

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

REGIONAL BUILDING COMMISSION MINUTES

August 28, 2013

3:00 p.m.

MEMBERS PRESENT: Chairman Dennis Hisey, El Paso County Commissioner
Sharon Brown, Fountain City Council
Val Snider, Colorado Springs City Council

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Henry Yankowski, Regional Building Official
Mr. Todd Welch, Regional Building Counsel
Mr. Bob Croft, Deputy Building Official/Development Coordinator
Mr. Jay Eenhuis, Chief Plans Examiner
Ms. Mindy Stuemke, Permit Supervisor
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Dennis Hisey called the meeting to order at 3:06 p.m.

1. CONSIDERATION OF JULY 24, 2013 MINUTES

A motion was made by Sharon Brown to **APPROVE** the July 24, 2013 Building Commission Minutes as written, seconded by Val Snider; the motion carried unanimously.

2. PUBLIC COMMENT

There were no Public Comments.

The following Item was heard out-of-order.

5. UNFINISHED BUSINESS

b) Update on Baptist Road Rural Transportation Authority (“BRRTA”) by Henry Yankowski

Henry Yankowski stated RBD started collecting the BRRTA use tax fee for El Paso County on August 1, 2013, which is 1% of the material costs, which is the same formula that we use to calculate our permit fees. He stated in mid-August, RBD was contacted by Classic Homes that this number was significantly different than the number used by the Town of Monument for the calculation of fees, and it resulted in a much higher use tax payment;

almost double of the Monument use tax figure. He stated Joe Loidolt with Classic Homes appeared before the Advisory Board to request that the BRRTA use tax fee be suspended until the formula could be corrected.

Joe Loidolt, Classic Homes, appeared and gave a presentation regarding the BRRTA use tax fee. He stated RBD is collecting the BRRTA fee, and he believes there is an error in the formula used to collect this fee. He said he would like to request that RBD suspend collection of this fee until further investigation can be done, and he is concerned about continuing to pay this fee and then the hardship in trying to get a refund at a later date after corrections have been made to the collection formula. Mr. Loidolt stated the impact fee, plus the use tax fee combined is approximately \$4,500 per house. Mindy Stuemke stated Classic Homes is the first contractor that has been impacted by this fee; they have had four houses impacted by the fee. Mr. Yankowski stated the Advisory Board has requested that a representative from BRRTA appear before the Advisory Board to give a presentation regarding this use tax fee.

The Building Commission moved into Executive Session at 3:20 p.m. pursuant to C.R.S. §24-6-402(3)(II) to seek legal advice from our attorney.

After moving into General Session at 3:29 p.m., Chairman Hisey noted that no decisions were made during the Executive Session.

Renee Zentz, Chief Executive Officer of the Housing and Building Association (“HBA”), appeared and stated the HBA would like to have this BRRTA use tax fee suspended for 60 to 90 days because these costs have not been incorporated into the existing contracts that will be built in the next 90 days. She stated she would also like to request reimbursement of the fees that have been paid to date. Todd Welch stated there are provisions in the BRRTA Memorandum of Agreement that require reimbursement of fees that have been overpaid. Joe Loidolt stated he has paid these fees on four houses and there are four or five that have been contracted, but have not yet been paid.

A motion was made by Val Snider to **SUSPEND** collection of the Baptist Road Rural Transportation Authority use tax fee and direct RBD to consult with BRRTA and advise the Building Commission of the outcome; seconded by Sharon Brown; the motion carried unanimously.

3. **ADVISORY BOARD REPORT**

Larry Whittaker appeared and gave the Advisory Board Report.

4. **BUILDING OFFICIAL REPORTS**

a) Financial Statement

Henry Yankowski presented the financial statement for the month of July, 2013. He said the current operating balance is \$4,257,357.02, with a budget of \$14,500,581.00. He said the cash balance is 29.37 as a percent of budget. Mr. Yankowski said the current month revenue was \$1,303,753.55, and total year-to-date revenue was \$7,339,671.49. He said the expenditures were \$899,239.47, which resulted in a net gain of \$404,514.08, for the month of July. Mr. Yankowski said the total year-to-date expenditures were \$7,625,801.71, which resulted in a total year-to-date loss of \$286,130.22.

b) Building Report

Mindy Stuemke presented the Building Report for the month of July, 2013. She said there were 266 detached house permits issued in July, which is an increase of 34.34 percent from last year. Ms. Stuemke said there were 15 townhouses permitted. She said there were 281 single-family houses permitted, which is a 41.92 percent increase from this same time last year. She said there were 26 commercial building permits issued in July, which is a decrease of 73.33 percent. Ms. Stuemke said the total valuation of permits issued in July was \$68,721,808, which is an increase of 232.90 percent; and the total valuation of permits issued to date in 2013 is \$1,243,087,918, which is an increase of 28.03 percent. She said there have been 228 single-family permits, and 30 building commercial permits to date in August. She said there were three permits in July of \$3 million in valuation or more, i.e. two SDS pump stations and a new hotel.

c) Plan Review Report

Jay Eenhuis presented the Plan Report for the month of July 2013. He said there were 287 single family plans, which is an increase of 14.8 percent over this same time last year; 132 residential alterations plans, which is an increase of 388.9 percent; 37 new commercial plans, which is an increase of 117.6 percent; 143 commercial alterations plans, which is an increase of 58.9 percent; and 16 all other plans, which is an increase of 6.7 percent, for a total of 615 plans, which is an increase of 54.1 percent over this same time last year. He said generally plans are going through RBD in 5 to 10 days. He said there was a decrease in total July permits as a result of the re-roof permits from July 2012; although permits year-to-date are very close to last year at this time, even without the large hail storm. Mr. Eenhuis stated RBD is seeing some activity with the electronic plan reviews, and we anticipate that it will continue to grow. He stated RBD recently added an additional electrical plan reviewer.

5. UNFINISHED BUSINESS

- a) Update on Black Forest Rebuilding Project by Chris Morin

Chris Morin appeared and gave a presentation regarding the Black Forest Rebuilding Project. He stated there have been 605 permits in the rebuilding area, which are primarily for demo and debris permits. He stated the clean-up in this area is going well.

- b) Update on Baptist Road Rural Transportation Authority by Henry Yankowski

This Item was heard out-of-order after Item 2.

6. NEW BUSINESS

- a) Update on Manitou Springs Flood Damage Assessment by Terry Brunette

Terry Brunette appeared and gave a presentation regarding the flood damage assessment performed by RBD in Manitou Springs. He said between the two floods in Manitou Springs, there were six houses that were condemned. He stated most of the work to be done is demolition and clean-up.

- b) Flood Plain Report by Keith Curtis

Keith Curtis appeared and gave an updated flood plain report for the Manitou Springs and Stratmoor areas. He stated RBD would like to correct the misalignment of the flood plain maps in the near future, in an effort to help the homeowners get the best insurance rates possible. He stated there will be a lot of people impacted by the revisions in these maps.

Henry Yankowski stated RBD would like to add \$100,000 to the Dangerous Building Fund, to help the smaller jurisdictions with the clean-up process necessitated by the floods incurred this summer that will be necessary in Green Mountain Falls, Manitou Springs, and Fountain. He stated he would like to add this increase to the 2014 PPRBD budget.

- b) Update on Staff Changes by Henry Yankowski

Henry Yankowski stated there are a number of staff changes at RBD, i.e. Bob Croft will be retiring next month, and Roger Lovell will be moving into that position to do some special development projects and Code related projects to try to improve RBD's services to our contractors/homeowners; and Terry Brunette will be moving into the position as Deputy Building Official/Construction. Commissioner Hisey stated Mr. Croft will be missed by everyone at RBD.

c) Solar Friendly Communities

Bob Croft stated RBD is in the process of applying for Silver Certification with the Solar Friendly Communities Program.

d) Lawsuit Against Costco, Home Depot, Lowe's and Sears

Todd Welch stated RBD recently filed suit against Home Depot, Lowe's, Costco and Sears for contracting without a license. He stated they have all cooperated and are working on a resolution.

e) Meeting Date Changes

Henry Yankowski stated the September 25th Building Commission meeting will be postponed until October 2nd at 3:00 p.m. because both Committee members and RBD staff will be out-of-town on September 25th. He said the October 16th Advisory Board meeting will be postponed and combined with the Building Commission meetings as a Joint Meeting on October 30, 2013 at 2:00 p.m.

7. FUTURE AGENDA ITEM REQUESTS

a) 2014 Budget.

8. EXECUTIVE SESSION

There were no Executive Session requests.

The meeting adjourned at 5:11 p.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official
HWY/llg