



BOARD OF REVIEW MINUTES

June 17, 2009

10:30 a.m.

MEMBERS PRESENT: Chairman Sol Chavez
Mr. Frank Watson
Mr. Johnny (J.B.) Johnson
Mr. Rick Johnson
Mr. Johnny Garcia

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Henry Yankowski, Regional Building Official
Mr. Bob Croft, Special Projects Coordinator
Mr. Roger Lovell, Plans Supervisor
Mr. Jim Vernon, Chief Mechanical/Plumbing Supervisor
Mr. Jim Pepper, Chief Building Supervisor
Mr. Todd Welch, Regional Building Counsel
Ms. Mindy Stuemke, Senior Permit Technician
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

The meeting was called to order at 10:30 a.m.

1. CONSIDERATION OF MAY 20, 2009 MINUTES

A motion was made by Johnny Johnson to **APPROVE** the May 20, 2009, Board of Review Minutes as written, seconded by Johnny Garcia; the motion carried unanimously.

2. CONSIDERATION OF LICENSING AND MINUTES

a) Building Committee Minutes of June 3, 2009.

A motion was made by Johnny Johnson to **APPROVE** the June 3, 2009, Building Committee Minutes as written, seconded by Rick Johnson; the motion carried unanimously.

- b) The Electrical Committee scheduled for June 9, 2009, was cancelled due to lack of Agenda items.
- c) Mechanical Committee Minutes of June 10, 2009.

A motion was made by Rick Johnson to **APPROVE** the June 10, 2009, Mechanical Committee Minutes as written, seconded by Johnny Johnson; the motion carried unanimously.

3. **DECISION APPEALS**

Johnny Garcia recused himself from Item 3a.

- a) Fred Johnny Garcia requests a variance to RBC201.6.1, 2005 Pikes Peak Regional Building Code, to waive the testing requirement for an “A” license. *During the June 3, 2009, Building Committee meeting, the Committee recommended that Mr. Garcia’s variance request to waive the testing requirement for an “A” license be DENIED, and recommended that Mr. Garcia take the “A” test, and once he passes the “A” test, he does not have to reappear before the Building Committee to have it approved.*

Johnny Garcia appeared, was sworn in, and stated his company is B & J General Contractors, and he has been in business for 32 years. He stated he took the “A” test in 1977, but the Building Committee did not feel he had adequate experience at that time to grant him his “A” license, and they granted him a “C” license, which he later upgraded to a “B” license. He stated he has been serving as a board member with RBD for 25 years, and has participated in a number of Code review committees during the past 25 years. He said his current license is a commercial license, and the major portion of the work that he performs is commercial remodels. A motion was made by Frank Watson to **REVERSE** the decision of the Building Committee and approve waiving the current test requirements for an “A” license due to the fact that Mr. Garcia passed the “A” test earlier, he has been on the Code Review Committees at RBD for the past 25 years, and because of Mr. Garcia’s reputation and extensive experience, seconded by Johnny Johnson; the motion carried unanimously.

- b) 10895 Sandlilly Lane, Permit G80853 – Mike Hasty, homeowner, requests a variance to Section RBC314.6, 2005 Pikes Peak Regional Building Code, to allow a sliding glass door where a self-closing and self-latching device is required. *During the May 6, 2009, Building Committee meeting, the Committee recommended that Mr. Hasty’s variance request be DENIED due to life safety issues.*

This Appeal has been **POSTPONED** until the July 15, 1009, Board of Review meeting.

c) **License Request for a Building Contractor A-1 (General)**

CASA BONITA BUILDERS – DON QUINTANA (REINSTATEMENT)

This Decision Appeal was filed by the Board of Review.

Rick Johnson recused himself from Item 3c.

Todd Welch stated the Board of Review asked Mr. Quintana to appear today due to information they received from the public about Mr. Quintana. Rick Johnson stated he has done some work with this builder in the past, along with several other builders, and they were not paid for the work they performed. Johnny Garcia stated he is also aware that several contractors were not paid for the work that they did for Don Quintana. Don Quintana appeared and stated this information is false, and he is not aware that he used Mr. Johnson's contractor services in the past. He stated he has never had a judgment entered against him for nonpayment. He stated he moved to Grand Junction several years ago, which is the reason his licensed expired in El Paso County. He stated he has relocated to El Paso County recently and he would like to have his license reinstated. A motion was made by Johnny Johnson **APPROVE** reinstatement of Mr. Quintana's "A-1" license; seconded by Johnny Garcia; the motion carried unanimously.

4. **COMPLAINT UPDATES**

There were no Complaints to discuss.

5. **NEW BUSINESS**

There was no New Business to discuss.

Break for lunch from 11:00 a.m. until 12:24 p.m.

6. **BUILDING OFFICIAL REPORTS**

a) Financial Statement

Henry Yankowski presented the financial statement for the month of May 2009. Mr. Yankowski said the current operating balance is \$3,692,527.63, with a current budget of \$9,964,404.00. He said the cash balance is 37.06% as a percent of budget. Mr. Yankowski said the current revenue was \$688,161.19, and total year-to-date revenue was \$2,933,217.82. He said the current expenditures were \$684,657.26, which resulted in a net

gain of \$3,503.93 for the month of May. Mr. Yankowski said the total year-to-date expenditures were \$3,585,505.28, which resulted in a total year-to-date loss of \$652,287.46.

b) Building Reports

Mindy Stuemke presented the Building Report for the month of May 2009. She said there were 108 detached house permits issued in May, which is down 40.0 percent. Ms. Stuemke said there were 40 townhouses permitted, which is an increase of 37.93 percent. She said there were 148 single-family houses permitted, which is down 29.19 percent. She said there were 27 commercial permits issued in May, which is a decrease of 35.71 percent. Ms. Stuemke said the total valuation of permits issued was \$41,855,289.00, which is a decrease of 82.73 percent. She said the total year-to-date valuation was \$286,097,660.00, which is a 42.37 percent decrease. She said currently in June we have 91 single-family permits and 17 new commercial permits. She said the Hewlett Packard permit was issued recently.

c) Plan Report

Roger Lovell presented the Plan Report. He said in May 2009, there were 150 single-family plans, 58 residential alteration plans, 36 new commercial plans, 100 commercial alteration plans, and 19 all other plans, for a total of 363 for May, 2009.

He said two rapid response projects were permitted recently, i.e., FedEx and Hewlett Packard. He said Hewlett Packard was permitted as a foundation only, so they will be back for a permit for the remainder of the building. He said there are two buildings associated with the one rapid response project that is currently in the system. He said the Lowe's, Kohl's and Costco projects have all been permitted. He said there has been a change in the Floodplain Department; the computer overlay now allows RBD to see immediately if a property is in the floodplain, and it is not necessary for properties not located in a floodplain to go through a floodplain review.

d) Code Compliance Activity Report

Terry Brunette presented the Code Compliance Activity Report for the month of May. He said since the last Advisory Board meeting, there have been 58 building, 4 plumbing, 6 electrical, and 4 mechanical stop work orders issued, for a total of 72 stop work orders. He said currently there are 444 complaints in the system, we have closed 32 complaints in the past 30 days, and we have recorded 26 Certificates of Noncompliance.

He said the dangerous building on Manitou Avenue has run into a delay due to costs and they have to go before the Manitou Springs Development Review Committee and the

Manitou Historic Preservation Commission for approval, so it will be another 30 days before completion of the demolition of this property.

7. UNFINISHED BUSINESS

a) Elevator Report

Henry Yankowski presented the Elevator Report in John Whitmore's absence. He said currently there are 1,555 elevators in the system, and we are doing inspections on each elevator every six months.

b) School Inspections Update

Jim Pepper presented the update regarding the schools inspections. He said currently we have agreements with School Districts 2, 3, 8, 11, and 20. He said District 14 has verbally agreed and we are waiting for their letter to the State; and District 38 is also interested in working with RBD for their plan reviews and building inspections. He said to date we have received \$7,000 in fees from the school districts. He said the schools prefer to work with RBD, instead of the State, because RBD is much quicker than the State and our services are better.

c) Teller County Permit System

Bob Croft stated RBD staff met with the Teller County Building Department regarding their conversion to our BDA system. He said they plan to implement the system on August 1, 2009. He said Teller County intends to host the program themselves on their own server.

d) Udall Lease

Todd Welch stated RBD has finalized the Lease with Senator Udall's office and they plan to move into the building July 1, 2009. He said we have a Resolution before the Board of County Commissioners and the City Council to have the Lease approved.

The meeting adjourned at 1:05 p.m.