



REGIONAL BUILDING COMMISSION MINUTES

May 27, 2009

3:00 p.m.

MEMBERS PRESENT: Chairman Marc Snyder, Manitou Springs City Council
Commissioner Jim Bensberg, El Paso County Commissioner
Vice Mayor Larry Small, Colorado Springs City Council

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Henry W. Yankowski, Regional Building Official
Mr. Bob Croft, Special Projects Coordinator
Mr. Roger Lovell, Chief Plans Examiner
Ms. Mindy Stuemke, Senior Permit Technician
Mr. Todd S. Welch, Regional Building Counsel
Ms. Dorothy Herrera, Accounting Manager
Ms. Linda L. Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Marc Snyder called the meeting to order at 3:04 p.m.

1. **CONSIDERATION OF MARCH 25, 2009 AND APRIL 22, 2009 MINUTES**

A motion was made by Commissioner Bensberg to **APPROVE** the March 25, 2009, Building Commission Minutes as written, seconded by Vice Mayor Small; the motion carried unanimously. A motion was made by Commissioner Bensberg to **APPROVE** the April 22, 2009, Building Commission Minutes as written, seconded by Chairman Snyder; the motion carried unanimously.

2. **PUBLIC COMMENT**

There was no Public Comment to be heard.

3. **ADVISORY BOARD REPORT**

Johnny Johnson presented the Advisory Board Report for May 2009. Mr. Johnson stated the Advisory Board recommended approval of the CAM Committee recommendation to waive the

fourth quarter 2009 CAM Committee payment.

The following Item 5a was heard out of order after Item 3.

5. UNFINISHED BUSINESS

a) Final 2008 Audit Report: Mr. Pat Hall

Pat Hall with Jaspers & Hall appeared to present the final Audit Report. He said there have been no changes since he presented the draft of the Audit Report at the April 22, 2009, Building Committee meeting. He said Jaspers & Hall issued an unqualified opinion on RBD's financial statements, which is a clean opinion and the best you can have. He said he is also issuing a clean opinion on the CAM account. He said it is cash basis, and not accrual basis accounting. A motion was made by Vice Mayor Small to **APPROVE** both audits, seconded by Commissioner Bensberg; the motion carried unanimously.

4. BUILDING OFFICIAL REPORTS

a) Financial Statement

Henry Yankowski presented the financial statement for the month of April 2009. Mr. Yankowski said the current operating balance is \$3,615,324.87, with a current budget of \$9,964,404.00. He said the cash balance is 36.28% as a percent of budget. Mr. Yankowski said the current revenue was \$577,003.22, and total year-to-date revenue was \$2,245,056.63. He said the current expenditures were \$754,646.89, which resulted in a net loss of \$177,643.67 for the month of April. Mr. Yankowski said the total year-to-date expenditures were \$2,900,848.02, which resulted in a total year-to-date loss of \$655,791.39.

John Kiesel, HBA, appeared and stated the consumer confidence level is up at its highest level since 2003. He said there are a number of contractors in El Paso County that are pulling permits and doing reasonably well. He said foreclosure numbers have fallen slightly in El Paso County in the past few months. He said the HBA has not adjusted their numbers yet; they will be waiting for another month or so to do so. He said the homes that are selling are valued at \$300,000.00 and below and \$600,000.00 and above.

b) Building Report

Mindy Stuemke presented the Building Report for the month of April 2009. She said there were 75 detached house permits issued in April, which is down 44.85 percent. Ms. Stuemke said there were no townhouses permitted, which is a decrease of 100 percent. She said there were 75 single-family houses permitted, which is down 56.90 percent. She said there were 18 commercial permits issued in April, which is a decrease of 60 percent. Ms. Stuemke said the total valuation of permits issued was \$22,325,228.00, which is a decrease of 89.95 percent. She said the total year-to-date valuation was \$202,445,308.00, which is a 49.77 percent decrease. She said we currently have issued 128 single family permits and 25 commercial permits for May, which is a significant increase from April.

c) Plan Review Report

Roger Lovell presented the Plan Report. He said in April 2009, there were 122 single-family plans, 56 residential alteration plans, 35 new commercial plans, 85 commercial alteration plans, and 10 all other plans, for a total of 308 for April, 2009. He said to date in May, there are a total of 128 single family plans and we currently have 30 new commercial plans for May.

He said the Costco project on North Nevada has started the foundation work; the Kohl's store was permitted on May 5th; and the Lowe's store is ready to permit. He said there are two rapid response projects; the first is a Fed Ex expansion on Spectrum Loop. The plans are in the process right now. They need approval from water and waste water, and as soon as they are approved, a permit will be issued for that project. The second project is for Hewlett Packard, and a permit should issue on Friday for the foundation only.

d) CAM Report

Dorothy Herrera presented the CAM Report for the first quarter of 2009. She said the CAM Committee voted to waive the fourth quarter 2009 CAM payment because there are adequate funds in the CAM account to get through the end of the year. She said the Advisory Board approved the recommendation of the CAM Committee to waive the fourth quarter 2009 CAM payment.

5. UNFINISHED BUSINESS

- a) Final 2008 Audit Report: Mr. Pat Hall

Item 5a was heard out of order after Item 3.

The following Item 5f was heard out of order before Item 5b.

- f) Use Tax Update: Curtis Martinell

Curtis Martinell appeared and stated the use tax system is working well and it has been a smooth transition from its beginning on April 1, 2009. He stated he has only had one complaint during the transition. He said 30% of the contractors are paying their use tax up front, which could primarily be because the contractors are not home based in El Paso County. He said there have only been four refunds issued to date.

- b) Office Rental Update – Former Floodplain Location: Todd Welch

Todd Welch stated RBD is currently negotiating with Senator Udall's office to rent office space to Senator Udall for his Colorado Springs office. Todd Welch stated that the City and County will have to approve, in writing, the lease. Vice Mayor Small stated he would talk to the City officials and Commissioner Bensberg stated he would talk to the County officials to get their approval on this matter. Todd Welch stated the space is in the previous floodplain/enumeration area.

Mr. Welch stated RBD is putting the entry area off of the atrium. He said there will be one private office, two staff offices, and a reception area. He said RBD is able to locate the door in a location which will not necessitate a lot of new construction. Henry Yankowski stated he believes it will be beneficial for RBD to have Senator Udall in this building. Todd Welch stated the lease will become effective on June 15, 2009, although the space will not be ready by that time. He said Senator Udall is requesting a two-year lease with renewable terms. He said RBD has office space available for Senator Udall's staff assistant to use on a temporary basis until his offices have been completed. Chairman Snyder stated the Building Commission would like an update on this matter at the June 24, 2009, Building Commission meeting.

c) School Construction Update: Jim Pepper, Roger Lovell, and Todd Welch

Roger Lovell stated currently we have agreements with Districts 2, 3, 8, 11 and 20. He said RBD has entered into an Agreement with the State of Colorado that authorizes RBD to do plan reviews and building and mechanical inspections for schools within El Paso County. He said the school districts seem to be excited about this Memorandum of Understanding with the State because they will save considerable time by having RBD do their plan reviews and inspections. Mr. Lovell stated RBD is under the 2003 Codes with amendments, but the schools are under the 2006 Code, without amendments. He said we have dedicated plans examiners, i.e. Shelley Savage and Dale Hoke.

Jim Pepper appeared and stated our plan reviews and inspections far exceed the level of service the schools are use to getting through the State. Henry Yankowski stated he was told by a contractor recently that in order to have the State do an inspection on the schools, they have to call a week in advance and they can get the inspections on Tuesday or Thursday. He said contractors can call RBD by 8:30 a.m. and get a same day inspection, which will greatly benefit the contractors and schools.

d) Teller County Permit System Update: Bob Croft

Bob Croft appeared and stated since the last Building Commission meeting, RBD staff appeared at the Teller County HBA meeting to give a presentation on our BDA system. He said it was well received, and Teller County would like to get the system up and running by July 1, 2009. Henry Yankowski stated Teller County has its own servers to run the system, but that may not be the case with other jurisdictions. He said RBD is also talking to Fremont County, the City of Arvada, and the City and County of Denver

e) Parallel Plan Review Update: Roger Lovell and Bob Croft

Roger Lovell stated parallel plan review is the process by which we get in two sets of plans and they are reviewed concurrently by the different entities, i.e. fire, waste water, etc., in an effort to get the plans through the review process more efficiently. He said RBD has improved its communication process with the overall agencies, which has improved the entire review process. He said there are no cost differences for RBD's customers for the parallel plan review process. Brett Veltman, City of Colorado Springs, appeared and stated the City is working closely with RBD to get the plans processed as quickly as possible.

- f) Use Tax Update: Curtis Martinell

Item 5f was heard out of order before Item 5b.

6. **NEW BUSINESS**

- a) CAM Reserve Discussion

Vice Mayor Small stated the Lease Agreement does not indicate that we have the authority to waive a payment. Henry Yankowski stated Jeff Brewer with the County feels that the funds in the reserve are sufficient to take care of any major repair. Todd Welch stated if RBD decides that we do not need the full payment, we can just decrease or waive the payment without getting approval from the City and County.

Break from 4:30 p.m. to 4:36 p.m.

A motion was made by Vice Mayor Small to **APPROVE** the recommendation of the CAM Committee that each entity be relieved from paying the fourth quarter 2009 CAM payments, seconded by Commissioner Bensberg; the motion carried unanimously. Mr. Welch stated he would prepare a Resolution to be executed at the June 24, 2009, Building Commission meeting.

7. **FUTURE AGENDA ITEM REQUESTS**

There were no Future Agenda Items to discuss.

8. **EXECUTIVE SESSION REQUESTS**

There were no Executive Session requests.

The meeting adjourned at 4:38 p.m.