

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

MEP COMMITTEE MINUTES

July 10, 2013

10:00 a.m.

MEMBERS PRESENT: Chairman Edward Pine
Mr. Dan Rial
Mr. John Martin
Mr. Mark Mahler
Mr. Larry Bobo

MEMBERS ABSENT: Mr. Neil Case

OTHERS PRESENT: Mr. Henry Yankowski, Building Official
Mr. Todd Welch, Regional Building Counsel
Mr. Jack Arrington, Chief Plumbing/Mechanical Inspector
Mr. Jon Brazier, Senior Mechanical Inspector
Mr. Russell Kauk, Senior Plans Examiner
Mrs. Pattie Bengler, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Edward Pine called the meeting to order at 10:02 a.m.

Jack Arrington stated Daniel McCully has resigned as a Committee member because he has taken a position at RBD in our Plan Review Department. He said RBD is searching for a another architect to take Mr. McCully's position on the MEP Committee.

1. **CONSIDERATION OF THE JUNE 12, 2013 MEP COMMITTEE MINUTES**

A motion was made by John Martin to **APPROVE** the June 12, 2013 MEP Committee Minutes as written, seconded by Mark Mahler; the motion carried unanimously.

2. **COMPLAINTS**

a) A complaint has been brought against Timothy Parkey, licensee for Parkey's Refrigeration Co., Inc., by Regional Building Department for pulling a permit on the internet for 1730 East Fountain Boulevard using false information to by-pass the system when it required plans, in violation of Section RBC201.11, 2011 Pikes Peak Regional Building Code; and because you have seven (7) "A" Status Permits, in violation of Section RBC109.2, 2011 Pikes Peak Regional Building Code.

All parties were sworn in. Jack Arrington stated the details of the Complaint. He stated RBD is requesting that the MEP Committee fine this contractor \$1,000 for using false information to obtain a permit on the internet. Karl Berg, attorney for Timothy Parkey, appeared and stated this complaint is not proper under the Pikes Peak Regional Development Code, because his client was not served with proper notice, and he would like to have the Complaint dismissed. Demetri Rombocos, President of Shrine of Remembrance, appeared and stated the building is zoned as C5, which is not the proper zoning for this type of business. Jim Carpenter, Parkey's Accounting Department, appeared and stated he pulled the permit on the gas line and the two venting issues, which he understood was all that needed to be done for the work they were doing. He stated Mr. Parkey has been licensed in El Paso County for approximately 35 years, and pulls approximately 700 permits per year.

Mr. Arrington stated he sent RBD's IT Department an email asking why the permit was obtained without the proper documentation. Steve Hills appeared, was sworn in, and stated the applicant checked the box marked "yes" they needed a meter reset. Mr. Arrington stated the contractor went around the system to obtain the permit, because the plans had not been approved and he wanted to start work on the project. Bob Croft appeared and stated he spoke with Mr. Rombocos regarding his permit and Mr. Rombocos told him the plan was not linked to the permit in RBD's system. He stated Mr. Parkey was cooperative in trying to correct the problem, and he informed him that their employee pulling the permit did it incorrectly. Tim Parkey appeared and stated he did not give Mr. Carpenter any instructions on pulling the permit, and Mr. Carpenter pulled the permit incorrectly. He stated it was not done intentionally, but was an inadvertent error. He stated he was told they wanted to upgrade the meter and he asked Mr. Carpenter to pull a permit for this upgrade. Mr. Parkey stated in the future he will be pulling the permits himself on all commercial projects. He stated he now knows that he has to have approved plans to pull a permit for this type of project.

Break from 10:40 a.m. to 10:42 a.m.

Mr. Arrington stated Parkey's has been working to complete their "A" Status permits. He stated the project was installed correctly, although the permits were not obtained properly. Mark Mahler stated the work was completed premature to approval of the plans, but this appears to be an unintentional oversight on the contractor's part. He stated the contractor pulls approximately 700 permits a year, without incidence in the past. Mr. Arrington stated he believes the contractor intentionally "skirted" RBD's system to pull a permit without approval of plans so they could start the work.

A motion was made by John Martin to recommend to the Board of Review that a three-year Incident Report be placed in Mr. Parkey's contractor file, and the \$1,000 fine be

waived, seconded by Dan Rial; the motion **FAILED** 2:3. Edward Pine, Larry Bobo, and Mark Mahler opposed. A motion was made by Mark Mahler to place a one-year Incident Report in Mr. Parkey's contractor file and the \$1,000 fine be waived, seconded by Larry Bobo; the motion carried 3:2. John Martin and Dan Rial opposed. John Martin stated he believes the three-year Incident Report has merit because we do not want to see this Complaint "swept under the rug", and Dan Rial agreed with Mr. Martin.

3. **CONSENT LICENSE REQUESTS**

Mechanical Contractor B (Residential)

BENNETT'S TOTAL HOME COMFORT – MICHAEL BENNETT (EXAMINEE CHANGES CO.)

Mechanical Contractor C-1 (Gas Piping)

ROCKY MOUNTAIN RADIANT HEATING AND PLUMBING – MARK HARMON (ADDITIONAL LICENSE)

Heating Mechanic IV (HVAC Service Tech)

JAMES EASON
MARK ALVARADO, JR.
SANTIAGO TIJERINA

A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by John Martin; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Mechanical Contractor A (Commercial)

B & L PLUMBING, INC. – WILLIAM HANES*

William Hanes did not appear. Pattie Bengner requested that this request be tabled until the end of the meeting because Mr. Hanes is not here, and if he does not appear, to postpone until next month. A motion was made by Dan Rial to **TABLE** this license request until the end of the meeting, seconded by Mark Mahler; the motion carried unanimously

4. **CONSENT CALENDAR**

There were no Consent Calendar Variance Requests to discuss.

VARIANCE REQUESTS

5. 2872 North Powers Boulevard – Daniel Romano, business owner, requests a variance to Table 403.1, 2009 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Dan Romano appeared and stated this structure is for a popcorn business, and he would like to have be allowed to have only one restroom, where two are required for occupancies over 15. He stated he will have an occupancy of 17. He stated his space is very limited, and his customers will not be staying to eat in his facility. Russell Kauk stated RBD staff does not oppose this variance request. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request based on RBD staff's approval, seconded by Mark Mahler; the motion carried unanimously.

6. 6510 Pawnee Circle, Permit I72818 – Naomi Nuttall, homeowner, requests a variance to Section 417.4, 2009 International Plumbing Code, to allow a shower floor area that is less than 900 square inches and less than the 30" minimum dimension required by Code.

Naomi appeared and stated they are adding a shower to this bathroom; it is the third bathroom in the house, and they do not have adequate space for a Code compliant shower base. She said Manstone is making the shower base for the bathroom. She said the shower base will be 32½" x 29". A motion was made by John Martin to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

7. 405 Wolverine Way, Permit I76644 – Sara Breese, homeowner, requests a variance to Section 407.1, 2009 International Plumbing Code, to waive bathtub conformance to the standards required by Code.

Sara Breese appeared and stated she is installing an unlisted copper tub in her home. She said it does not have an overflow device. A motion was made by John Martin to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Mark Mahler; the motion carried unanimously

- 7b. 4058 Palmer Park Boulevard – Randy Tuck requests a variance to Table 403.1, 2009 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Randy Tuck appeared and stated this is a marijuana growth facility and they would like approval to install a unisex restroom, in lieu of a separate restroom per gender, due to space limitations. He stated there will be only two employees at any given time. Russell Kauk stated RBD staff does not oppose this variance request. A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the variance request, seconded by John Martin; the motion carried unanimously.

8. **UNFINISHED BUSINESS**

a) Energy Voucher Incentive Program

Dan Rial stated the Energy Voucher Incentive Program is giving the public an incentive to install high efficiency equipment. He stated RBD donated \$150,000 for this program; and although the response has not been significant to date, he believes it will increase during the winter months.

b) **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

Mechanical Contractor A (Commercial)

B & L PLUMBING, INC. – WILLIAM HANES*

Pattie Bengner stated Mr. Hanes previously had a Homebuilder “C” License and he has one “A” Status permit. She said Mr. Hanes stated it is a reroof permit that did not pass the final inspection. She said she is concerned the homeowner may have trouble selling the house. Ms. Bengner said he is now applying for a Mechanical License, and he would have to have someone else repair the roof. She said Mr. Hanes is a very qualified mechanical contractor; he has worked for Affordable Plumbing & Heating since 2009 and was recently laid off. A motion was made by Mark Mahler to **POSTPONE** this license request until the August 14, 2013 MEP Committee, seconded by Dan Rial; the motion carried unanimously.

9. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:41 a.m.

Pikes Peak Regional Building Department
MEP Committee Meeting Minutes
July 10, 2013
Page 6

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY:llg