

# **Pikes Peak Regional Building Department**

2880 International Circle  
Colorado Springs, Colorado 80910

## **BOARD OF REVIEW MINUTES**

January 18, 2012

10:30 a.m.

**MEMBERS PRESENT:** Chairman Frank Watson  
Vice Chairman Rick Johnson  
Mr. Michael McShea, Jr.  
Mr. Larry Whittaker  
Mr. Johnny Garcia

**MEMBERS ABSENT:** None

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

### **PROCEEDINGS:**

Chairman Frank Watson called the meeting to order at 10:33 a.m.

#### **1. ELECTION OF OFFICERS**

A motion was made by Larry Whittaker to re-elect Frank Watson as Chairman of the Board of Review for 2012, seconded by Rick Johnson; the motion carried unanimously.

A motion was made by Larry Whittaker to re-elect Rick Johnson as Vice Chairman of the Board of Review for 2012, seconded by Johnny Garcia; the motion carried unanimously.

#### **2. CONSIDERATION OF DECEMBER 21, 2011 MINUTES**

A motion was made by Johnny Garcia to **APPROVE** the Minutes of the December 21, 2011, Board of Review as written, seconded by Larry Whittaker; the motion carried unanimously.

### 3. **CONSIDERATION OF LICENSING AND MINUTES**

- a) Building Committee Minutes of January 4, 2012, with the exception of Item 3a, the Complaint against Jorge Ramirez with Tasco Builders, LLC, which is under appeal

A motion was made by Rick Johnson to **APPROVE** the Minutes of the January 4, 2012, Building Committee meeting as written, seconded by Michael McShea; the motion carried unanimously.

- b) Electrical Committee of January 10, 2012, was cancelled due to lack of agenda items.

- c) Mechanical Committee Minutes of January 11, 2012.

A motion was made by Johnny Garcia to **APPROVE** the Minutes of the January 11, 2012, Mechanical Committee meeting as written, seconded by Larry Whittaker; the motion carried unanimously.

### 4. **DECISION APPEALS**

- a) A complaint has been brought against Jorge Ramirez, licensee for TASCOS Builders, LLC, by Regional Building for pulling permits for an unlicensed contractor at 4916 Little Susie View, 4910 Little Susie View, 4904 Little Susie View, 4367 Susie View, 4363 Susie View, and 4359 Susie View in violation of Section RBC201.11.3(3), 2011 Pikes Peak Regional Building Code; and for pulling seven ground-up permits in a 12-month period when he was restricted to pulling only one ground-up permit in a 12-month period. *Jorge Ramirez appeared before the Building Committee on January 4, 2012, at which time his license was suspended for six months, for pulling permits for an unlicensed contractor, and for pulling seven ground-up permits when he is restricted to pulling only one ground-up permit in a 12-month period. In addition, the permit that remains open be locked until this issue has been corrected, and Mr. Ramirez must retest with RBD, provide proof of insurance, and reappear before the Building Committee to have his license reinstated.*

Jorge Ramirez appeared, was sworn in, and stated he was not aware that the license of St. Andrews Homes was suspended, nor that he could not pull permits for another contractor, and he was not aware that he had a restriction on the number of permits that he could pull. Pattie Bengler appeared, was sworn in, and stated when a contractor license is issued, the restriction is noted on the license card. She said in this instance the permits were initially issued in St. Andrews Homes' name and transferred to Tasco Builders, LLC. Jim Pepper appeared, was sworn in, and stated our BDA system does not keep track of the number of permits issued as permits are issued; it is the responsibility of the contractor to do this. He said this is a six month suspension.

Jim Howery with St. Andrews Homes appeared, was sworn in, and stated he is the developer of this townhome complex, and he was not aware that he could not hire Mr. Ramirez to pull the permits for these townhomes. He stated he and Mr. Ramirez have been friends for 17 years. He stated he supervised the construction of the townhomes himself. Mr. Howery stated he had a license from 1996 through 2007. Mrs. Bengner stated she was contacted by Workers Compensation and notified that a Workers Comp fraud claim had been issued against Jim Howery. A motion was made by Johnny Garcia to **UPHOLD** the decision of the Building Committee for a six month suspension of Mr. Ramirez's license, seconded by Rick Johnson; the motion carried unanimously.

5. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

6. **NEW BUSINESS**

a) El Paso County Strategic Plan 2012 – 2016

Jim Pepper stated the El Paso County Commissioners submitted this comprehensive plan to RBD and for RBD's board members' comments and/or approval. A motion was made by Larry Whittaker to **APPROVE** the El Paso County Strategic Plan 2012 – 2016, and to commend the County for their efforts in preparing this document, seconded by Michael McShea; the motion carried unanimously.

b) Sunshine Act Requirement

Pursuant to the Colorado Sunshine Act, I, Rick Johnson, move that the Board of Review meeting be held on the third Wednesday of each month at 10:30 a.m. at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Room 100-14, that the Board of Review Meeting Agendas and Minutes for each meeting will be posted on the website of the Pikes Peak Regional Building Department at [www.pprbd.org](http://www.pprbd.org), and the meeting Agendas and Minutes will be maintained by Linda Gardner, Executive Administrative Assistant, in the records of the Pikes Peak Regional Building Department, seconded by Larry Whittaker; the motion carried unanimously.

c) 50% CFL Requirement

Dean Wemmer gave a presentation regarding the 50% CFL Requirement.

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The meeting adjourned at 11:13 a.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY/llg