

NDMHA NEWS

N.D. Manufactured Homes Association

February 2013

MINUTES OF ANNUAL MEETING
NORTH DAKOTA MANUFACTURED HOUSING ASSOCIATION
JANUARY 16, 2013

The Annual Meeting of the North Dakota Manufactured Housing Association was held at the Radisson Hotel in Bismarck, North Dakota on Wednesday, January 16, 2013 beginning at 9:30 a.m.

President Tom Erie presided as chairman of the meeting.

The meeting was called to order. A quorum was present. The meeting was open for business.

EXECUTIVE SESSION

It was moved by Corey Theis, seconded by Tom Wilkie, and unanimously carried that the minutes of the Annual Meeting held January 18, 2012 be approved.

Tom Erie presented the Treasurer's Report, attached as Exhibit A. It was moved by Tom Wilkie, seconded by Glenn Bender, and unanimously carried that the Treasurer's Report and all disbursements made from January 1, 2012 to December 31, 2012 be approved. Kent French stated that monies allocated for attorney fees will need to be increased due to the current issue with MDU and upcoming legislation. Kent French also reported that Widmer Roel PC audits NDMHA's books yearly.

Tom Erie presented the nominations from the Nomination Committee for the Board of Directors positions expiring this year. The nominations were Chad Evans, Tom Wilkie and Roger Van Raden for At-Large Directors. Kent French was nominated for the Governmental Affairs position. Glenn Bender was nominated for the Financial Director position. Ron Mitzel was nominated for the Manufacturer position. The floor was opened for further nominations.

It was moved by Larry Gullickson, seconded by Corey Theis, and unanimously carried that nominations cease and unanimous ballots be cast for Chad Evans, Tom Wilkie and Roger Van Raden for At-Large Directors, Glenn Bender for Financial Director, Kent French for Governmental Affairs Director and Ron Mitzel for Manufacturer Director to the Board of Directors of the North Dakota Manufactured Housing Association for a two-year term.

Tom Erie reviewed membership numbers and encouraged members to promote membership within the industry.

Lance Kennedy gave an overview of NDMHA's website.

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Larry Gullickson, Jim Farnsworth, Kent French and Tom Erie gave an overview of the Five State Convention held in Deadwood, South Dakota. The 2013 Five State Convention will be held in Deadwood, South Dakota, September 10 thru 12, 2013. NDMHA will once again participate in this convention.

Tom Wilkie gave an update on the lawsuit against the Department of Energy's standards on non-weatherized gas furnaces.

Kent French indicated that he is actively working to get the *Proposal to Provide a Prison Industry Certification Program for Modular Fabrication Plant for the North Dakota Department of Correction and Rehabilitation* dismissed. This training program teaches inmates to produce modular homes. The certification program hopes to produce a minimum of 250 modular homes per year with the infrastructure, training and capacity in place to increase production to 500 homes per year.

LEGISLATIVE SESSION

The Legislative Panel consisted of Kent French from Liechty Homes, Thomas Kelsch, Alexander Kelsch and Todd Kranda from Kelsch, Kelsch, Ruff and Kranda Law Firm, Mandan, ND.

Todd Kranda stated that members should become familiar with the North Dakota Legislative Report located on the North Dakota Legislative Branch website. This site provides an immense amount of information relating to the legislative process in North Dakota, especially with respect to North Dakota Legislative Management and the North Dakota Legislative Assembly. The website address is www.legis.nd.gov. Todd reviewed the 2013 Legislative Deadlines attached as Exhibit B.

Todd Kranda reviewed the current issue NDMHA is experiencing with Montana Dakota Utility (MDU) regarding termination of utilities. MDU no longer wants to notify landlords of service terminations however will continue to bill landlords for outstanding utility costs. This affects every landlord with tenants who are MDU customers. A hearing is scheduled for February 19, 2013 with the Public Service Commission. NDMHA introduced Senate Bill 2174, attached as Exhibit C, which would require electric and gas utilities regulated by the Public Service Commission to provide notification in writing at least ten days in advance to the customer, as well as to a designated third party (landlord) if the customer provides an authorization for disclosure, before disconnection or termination of electric or gas service. This Bill would affect all Public Service Commission regulated companies. Todd invited all members to submit stories of service termination they have experienced with MDU. Todd stressed the importance of being proactive and requested members to attend the upcoming hearing on February 19, 2013 and the legislative hearing.

Todd Kranda reviewed Senate Bill 2038, attached as Exhibit D. This Bill synchronizes the taxable years for mobile homes and real property. This is effective for taxable years beginning after December 31, 2012 for taxable year 2013 property taxes. However, mobile home taxes due in 2013 are payable, as transitional tax payments, according to the provisions of law effective on December 31, 2012. Many members were unsure of the wording and questioned if manufactured home owners would be taxed twice in the same year.

Todd Kranda reviewed Senate Bill 2090, attached as Exhibit E. This Bill relates to sales and use tax on manufactured homes and provides an effective date. This Bill is effective for taxable events occurring after June 30, 2013.

Todd Kranda reviewed Senate Bill 2129, attached as Exhibit F. This Bill relates to the state building code and accessibility standards.

Todd questioned if NDMHA was satisfied with the licensing and bonding requirements for manufactured home dealers. Todd and Alexander Kelsch drafted a Bill and are looking for input from the Association. After much discussion by the membership, the issue was tabled for the next legislative session. Todd and Kent will research the current Bill and meet with a representative from the Department of Transportation.

GENERAL SESSION

Jackie Darr stated the North Dakota Department of Transportation (DOT) is currently waiting for the Legislature to allocate money for road construction. Once the DOT is notified of Legislative approval, road construction will be bid out and construction will begin. The website address which shows travel information map with road construction which includes width/height restrictions, spring load restriction, road conditions and road closures is www.dot.nd.gov/travel-info. The website that shows construction projects that have been bid and construction project start dates is

www.dot.nd.gov/dotnet2/eplans/default.aspx and the website for DOT transportation plan for 2012 – 2015 is www.dot.nd.gov/manuals/planning/STIP/final-STIP.pdf.

Jackie reported that the Highway Patrol asks for HUD numbers for all manufactured homes shipped into North Dakota. Identification supplements for most vehicle types are available to purchase on-line at www.nd.gov/ndhp, click on E-Permits. Verify the expiration date of the application in the shopping cart prior to making your purchase. When you log into the E-Permit system the identification supplements are listed under Annual, then Oversize and Mobile Home. Under Oversize, identification supplements are available for a truck or truck-tractor and semitrailer hauling a non-divisible load. Once you have printed the identification supplement(s), you will receive an email with the links for the attachments. You must print the required maps, permit policy and vertical clearances (if applicable.) These documents should be stapled to original identification supplement(s) and placed in the truck. Failure to attach the required documents automatically voids the identification supplement.

Rory Hoffman with the Department of Commerce indicated that he is meeting with the North Dakota Highway Patrol on implementing a manufactured home tracking system which can be uploaded into the Department of Commerce system. Modular homes are not currently being tracked only manufactured homes built to HUD specification.

New inspector and Installer training will be held in March or April 2013 in four different locations. Full day classes for new installers will be held in Bismarck. NDMHA suggested earlier training sessions since this is generally a busy time of year.

Rory Hoffman indicated that Dealers from out-of-state are still bringing in their own crews, setting up homes and leaving. The Department of Commerce currently has no way of monitoring these homes.

Cal Steiner with the Department of Commerce indicated the Governor's Office has stated that FEMA homes in Minot that are moved require re-inspections and must be set to current standards. Members reported this is not currently being done. If any member of NDMHA knows of any FEMA homes that are being moved and not being set to current standards, please report this to Rory or Cal immediately.

Tony Weiler with the Department of Labor reported that the Department of Labor oversees the ND Human Rights Act which deals with housing discrimination, employment, credit and fair housing. It is unlawful to discriminate against an employee because of birthplace, ancestry culture or linguistics. Types of discrimination are disparate treatment, disparate impact, harassment, retaliation and refusal to make reasonable accommodation. Types of discrimination under the Fair Housing Act are race, color, religion, sex, national origin, familial status, disability, receipt of public assistance, marital status and age. Housing complaints are currently down in the State of North Dakota.

Buddy White with Premier Mortgage presented a True One Time Close (OTC) Product. A buyer can qualify with as low as 3.5% down and credit scores as low as 620. The OTC loan closes in the customer's name prior to the start of construction eliminating the need for floor plan lending. There is only one approval, one appraisal and one loan process. The loan converts to the permanent mortgage upon completion of construction.

There being no further business to come before the membership, it was moved by Kent French, seconded by Will Simpfenderfer, and unanimously carried that the meeting be adjourned.

Dated this 16th day of January 2013.
Date of certification of these minutes.



Tom Erie
President

If you would like a copy of the Annual Meeting Minutes with Exhibits, please contact the NDMHA office.

Homes Shipped into North Dakota 2012

	Single Section	Multi Section	Monthly Total	
January	62	20	82	
February	89	26	115	
March	120	28	148	
April	120	48	168	
May	118	50	168	
June	73	53	126	
July	46	45	91	
August	40	91	131	
September	57	51	108	
October	103	52	155	
November	70	39	109	
TOTAL	898	503	1401	Year to Date