

The News of the Home Builders Association of West Florida

CORNERSTONE

March 2017

**Have Gypsum
Prices Found
a New Normal?**

**What's in store
for Lumber Prices?**

page 8

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Cornerstone

*The official magazine of the
Home Builders Association of West Florida*



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Cornerstone



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Next Issue:

**April
2017**

Edit: March 3, 2017
Space: March 17, 2017
Materials: March 22, 2017

*Magazine Design & Layout by
warren wight - graphic designer
www.warrenworld.com*



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Cornerstone, the monthly publication of the Home Builders Association of West Florida serving Escambia and Santa Rosa Counties, is published monthly, twelve (12x) per year. Send address changes to HBA of West Florida, 4400 Bayou Boulevard, Suite 45, Pensacola, Florida 32503-1910. Cornerstone, is published in the interests of all segments of the home building industry and is distributed to its members and others associated with the HBA of West Florida. HBA of West Florida and Richard K. Nicholson Pub., Inc. does not accept responsibility for, or endorse any statement or claims made by advertisers or authors of any articles. Every effort has been made to assure accuracy of information, but authenticity cannot be guaranteed. No part of this publication may be reproduced without the written consent of Home Builders Association of West Florida, Copyright ©, 4400 Bayou Boulevard, Suite 45, Pensacola, Florida 32503-1910, 850.476.0318. Advertisers and advertorials in Cornerstone do not constitute an offer for sale in states where prohibited by law.

A NEW ESCAMBIA COUNTY ORDINANCE REQUIRES ADDITIONAL DISCLOSURES BY SELLERS, DEVELOPERS

A new Escambia county ordinance requires additional disclosures by sellers. The ordinance that required disclosure regarding abutting roadways has been amended to now require sellers to disclose the ownership of other infrastructure and identify whether the party responsible for maintenance of the infrastructure is the county or others. The ordinance is the apparent result of problems with infrastructure in subdivisions where homeowners alleged they had not been informed of their responsibilities in advance of their purchase.

The ordinance requires the seller to disclose a laundry list of items including “road(s), bridge(s), retention pond(s), storm water conveyance or easements (rear yard), easements between lots (side yard), sewer lift station central, sewer system, water system, gas, and other (i.e. clubhouse)”. The county will maintain a database of infrastructure ownership and maintenance responsibilities for each subdivision platted on or after June 1, 2017. This information will be provided by the developer during the development process and the Land Development Code has been amended to require the furnishing of that information. As with the abutting roadway maintenance disclosure, the ordinance imposes this obligation on the seller and carries criminal penalties for the seller’s failure to comply. The disclosure requirement may also place additional responsibilities on sellers, real estate brokers and agents, closing agents and others.

The new ordinance does not apply to lots of record as of May 31, 2017. The other exceptions to the abutting roadway maintenance disclosure apply here, including the exception for non- residential property.

Affected parties should contact legal counsel to determine how this new ordinance may affect your rights and obligations.

Stephen Moorhead is a Board Certified Real Estate Attorney with McDonald Fleming Moorhead. The firm has been serving the Northwest Florida area since 1988. The firm has been AV® rated by Martindale Hubbell Law Directory, which is the highest possible designation for legal services and ethical standards. The firm has two downtown offices: 127 Palafox Place, Suite 500 and 719 South Palafox Street. For more information, visit pensacolalaw.com.



STEPHEN MOORHEAD

“The county will maintain a database of infrastructure ownership and maintenance responsibilities for each subdivision platted on or after June 1, 2017.”

President's Message



“If the state would simply change how it is notified of an injured worker, the savings may be immediate.”

HBA PAST PRESIDENT SHELBY JOHNSON ADDRESSES FLORIDA HOUSE COMMITTEE ON WORKERS' COMP

I was real proud of our HBA Past President Shelby Johnson of Johnson Construction who went to Tallahassee to tell Florida House Insurance & Banking Subcommittee that workers' compensation should not exist to pay attorney fees.

In April of 2016, the Florida Supreme court ruled that a Florida law that limited attorney fees was unconstitutional. Immediately thereafter, workers' comp rates were projected to increase 14.5 to 19 percent. According to the Miami Herald, the case before the high court involved Marvin Castellanos, a worker, who suffered head, neck and shoulder injuries while working for Next Door Company, a maker of doors and door frames in Miami. The company waged an immediate defense, but Castellanos won and received benefits of \$822.70. His lawyer, who worked on the case for 107 hours, sought a fee of \$36,817.50. He received a fee of \$164.54, the equivalent of \$1.53 per hour under a fee system the Legislature approved in 2009. Under that law, attorneys who successfully represent injured workers are paid 20 percent of the first \$5,000 in benefits obtained and 15 percent of the



From left, Mark Salm, of Publix, and Shelby Johnson, of Johnson Construction, testify about workers' comp rates before a Florida House Committee.

next \$5,000 in benefits. Writing for the majority, Justice Barbara Pariente said the law violates workers' due process rights under the state and U.S. Constitution because it prevents challenges to the "reasonableness" of legal fees in workers' compensation cases.

"With Castellanos, it seems strange to me that an attorney would get \$38,000 for an \$800 benefit—it seems really bizarre," said Johnson. "Being a builder, a real common question, especially from attorneys that call inquiring about building them a home, is how much per square foot -- not how much per hour -- how much per square foot. So I would think that we could figure out what would be an accessible allowable amount to pay an attorney for a set fee ... but figure out some relevant pay schedule ... I would hope that anybody that is a workers' comp attorney would have more of a noble calling than all about the money."

Johnson, while addressing the House committee, said the goal of the conversation was to uncover solutions that would help regulate the out of control rising cost. It became clear to Johnson that the workers' comp fund is being raided by unscrupulous attorneys

and their counter parts in the medical industry. Johnson said the fund is for injured workers and their families not to enrich attorneys that have figured out how to game the system and use injured workers as pawns.

Johnson said if the state would simply change how it is notified of an injured worker, the savings may be immediate. As of now, when a worker is injured, an insurance company is required to report the worker's personal information to the state. This makes this information subject to public information request. Workers' comp attorneys request this information and then target the injured presenting a plan to make easy money. Johnson met a person at the House committee meeting who had a work place injury and was very happy with treatment. She was back to work but she was still receiving several calls daily from attorneys wanting to get her to file a claim. The state can perform its duty to track work place injuries without having the detailed personal information of the injured worker.

PARTING SHOT

And speaking of Shelby Johnson, I thought it would be fitting to show this photo of him (back row, second from left). Shelby told me the positive story of HBA member Clyde Jolly of Southern Building Specialty (sitting front row, 4th from left) who on short notice, filled in for a scout master who had medical emergency. Without Clyde jumping in, many scouts would not have been able to attend the camp. "We worked hard to raise the funds and planned this trip for over a year, said Johnson. "I have noticed over and over that members of the HBA give back and support their community. It was rewarding to serve on the HBA Board with Clyde for many years and to think back on how he impacted my youth. He was truly a great role model and I appreciate his service to the HBA."



Have Gypsum Prices Found a New Normal?

What's in store for Lumber Prices?

By DAVID LOGAN

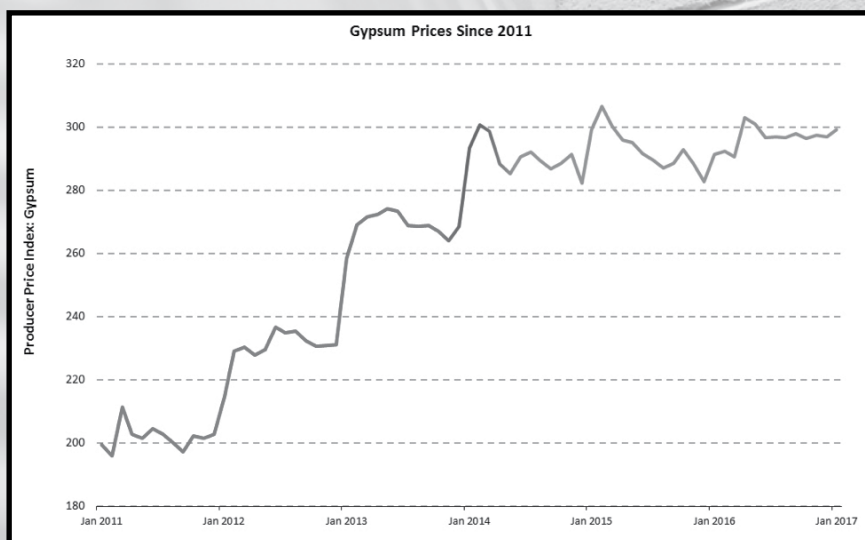
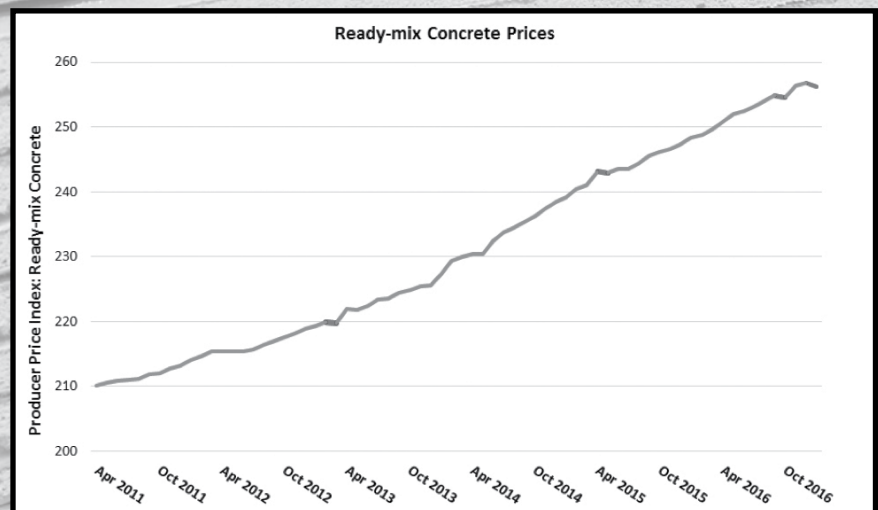


The prices of ready-mix concrete, gypsum, and softwood lumber fell 0.2%, 3.5%, and 0.1%, respectively, in January according to the latest Producer Price Index (PPI) release by the Bureau of Labor Statistics.

OSB prices ticked up 1.8%, reversing the 1.3% price decline in December. Long-term trends in gypsum and ready-mix concrete prices are in focus this month, albeit for different reasons.

Gypsum prices seem to have found a new “normal” after steep price hikes at the beginning of 2012, 2013, and 2014. From 2011-2014 prices paid for gypsum increased 1.0% every month, on average. Since then, however, the trend has been stable as prices have averaged monthly gains of 0.1%, roughly in line with inflation. These contrasting trends are evidenced by the graph below, with red and green indicating times of increasing prices and price stability, respectively.

January marked only the fourth month since April 2011 that the price of ready-mix concrete has fallen. The graph below illustrates the upward momentum of prices over this period, as well as the striking infrequency of monthly price decreases (the largest of which was a paltry -0.2%). Over the same period, the 12-month



change in the price of ready-mix concrete has averaged +3.5%, rising an aggregate 22%.

The economy-wide PPI increased 0.6% in January, double the percentage increase in December. Over 60% of the increase was driven by a 1.0% rise in prices paid for goods. Prices for final demand services moved up 0.3%. A 0.4% increase in the final demand prices for core goods (i.e. goods excluding food and energy) continued a positive trend that started with a 0.2% increase in November. Prices for core goods less trade services climbed 0.2%.

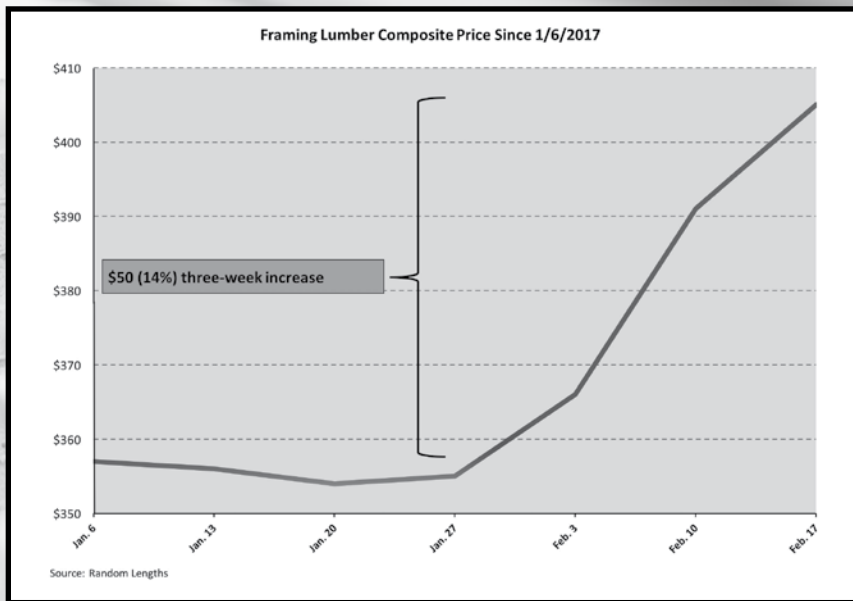
Over half of the rise in prices for goods—the fifth consecutive increase—was due to a steep (12.9%) increase in gasoline prices. In contrast, prices paid for beef and light trucks led declines among goods.

“Over half of the rise in prices for goods—the fifth consecutive increase—was due to a steep (12.9%) increase in gasoline prices.”

Over 80% of the increase in prices for final demand services can be traced to margins of wholesalers and retailers. Car rental service prices fell 10.4% in January, nearly doubling the second-steepest decline among service subcategories (clothing wholesaling decreased by 5.3%). Courtesy of NAHBNow.com

NAHB SEEKS SOLUTIONS AS LUMBER PRICES RISE

Lumber prices are on the rise, and that's not good news for home builders and their clients.



Randy Strauss, owner of Strauss Construction in Amherst, Ohio, heard the news from his lumberyard: Lagging domestic supply and increasing tariffs on Canadian lumber mean that Strauss is looking at prices increases this spring as high as 30% by April.

That's about when he'll start breaking ground on a home that his client signed a contract for last week – a large custom home that includes a \$60,000 lumber package. With an expected \$18,000 cost increase, “there goes my profit,” he said.

Negotiations on a new softwood lumber agreement between the United States and Canada ground to a halt at the end of 2016 and likely are stalled pending the results of an investigation into unfair import practices requested by the U.S. Lumber Coalition.

Any further negotiations on a resolution between the two countries are expected to be on hold until confirmations of a new Secretary of Commerce and a new U.S. Trade Representative.

That leaves home builders – and their customers – caught in the middle and probably looking at price hikes: The Random Lengths Framing Lumber Composite price jumped from \$366 on Feb. 3 to \$391 on Feb. 10, the greatest weekly gain since August 2003. By Feb. 17, it was up to \$405.

“Normally, our pricing lags a month or two behind these wholesale prices,” said Jonathan Sukonik, who builds homes in suburban Philadelphia. The lumber budget for a typical Sukonik Building Companies home is about \$18,000.

“If it jumps 10% or 20%, you can't pass on the cost. You have to absorb it – and when lumber gets out of hand, it makes it more difficult to cover your costs.”

Anticipating this volatility, NAHB has been working on a number of fronts to keep supplies steady and prices more reasonable.

Last year, NAHB formed a coalition to encourage policies that promote free trade and a stable supply of lumber without the unpredictable price swings that raise the costs of building and make home-ownership less affordable. “The voice of the home builder must be heard, because we are the drivers of the American economy,” said NAHB CEO Jerry Howard.

Meanwhile, NAHB is urging domestic lumber companies to increase production and make it available for U.S. home builders. At the same time, the association leadership is in contact with lumber producers in other countries in an effort to open up new sources of supply.

And the NAHB Construction Liability, Risk Management and Building Materials Committee sent Strauss a sample cost escalation clause contract addendum. It's too late for this contract, Strauss said, but on Friday morning he sent a copy to his fellow

Ohio HBA members so they can keep it in their back pockets.

Courtesy of NAHBnow.com





In 2016, FHBA worked to save builders and remodelers
over \$7,000*



1. Guard Measurement = \$1,500
Reduces horizontal distance from
36 to 24 inches



4. Stucco = \$1,100
Reduced time between coats
and curing from seven days per
ASTM 926



7. Custom Doors = \$500
Provides criteria for custom
one-of-a-kind doors (FBC-B & R)



2. Fire Separation = \$2,500
Reverts to three feet and adds
options to fire rating soffits



5. Air Leakage = \$175
Provides option for testing in
multi-family as single and
modified 5 ACH to 7 ACH



8. Shower Liner = \$75
Reinstates exception to shower
liner on SOG (FBC-R & P)



3. Duct Penetration Garage = \$300
Retained provisions allowing use of
duct board



6. Mechanical Ventilation = \$75
Reduced from 5 ACH to less than
3 ACH



9. Door Swing = \$750
Revisions permitting doors to
outswing over egress, two risers,
and an exception for landings

FHBA also stopped issues from passing, which resulted in additional builder savings:
Flood Provisions = \$10,000, Irrigation = \$1,000, and Water Saving Fixtures = \$250.

*Approximate cost savings per house/lot impacted.

WESTERHEIM PROPERTIES TO BUILD AMERICAN DREAM HOME FOR THE 2017 PARADE OF HOMES

Since 1958, the Parade of Homes has been an exciting event for thousands of attendees throughout Northwest Florida. In preparing for the May 6 – 14, 2017 event, the HBA Board of Directors, at its September meeting, approved the gated community of Huntington Creek as site where the American Dream Home will be constructed. The Board tapped HBA President Thomas Westerheim, of Westerheim Properties, to build the American Dream Home.

Huntington Creek, located off Mobile Hwy., hosted the last two American Dream Homes in the upscale community in West Pensacola. It is a growing suburban area providing country living amenities



while affording residents the opportunity to be in close proximity to all of life's everyday conveniences.

"Thomas brings a wealth of experience of building the Dream Home," said Home Builders Association of West Florida Executive Director David Peaden. "He did a wonderful job a few years ago in Nature Trail and he gained a lot of insight during that process. I am confident he will do a great job for the HBA."

The people of Northwest Florida look forward to the Parade of Homes every year. It gives them the opportunity to see the latest in new home designs and amenities.

Attending the Parade of Homes can also afford individuals the chance to learn what to look for in home construction and know what mistakes to avoid.



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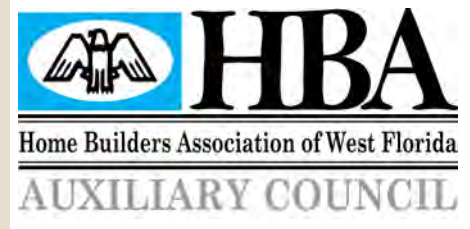
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AUXILIARY COUNCIL DONATES \$1,200 TO DISC VILLAGE



The Auxiliary Council started 2017 off by making a \$1,200 donation to Pensacola's DISC Village. DISC Village is a private, non-profit corporation that provides a full continuum of services from prevention and intervention to residential treatment and aftercare services for individuals adversely affected by alcohol and other drug abuse, and may be involved in the criminal and/or juvenile justice systems. The agency consistently serves individuals and families throughout Northwest Florida each year with a multidisciplinary staff of trained professionals and paraprofessionals.



"The Auxiliary Council works hard every year with our annual auction in October to help non-profits in our community," said Auxiliary Council Chair Donna Gambrell, of Brightway Insurance. "DISC Village helps individuals and families in our community so they can live healthy, safe and productive lives.

DISC Village partners with many local service providers and collaborates with multiple state and federal departments. DISC Village is licensed by the State of Florida, Department of Children and Families and accredited by Commission on Accreditation of Rehabilitation Facilities (CARF). The agency consistently serves individuals and families throughout North Florida each year with a multidisciplinary staff of trained professionals and paraprofessionals.

The primary mission of DISC Village is to promote the well-being of individuals, families and those with whom they are closely associated who are adversely affected by alcohol and other drug abuse, crime, behavioral problems and mental health disorders. DISC Village is committed to developing a broad continuum of services in response to the multiple and diverse needs of the community while helping assure public safety. This will be accomplished by focusing upon continued accreditation, staff competence, measurable outcomes in services and consumer satisfaction.

JDAP

The Juvenile Diversion Alternative Program provides diversion services to youth involved in the criminal justice system. Admission is based on referral by the Department of Juvenile Justice, approved by State Attorney's office and the Circuit Judge, for low-risk youthful offenders eligible to be served in a community based setting. The goals of the program are to maintain public safety, minimize risk of participants from becoming repeat offenders, and reducing the need for secure juvenile detention facilities.

JDAP strives to influence youth to remain crime free by

- Scheduling, supervision and monitoring of compliance with required sanctions including community service, curfew and restitution
- Conducting randomized drug testing for youth who are at risk or have a history of substance abuse
- Referral to individual, group and/or family counseling
- Providing educational and vocational services to age appropriate youth

Tour provided by: Mary Zaledonis, JDAP Program Director, Willa Licata, Administrative Assistant.

Disc Village
1010 N. 12th Avenue, Suite 232
Pensacola, FL 32501
Office 850-595-0803





Jason Weber On Q Financial

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Jason.weber@onqfinancial.com
www.onqfinancial.com



Jason Weber is no stranger to the Home Builders Association. He says, "Mortgages Simplified" is the slogan of On Q Financial. On Q Financial is the fastest-growing retail focused mortgage company licensed in 26 states with more than 500 employees and 66 offices. Weber says he appreciates the work the association does for the community, local home builders and the real estate community. By staying informed through the HBA, this in turn helps me better service my clients, says Weber.

Weber, a military veteran, says his passion is helping veterans purchase a home using the VA Home Loan. Outside of that, Weber says he enjoys spending time with this beautiful wife and two children.

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Ways to Make it Home in Time for Dinner

If you've ever wondered what work/life balance looks like because you've been chasing it for so long but still haven't caught up with it, don't worry. Amy O'Connor, a sales training consultant for Shore Consulting, said the concept is just a fantasy.

"It's a myth that you can have it all; certainly not all at the same time," she said. "Instead, we develop coping mechanisms to make up the difference."

Kimberly Mackey, president and founder of New Homes Solutions Consulting, agreed with this sentiment. She manages the demands of work and family by clearly separating the two: She leaves her work at the office, and focuses on her family when she's at home. "There's no balance, just full engagement where ever I am," she said.

While that may suffice and work for some, even the best time managers become overwhelmed and ultimately overworked.

"Stress constricts creativity; we always work best in times of cognitive ease. More complexity puts us in a state of cognitive strain. Minute tasks become insurmountable. Making small business decisions becomes so scary that we don't do anything at all," O'Connor said.

"If you want to be better...focus on the why and not the how. Far too often we see complexity, and we start instituting more systems to handle it. But that only adds more stress and complexity to the situation."

So how does one reduce complexity and regain some semblance of work/life balance?

That might be the wrong question to ask yourself, O'Connor says. Instead ask: What are my priorities, and what are the right activities to support those priorities?

Once you take that first step, O'Connor and Mackey offer the following suggestions to help you manage your time better and give you the freedom you need to make it home in time for dinner.

Step 1: Put your time management in check

One way to do this effectively is to plan out your week using time blocks. Put big projects at the times with the least interruptions, Mackey said.

Some other ways to get things done more efficiently include:

- Developing routines
- Doing similar tasks together
- Setting a timer when facing a deadline
- Planning the coming week on Friday afternoons instead of on weekends
- Working in intense 20-25 minute spurts, focusing on one thing at a time
- Determining clear goals before beginning a project
- Taking time to reflect on your victories

Step 2: Determine your personal ROI

When it comes to work/life balance, the investment is your time or expertise. Assessing your return on investment for the time and effort you put into anything—whether at home or at work—is key to establishing, setting and managing priorities and their associated activities. Some things will be more important than others; it's critical for you to figure those out and work from there, Mackey said.

Step 3: Delegate. Train. Reward. Empower.

There may, in fact, be someone better suited to handle a certain task for you, whether at work or at home. Try finding a trusted family member, staff member or colleague to take it off your hands and free up your time (even if only for a little while), to focus on something that yields a better return of investment for you.

Courtesy of NAHBnow.com

TOP 10 REASONS TO DO BUSINESS WITH AN ACTIVE ASSOCIATE MEMBER

1. They support the industry at the local, state and national levels.

2. They volunteer time, talent and treasure to help the association accomplish its goals.

3. They recruit their colleagues & business contacts to become members.

4. They serve on committees and councils gaining valuable networking opportunity while helping to advance the association's mission.

5. By doing so, you increase the value proposition for all membership in our HBA.

6. They are strong supporters of local and state PACs and BUILD-PAC.

7. They are a major source of non-dues revenue through sponsorships, advertising, etc.

8. As industry partners, they are a valuable resource for business and management tips.

9. They are heavily invested in your business success: You win, they win!

10. Why wouldn't you do business with a member?



Employer Alert: Use the New I-9 Form

Because it wants to reduce errors and make it easier to complete the forms on a computer, the U.S. Citizenship and Immigration Services (USCIS) has published a revised version of Form I-9, Employment Eligibility Verification, and all employers are now required to use it.

Among the changes in the new version, Section 1 asks for "other last names used" rather than "other names used," and streamlines certification for certain foreign nationals.

All U.S. employers must ensure proper completion of Form I-9 for each individual they hire for employment in the United States, both citizens and noncitizens. Both employees and employers (or authorized representatives of the employer) must complete the form. And while the changes make it easier to fill out online, there is also a printable version available.

The new version is dated 11/14/2016. This date is found on the lower left hand corner of the form. Prior versions of the form will no longer be valid for use and employers who use it may be

subject to all applicable penalties under section 274A of the Immigration and Nationality Act, 8 U.S.C. 1324a, as enforced by U.S. Immigration and Customs Enforcement (ICE).

Other changes include:

- The addition of prompts to ensure information is entered correctly
- The ability to enter multiple preparers and translators

• A dedicated area for including additional information rather than having to add it in the margins

• A supplemental page for the preparer/translator

The instructions have been separated from the form, in line with other USCIS forms, and include specific instructions for completing each field.

Other enhancements include drop-down lists and calendars for filling in dates, on-screen instructions for each field, easy access to the full instructions, and an option to clear the form and start over. When the employer prints the completed form, a quick response (QR) code is automatically generated, which can be read by most QR readers.

For more information, contact David Jaffe at 800-368-5242 x 8317, or Amy Chai at 800-368-5242 x 8232.

Courtesy of NAHBnow.com

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BUILDING SUCCESS WITH HAPPY HOME OWNERS

All hail the happy home owner: the No. 1 referral source for home builders and remodelers. Companies that forget to keep that top of mind are companies that are in for a bumpy ride, presenter Ed Earl of Priority One Projects told attendees at an educational session during the 2017 NAHB International Builders' Show.

"Quality construction does not guarantee a happy home owner, because your home owner is going to focus on the construction process rather than the final product," Earl said. "The home owner is part of the project, and [he or she] is the best source of your new business."

That's why we'd do well to understand the home owner's perspective, take steps to communicate effectively and make sure to manage expectations, Earl said.

Perspective

It does not matter how many DIY cable shows the average home owner watches — or maybe because of them, the average home owner "doesn't understand construction on a fundamental level. They don't have the experience. They don't understand it's a process — you can't go and buy a kitchen in a box from Amazon," he said.

Continually managing customers' expectations and ensuring they understand the meaning and impact of change orders will save them a lot of heartache and bad feelings, he said.

Communication

Learn each customer's communication preferences, including which channels and how often. Sometimes it's one long email at the end of the day, or a series of texts throughout the day, and for others it's speaking by phone. Make sure you find a method the customer is most comfortable with.

No matter what the form of communication, document everything. "A group text is great for a lot of conversations and a way to get husbands and wives on the same page, but make sure you get a screen shot of the conversation and put it in your records," Earl said.

Investing in a cloud-based construction management system is a great customer service tool because your home owner can log in and see the progress, view photos and see what's next on the schedule.

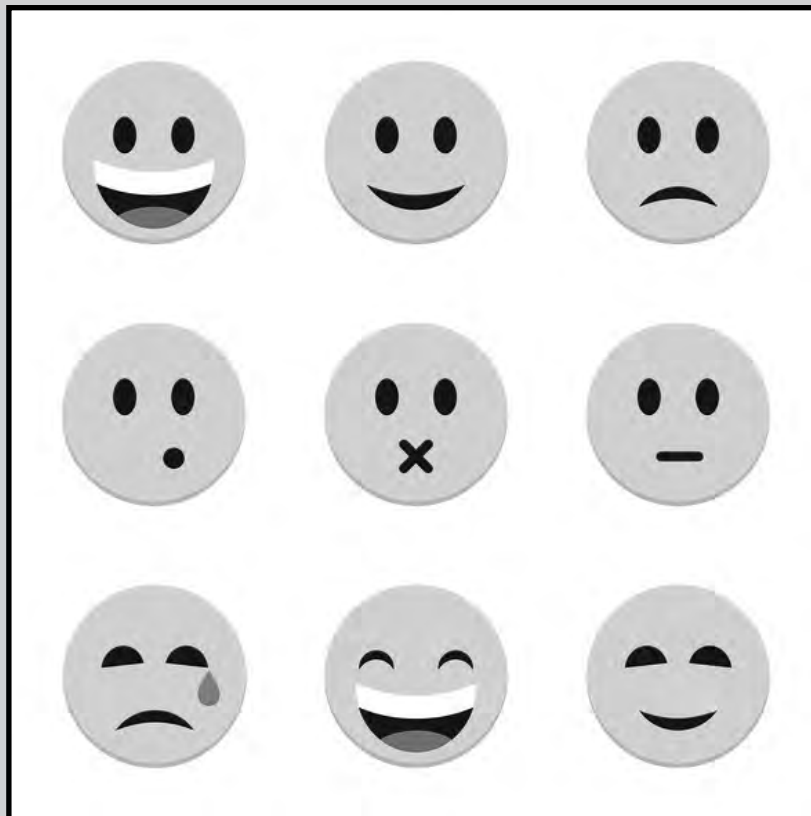
Expectations

Make sure your client knows that every project is really a prototype. "No one has ever built this exact project before," Earl said. That can help set the stage for the uncertainty inherent in every project, from missed schedules to change orders. The truth is, once a schedule is printed, it's outdated.

"Let them know it will be an emotional journey, so they can be pleasantly surprised and thankful when things go smoothly."

Audio recordings of IBS education sessions, like Building Happy Homeowners, can be purchased on nahb.org.

*Courtesy of
NAHBnow.com*





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Sales and Marketing Committee Monthly Breakfast Meeting

The Sales and Marketing Committee hosted Greg Litton for its monthly breakfast meeting. Litton, who grew up in the Republic of Panama before moving to Pensacola, was expected to excel in athletics, but was only a moderately talented baseball player. Despite his shortcomings, he had a dream...to some day play Major League Baseball.

Greg pursued his dream of playing major league baseball, and in the winter of 1984, the San Francisco Giants drafted him. After five seasons in the minor leagues, his dream became his reality. In 1989, Greg was a rookie and an instrumental part of the Giants team, helping them to the World Series, where he hit a home run in game four. Greg played three more major league seasons with the Seattle Mariners and the Boston Red Sox before retiring in 1995. In 1992, Greg played all nine positions in the Hall of Fame game, and his glove from that game now resides in the Cooperstown Baseball Hall of Fame.



Greg expressed to the SMC the meaning of teamwork, the spirit of perseverance and a passion to follow your dream. Also, to be a great team player and lift people up instead of tearing them down.

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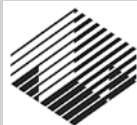
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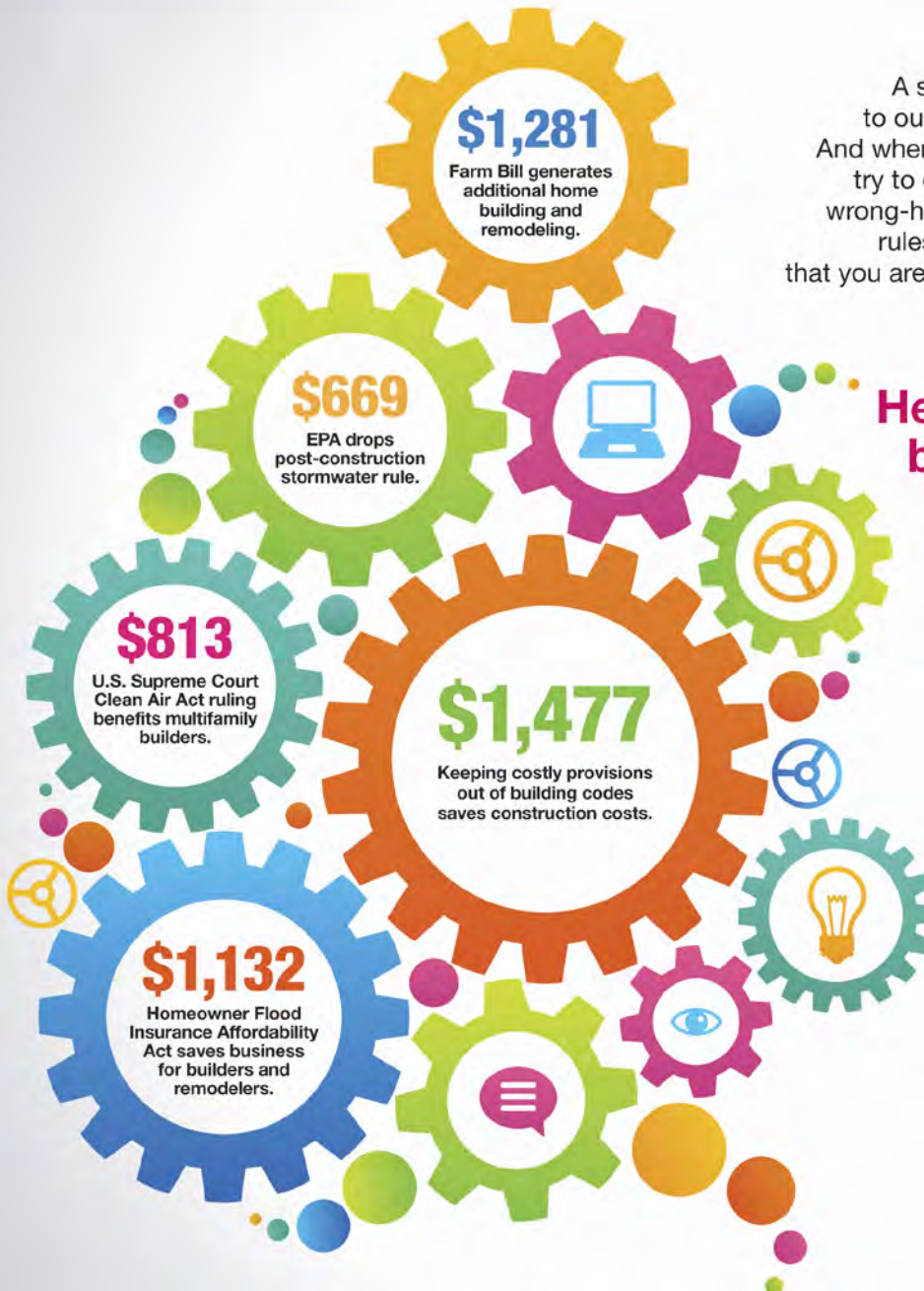
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