



MECHANICAL COMMITTEE MINUTES

April 8, 2009

10:00 a.m.

MEMBERS PRESENT: Chairman Dan Rial
Vice Chairman Ed Pine
Mr. Mark Pelletier
Mr. Curt Miller
Ms. Jean Phillips
Mr. Darrell Allen

MEMBERS ABSENT: Mr. David Steward

OTHERS PRESENT: Mr. Jim Vernon, Chief Mechanical/Plumbing Inspector
Mr. Jack Arrington, Senior Mechanical Inspector
Mr. Russell Kauk, Senior Plans Examiner
Mr. Todd Welch, Regional Building Counsel
Mr. Brett Phillips, Senior Licensing Specialist
Ms. Pattie Benger, Human Resources

PROCEEDINGS:

Chairman Dan Rial called the meeting to order at 10:06 a.m.

1. **CONSIDERATION OF THE MARCH 11, 2009 MINUTES**

A motion was made by Curt Miller to **APPROVE** the March 11, 2009, Mechanical Committee Minutes as written, seconded by Darrell Allen; the motion carried unanimously.

2. **COMPLAINTS**

- a) A complaint has been brought against Alan Patterson, licensee for A&A Professional Cooling and Heating, by Pikes Peak Regional Building Department for allegedly performing mechanical work at 2530 and 2550 Mirror Lake Court, Colorado Springs, Colorado and 4885 Blue Stem Drive, Colorado Springs, Colorado, without permits, in violation of Section RBC105.1, 2005 Pikes Peak Regional Building Code; and for not obtaining a final inspection of four (4) "A" status permits, in violation of Section RBC109.2, 2005 Pikes Peak Regional Building Code.

Jack Arrington appeared, was sworn in, and stated a homeowner complained that furnaces installed by A&A Professional Cooling and Heating had been done without permits or inspections. He said this homeowner also notified RBD of other addresses in a similar situation. He said all three furnaces have had permits issued, and two of the three are finalised. Mr. Arrington said there are still three "A" status permits remaining. He said there is an Incident Report in the license file dated June 30, 2008, for installations done without permits, but the current complaints are different addresses than described in the Incident Report. Jim Vernon appeared, was sworn in, and stated that Mr. Patterson has appeared before the Mechanical Committee previously regarding similar issues. Alan Patterson appeared, was sworn in, and stated he has "A" status permits because of scheduling conflicts with homeowners. He said he is working on getting inspections scheduled for these permits. He said there were faulty systems previously that allowed some furnaces to be installed prior to permits issued. Mr. Patterson said these systems have been improved. He said that customers are informed at the time of contract that a permit and inspections are required. Mr. Patterson said they are also reviewing old contracts to ensure that if permits were not issued previously, they are pulled to bring them into compliance. Jim Vernon said these problems seem to be reoccurring and employees are spending a lot of time on these issues. He said that he will be instituting a \$200 fine for each of the three installations being addressed on the complaint. Todd Welch noted that RBD-implemented fines can be appealed to the Mechanical Committee. Darrell Allen said that it seems Mr. Patterson's systems are not working and still need improvement. A motion was made by Edward Pine that a Letter of Reprimand be placed in the contractor's license file of Alan Patterson, A&A Professional Cooling and Heating, and a \$200 fee per permit for each of the three installations defined on the complaint, due to the time staff put into this complaint, seconded by Darrell Allen; the motion carried unanimously.

An Executive Session was held from 10:50 a.m. – 11:09 a.m. to seek legal advice. No decisions were made during the Executive Session.

- b) A complaint has been brought against Mike Cavin, licensee for Gecko's Plumbing & Heating, by Pikes Peak Regional Building Department for allegedly performing mechanical work at 318 Pine Avenue, Colorado Springs, Colorado without the proper mechanical license, in violation of Section RBC201.3, 2005 Pikes Peak Regional Building Code.

Jack Arrington appeared, was sworn in, and stated a complaint is brought against the Licensee for installing a boiler because Mr. Cavin has a Plumbing License and not a Mechanical License. He said he believes another company pulled a permit for the work after the complaint was lodged. Mike Cavin appeared, was sworn in, and stated he moved from New Mexico to Pueblo nine years ago, and a Plumbing License covered both Plumbing and

Mechanical work in those jurisdictions. Mr. Arrington said there have only been two permits issued, which are also finalled, since his License was obtained. Mr. Cavin said he repairs toilets and faucets, snakes drains, and does some yard work. He said that he is working on obtaining a Mechanical Contractor “B” license with RBD, and he did not renew his license in Pueblo because he no longer works there. He said he requested a contractor he knows, Climate Design, to pull a permit for the work since he was unable to. Mr. Cavin said he is looking for classes or tutoring to help in getting his license. A motion was made by Jean Phillips to recommend to the Board of Review **DISMISSAL** of the complaint because the issue has been satisfied, seconded by Edward Pine; the motion carried unanimously.

- c) A complaint has been brought against Richard Stilson, licensee for Replumb Specialties, Inc., by Pikes Peak Regional Building Department for allegedly performing mechanical work at 1812 Pine Grove, Colorado Springs, Colorado without the proper mechanical license, in violation of Section RBC201.3, 2005 Pikes Peak Regional Building Code. *This Complaint was postponed from the March 11, 2009, Mechanical Committee meeting because Mr. Stilson was unable to attend.*

Jack Arrington appeared, was sworn in, and stated the complaint is for installing a boiler inside a house without the required mechanical license. He said the homeowner has since hired contractors that have pulled the proper permits and finalled them. Richard Stilson appeared via conference call, and was sworn in. James Fine appeared, was sworn in, and stated in this particular case the home had been vacant for two years. He said the hydronic and potable systems were repaired. He said after completion of the project, the homeowner called and requested a boiler be installed because the mechanical contractor was unable to do it immediately. Mr. Fine said he expected the mechanical contractor to pull a permit for the boiler. He said this type of work is not something they typically do, and they do not advertise for work they are not licensed to do. A motion was made by Jean Phillips to recommend to the Board of Review **DISMISSAL** of the complaint because this was the first offense, they will not be performing future work, and a permit has been issued and completed, seconded by Edward Pine; the motion carried unanimously.

Lunch break 11:43 a.m. – 12:35 p.m.

3. **CONSENT LICENSE REQUESTS**

Mechanical Contractor A (Commercial)

AAARK HEATING & AIR CONDITIONING, INC. – TITUS TERRANOVA

Mechanical Contractor C-1 (Gas Piping)

HENDERSON PROPANE SERVICE, INC. – DONAVAN COONROD
HENDERSON PROPANE SERVICE, INC. – DAN GILLIS
HENDERSON PROPANE SERVICE, INC. – TED NEWELL

Plumbing B (Water Connected Appliance)

COLORADO STONWORKS LANDSCAPING, LLC – TANNAN ORR

Heating Mechanic I (Gas Pipe Fitter)

MIKE FOLEY
ANTHONY MCGREGOR
JAMIESON SHUNK
SCOTT VIALPANDO

Heating Mechanic IV (HVAC Service Tech)

JOSE GARCIA, JR.
CHRISTIAN LATHAM
JOHN MILLER
DAVID SHOWALTER
MATTHEW STROH

Jack Arrington stated all of the above-listed examinees have passed their required tests and met the requirements for their license. A motion was made by Curt Miller to recommend to the Board of Review **APPROVAL** of the above-listed License Requests, seconded by Edward Pine; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Mechanical Contractor A (Commercial)

HOMELAND MECHANICAL – THOMAS ENGLER (EXAMINEE TO NEW CO.)*
(Currently licensed to Pikes Peak Heating and Air Conditioning – Current partner is Christopher Parola)

A motion was made by Edward Pine to **TABLE** this item until the end of the meeting, seconded by Jean Phillips; the motion carried unanimously.

* Appearance required at the Mechanical Committee meeting.

4. **CONSENT CALENDAR**

There were no Consent Calendar variance requests.

VARIANCE REQUESTS

5. 1190 Cart Grove, Permit G73797 – DLR Group, Inc. requests a variance to Sections 503.3.3 and 503.6.6, 2003 International Fuel Gas Code, to waive height requirements on vent for termination.

This Variance Request was **WITHDRAWN**.

6. 336 Mission Hill Way, Permit G90274 – Robert Vernon, Macklin Company, requests a variance to Section 401.5.1, 2003 International Mechanical Code, Intake Openings, to allow an outside air intake to be located within 10' of a plumbing vent.

Robert Vernon appeared and stated that the project is a basement finish and existing outside air penetrations were used for a direct vent furnace. He said this is an end-unit townhome and the Homeowners Association has been uncooperative, particularly on new penetrations. Jim Vernon said the existing installation did not allow enough outside air to comply with the requirements when the basement was finished. Robert Vernon said he is lacking about 3 square feet of operable window in natural ventilation. A motion was made by Jean Phillips to recommend to the Board of Review **DENIAL** of the Variance Request, seconded by Edward Pine; the motion carried unanimously.

Robert Vernon verbally submitted a variance request to Section 402.2, 2003 International Mechanical Code, to allow the existing natural ventilation in the basement with supplement from the upper floor. A motion was made by Jean Phillips to recommend to the Board of Review **APPROVAL** of the Variance Request, with the stipulation that either a louvered door is installed, the door is removed, or a 200 square inch transfer grill is installed, seconded by Edward Pine; the motion carried unanimously.

7. 1310 Mesa Avenue, Permit G74395 – Alex Allen, Olson Plumbing & Heating Company, requests a variance to Section 503.5.3, 2003 International Fuel Gas Code, to allow an unlined chimney to serve as a gas vent where a chimney lined with an approved material is required.

Alex Allen appeared and stated the project was a water heater replacement and they found that the chimney was brick-lined, but it is in good condition. Jim Vernon says this code changed

with the adoption of the 2003 International Fuel Gas Code. Mr. Allen said there are two natural draft appliances on the chimney, and exterior portion of the chimney is covered in stucco. Mr. Vernon said staff does not oppose this Variance Request. Mr. Allen said he could provide a letter of condition on this Chimney. A motion was made by Curt Miller to **APPROVE** the Variance Request, with the stipulation that a letter of condition is provided, seconded by Edward Pine; the motion carried unanimously.

8. Scott Ross requests a variance to Section RBC201.6.1, 2005 Pikes Peak Regional Building Code, to waive the testing requirement for a Mechanical "C-1" License.

Jim Vernon said Mr. Ross was unable to attend this meeting, but was employed with RBD for a number of years. Mr. Vernon said Mr. Ross took the master plumbing test in 1995, during which the mechanical code (gas piping) was integrated. He said in 2006 Mr. Ross obtained his Plumbing Inspector Certification on the Uniform Plumbing Code, in which gas piping was also included. A motion was made by Edward Pine to recommend to the Board of Review **APPROVAL** of the Variance Request because of his previous employment and staff support, seconded by Jean Phillips; the motion carried unanimously.

9. Scott Plutowski requests a variance to Section RBC201.6.1, 2005 Pikes Peak Regional Building Code, to waive the testing requirement for a Mechanical "C-1" License.

Jack Arrington said Mr. Plutowski was also tested on gas piping when he obtained his master plumbing license. Mr. Plutowski appeared and said he tested in 1987 under the Uniform Plumbing Code. A motion was made by Curt Miller to recommend to the Board of Review **APPROVAL** of the Variance Request based on current credentials and experience, seconded by Edward Pine; the motion carried unanimously.

10. UNFINISHED BUSINESS

There was no Unfinished Business to discuss.

11. NEW BUSINESS

- a) Discussion on Connection to the Sanitary Drainage System, Section 301.3, 2003 International Plumbing Code, Commercial Kitchen Waste

Jim Vernon said he would like to review the long standing procedures with this application. Mr. Vernon reviewed Sections 704.3 of the 2000 Uniform Plumbing Code, Section 301.3 of the 2003 International Plumbing Code, and Sections 3-305 (B), 5-206 (A) and (B) of the Health Department Regulations. He said this application procedure was adopted under the

Uniform Plumbing Code. Mr. Vernon asked for some guidance from the Committee regarding this application to allow indirect connections. He said he intends to pursue this item with the Health Department. A motion was made by Edward Pine to allow staff to provide flexibility and report changes to staff, seconded by Curt Miller; the motion carried unanimously.

b) Tankless Water Heaters

Chairman Rial said he received information from a supplier that RBD is not accepting tankless water heaters. Jim Vernon said that is incorrect. He said requirements are for new construction, which must meet manufacturer's calculations, while replacements do not have requirements.

c) November Monthly Meeting Date

Jim Vernon said that the Mechanical Committee meeting in November is scheduled for Monday, November 9th due to the Veteran's Day Holiday. Mr. Vernon said he would like to move this meeting to November 12th. A motion was made by Edward Pine to reschedule the November 9th Mechanical Committee meeting from November 9th to November 12th, seconded by Mark Pelletier; the motion carried unanimously.

The following item was heard out of order.

Mechanical Contractor A (Commercial)

HOMELAND MECHANICAL – THOMAS ENGLER (EXAMINEE TO NEW CO.)*
(Currently licensed to Pikes Peak Heating and Air Conditioning – Current partner is Christopher Parola)

Jack Arrington said Mr. Engler and Mr. Parola are currently partners and are splitting the business. He said there are open permits that need to be resolved or transferred. Mr. Engler and Mr. Parola appeared and both agree that Mr. Engler, the current primary licensee, will be taking Permits G90628 and G90629, and Mr. Parola will take the remaining permits. A motion was made by Jean Phillips to recommend to the Board of Review **APPROVAL** of the transfer of Mr. Engler's license to Homeland Mechanical, seconded by Edward Pine; the motion carried unanimously.

The meeting adjourned at 1:41 p.m.