

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## MEP COMMITTEE MINUTES

April 9, 2014

10:00 a.m.

MEMBERS PRESENT: Chairman Edward Pine  
Mr. Dan Rial  
Mr. Mark Mahler  
Mr. Larry Bobo  
Mr. Neil Case  
Mr. John Martin  
Mr. R. J. Steer

MEMBERS ABSENT: Mr. Mark Mahler

OTHERS PRESENT: Mr. Henry Yankowski, Regional Building Official  
Mr. Todd Welch, Regional Building Counsel  
Mr. Jack Arrington, Deputy Building Official -  
Plumbing/Mechanical  
Mr. Dean Wemmer, Deputy Building Official - Electrical  
Mr. Jon Brazier, Senior Mechanical Inspector  
Mr. Russell Kauk, Senior Plans Examiner  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Edward Pine called the meeting to order at 10:00 a.m.

#### 1. **CONSIDERATION OF THE MARCH 12, 2014 MEP COMMITTEE MINUTES**

A motion was made by Neil Case to **APPROVE** the March 12, 2014 MEP Committee Minutes as written, seconded by Larry Bobo; the motion carried 4:1. R. E. Steer abstained because he was not present for the March 12, 2014 MEP Committee meeting.

#### 2. **COMPLAINT**

a) A complaint has been brought against Jeremy Fitzgerald, licensee for Colorado Mechanical Services, by Jan Rennie for performing work at 1409 Custer Avenue, Colorado Springs, Colorado without a license and for failing to pull a permit at this same address. *Mr. Fitzgerald was scheduled to appear before the MEP Committee in February, but he contacted RBD staff and stated he was moving out of state and would not be attending the February MEP Committee meeting. He was sent a notice by RBD to attend the March MEP Committee meeting, and he was out of town due to a family illness and Lisa LaRochelle appeared for Mr. Fitzgerald. This Complaint was postponed again until the April 9, 2014 MEP Committee meeting, with the stipulation that Mr. Fitzgerald's ability to pull further permits is suspended until he appears before*

*the MEP Committee meeting to address this complaint.*

No one appeared. Jack Arrington stated RBD staff contacted Jeremy Fitzgerald yesterday, and he stated he was moving to Virginia and would not be attending the MEP Committee meeting today. All parties testifying today were sworn in. Jan Rennie appeared and stated she paid an additional \$7,000 to another contractor to correct items that were incorrectly done by Mr. Fitzgerald. Ann Proctor stated she is a property manager and she hired Mr. Fitzgerald to do a boiler replacement. She stated she paid Mr. Fitzgerald in full, it did not pass inspection, Mr. Fitzgerald did not make the necessary repairs, and caused damage to the home while in the house. Jack Arrington stated RBD staff has spent a considerable amount of time working with Ms. Rennie and Ms. Proctor trying to get the work done by Mr. Fitzgerald. He stated since Mr. Fitzgerald last appeared before the MEP Committee, RBD staff continues to receive additional complaints about his work.

A motion was made by Dan Rial to recommend to the Board of Review **REVOCATION** of all contractor licenses held by Jeremy Fitzgerald and/or Colorado Mechanical Services, seconded by John Martin; the motion carried unanimously.

- b) A complaint has been brought against Kevin Dykman, owner of Pikes Peak Heating & Cooling, LLC, by Regional Building for failing to pull a permit for work performed by your company at 1580 Bear Cloud Drive, Colorado Springs, Colorado, and 19455 Kings Deer Lane, Monument, Colorado, in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code.

Chairman Pine stated RBD has **WITHDRAWN** this Complaint.

### 3. **CONSENT LICENSE REQUESTS**

#### **Mechanical Contractor A (Commercial)**

ADVANCED HYDRONICS, INC. – STEPHEN PHILLIPS  
AVALANCHE AIR CONDITIONING & HTG, INC. DBA AVALANCH  
MECHANICAL – STEPHEN FERRINI (EXAMINEE CHANGES CO.)  
FROST LINE MECHANICAL LLC – ROBERT NEILL  
HOME DEPOT U.S.A., INC. – BROOKS MYERS  
MIKE'S MECHANICAL SERVICES LLC – MICHAEL DOANE  
TRANE US. INC. DBA TRANE CO – CRAIG COOPER (CO. CHANGES EXAMINEE)

**Mechanical Contractor C-1 (Gas Piping)**

M.D. SERVICE PLUMBING INC. – MICHAEL EMMERSON (ADDITIONAL LICENSE)

UTAH MECHANICAL CONTRACTORS, INC – WILFORD BARLOW (ADDITIONAL LICENSE)

**Mechanical Contractor E (Elevators/Escalators)**

ROCKY MTN LIFTS, LLC DBA NATIONWIDE LIFTS OF COLORADO – PHILLIP TRAVIS

**Heating Mechanic IV (HVAC Service Tech)**

ISAAC HACKLER  
MARCUS WILSON  
ROBERT GERHARDT

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

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

**Mechanical Contractor A (Commercial)**

CO. DELTA MECHANICAL, INC – GREGORY EIKERENKOETTER (CO. CHANGES EXAMINEE)\*

Jack Arrington stated CO Delta Mechanical's previous licensee chose to step down and Mr. Eikerenkoetter is their new licensee. He stated all of their "A" Status Permits have now been completed. Gregory Eikerenkoetter appeared and stated he has been working for CO Delta Mechanical for three years and he supervises the western states. He stated they do both heating and air conditioning, which includes small commercial projects and residential work. Mr. Eikerenkoetter stated he has worked in Colorado in the past, but not in El Paso County. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of a Mechanical Contractor "A" (Commercial) License, with the stipulation that Mr. Eikerenkoetter accepts responsibility of all open permits for CO Delta Mechanical, Inc., seconded by Neil Case; the motion carried unanimously

#### 4. **CONSENT CALENDAR**

- a) 11326 San Luis Peak Way, Permit I86089 – Michael Scaplo, homeowner, requests a variance to Section 405.3.1, 2009 International Plumbing Code, to allow a 14” clearance at the side of a water closet where a minimum clearance of 15” is required.

A motion was made by R. J. Steer to recommend to the Board of Review **APPROVAL** of the Consent Calendar variance request, seconded by John Martin; the motion carried unanimously.

#### **VARIANCE REQUESTS**

5. 2211 and 2215 East Boulder Street – J. B. Johnson, Becker Johnson, Inc., requests a variance to Section 403, 2009 International Plumbing Code, to allow one handicap accessible unisex restroom, where separate restrooms shall be provided per gender.

J. B. Johnson appeared and stated this building will be a marijuana growth facility when completed. He stated there will be a maximum of five employees in the building and the public is not permitted in this building. He said there is one existing restroom that will be remodeled into a handicapped restroom. Russ Kauk stated RBD staff does not oppose this variance request. A motion was made by R. J. Steer to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Dan Rial; the motion carried unanimously.

6. 1305 Firefly Circle – Peter Michaud, Allright Plumbing & Heating, requests a variance to Sections 709.3 and 712.4.2, 2009 International Plumbing Code, to allow a 20 GPM ejector pump on a 3” line where a 4” line is required.

Peter Michaud appeared and stated this project is a condominium and the current drainage line is a 3” line. He stated the pipe runs under the garage and would be very difficult to replace. He stated there is a dishwasher and both a full bath and a half bath in this condo. Mr. Michaud stated this line services only one condo unit. Jack Arrington stated he does not feel a 3” line will be able to adequately serve this condo unit with a 20 GPM ejector pump; therefore, RBD staff opposes this variance request. A motion was made by Neil Case to recommend to the Board of Review **APPROVAL** of the variance request, seconded by John Martin; the motion carried unanimously.

7. Edward Rehrmann 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.

Edward Rehrmann appeared and stated he is a licensed master plumber in Colorado and Arizona, and he has a Mechanical Contractor “C-1” License in Nevada. He stated he was certified by Southwest Gas in Arizona for 14 years in both industrial and residential services, and worked for Ohio Kentucky Columbia Gas for 22 years. Jack Arrington stated Mr. Rehrmann is doing the plumbing work in residential homes, and he would like to be able to do the gas work as well. A motion was made by John Martin to recommend to the Board of Review **APPROVAL** of the variance request because Mr. Rehrmann did pass the UPC test, which included gas piping, seconded by Dan Rial; the motion carried unanimously.

- 7b. David Sam Hoffer requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the requirement of the 6-month waiting period to retest following two previous attempts for a Mechanical IV License.

David Sam Hoffer appeared. Jack Arrington stated Mr. Hoffer works for Olson Plumbing, and his employer will be tutoring him after he gets his license. He said Mr. Hoffer is required to have this license for his job. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request because Mr. Hoffer has taken the Advance Mechanical IV class and he will be studying with his employer, seconded by R.J. Steer; the motion carried unanimously.

- 7c. Nic Tamburich requests a variance to Section RBC201.6.1, 2011 Pikes Peak Regional Building Code, to waive the requirement of the 6-month waiting period to retest following two previous attempts for a Mechanical IV License.

Nic Tamburich appeared. Jon Brazier stated he has been working with Mr. Tamburich, and he is employed by Black Hills Energy and is required to have this license no later than July of this year. He stated he believes Mr. Tamburich will be ready to retest prior to the 6-month waiting period. Mr. Tamburich stated he is a utilities specialist with Black Hills Energy. He stated with this license, he will be able to work on furnaces. Jack Arrington stated Black Hills Energy has a very good training program, but they require that their employees pass the test first. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request, seconded by R. J. Steer; the motion carried 4:1. John Martin opposed. John Martin stated his only concern is Mr. Tamburich’s lack of experience.

- 7d. 737 West Cucharas Street, Permit J12427 – Mark Hawes, Hawes Plumbing, requests a variance to Section 503.5.3, 2009 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.

Mark Hawes appeared and stated this is a water heater replacement and there are two furnaces and three water heaters venting through this chimney. He stated he was unable to install a liner due to an offset in the chimney. He stated he believes there are four apartments utilizing this chimney. Mr. Hawes stated carbon monoxide detectors are installed in all of the units. Jack Arrington stated RBD staff does not oppose this variance request. 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.

- 7e. 1 Lake Avenue – Wendel Torres, Beckrich Construction, requests a variance to Section 621.6, 2009 International Fuel Gas Code, to allow an unvented gas fireplace in an “A” occupancy, where prohibited.

Wendel Torres appeared and stated this structure is in the Broadmoor, they are converting a room into a library and would like to have a gas burning fireplace in the room, and they are requesting a vent-free fireplace be installed. He stated the fireplace unit is UL listed, and the ceiling height is 14’ high. Jack Arrington stated the Code requires that you cannot have this type of fireplace in an “A” occupancy, and this is an “A-3” occupancy. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request because it is a UL listed fireplace insert with oxygen sensors, there will be a carbon monoxide detector in the room, and two transfer air grills will be installed for additional combustion air, seconded by Neil Case; the motion carried unanimously.

8. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

9. **NEW BUSINESS**

a) Teller County License Reciprocity

Henry Yankowski stated RBD began doing inspections and plan reviews in Woodland Park last fall. He stated El Paso County licenses are valid in Woodland Park. He stated Teller County would like to enter into a Reciprocity Agreement with regard to contractor licenses.

Carl Anderson, Jeff Smith, and Jim Olson appeared. Carl Anderson stated currently El Paso Licenses are valid in Woodland Park and El Paso County licensees do not have to

test in Teller County, but they do have to go through the application process. He stated they are requesting that Teller County Licensees be allowed to waive the testing requirement when applying for their license. Jeff Smith stated he and Mr. Anderson both are members of the Board of Review in Teller County, and they believe they are as strict with the granting of licenses in Teller County as RBD is when granting licenses. He stated Teller County does accept the ICC testing.

Mr. Yankowski stated RBD staff is asking for your approval to move forward with this procedure. He stated it will have to be approved by the Board of Review, as well as all of the jurisdictions. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the reciprocity of licenses between Teller County and El Paso County, seconded by John Martin; the motion carried unanimously.

b) E-Cube Manufacturing by Carl Benton

Carl Benton appeared and stated he has been a master plumber in Colorado for 20 years. Mr. Benton gave a presentation regarding E-Cube Manufacturing and demonstrated the E-Cube to the MEP Committee members. He stated all of the parts are UL listed, but the entire unit as a whole does not have a UL listing. Dean Wemmer stated his only concern is the type of cord used in the unit, but that could be easily be remedied. Mr. Benton stated he has been installing this unit in Grand Junction. He stated potable water is used in the entire unit. Mr. Wemmer stated that if the unit is approved today, RBD staff will look at the unit more closely to confirm that it is safe for installation in homes in El Paso County.

John Martin stated he agrees with RBD staff that the unit require third-party testing, and Neil Case stated he would like to have a third-party engineer's report. Dan Rial stated he would like Carl Benton to come back at a later time with the third-party testing, the engineer's report, and testimony from homeowners that own the unit before the MEP Committee can approve the unit for installation in El Paso County. Jack Arrington stated if this unit is not approved today, then Mr. Benton will have to request a variance for each installation.

The meeting adjourned at 1:02 p.m.

Respectfully submitted,

Henry W. Yankowski  
Regional Building Official

HWY:llg