

# TENNESSEE HomeBuilder

July/August 2005

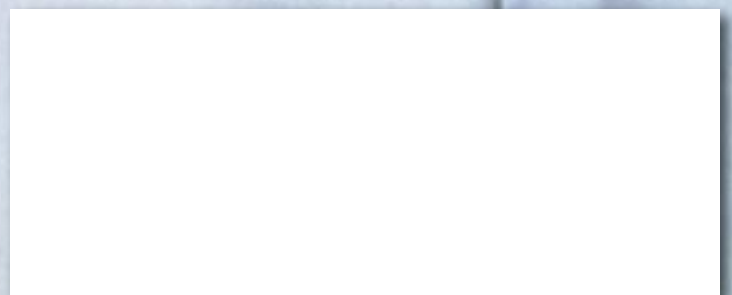
Official Magazine of the Tennessee Association of Home Builders

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U.S. CONGRESSMAN

**BART GORDON**

See page 12



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## MISSION STATEMENT



The Home Builder's Association of Tennessee (HBAT) is a not-for-profit trade association comprised of professional builders, developers and associated firms engaged directly or indirectly in home building, remodeling, and light commercial construction. We benefit our members through governmental representation, education, networking, information and other various member services. Our mission is to continue to be the recognized voice of our industry. Our goals are to:

- Ensure housing affordability
- Be the leading industry advocate on related governmental issues
- Continue to be responsive to the needs of our members and local associations
- Promote and enhance the image of our industry
- Educate our members and encourage excellence in construction
- Continue to strive to increase membership

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# PRESIDENT'S PERSPECTIVE

## "It's Not About the Money"

I am happy to report that approximately 330 attendees made up of 83 directors along with their guests, our sponsors and staff gathered on the beautiful emerald coast, in Destin, Florida, for this year's HBAT Summer Board of Directors Meeting. This event was the best-attended state meeting ever.

A big thank you to Susan, Frank, Julie and Joy for a job well done—and most importantly—thank you to our sponsors for their ongoing and generous support of the home building industry and the HBAT.

A special highlight of this year's summer meeting was that it was held over the fourth of July. The fireworks display and dinner was a spectacular event that I will not soon forget. At a time when we celebrate our independence and freedom it is often easy to forget the sacrifices that so many have made, and others are making, to ensure that our unique way of life con-

tinues. Many have paid the ultimate price for protecting our rights guaranteed under our constitution.

And yet, many counties and municipalities in the state of Tennessee have deemed the erection of shelter on one's property to be a privilege and have thus imposed a "privilege tax."

*Is it a privilege for a person to erect a home on his own private property?*

Bear in mind that these counties and municipalities are not imposing a tax on engaging in the business of building, developing or construction nor are they taxing sales or income derived from building but are taxing the act of building a home on one's private property which they have deemed a "privilege bestowed by government."



Photograph by Jerry Smith of Dasya's Photography

HBAT President James Carbine

Is it a privilege for a person to erect a home on his own private property?

Private property rights are one of the most fundamental elements of our nation's constitution. Our need for, and the right to construct, a home to protect our families and us is a natural right, which existed prior to the formation of our government. The act of building a home is not some governmental benefit nor a privilege bestowed by a state, county or municipality upon a property owner.

Justice Scalia is quoted in *Nollan vs. California Coastal Commission* as saying "The right to build on one's property—even though its exercise can be subjected to legitimate permitting requirements—cannot remotely be described as a 'governmental benefit.'"

*The HBAT's opposition to existing and proposed privilege taxes is not about the money.*

The continued erosion of our private property rights that so many have sacrificed to protect is the real issue. The recent Supreme Court decision regarding eminent domain only reinforces the fact that our rights are being taken bit by bit.

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The continued erosion of our **private property rights** that so many have sacrificed to protect **is the real issue.**

—HBAT President James Carbine

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## What some of our members thought about the 2005 HBAT Summer Board of Directors Meeting

**James Carbine, HBAT President**

“I felt this year’s Summer Meeting was one of the best we have had in recent memory. The attendance was at an all time high and the fireworks were on the beach and not on the Board floor! The only thing that would have made it better would have been if Keith Whittington had been there.”

**Jim Owen, First Vice President, Division Builder Manager, National Builder Division of Countrywide Home Loans**

“It was a pleasure attending the HBAT meeting in Destin this week. I found the event to be very beneficial from a sponsorship standpoint... As a former EO of a local HBA, I was struck by the number of builders in attendance at the committee meetings. I can tell you from experience that the level of attendance I witnessed this week was rare among state-level meetings I’ve attended.”

**Linda Dillon, RCHBA State Director**

“One of the many highlights for me was the ‘inside beach party.’ Actually it worked out well, no sand to get into your food! Richard and I met a rep from Builders Mutual who sat at our table. Since we send a check that way every month ... it was nice getting to know a face behind a name! But ...we really enjoyed the talent contest the most. We really have some terrific folks in our business!”

**Bruce Hancock, HBAMT President**

“Besides giving me a complete update on all the activities of the association, I really enjoyed the opportunity to meet other members from across the state and get their views and ideas on various housing issues and opportunities.”

**Henry Tipton, HBAST Builder Director**

“The Summer Board of Directors Meeting was well-worth our time. It was informative and productive. The quality of leadership was outstanding.

“They gave us detailed information about the political battles we builders need to be aware of and how to support our industry. This support probably saved every builder several thousands of dollars over the past year and may have prevented each of us from paying thousands more in the future to all areas of government in the form of fees, regardless of what they call them.

“Builders who are not members of the board need to attend as observers. There is no way under the sun that any builder cannot leave with more knowledge about our industry not to mention the friends they will meet from around the state.

“Why Destin? Work does not have to be all work—this is about the beach, golf and, for your wives, shopping. What better way to spend a week?”

# EXECUTIVE OFFICER *Outlook*

*‘And They Said It Couldn’t Be Done...’*

We had a good time in Florida at the recent HBA Summer Board of Directors Meeting. But there was one dinner in particular I want to talk about—the **BUILD-PAC** fundraiser held at the fabulous **Bistro Bijoux**, voted “Best



**Restaurant in Northwest Florida 2003.”**

More than food was served at the Monday night invitation-only event, where party-goers dined on succulent seafood and mouth-watering filets, crème brûlée and other epicurean delights.

It was as much a feast as a celebration of legislative victories won in 2005 and talking strategy for 2006.

The gathering was also about recognizing HBA members whose belief in protecting the home building industry was so strong that they brought money to the table in support of **BUILD-PAC** by contributing \$1,000 or \$5,000 for membership in NAHB’s prestigious Gold Key Club or Capitol Club, respectively.

**BUILD-PAC** is recognized as one of the most influential political action committees (PACs) in Washington, D.C. Using sound financial stewardship and rigorous assessment criteria,

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- Working for sound environmental policies
- Limiting tariffs on building materials
- Improving housing affordability and
- Creating more rental housing and home ownership opportunities

**Key fact:** Of the candidates supported by **BUILD-PAC**, 342 out of 356 won elections in the U.S. Senate and U.S. House of Representatives—a success rate of 96 percent.

Did you know that our own Earl Sharp of the HBA of Greater Knoxville is the national chair of **BUILD-PAC**?

I’d also like to thank HBA Government Affairs Chair Steve Cates, who is the NAHB Capitol Club chair as well, for all that he does to encourage all of our members to become involved in **BUILD-PAC**.

As you can see, Steve does a wonderful job in getting people committed and he is happy to report the following:

- 9 new Gold Key Club members from this effort.
- 1 new Capitol Club member.
- \$14,000 was raised.

New Gold Keys: Mack Andrews; Mike Arnold; Tom Ford; Jim Ford, Jr.;



Susan Ritter, HBAT  
Executive Vice President

Stephen Hodgkins; Terry West; Barry Shaw; John Sheley and Tim Wilson.

An exclusive golf event at a prestigious out-of-town venue is planned in September for anyone joining the Capitol Club.

New Capitol Club Member: Mike Stevens

Please contact Steve Cates at [stcates@aol.com](mailto:stcates@aol.com) to join one of the NAHB **BUILD-PAC** Clubs.



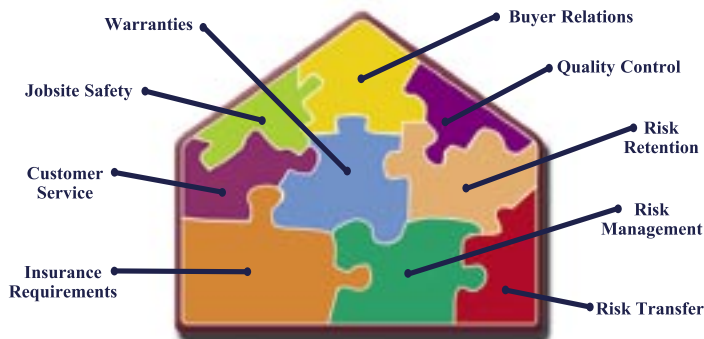
*“The event at the Bistro Bijoux was a tremendous success. The food and atmosphere exceeded our expectations. To have nine new Gold Keys shows that Tennessee builders understand that we must support **BUILD-PAC** if we are going to be able to continue to make a living building homes. These builders understand the importance of maintaining a pro-housing Congress. We need every supplier and builder to step up and support our industry. It is not just the responsibility of a few to make sure that we have an environment where homes can be built for everyone, it is the responsibility of all.”*

—Steve Cates, HBAT Government Affairs Chair



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# Bart Gordon



*Congressman Bart Gordon, left, discusses agricultural issues while surveying a Middle Tennessee cornfield.*



*U.S. Rep. Bart Gordon discusses Social Security issues at a local barbecue.*



*U.S. Rep. Bart Gordon, left, talks about trade issues while learning the finer points of operating a crane.*



**THB:** Rep. Gordon, having been a member of Congress since 1984 and as the dean of the Tennessee delegation, what do you think is the most important issue facing our nation and Tennessee today?

We face a lot of challenges as a nation that affect Tennesseans every day—good schools, affordable housing, health care and strengthening our economy—but the rope that ties our hands and makes it harder to meet those serious challenges is the budget deficit. Our country simply cannot afford to continue operating on borrow-and-spend budgets that ignore the impact of deficits and debt on our economy.



*Bart and daughter, Peyton, enjoy a summer afternoon in Rutherford Co.*

My good friend Rep. John Tanner has been warning us about the serious problems of mortgaging our future to foreign investors who are now buying our national debt. We need to heed his warning, as well as the concern that deficits and debt drive up debt servicing costs in the budget.

In addition, we need to recognize that deficits have an impact in other ways on homebuyers and home builders. Alan Greenspan warned the Senate Budget Committee earlier this year that large deficits result in rising interest rates. And we know how sensitive housing is to interest rates.

Our country has been lucky because globalization of the economy has held down deficit pressures on the interest rate. But the benefit from the global economy comes at the cost of greater foreign debt financing, and globalization does not change the dynamic of having more of our budget consumed by debt service. So, one of the first steps to meeting the challenges facing Tennesseans has to be getting our budget back under control.

**THB:** With the home building industry being touted as one of the major players in the economic recovery since the 9/11 attack, what do you see as the major issues ahead for the home building industry?

The biggest challenge facing home builders is the increases in operating costs. Liability insurance costs, worker's compensation claims and the rising prices of building materials all play a role in driving up housing costs.

I have spoken with many folks in the industry who tell me it has become increasingly difficult to obtain necessary building supplies. Materials that were once in high supply are sometimes unavailable at purchase time, forcing home builders to wait while the supplies are on back-order. That means it takes longer to build homes, and that means the prices will be higher for homebuyers.

Despite those increases, it is important for home builders to continue to support initiatives that help families and individuals

achieve home ownership. Already, the industry is helping by supporting legislation like the Zero Down Payment Pilot Program Act, which would establish a pilot program to provide 50,000 families with zero down payment mortgage insurance through the Federal Housing Administration. Another important proposal that home builders will need to continue to support is the Renewing the Dream Tax Credit, which would provide a tax incentive to developers and investors who build and rehabilitate homes in economically distressed areas.

**THB:** With our membership being made up of small business owners we continue to face the problem of providing healthcare coverage for our families and employees. As you know the housing industry has been a strong supporter of the Association Health Plan legislation that is currently in the Congress. What do you think needs to be done to move this legislation to insure its passage?

The lack of health insurance is a serious problem for many Americans. The biggest concern with current Association Health Plan legislation is finding ways to ensure the insurance providers are solvent and will deliver what they promise to consumers.

Health insurance currently is state-regulated, but this plan does not allow for state regulation. This could lead to people choosing the cheapest insurance available and then having trouble when it's time to file a claim.

I don't want Association Health Plans to be overregulated, but we must take proper steps to ensure the credibility of insurance providers. I am optimistic we will be able to do that because this legislation is too important to leave on the table.

**THB:** As the ranking member of the Science Commit-

*tee, Rep. Gordon, you are obviously concerned about the diminished science and math curricula offered students in this country. What are your concerns if we continue the course we're on and how do you see it affecting the home building industry?*

Today's economy demands educated workers who can compete in a high-tech world where math and science skills are in huge demand. America is a prosperous nation because we have always been a leader in innovation and research.

If we lose our expertise in those areas, it will lead to more offshoring of jobs, which ultimately weakens the economy. As home builders are well-aware, a weakened economy slows down home building.

**THB:** *Having been born and raised in Murfreesboro, how do you feel about the continuing growth that your native city has experienced in recent years?*

The growth in Murfreesboro and Rutherford Co. has been a tremendous challenge for local officials.

On the one hand, it is a testament to the quality of life in Middle Tennessee. People visit Murfreesboro and see good jobs, nice neighborhoods and new schools. They see a place where they want to raise their families.

On the other hand, we must have a plan to ensure we maintain that high quality of life even with the added growth. Officials in Murfreesboro have a plan, and they do a good job of preparing for growth. It's important we make sure we have proper infrastructure in place so that our roads can handle the traffic and our schools can hold the students.

**THB:** *As a member of the Energy and Commerce Committee, do you have suggestions on how new technology can improve the home building industry? And, are there any government-sponsored programs to provide small business owners, like those who practice in our industry, a way to purchase and use the technology that is now available?*

New technology can bring about better building materials. That can help the home builders produce a better product, which results in happier home owners. Decking materials, for instance, have improved

—Continued on page 25

## The Family Man from Tennessee:

Sixth District

U.S. Congressman Bart Gordon

After seeing a photograph of U.S. Congressman Bart Gordon with his beautiful daughter Peyton, one senses that this man who was elected to represent the counties of Bedord, Cannon, Clay, DeKalb, Jackson, Macon, Marshall, Overton, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, and Wilson has an empathetic eye on the future.

"I think about my red-headed baby girl before I cast every one of my votes," said the Sixth District U.S. Congressman from Murfreesboro, when asked how having a family affects his legislative decisions while representing constituents on Capitol Hill.

"I want the same things for my constituents and their children as I want for her—for them to grow up in a safe neighborhood, get a quality education and be able to find a good job close to home."

Raised in Murfreesboro, Rep. Gordon attended public schools. He graduated with honors from Middle Tennessee State University and has earned a law degree from the University of Tennessee, in Knoxville.

He started in politics after watching his grandfather help start the local Farm Bureau, the Rural Electric Cooperative and the Farmers Co-op.

"I saw that he was helping to improve the community, and I decided that was what I wanted to do, as well," he said.

"In 1968, I worked on John Bragg's congressional campaign. And it was then that I decided Congress was where I could best serve my community."

Elected to Congress in 1984, and ever since, Rep. Gordon has served the state these past 21 years.

He seems to love his job, his family and Tennessee.

One particular interest of his is the space program and, according to his biography, he was the man who was "leading the call for an independent investigation of the Columbia disaster, pushing the agency on its financial management and cost estimating practices, and working to ensure that



*Bart, his wife Leslie, and their daughter Peyton spend some quality time together during a family vacation.*

NASA addressed its workforce and infrastructure needs in a credible fashion." (See <http://gordon.house.gov/about/index.shtml> for more information.)

He also seems genuinely concerned about the curricula offered in public schools and encourages the continuation of math and sciences—not only as an educational issue but as a national issue involving economics and commerce.

In the 1998 "Unlocking Our Future Toward a New National Science Policy A Report to Congress by the House Committee on Science," those on the Science Committee encouraged the continuation of math and science in public schools:

"Curricula that contain rigorous scientific content must be developed and applied; children must have an adequate

—Continued on page 27



*Rep. Gordon defends his title of "Fastest Man in Congress" after sprinting past his Congressional colleagues during May's Capitol Challenge. The congressman ran the 3-mile race in 18 minutes and 17 seconds, extending his streak of consecutive wins to 16.*



# 104<sup>TH</sup> GENERAL ASSEMBLY

## Two Down—More to Go

In the just finished session of the 104<sup>th</sup> General Assembly we were able to get passed two important pieces of legislation as directed by the HBAT Board of Directors.

### Proof of Workers' Compensation and General Liability Insurance

This legislation requires that new applications and renewals for license for contractors to include evidence of general liability and workers' compensation insurance in order to receive such license or renewal. The final version of this bill amended out the general liability requirement but it will be addressed in the next session. The effective date of this legislation was May 9, 2005.

### New Home Developmental Tax Disclosure Bill

The New Home Developmental Tax

Disclosure Bill requires the disclosure at closing of **all new** home developmental taxes on the **first-time** sale of a dwelling. The purpose in seeking passage of the legislation was to show the new home buyer exactly what local governments are charging the home builders in the way of extraordinary taxes and fees on new home development that are most often passed along to the consumer.

You are encouraged to share this information with your closing attorney in order that you can include the appropriate items on your new home sales closings.

The final legislation requires that:

(a) In transfers involving the first sale of a dwelling, the owner of residential property shall furnish to the purchaser a statement disclosing the amount of any impact fees or adequate facilities taxes paid to any city or county on any parcel of land subject to transfer by sale, exchange,



Legislative Report by Jay West  
Director of Governmental Affairs  
Bone McAllester Norton PLLC  
615.238.6360; 615.238.6301<sup>fax</sup>  
jwest@bonelaw.com

installment land sales contract, or lease with an option to buy.


(b) For the purpose of this section,

(1) "Adequate facilities tax" means any privilege tax that is a development tax, by whatever name, imposed by a county or city, pursuant to any act of general or local application, on engaging in the act of development;

(2) "Development" means the construction, building, reconstruction, erection, extension, betterment, or improvement of land providing a building or structure of the addition to any building or structure or any part hereof, which provides, adds to, or increases the floor area of a residential or nonresidential use; and

(3) "Impact fee" means a monetary charge imposed by a county or municipal government pursuant to any act of general or local application, to regulate new development on real property. The amount of impact fees are related to the costs resulting from the new development and the revenues for this fee are earmarked for investment in the area of the new development.

This act became effective July 1, 2005.



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Raul Garza wasn't trying to get hurt. With a wife and two kids, he's planning on being around for quite awhile. But during a recent site inspection, one of Builders Mutual's Risk Management experts pointed out a few minor—but significant—areas that were putting Raul at risk for a fall. With a few modifications to his harness and roof anchor, Raul was safely back to work.

» **AN OUNCE OF PREVENTION**

Even as we insure you, programs like the No Fall Zone give you and your workers the awareness necessary to keep you safe and productive. At Builders Mutual, we believe our coverage is second to none. And we hope you'll never need it.

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## 2005 Area Presidents

### **Clarksville/Montgomery Co HBA**

Jeff Burkhart  
931-206-6949  
jburkhart@cityofclarksville.com

### **HBA of Dyer County**

Kirby Ogden  
731-285-1161  
flannon@ecsic.net

### **Jackson Area HBA**

William A. "Sonny" Hardee  
731-988-5448  
shardee1@bellsouth.net

### **Johnson City Area HBA**

Danny Dyer  
423-928-8881  
mfg1231@excite.com

### **HBA of Greater Kingsport**

Sam Kassem  
423-349-4645  
samiam737@aol.com

### **HBA of Greater Knoxville**

Abe Draper  
865-579-4666  
fairfax@ics.net

### **Maryville/Alcoa HBA**

Will Jorgensen  
865-681-8181  
willjorg@jorgensenbuilders.com

### **Memphis Area HBA**

Mack Andrews  
901-301-2924  
mackann@aol.com

### **HBA of Middle TN**

Bruce Hancock  
615-373-8892  
bruce@hancockconst.com

### **Ocoee Region BA**

Phillip Daniel  
423-240-8625  
pwdaniel@earthlink.net

### **Rutherford Co HBA**

Kevin Marthaler  
615-896-8730  
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865-429-5822  
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### **HBA of Southern TN**

Robert Hart  
423-842-3930  
hartconstructiongp@msn.com

### **HBA of the Upper Cumberland**

Tom Sergio  
615-432-6336

### **Warren Co HBA**

Keith Bouldin  
931-473-8718  
akbinc@blomand.net

### **HBA of Wilson Co**

John Adams  
615-449-0827

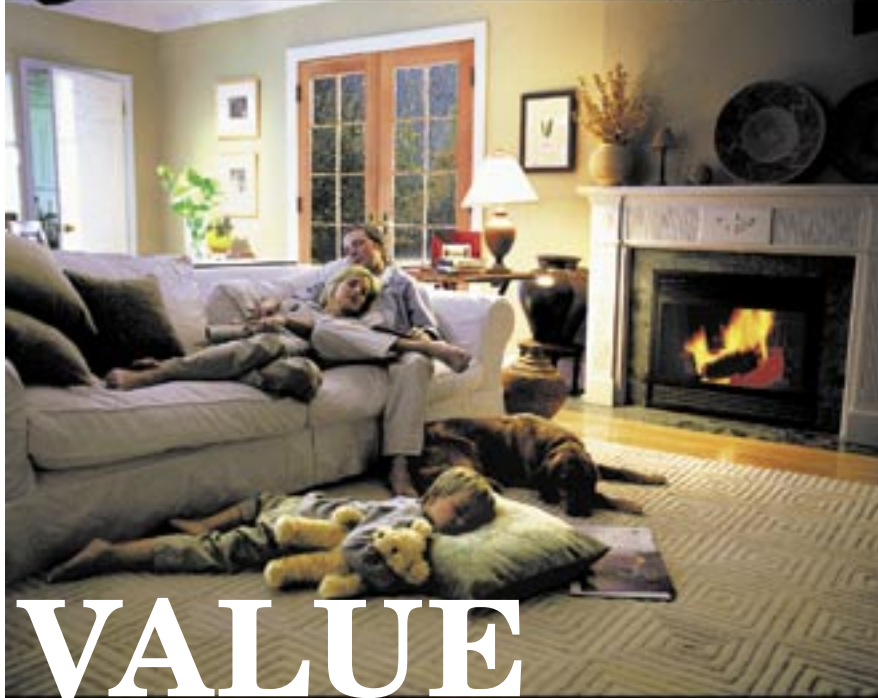
### **Cumberland Co HBA**

Harry McCulley  
931-484-6601  
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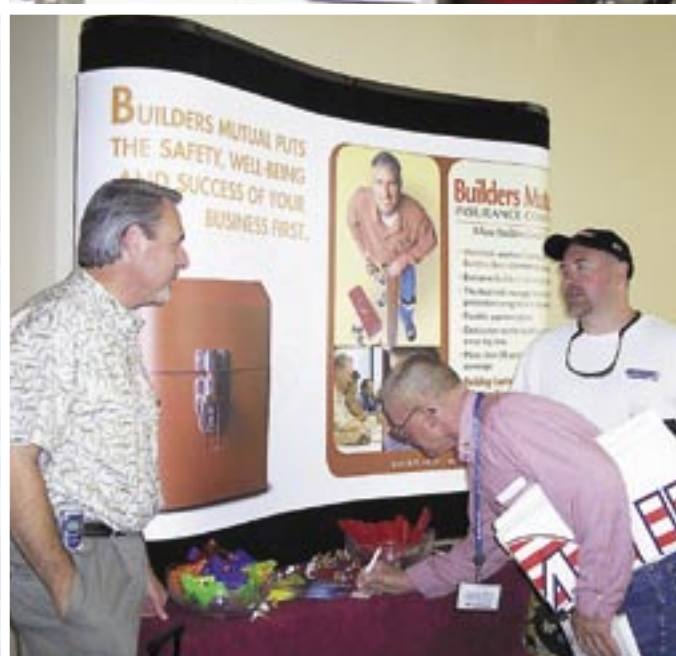
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# HBAAT Summer Meeting

Destin, Florida 2005

Hilton Sandestin Beach Golf Resort & Spa



Come join the fun in Destin!



# 2005 HBAT SUMMER BOARD OF DIRECTORS MEETING UPDATE

This year's HBAT Summer Board of Directors Meeting had about 330 attendees engage in the Home Builders Association of Tennessee's business, in Destin, Fla., for the best-attended state meeting ever.

The meeting began with the Welcome Gala—a new function offering members and sponsors the opportunity to gather while enjoying all-American favorites, apple pie and sipping frozen drinks in patriotic colors.

Sponsor booths offered great networking opportunities and gifts like beach towels, caps and other fabulous prizes. TVA sponsor John Proffitt said, "This is great. We need to have this again next year!"

A unique highlight to this year's Summer Meeting was the Fireworks Display and Dinner—a delicious surf and turf buffet capped off by a phenomenal fireworks display.

Also new to this year's meeting was a Water Volleyball Championship in which the Memphis Area HBA won—some would say that it only took them *two* teams to win.

This year's Pool Party added something a little different—a 4th of July Carnival for children that featured games, face painting and pool fun!

The exclusive NAHB Capitol Club/Gold Key BUILD-PAC Fundraiser at the Bistro Bijoux, voted Destin's "Best Restaurant in Northwest Florida 2003," raised \$14,000 for BUILD-PAC, our national builders political action campaign. (Please see the EO Outlook in this issue for additional information on the BUILD-PAC fundraiser event.)

It also gave us an opportunity to think ahead to next year's legislative agenda and how to approach the General Assembly when it reconvenes.

Josh Morgan, son of HBAT Past President Charles and Lynn Morgan, was able to address the group as Pfc. Morgan. Outfitted in his formal Marine blues, he led the assembled group in a moving Pledge of Allegiance.

Dr. David Hatfield of Middle Tennessee State University's (MTSU) Construction



*Pfc. Josh Morgan is surrounded by HBAT EVP Susan Ritter; his parents, Immediate Past Pres. Charles and Lynn Morgan, and HBAT Pres. James Carbine.*



*Dr. David Hatfield, second from right, of MTSU's Construction Management Program was on hand to share information about the program.*



*HBAT Pres. James Carbine leads the Board of Directors meeting as Government Affairs Chair Steve Cates gives his report.*

Management Program presented program information and introduced Mike Arnold's son Josh, a student currently in the program there.

The HBAT voted to endorse the nomina-



*HBAT Government Affairs Chair and NAHB Capitol Club Chair Steve Cates "strong arms" Mike Stevens into becoming a Capitol Club member of the BUILD-PAC.*



*C. W. Bartlett of Builders Mutual held a drawing for two neat mobile coolers that Bryce West and Burl Hiles won.*



*Brenda Sharp of ATMOS Energy gives Scarlet Tipton the basket she won in a drawing.*

tion of Joe Robson of Oklahoma to run for the position of NAHB Vice Pres./Sec.

Application to the HBAT's Industry Scholarships is available for students studying in a construction-related field, with sponsorship from their local HBA.

**Thank You to All of HBAT's Sponsors—  
We couldn't do it without you!**

*And, for those sponsors who contributed additionally to this Summer Board of Directors Meeting, the items their contributions bought are listed below their name.*

*Call the HBAT Office at 615-777-1700 if you are interested in sponsorship opportunities at the HBAT.*

**Double Diamond**

- **HBATSIT**
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  - Meeting books
  - Pool Party
- **Home Buyers Warranty Insurance Services**
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- **ATMOS Energy**
- **Builders Mutual Insurance Co.**
  - **Fannie Mae**
  - **Countrywide Home Loans**
    - Name badges
- **CTX Mortgage, Brentwood**
  - Pool Party
- **84 Lumber**
  - Fireworks Dinner
- BUILD-PAC Fundraiser Dinner at Bistro Bijoux
  - Voter Voice
- **Parks Motor Sales, Inc.**

**Diamond**

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  - **HBA of Middle Tennessee**
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- **James Hardie Building Products**
  - **TVA**
- **Sears Contract Sales**

**Silver**

- **HBA of Greater Kingsport**
- **General Shale Brick**
- **Tennessee HomeBuilder Magazine**
  - **Acme Brick, Tile & More**
- **Bonded Builders Home Warranty**
  - **Louisiana-Pacific**
  - **Memphis Area HBA**

**Bronze**

- **Professional Warranty Service**
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HOME BUILDERS ASSOCIATION OF TENNESSEE  
**2005 FALL GOLF TOURNAMENT  
BENEFITING HIPAC**

*At the Beautiful Landmark Golf Club  
at Avalon, Lenoir City*

**THURSDAY, NOVEMBER 3, 2005**

**LUNCH ..... 11:15 A.M.**

**SHOTGUN START..... NOON**

**Plan on Joining Us!**

**GOLF TOURNAMENT FEES**

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Option of presenting prize certificates to the top two winning teams, signage at course, listing in program.

**Cart Sponsor \$1,000—**

Sponsor for beverage cart. Signage on beverage cart, listing in program.

**Lunch Sponsor \$1,500—**

Signage on the course, listing in program.

Sponsorships are granted on a first-come, first-serve basis. To ensure your sponsorship opportunity contact:

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**Home Builders Association of Tennessee**

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# ACCOMMODATIONS MATTER:

Clay Powers of Clarksville/Montgomery Co. HBA Heads Up —



Receiving more than his 15 minutes of fame, Clay Powers of the Clarksville/Montgomery Co. Home Builders Association (HBA) and owner of Clay Powers Construction Co. led a team of 700 volunteers last month on ABC's "Extreme Makeover: Home Edition" to destroy, then rebuild, the house of Master Sgt. Luis Rodriguez, an Iraqi War veteran with the 101<sup>st</sup> Airborne based out of Ft. Campbell.

Wounded when a bomb hit the Humvee he was driving, Rodriguez sustained injuries resulting in the amputation of his right leg, shrapnel to his left leg and the loss of two fingers.

Sixteen surgeries, intensive physical therapy, a determined spirit and prosthetic devices will help him walk again.

For this "Extreme Makeover: Home Edition," work crews, including members of the 101<sup>st</sup> Airborne, the Fifth Special Forces and the Clarksville community, along with teams of subcontractors, had the additional challenge to build accessible housing unlike most "Extreme Makeover" projects.

But there was help.

Eighty percent of the materials used to build this home was donated by local vendors and trade contractors, according to Powers.

And, of the volunteers he recruited, Powers said his biggest challenge was simply maintaining the show's required *confidentiality* while trying to recruit help.

"It was hard to get workers without being able to tell them what the project was," he said.

Since most home owners don't deal with disabilities, those involved in planning had to consider the challenges the Master Sgt.

*(Top) The cast of ABC's "Extreme Makeover," including well-known personality Ty Pennington, center, gets the first team of volunteers fired up. (Middle) Clay Powers and the Clay Powers Construction Team gather before the start of the project. (Below) Using his connections in the construction industry to recruit volunteers, Clay Powers (in the red shirt) of the Clarksville/Montgomery Co. HBA is interviewed.*

would encounter.

For a general orientation to what builders have to consider when building accessible housing, think of the following.

For example, standard measurements for hallways and doorways often are not accommodating to wheelchairs and crutches.

Bathrooms without crash bars and fixtures at a certain height (built either higher or lower depending on the disability) offer serious risk of further injury to the disabled person when they are turning off the water at the sink or in the bathtub or simply trying to flush the commode.

Bathing for people with limited mobility is risky, too—if they don't have the proper tub or shower stall.

A truly accessible shower is one that allows the person to roll into it *with* their wheelchair. Then, the builder must be aware of water run-off and drainage, the size necessary to accommodate a wheelchair and other features, such as placing the spigot so that it is within reach and thinking through ways of protecting the bather from serious hot water injury.

The shower head has to be large enough to accommodate a person who may not be able to turn around, which creates another need: both a stationary and mobile neck to the shower head for ease of manipulation.

Garages built with disability in mind must accommodate a vehicle that has side or back door entry ramps and elevators.

Ramps into the house must rise at an angle that prevents a steep roller coaster dive or a far-too-challenging incline.

Kitchen counters may need to be lowered and access to cabinet space carefully considered when designing and building.

Building a house that's accessible is both challenging and rewarding.

The Rodriguez's 3,000 sq. ft. house was built in about five days.



In the end, the reward for Clay Powers was not only a job well-done, it was in the experience of “seeing the way trade contractors and the community came together and their willingness to give up time off to help someone else,” he said.

ABC, “Extreme Makeover: Home Edition,” Clay Powers and the 700 volunteers who worked on this project offered a disabled homeowner one of the best gifts anyone could receive—that of self-care and independence.

*(Editor’s Note: For help with building accessible housing, go to NAHB’s website at <http://www.nahb.org/page.aspx/category/sectionID=225>. This edition of “Extreme Makeover: Home Edition” is scheduled to air sometime around September.) ♦*

## UPDATE: SUMMER BOARD MEETING

—Continued from page 18

Scholarship applications are due in the HBAT Office March 15 for 2006.

A presentation was made by Denny Boss on “Public Hearing Procedures.”

With this year’s theme of “Celebrating Membership,” the HBAT had something to celebrate: 5,015 members statewide according to the NAHB, as recorded May, 2005.

Nominations for Associates’ leadership ladder and Associate National Director were discussed with elections slated for the HBAT Fall Board of Directors Meeting. While nominations were made at the Summer Meeting, HBAT bylaws allows for additional nominations to come from the floor of the Fall Board of Directors Meeting.

All in all, it was a really great meeting!

Please thank our sponsors for all that they do for us. And, don’t forget to do business with a member, and equally important, do business with a sponsor. Please remember our sponsors when opening bidding on projects. ♦

**Please attend the HBAT’s Annual Meeting of the Membership, scheduled Nov. 3-5, in Knoxville, Tenn., at the Knoxville Marriott. Remember to make your reservations through the HBAT Office by Oct. 1 so you will be assured a room!**



*The Rodriguez family home is demolished on “Extreme Makeover: Home Edition” in order to make room for their new home, which will be disability-friendly.*



## Acme Brick Company Expands Presence in Tennessee Market

Acme Brick Co. has expanded its operations in the West Tennessee market with the May 25<sup>th</sup> acquisition of Edmonds Materials, the largest independent brick distributor in the Memphis area.

Edmonds Materials is a highly-regarded multi-generational brick distributor offering clay brick produced by several independent manufacturers: Columbus Brick, Jenkins Brick, Ragland Clay Products and Louisville Brick, along with several other southeastern brick manufacturers. In addition to brick, Edmonds has sold many other masonry products similar to those sold by Acme. It also sells roofing materials.

Organizationally, Acme plans to combine their Memphis operation with the Edmonds operation at their Cordova site in a series of steps over the balance of this year.

“We are excited about combining our businesses in the West Tennessee market,” said Acme’s President and CEO Dennis Knautz.

“Jerry Edmonds and his team have provided quality products to the area’s home builders and commercial contractors with the same high degree of honesty, integrity and energy we expect from all of our employees. With Jerry and his staff becoming part of the Acme team, all of our customers should benefit from this transaction, particularly by gaining access to more sources of brick,” he said.

For more information, contact Acme Brick at [www.brick.com](http://www.brick.com) or 901-387-4540.





# Meeting the Tall Wall Challenge

Large windows and vaulted ceilings have grown in popularity as they provide homeowners with scenic views and lots of natural light in the spacious, open-floor plan of today's home. These common living spaces with walls taller than 10 feet, referred to as "tall walls," are most often found in the foyer, family, and great rooms.

Though popular with homeowners, the design and construction of tall walls provide unique challenges to builders and code officials because conventional framing practices do not apply and exceed code provisions. Some builders have continued to use standard construction practices on walls taller than 10 feet. Others use platform framing, stacking 8- to 10-foot-high walls on top of one another. This introduces a "hinge" effect, resulting in instability to wind pressures perpendicular to the wall. Builders and code officials need properly constructed engineered tall walls that are structurally sound and meet code requirements.

The solution to this challenge? Trus Joist's wall framing products, offering designers and builders the benefit of properly designed wood-framed walls 10 to 30 feet in height. The design methodology factors in both vertical loads and wind pressures perpendicular to the wall, which are outlined in the easy-to-use Trus Joist specifier's guide. Trus Joist tall walls provide the best wall to meet the demands of the structure, eliminating an under- or over-build. Using the patented TimberStrand® laminated strand lumber (LSL) and Parallam® parallel strand lumber (PSL) technologies, Trus Joist's engineered lumber is longer, straighter and stronger than conventional options.

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## Plan Now to Attend the HBAT Annual Fall Meeting of the Membership, Nov. 3-5!

Attend the upcoming Home Builders Association of Tennessee (HBAT) Annual Fall Meeting of the Membership, scheduled Nov. 3-5, at the Knoxville Marriott, in Knoxville, Tenn.!

Starting with the 2005 Fall Housing Industry Political Action Committee (HIPAC) Golf Tournament shotgun start on Thursday noon, located at the beautiful Landmark Golf Club at Avalon, in Lenoir City, outside of Knoxville, Tenn., meeting goers will have something special to do each day.

Please call HBAT to make your reservations now. Golf fees are \$150 per person or \$600 for a foursome.

Golf tournament sponsorships are available for those who would like to sponsor a hole, lunch or any other part of this tournament. Check with Frank Harris at 615-777-1700, ext. 28, for details. Money raised from this event will go to support HIPAC, the political action committee arm of the Home Builders.

If golf is not "fore" you, perhaps you'll enjoy the other festivities planned.

Saturday night's Awards Presentation, Hall of Fame induction ceremony and installation banquet promises to be a memory-making event. This black tie preferred event will create quite a fanfare as women in glittering gowns and men in handsome evening attire celebrate the installation of HBAT Senior Officers and the induction of the Building Industry of Tennessee Hall of Fame winner.

This year's Fall Meeting is following the HBAT tradition of meeting in the area where the incoming president lives. Incoming HBAT President Tim Neal lives in Knoxville.

If you are looking for some entertaining ideas for the rest of the family, the Knoxville, Tennessee area offers plenty of choices—Pigeon Forge, Dollywood, Gatlinburg and other area attractions.

Look for directions to the Knoxville Marriott, located at 500 Hill Ave., SE, in upcoming mailings.

# LETTER TO THE HBAT PRESIDENT



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June 28, 2005

Mr. James Carbine  
President, HBAT

Dear Mr. Carbine: *James*

I read your article in the May/June issue of the TENNESSEE HOME BUILDER magazine and would like to convey my personal thanks and appreciation to you and your staff for your efforts on behalf of the entire homebuilding industry to monitor tax legislation in our state.

The work The Home Builders Association of Tennessee is doing is critical. If we are to sustain a strong housing market which will, in turn, generate jobs and revenues in our communities, we must be able to maintain affordable housing for the individual home buyer.

Once again, I applaud your work and wanted to let you know that your efforts are recognized and valued.

Kind regards,

  
Timothy W. Downey  
President & CEO

*Thank you for all you are doing!*

◀ Please call Joy Odjegba at the HBAT office at 615-777-1700 or 1-888-550-4228 by Oct. 1 with your room reservation preferences so that she can reserve a room for you if you are planning to attend this year's Annual Fall Meeting of the Membership.

## Hope to see you there!



# MEMBERSHIP PAYS

by Linda and Richard Dillon of the Rutherford Co. HBA

## “Membership Pays!”

Richard and I have been involved in the home building business since 1989. Richard has always been focused on remodeling. Having built a few small starter homes that I was unable to sell ... we decided that remodeling was our niche! I have been a licensed Realtor® since 1989, as well. We have been members of the Rutherford Co. HBA under Rich-Lin Home Improvements since 1995 and a member under Properties Unlimited of TN since 2000. We are both currently State Directors for the Home Builders Association of Tennessee (HBAT).

### “Membership Pays!”

The main focus of Properties Unlimited of TN is property management. This is my first love and I really enjoy it more than traditional real estate sales. I currently manage over 210 units for over 25 owners. Richard and I own about 50 of these units. As you can see we really believe in our product.

We are really an oxymoron to both the home building and real estate industry—



Richard and Linda Dillon (far left and far right) with Bill and Brenda Sharp at last year's HBAT Summer Board of Directors Meeting.



Richard and Linda Dillon

Richard does not build houses and I do not sell houses!

### “Membership Pays!”

But....we firmly believe that the Home Builders Association has greatly benefited our businesses. When we make a commitment to an organization, we make a 100 percent commitment. We attend all local meetings and all state meetings and have done that for the past 10 years.

The meetings are invaluable to us for several reasons:

- We are able to learn about the latest community issues affecting our business.
- We have become acquainted with both city and county leaders and know them by first name.
- Not only are the programs excellent, but we have also made some very valuable friendships in our business community.

### “Membership Pays!”

A prime example for me is my relationship with ATMOS Energy. Because I deal so much with utility companies in the rental market, knowing Brenda Sharp (an ATMOS Energy rep) and having an “inside track” to the gas company has made my business life easier! I never would have met Brenda if it weren't for the Rutherford Co. Home Builders Association.

I guess for Richard and me both, networking, not only locally, but across the state of Tennessee has been invaluable. We have friends from Johnson City to Memphis. These friends are people who take their business seriously like we do.

### “Membership Pays!”

I guess the best way to recruit new members for us is to invite everyone we do business with to attend a meeting. Last year when Richard bought his new truck, we invited the salesman to attend a meeting. His company ended up joining the association!

“Membership Pays!” 

## NATIONAL MEMBERSHIP DAY UPDATE



Tonya Esquibel

National Membership Day, held May 23, was an exciting event, especially with the broadcast of NAHB's second-annual live webcast highlighting the benefits of membership with special guests

sharing tips and helpful hints on how to retain and recruit members.

The Home Builders Association of Tennessee (HBAT) had 100 percent participation with a total of 203 new members recorded for May. Nationally, there were 7,234 new members as a result of National Membership Day efforts. The HBAT contributed about 3 percent of the total.

Among the national rankings in participation, the HBAT was noted among the 2005 National Membership Day Competition Win-

ners as having 90 percent or better participation from state associations in Group A.

Of special note is the Life Spike status achieved by HBA of Middle Tennessee's (HBAMT) Tonya Esquibel, who, in a mere four hours, worked the phones and recruited 13 new members, placing her as the top recruiter for this challenge in the Group Size 2 (700-999 members) category.

According to HBAMT's Executive Assistant Connie Nicely, Tonya took advantage of the two-for-one Spike credit offered by NAHB to move into the Life Spike leadership position. Determined to reach the recruited members she needed, Tonya continued until she reached her goal.

Collectively and individually, it was a great day for membership in the HBAT!

The 2005 NAHB Conference on Membership is scheduled Nov. 11-13, in Spokane, Wash. Call the NAHB for more information at 1-800-368-5242, ext. 8338.

## BART GORDON

—Continued from page 13



*HBAT Pres. James Carbine, Congressman Gordon, Former HBAMT Pres. Jim McLean and HBAT Government Affairs Chair Steve Cates visit the congressman during the 2005 NAHB Spring Legislative Conference in Washington, D.C.*

greatly in recent years. Homes also are more energy-efficient than they used to be, and that allows consumers to save on heating and cooling costs.

Eventually, technology may be able to help with the shortage of materials. For example, concrete can be hard to come by right now. That may lead to innovations that allow home builders to become less reliant on it.

While there are no specific federal funds to assist home builders in purchasing new technologies, the National Institute of Standards and Technology's Building and Fire Research Lab does important work to support the development of fire safety, new building technologies and construction techniques. The agency works with industry members to develop standards that are incorporated into building and fire codes to ensure that new construction materials and techniques are appropriate and safe.

**THB:** *Rep. Gordon, with the cost of building materials, like concrete, steel and wood becoming more expensive, what do you recommend the home building industry do to help offset the cost of doing business that ultimately is assumed by the average American family?*

I know that even lots are in short supply in Rutherford Co. and other areas experiencing rapid growth. The high demand for starter homes has fueled this shortage, which could be reduced by using smaller lots.

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“Who says the road to happiness has to be four lanes?”



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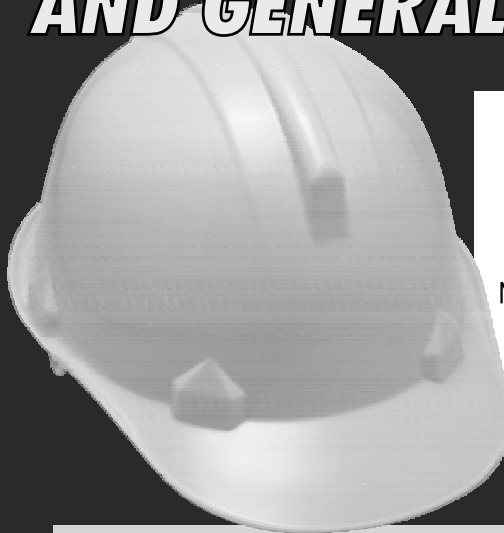
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# REGISTRATION FORM

## 2005 Annual Fall Meeting of the Membership

### November 3-5, 2005

#### Knoxville Marriott—Knoxville, Tennessee

**Attendees must make their reservations through HBAT.**

**Please return this form via fax to HBAT at (615) 777-1703 by October 1.\***

#### Please Check your HBAT Designation:

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Name (To appear on name badge.)

PLEASE PRINT

Guests (To appear on name badge. Please list all guests' full names.)

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Local Association

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on Saturday, November 5

1. Guests and members will be charged a fee of \$50 per person. (Applies to those individuals other than HBAT Directors, spouses of directors and local association EOs and spouses.)

2. Attendees must make all reservations through HBAT.

**\*Your registration is required, whether or not you require housing!**

## Junk Fax Legislation Passes

WASHINGTON—Associations and businesses of all kinds breathed a collective sigh of relief at the beginning of July as Congress successfully approved the Junk Fax Prevention Act of 2005, a bill that injects some common sense into onerous Federal Communications Commission (FCC) rules aimed at preventing unwanted faxes.

Passed just in time to pre-empt the FCC regulations' July 1 effective date, the bill was officially signed into law by Pres. Bush on July 9.

In the interim, recognizing that the legislation would likely become law very soon, the FCC issued a stay delaying implementation of its rules until Jan. 9, so businesses did *not* need to worry about incurring an infraction while the bill was on the President's desk.

Due to its tremendous significance to the day-to-day communications of our members and affiliates, NAHB was heavily engaged in getting this legislation through Congress.

In addition to lobbying on Capitol Hill, NAHB conducted a grassroots letter writing campaign, worked with a range of coalition partners, and successfully petitioned the FCC for delayed implementation of its rules.

#### **Here's what you need to know to stay in compliance with the new law:**

All business faxes should include a chance for recipients to opt out of further communications. This opportunity must be clearly spelled out on the first page of each fax, including a phone and fax number for recipients to use; at least one cost-free method of response must be available 24 hours a day.

The sender may only use fax numbers obtained through a business relationship with the recipient or from a website, directory or advertisement where the recipient clearly intended to make the information available. (Fax numbers in the senders' possession prior to enactment of the legislation are exempted.) ♦

#### **BART GORDON**

—Continued from page 25

High prices on commodities such as steel have been fueled largely by booming demand in rapidly developing countries such as China. Some home builders may be able to find ways to boost efficiency and economies of scale to better absorb some of the extra cost. But we in government also need to do a better job of ensuring that other countries are

—Continued top of next page



complying with our existing trade agreements and with World Trade Organization protocols.

Continued growth in housing also depends on a reliable supply of softwood lumber. Unfortunately, the issue of Canadian softwood lumber tariffs continues to remain unresolved. Existing duties of 27 percent can add as much as \$1,000 to the cost of a new home, pricing hundreds of thousands of families out of the market. NAFTA and WTO panels have ruled multiple times over the past three years against the Canadian tariffs. Clear, strong action by the Dept. of Commerce and the U.S. Trade Representative to revoke the duties is far overdue.

In addition, local, state and federal governments need to be sensitive to excessive regulations that add

unnecessary costs to homes. Those fees ultimately are passed on to home owners.

**Thank you,  
Congressman  
Gordon! ♦**

*Rep. Gordon meets with members of Tennessee's 278th Regimental Combat Team during a deployment ceremony held last Veterans Day. More than 3,000 Tennesseans serving in the National Guard unit were deployed to serve in Operation Iraqi Freedom—the largest deployment in Tennessee since World War II.*

## BART GORDON: FAMILY MAN

—Continued from page 13

grounding in science knowledge... Our children will not be able to sustain the accomplishments of previous generations unless they are prepared to compete with their peers in the rest of the world. Their preparation starts in the Nation's classrooms." (See [http://www.house.gov/science/science\\_policy\\_report.htm](http://www.house.gov/science/science_policy_report.htm) for the complete report.)

His interest in a variety of issues is obvious—everything from introducing legislation requiring all Internet telephone providers to connect emergency 911 calls made by their customers to dealing with the issues of methamphetamine abuse.

The life of a public servant offers little down time for extracurricular activities. But the congressman has found one way to spend what time he does have.

"I try to run a couple of times a week for my physical and mental health," he said, neglecting to state that he's been named the "Fastest Member of Congress" for setting the pace in the 3-mile Capital Challenge these past sixteen years or so.

The Murfreesboro lawmaker is married to Leslie Peyton Gordon. The two have a daughter, Peyton Margaret Gordon, who has beautiful red hair and a most charming, sweet face. ♦

(Editor's Note: for more information on the Congressman Bart Gordon, please go to <http://gordon.house.gov/>)

## PEOPLE IN THE NEWS



Robert Gowan, former assistant commissioner in the Department of Commerce & Insurance, has been appointed recently as senior advisor to the governor for legislation and policy. Before assuming his new position, Gowan served as the chief administrative officer for 22 regulatory boards and licensing programs within the department.

Gowan's new responsibilities will be to help the governor form his legislative agenda and to serve as chief liaison to the General Assembly where he will communicate Gov. Bredesen's policy priorities to lawmakers.



*Tennessee Gov. Phil Bredesen met with the Memphis Area Home Builders Association and the Memphis Area Association of Realtors for "National Homeownership Month." From left to right are: Doug Collins, Tim Wilson, Keith Grant, Gov. Bredesen, Brad Rainey (behind the governor), Mack Andrews and Jimmy Skaggs.*



*HBAT President James Carbine and Tennessee Association of Realtors President Rosemarie Fair, along with association members, met with Gov. Bredesen to discuss housing issues last June in recognition of "National Homeownership Month" at their annual joint luncheon, held in Memphis.*

# LOCAL HAPPENINGS



**Congratulations to Jim McLean** of the Home Builders Association of Middle Tennessee (HBAMT) for being reappointed to the

Metro Planning Commission for the Nashville area.



**Welcome, Sandy Moss,** new executive officer of JAHBA, who succeeds newly retired Bev Orr.

Sandy is married to Marshall Moss. Before she came to JAHBA, she was employed in the Mayor's office in Trenton. She is also in her second term as a Gibson Co. Commissioner.

"I am about to get my feet on the ground here and am totally enjoying the people I work with and the things I get to do," Sandy said.

"And the support from the state association is awesome. I am looking forward to the EOC Conference in Montana so I can really connect with everything this job requires and has to offer," she said.

Sandy and Marshall have two children, Michael and Jennifer.



▲ JAHBA Golf Tourney had 100 golfers ready to play the links



▲ Kevin Clark's team enjoyed themselves.



▲ These players qualified for the Putting Contest. Eric Johnson, far right, won.

When the Jackson Area Home Builders Association (**JAHBA**) held its annual **"Swing into Spring" Golf Tournament** in May at the Hidden Valley Golf & Athletic Club, 100 golfers attended.

Every tournament event was sponsored, including a majority of the green fees.

JAHBA raised \$3,016 through this tourney for Operation H.O.P.E (Helping Others Prepare for Excellence), a local non-profit program that works with at-risk children and teens.

Plans are underway for the Oct. 7 Golf Tournament at Falcon Ridge. Call 731-423-6226 for more information.



## IN LOVING MEMORY

Tommy Davis of the JAHBA would like to thank everyone for their support, prayers and thoughtfulness during his loving wife Brenda's recent illness and passing.

The Davis family has established memorials for Brenda at the Christian Chapel Church of Christ Ladies' Fund and at the American Cancer Society. For more information, contact JAHBA at 731-423-6226.



# LOCAL HAPPENINGS



▲ The HBA of Dyer Co. held a recent rabbit supper that was well attended.

The Clarksville/Montgomery Co. HBA has scheduled its Fourth Annual Golf Tournament at the Swan Lake Golf Course, in Clarksville, Sept. 8. For more information, call 931-503-1194 or go to [www.clarksvillehba.org](http://www.clarksvillehba.org).



The HBAMT has slated Oct. 15-30 for its fall Parade of Homes at Legends Ridge, in Williamson Co. Please call 615-377-1055 for more information.

The Johnson City Area HBA (JCAHBA) has scheduled its first annual Community Hope Fundraiser and Grand Auction for Oct. 14, at the Holiday Inn. A fundraiser in collaboration with the Johnson City REALTORS®, all proceeds, excluding administrative costs, will be donated to Safe Passage, Inc., a domestic abuse shelter. For more information, contact JCAHBA at 423-282-2561 or go to [www.johnsoncityareahba.com](http://www.johnsoncityareahba.com).



Memphis Area HBA recent Parade of Homes featured beautiful kitchens like this.

◀ Mark Botsko (left) of Botsko Builders received the Best of Show award for his Parade home "La Fiorentino" during the presentation of the Judges' Awards at the HBAMT Parade of Homes Preview Party, in June. Presenting the award is Mark Thomas of American Security Bank & Trust and Parade of Homes Chair Peggy Krebs.



At the Memphis Area HBA's Member Appreciation Day Tipton Co. is well-represented. That's HBAT Past Pres. Ronnie Tickle in the middle.

▲ The Memphis Area HBA (MAHBA) Vesta Home Show at Windsor Park is scheduled for Oct. 1-16, in Fayette Co. Call MAHBA for more information at 901-756-4500.



During MAHBA's Member Appreciation Day, EO Mark Billingsley gets soaked in the dunk tank.

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## Future HBAT Meetings

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