders and their subcontractors who attend the summit will learn the ins and outs of building energy-efficient, high performance homes, said Todd Booze, chairman of the OSHBA Green Building Committee.

"Green building is more than just making sure the seals are good and tight—it is understanding the whys of water, air and vapor penetration, the correct sizing of units, and the proper components that make a home not only high performance, but comfortable to its inhabitants," he said.

Conference organizers hope to show Oklahoma Realtors and others how properly built, energy efficient homes can offer buyers lower operating costs, increased comfort, improved indoor air quality and enhanced durability.

Also, contractors will learn about these sustainable construction advantages:

- Reducing material and waste
- Enhancing durability
- Reducing maintenance
- Use of recycled materials, including bricks, drywall, engineered lumber and plywood, insulation, carpet and concrete
- Recycling waste materials during construction
- Employment of onsite recycling

For registration information, visit the Oklahoma Green Building Summit 2011 website at [www.okgreenbuildingsummit.com](http://www.okgreenbuildingsummit.com), or call the Oklahoma State Home Builders Association at (405) 843-5579 or toll-free at (800) 256-9980. **OB**



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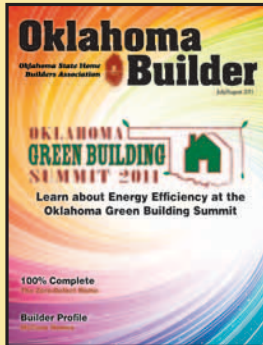
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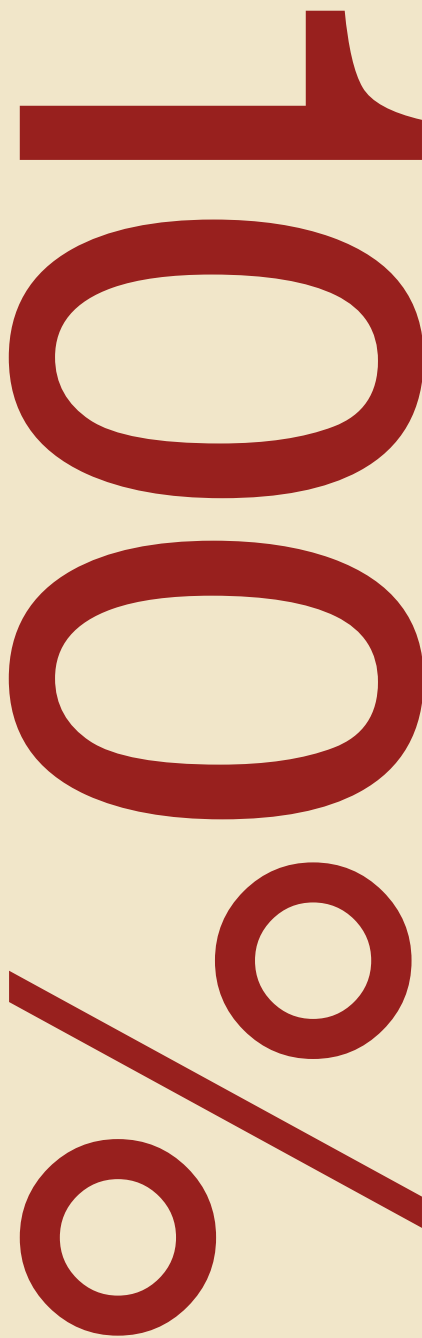
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# The Zero-Defect Home

Turning out of the auto dealership in your shiny new car, you notice something isn't just right. You try the left turn signal and find it works no better than the right turn signal, which doesn't work at all. Making a U-turn, you head immediately back to the dealership. The service manager, obviously trained to handle irate customers with a smile, asks you to wait in the lovely customer lounge while he gets the best mechanic to make the repairs right away.

What would your thoughts be at this moment? Would you be thinking, "Boy, did I make a great deal!" or "Finally I have the quality car of my dreams!"? Probably not. You would be upset and justifiably so. You spent a great deal of money and still did not get what you thought you were getting. You may also be thinking "So, what else is wrong? I better go over this car carefully, maybe even get a mechanic to look at it." And, even when the car is repaired, you feel that maybe it's not the best car for the money.

## When Do Customers Judge Quality?

There is an important lesson here for builders. Buyers assess product quality at the time of delivery, not a month later. Studies have established that the more expensive the product, the greater are the buyer's expectations. The purchase of a home is one of the most expensive purchases a person will ever make and is often judged more harshly than an automobile purchase.

Few of us would accept delivery of a new car with a hood that needs to be repainted or a door that sticks, yet many builders today still deliver houses with clearly apparent defects. Unfortunately, when homebuyers find defects, they make a quality judgment about the home and the builder.

## Builders "Ask For Trouble"

We ask customers to inspect the quality of the home at final inspection. If customers find defects before we fix them, we are asking for trouble. The buyer's perception of the quality of the house is diminished and their faith in the builder is shaken. They no longer want to take the chance that the trained eye of the builder is "looking out for them," and become concerned that they may not be getting what they expected.

Even though you complete the punch-out list, the damage has been done. Your reputation has been cemented in the homebuyers' minds forever, with lingering doubts about what the future may bring. If you depend on referral sales, the toll on future sales can be staggering.

## Builder Benefits

That is why more and more builders are implementing "100 percent complete" or "zero defects" programs. Such efforts are directed toward assuring that the home is inspected and punched out before the customer's final inspection. Of course, the long-range goal is to work towards eliminating causes of defects in the first place.

One homebuilder who uses a quality inspector uses a detailed checklist to inspect a home three days before the customer's final inspection. Should any items be found, they are corrected before the customer's inspection. Most customers start off their inspection looking for problems, but after they examine a few rooms and don't find anything wrong, their confidence is so high that the inspection turns into an orientation about home features.

Another builder uses their warranty service manager to examine the home a few days before the customer's final inspection. After the construction department makes any required adjustments, the service manager signs for acceptance of the home. Since going to this system, customer final inspections average less than 1 to 4 items per home and customer satisfaction ratings have risen to over 95%.

100% completion benefits builders through higher levels of buyer satisfaction and higher referral rates. There are fewer warranty items and the buyer is substantially more trusting and easier to satisfy if problems do arise.

Builders are finding that it is well worth making the change. It appears that most buyers prefer a house 100% complete at final inspection. You may want to check with some of your buyers to find out how they feel.

*Article provided by ToolBase Services, c/o NAHB Research Center.* **08**





**President of OSHBA Women's Council**

**Barbara J. Franks**

# Incredible Experiences, Treasured Memories



by Barbara J. Franks

**T**his will be my final article for this magazine as Chair of Oklahoma Professional Women in Building. I have moved to Austin, TX to be with my family. I cannot even begin to tell you how much it has meant to be a part of Stillwater Home Builders, OSHBA, Oklahoma State Associates Council, Professional Women in Building and NAHB.

In 1982 I joined SHBA and have been actively involved since then. I have had incredible experiences, been to exciting cities and made wonderful friends over the years. I will always treasure these memories and be thankful I was a part of one of the strongest trade organizations in the U.S.

OPWB will still have strong leadership with the current officers working together. They will continue with continuing education classes, helping OSHBA with projects and help with the State Convention in July. Please continue to watch the OSHBA website for upcoming classes throughout the year.

## State Convention

I know State Convention will be great and I hate to miss it this year. Be sure to register for the convention and the great golf tournament. The continuing education classes will be exceptional and you will have terrific networking experiences. You can find out what is happening all over the state from others attending. With all the new technology available now, Facebook and LinkedIn are great ways to get information out to buyers. A class is scheduled to help you learn how to get the most from these services, so be sure to attend.

## Membership in OPWB

If you are interested in becoming a member of OPWB, or know someone who is interested, be sure to attend the OPWB meetings at State Convention and meet the great group of wonderful women who make things happen in Oklahoma and NAHB! I will miss you all and wish you the very best. May God continue to bless each and every one of you. **OB**

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# Tray McCune Homes

**Tray McCune treats people the way he wants to be treated to build strong relationships and a successful business.**

**G**rowing up in the construction industry spurred Tray McCune's interest in building. His father has owned a residential remodeling company since 1974, and McCune grew up working in the construction industry. After starting at Oklahoma State, his experiences working with his father's company spurred his interest in exploring a career in building.

## **Getting Experience**

McCune graduated from Oklahoma State with a degree in general business and a minor in marketing. He has also

stayed up-to-date on trends in housing by obtaining an Oklahoma Real Estate Broker's License. For the past 10 years, McCune has utilized the education, training and experience he has accumulated to stay ahead of the competition.

As a junior at Oklahoma State, McCune started his first spec home. "It was a really good experience for me," he said, "not just because of learning the ins and outs of the building business, but it also taught me how to work with people. It gave me a true appreciation of the time and quality that is needed to build a home." The experience creating relationships on that first project would shape much of McCune's philosophy in business.

## **Building Relationships**

McCune is proud of the relationships he has built with homeowners and subcontractors through the way he does business on a day-to-day basis. "I feel the key to success with my business is the ability to manage relationships, not only the day-to-day relationships with our subcontractors, but also the relationships and expectations of our homeowners," McCune explained. He believes that treating people the way he would like to be treated helps to build those relationships and helps the communication process, keeping everyone satisfied and happy.

At Tray McCune Homes, the focus is on custom building homes that range from 2,200 to 3,700 square feet. Although custom building is the core of his business model, McCune also







incorporates all types of remodeling work into the business, from bathroom and kitchen remodels to full-room additions.

### Overcoming Challenges

When the housing market began a downward trend, McCune put his Oklahoma State marketing knowledge and skills to use, attracting more remodeling work through marketing campaigns. The plan was helpful, and McCune explained, "We found that people were maybe not ready to build a new home, but they did want to remodel the one they were already in."

McCune believes the current downturn in the housing market has been one of the biggest challenges for anyone who has a career in homebuilding. Another challenge McCune feels is significant is scheduling. "When we build a home, there are so many different steps and trades that are involved," he explained, "that we find ourselves constantly working our scheduling charts to make sure the project runs on schedule."

### Creating Professionalism through Membership

The challenges of working in the building industry are easier faced with involvement in the builder associations. "Involvement in the associations is critical to setting ourselves apart from just average homebuilders. We have a level of professionalism that says this is not just a hobby business for me. It says that this is what I do and this is what I believe in," McCune said.

He stands by his belief in the importance of the builders associations by staying actively involved at both the state and local level. McCune was a member of the Board of Directors of the Stillwater Home Builders Association from 2002 to 2010. In 2008-2009, he served as the chairman of the Stillwater HBA Home and Garden Show. And, in 2007-2008, McCune was the president of Stillwater HBA, as well as chairman of the association's Tour of Homes.

McCune also stays active in the Oklahoma State Home Builders Association. Since 2004, he has been a member of the Board of Directors of OSHBA, and he is currently serving on the State Insurance Committee.

### Keeping Involved

Community involvement is another important part of McCune's life. From 2010 to the present, he has served as a planning commissioner for the city of Stillwater, and, since 2003, he has been an active member of the Lakeview Church located in Stillwater. Involvement with the United Way is also important to McCune.

McCune benefits, too, from the involvement of his wife, Joy, in the business. He said, "She has been very influential in building this business. She takes care of everything from office work to working with clients. Basically, she takes care of just about every detail that needs attention." Their daughter, Cambyll, is just 2-years-old, and although she's not too involved in the business yet, McCune said, "She's really cute!" **OB**





## By All Means: Executive Officer's Report

Mike Means

# State Convention

by Mike Means

**H**ere we are about a month away from our annual convention and it is not too late to make plans to join us. Once again, in response to the call of our members, we are holding the convention in state. This year it is at the Choctaw Casino Resort in Durant.

Now, you may be thinking, Durant? What could possibly be in Durant? First, don't forget that Durant sits on the east end of Lake Texoma. And being the large lake that it is, there are plenty of opportunities for recreation. Plus, the Casino offers a national award winning pool and it has a spa. And one more thing, Oklahoma Natural Gas is sponsoring a golf outing at Chickasaw Point allowing you to play for only \$25!

And I haven't even shared the educational offerings yet! In answer to the call from leadership, if you are a Certified Professional Builder, you can obtain all of your continuing education credits at the convention. From a Cardinal Glass Plant tour to an Advanced Framing Class and more, there is something for everyone. Associates, there is something for you too as we will have a class on using social media for marketing.

But I haven't touched the best of all! That is our annual silent auction and tabletop event! This keeps getting better and bigger and this year will be no different. Be sure to attend for great fellowship and wonderful bargains and all for a good cause. The proceeds go to our scholarship endowments to help the next generation of builders.

## Legislation

We finally had success this year on passing our impact fee bill this year. After three years of convincing legislators of the need for guidelines on municipalities that may institute impact fees, we were able to get our bill to a vote and on to the Governor. Governor Fallin signed our bill into law on May 10.

In answer to the call from leadership, if you are a Certified Professional Builder, you can obtain all of your continuing education credits at the convention.

Much of the credit though goes to those members who took the time to respond to the various Calls to Action that came through our voterVOICE system. It was due to their efforts that the legislators responded. It was due to their efforts that we got the votes we needed.

Let me know if you want to know how to use voterVOICE. If you are already receiving the e-mails but not sure what to do, give me a call and I will walk you through it. It literally takes less than 30 seconds most of the time but is invaluable to the industry.

Another small victory for our association was a bill that did not get a final vote before an important deadline. The bill in question would have put a sunset on an important tax credit for our industry. A final legislative report has already been emailed (I am of course writing this before adjournment) and if you have any issues or questions, please let me know.

## OSHBA Activities

Besides the summer convention, board meetings, and legislative duties, we also conduct classes for our Certified Professional Builder program. These classes are open to everyone. Even if you are not a CPB but want to learn something new, just check our website—[www.oshba.org](http://www.oshba.org)—see what we are offering and come and join us. Or if you don't see what you want, give us a call and maybe we can tailor something to meet your needs. **OB**

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