

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

MEP COMMITTEE MINUTES

September 11, 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. Dean Wemmer, Deputy Building Official/Electrical
Mr. Russell Kauk, Senior Plans Examiner
Mrs. Pattie Bengler, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chairman Dan Rial called the meeting to order at 10:22 a.m.

Bob Croft appeared and conducted a prayer in honor of 9/11.

1. **CONSIDERATION OF THE AUGUST 14, 2013 MEP COMMITTEE MINUTES**

A motion was made by John Martin to **APPROVE** the August 14, 2013 MEP Committee Minutes as written, seconded by Mark Mahler; the motion carried unanimously.

2. **COMPLAINTS**

- a) A complaint has been brought against Jeremy Fitzgerald, licensee for Colorado Mechanical Services, by Regional Building for failing to correct noted deficiencies and for having an "A" Status Permit at 103 South Wahsatch Avenue, Colorado Springs, Colorado, in violation of Sections RBC105.9 and RBC109.2, 2011 Pikes Peak Regional Building Code; and for performing work at 3250 Kestrel Drive, Colorado Springs, Colorado without a license and for failing to pull a permit at this same address for the work done, in violation of Sections RBC105.1 and RBC201.3, 2011 Pikes Peak Regional Building Code.

All parties testifying in this complaint were sworn in. Pattie Bengler appeared and gave the details of this Complaint. Jeremy Fitzgerald appeared and stated his company grew too fast and he lost control of it. He stated he has down-sized and he is now doing

primarily service work. Jack Arrington stated there is one "A" status permit that has not been completed at 103 South Wahsatch Avenue, and RBD needs to have this permit completed; and Mr. Fitzgerald must get his license issues resolved. He said he put Mr. Fitzgerald's license on hold on May 21, 2013, until he could complete these permits. Mr. Fitzgerald stated the inspection on this property is scheduled for today.

Darrell Harrison appeared, was sworn in, and stated he is the owner of 3250 Kestrel Drive and he pulled the electrical permit for the air conditioner, but he had an electrical contractor do the work. Mr. Fitzgerald stated Abetta Electric does all of his electrical work and they should have pulled the permit, and he was not aware that Mr. Harrison had pulled the permit. He stated he admits he was wrong in doing the work without having the permit in hand. John Martin stated Mr. Fitzgerald currently does not have a license and he is selling work. A motion was made by John Martin to recommend to the Board of Review that a Letter of Reprimand be put in Mr. Fitzgerald's contractor file, a 30 day extension be given to Mr. Fitzgerald to clean up all outstanding permits, and upon completion of these permits, RBD grants him a one year extension on his license. If RBD receives further complaints that Mr. Fitzgerald has not pulled a necessary permit or followed RBD procedures will be an automatic revocation of his license, seconded by Mark Mahler; the motion carried unanimously.

- b) A complaint has been brought against Stephen Stegman, licensee for Super Charged Electric, Inc., by Regional Building Department for failing to pull a permit for an electrical service upgrade at 1370 Amstel Drive, Colorado Springs, Colorado, and then failed to respond to the homeowner in getting the work completed and inspected, in violation of Sections RBC105.1 and RBC109.2, 2011 Pikes Peak Regional Building Code; and for having nine (9) "A" Status Permits.

Vice Chairman Rial stated this Complaint has been **POSTPONED** until the November 13, 2013 MEP Committee meeting.

- c) A complaint has been brought against Richard Green by Regional Building Department for submitting falsifying documents that are required for the renewal of your license, in violation of Sections RBC201.11.3(4) and/or RBC204.5(4), 2011 Pikes Peak Regional Building Code. *This complaint was postponed from the August 14, 2013 MEP Committee Meeting due to non-appearance.*

Pattie Bengier appeared, was sworn in, and stated she spoke with Richard Green yesterday, and he does not intend to appear before the MEP Committee to address this complaint. She said this is a complaint filed by RBD for falsifying documents that are required to renew his license. She stated it appears that the dates on the certificates were changed. A motion was made by Mark Mahler to recommend to the Board of Review that Richard Green's license be **REVOKED** and a letter be placed in Mr. Green's contractor file to alert all parties of this violation, seconded by Larry Bobo; the motion carried unanimously.

Chairman Edward Pine joined the MEP Committee at 11:20 a.m.

The following Item was heard out-of-order.

7. 7660 Gibraltar Drive – Delvin Dawdy, Jr., American Pride Plumbing, requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a Mechanical “C-1” License.

Delvin Dawdy, Jr. appeared and stated he lived in Colorado from 2002 to 2005 and he took the Mechanical “C-1” test at that time. He stated he moved back to Colorado and went into partnership with another contractor. He stated his partner recently committed suicide and he requires the Mechanical “C-1” License to finish ongoing work. Mr. Dawdy stated he still has a Masters License and a Plumbing License, but he does not have a Mechanical “C-1” License to do gas work. A motion was made by John Martin to recommend to the Board of Review **APPROVAL** of the variance request because Mr. Dawdy did test under the UPC, seconded by Mark Mahler; the motion carried unanimously.

The following Item was heard out-of-order.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Mechanical Contractor C-1 (Gas Piping)

AMERICAN PRIDE PLUMBING – DELVIN DAWDY*

Pattie Bengler stated she would like to move this License Request to the Consent License Requests.

3. CONSENT LICENSE REQUESTS

Mechanical Contractor A (Commercial)

ELEVATION MECHANICAL – CHRISTOPHER BARKER
FACILITY LOGIC – DAVID COOK
MITCHELL HEATING, LLC – CHRISTOPHER PLANTE (SECONDARY EXAMINEE)
PRECISE MECHANICAL SERVICES INC. – CRAIG LOOMIS
PIKES PEAK HEATING – ADRIAN ULLRICH

Mechanical Contractor C-1 (Gas Piping)

MODERN HEARTH AND PATIO WORKS INC. – AARON ESPINOZA (EXAMINEE CHANGES CO.)

Heating Mechanic IV (HVAC Service Tech)

CLAUDE HARRIDGE
LEWIS FISHER

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 C-1 (Gas Piping)

AMERICAN PRIDE PLUMBING – DELVIN DAWDY*

This Item was moved to the Consent License Requests.

4. **CONSENT CALENDAR**

There were no Consent Calendar Variance Requests to discuss.

VARIANCE REQUESTS

5. 1360 Lindenwood Grove, Unit B – Jan Handke, homeowner, requests a variance to Section 405.3.1, 2009 International Plumbing Code, to allow a 13” clearance at the side of a water closet where a minimum of 15” is required. *This Item was postponed from the August 14, 2013 MEP Committee meeting to give RBD staff an opportunity to do an inspection of this project.*

Dean Wemmer stated Jan Handke contacted him this morning and requested that this Item be postponed until next month. Jack Arrington stated the applicant did install the offset flange which gave her almost 13”, which is the maximum clearance she will be able to obtain. Dean Wemmer stated Ms. Handke did contact an electrical contractor to have a GFI installed, but it was too costly at the present time. He stated he did give her some advice on how to accomplish this with less expense and she hopes to have the GFI installed before the October 9th MEP Committee meeting. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Mark Mahler; the motion carried unanimously.

6. 3485 Rebecca Lane, Unit C – TLC Design Build Remodeling requests a variance to Table E201.1, Appendix E, 2009 International Plumbing Code, to allow a 1/2 inch water supply line, where 3/4 inch water supply line is required.

Heather Langton appeared and stated the homeowner would like to install a washer and dryer in her kitchen. She said this property is a condominium and was previously an apartment. She said they would like approval to “T” into the 1/2 inch waterline under the kitchen sink. Russ Kauk stated RBD believes this would create a possible water problem as well as a waste water problem. Ms. Langton stated she would like to **POSTPONE** this variance request until the October 9, 2013 MEP Committee meeting.

7. 7660 Gibraltar Drive – Delvin Dawdy, Jr., American Pride Plumbing, requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the testing requirement for a Mechanical “C-1” License.

This Item was heard out-of-order after the Consent License Requests.

- 7b. 3106 North Stone Avenue, Unit B – Mike Morley, Everhaven, Inc., requests a variance to Table 403.1, 2009 International Plumbing Code, to allow less than the minimum required number of plumbing fixtures.

Mike Morley appeared and stated he would like to request a reduction in the restrooms per gender in this marijuana growth facility. He said most of the square footage in the space is occupied by plants. He stated the square footage requires two restrooms per gender, and they would like approval to install one restroom per gender. Mr. Morley stated there will only be four to six employees working in the facility at any one time. Jack Arrington stated this is a tenant finish project. 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 because RBD staff does not oppose the variance request, seconded by Mark Mahler; the motion carried unanimously.

8. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

9. **NEW BUSINESS**

There was no New Business to discuss.

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The meeting adjourned at 11:53 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY:llg