

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

MEP COMMITTEE MINUTES

August 13, 2014

10:00 a.m.

MEMBERS PRESENT: Chairman Edward Pine
Mr. Dan Rial
Mr. Mark Mahler
Mr. Neil Case
Mr. Larry Bobo

MEMBERS ABSENT: Mr. R. J. Steer
Mr. John Martin

OTHERS PRESENT: Mr. Roger Lovell, Director of Building Operations
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. Russ Kauk, Senior Plans Examiner
Ms. Pattie Benger, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

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

1. **CONSIDERATION OF THE JULY 9, 2014 MEP COMMITTEE MINUTES**

A motion was made by Neil Case to **APPROVE** the July 9, 2014 MEP Committee Minutes as written, seconded by Larry Bobo; the motion carried unanimously.

2. **COMPLAINT**

- a) A complaint has been brought against Kevin Dykman, licensee for Pikes Peak Heating & Cooling, LLC, by Regional Building for failing to pull a permit for work performed by his company at 1580 Bear Cloud Drive, Colorado Springs, Colorado, 6165 Ursa Lane, Colorado Springs, Colorado and 19455 Kings Deer Lane, Monument, Colorado, in violation of Section RBC105.1, 2011 Pikes Peak Regional Building Code. *Kevin Dykman failed to appear at the July 9, 2014 MEP Committee meeting, and the Committee **POSTPONED** the Complaint until the August 13, 2014 MEP Committee meeting.*

Todd Welch stated Kevin Dykman was scheduled to appear at the MEP Committee meeting in July, and Mr. Dykman says he was here at that time, but he told the CAM receptionist that he did not know why he was supposed to appear and was not sure where he was supposed to appear. Mr. Welch stated Mr. Dykman notified RBD staff that he had an appointment with the Colorado Department of Revenue this morning and would not be able to appear for this meeting. Jack Arrington stated he would like the MEP Committee to hear this complaint this morning, because Mr. Dykman was aware of the hearing this morning and waited until the last minute to notify RBD staff that he would like to reschedule the hearing. A motion was made by Dan Rial to continue with the Complaint because Mr. Dykman has already consumed a great deal of time for both the homeowner, present today, and RBD staff, seconded by Mark Mahler; the motion carried unanimously.

Jack Arrington and Jeff Tessier appeared and were sworn in. Mr. Arrington stated Mr. Dykman's company installed a furnace for Mr. Tessier and his family in December, 2013, and the furnace did not work properly, nor was it vented properly. He stated Mr. Dykman also pulled a permit for 1580 Bear Cloud Drive, and neither permit passed inspection. He stated Mr. Dykman did another installation at 6165 Ursa Lane, without pulling a permit because he did not have a licensed at that time. Mr. Arrington stated he would like the Committee to prohibit Mr. Dykman or anyone from his company from doing business in El Paso County again. He stated Mr. Dykman owns Mile High Heating in Westminster. He stated currently Pikes Peak Heating & Cooling ("PPH&C") does not have a license in El Paso County because it's licensee has pulled his license.

Jeff Tessier, owner of 19455 Kings Deer Lane, stated the furnace installed by PPH&C has not worked since installation and he has not been contacted by Mr. Dykman to repair the furnace. He stated he is having a new roof installed on his home due to the recent storms and he would like to have the proper vent for this furnace installed beforehand. He stated he plans to find a reputable heating company to fix the furnace and vent it properly.

A motion was made by Dan Rial to recommend to the Board of Review that Kevin Dykman be prohibited from obtaining a license, and prohibited from having a company created with someone else as a licensee, in El Paso County again in the future, seconded by Mark Mahler; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Mechanical Contractor A (Commercial)

ELEVATION MECHANICAL – CHRISTOPHER BARKER (EXAMINEE CHANGES CO.)

THE K COMPANY, INC. – CHRISTOPHER MARTIN

UNLIMITED PLUMBING & HEATING DBA CRAIG WASHINGTON – CRAIG

WASHINGTON

Heating Mechanic IV (HVAC Service Tech)

BENJAMIN PAUTZKE (REINSTATEMENT)
LUIS TORRES
NICHOLAS TAMBURCH

A motion was made by Mark Mahler to **APPROVE** the Consent License Requests, seconded by Neil Case; the motion carried unanimously.

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

There were no License Requests to be Considered Individually.

4. **CONSENT CALENDAR**

There were no Consent Calendar Variance Requests.

VARIANCE REQUESTS

- 5.a. 120 East Del Norte Street, Permit J02962 – Alex Allen, Olson Plumbing & Heating Co., 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.

Alex Allen appeared and stated this is a water heater change-out; the chimney is brick and mortar, and is in good condition, but it has an offset in it, which prohibits him from installing a liner. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of the variance request based on the contractor's letter of integrity on the chimney, seconded by Neil Case; the motion carried unanimously.

- 5.b. 2500 Constellation Drive, Permit J02937 – Chris Diller, Diller Electric, requests a variance to Section 210.12, 2011 National Electrical Code, to install regular 15 amp. breakers in place of arc fault breakers, with the stipulation that a notarized letter be required from the homeowner that confirms that the original AFCI breakers will be left with the property, but not reinstalled at the time of sale of the property, and a notice be attached to the electrical panel that notifies Pikes Peak Regional Building Department and all parties of this requirement.

Chris Diller appeared and stated he has had two problems with the circuits, and he has isolated one to an appliance, and the other to a low voltage lighting relay, which is tripping the arc fault breaker. He stated a wine refrigerator was also tripping the arc fault breaker.

Dean Wemmer stated Mr. Diller has done everything required by RBD to be certain that there is not a wiring issue with the exception of the arc fault breaker. A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

- 5.c. 7155 Abilene Drive – Jason Ogle, homeowner, requests a variance to Section 709.3 and Table 710.1(2), 2009 International Plumbing Code, to allow a 3” drainage pipe, where a 4” drainage pipe is required by Code.

Jason Ogle appeared and stated he is adding a 3/4 bathroom in his basement of his home with a sewage ejector that will produce a 20 gpm flow rate. Jack Arrington gave an explanation of the sewage pump and the manner in which it works, and stated RBD staff does not oppose this variance request. Mr. Ogle stated this is a second bathroom and will not be used often. A motion was made by Neil Case to recommend to the Board of Review **APPROVAL** of the variance request because it is a pump system and not gravity, seconded by Dan Rial; the motion carried unanimously.

- 5.d. 261 Kaycee Case, Permit J23093 – Barry Spaeth, Colorado Commercial Construction, Inc., requests a variance to Section 303.4, 2009 International Plumbing Code, to allow the use of a non third-party certified plumbing product.

Barry Spaeth appeared and stated the owner has used this type of plumbing fixture in the past and would like to have the Committee approve it. Jack Arrington stated this is a concrete sink, and will have a smooth surface inside the sink. He stated it is not a listed product. Mr. Spaeth stated it does not have an overflow, and Jack Arrington stated the 2009 International Plumbing Code no longer requires an overflow on sinks. Tim Crippen stated there must be a strainer assembly, which is required by Code, and Mr. Spaeth stated the sinks will have a strainer assembly. A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the variance request, seconded by Larry Bobo; the motion carried unanimously.

6. UNFINISHED BUSINESS

- a) License and Permit Update: Integral Mechanical Solutions LLC – Lisa Laronchelle
*Lisa Laronchelle appeared before the MEP Committee on May 14, 2014, and the Committee made the following motion: “A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of a Mechanical Contractor “A” (Commercial) License for 90 days, with the limitation of 20 permits, and Ms. Larochelle must reappear in 90 days to review the permits that she has pulled, seconded by Dan Rial; the motion carried unanimously.”*

Lisa Laronchelle appeared and stated she has installed a furnace, and two condensing unit swap-outs, which she just recently learned still need electrical permits. She stated she has closed out two permits for Colorado Mechanical, and there are still two to be closed.

Jack Arrington stated Ms. Laronchelle has pulled permits for all of the "A" status permits for Colorado Mechanical, with the exception of one; the homeowner would not cooperate on the permit that was not pulled. He stated there are still two open permits for Colorado Mechanical. He stated he is aware that Jamie Fitzgerald is back in town, and he is worried that he may still be working with Ms. Laronchelle. Ms. Laronchelle stated the old Colorado Mechanical calls are being forwarded to her, but Mr. Fitzgerald is not working for her company.

Pattie Bengner stated Ms. Laronchelle took over 8 permits for Colorado Mechanical and 4 are still open. She stated Ms. Laronchelle has pulled 5 permits under her own company, and one of these has been finalized.

Ms. Laronchelle stated there are four permits that require some minor repairs and will be ready to close soon. Jack Arrington stated there are some minor combustion air issues, but there are no life safety issues with any of these permits.

The Committee made the decision to let Jack Arrington monitor Ms. Laronchelle's work progress. A motion was made by Dan Rial to recommend to the Board of Review **APPROVAL** of a full license for Ms. Laronchelle, and removal of the restriction of 20 permits, and request that RBD staff monitor Ms. Laronchelle's work, seconded by Mark Mahler; the motion carried unanimously.

b) Eqube Update

Jack Arrington stated Carl Benton now has a mechanical engineer that will stamp the Eqube boiler plans, along with an electrical engineer's approval, and he is working on obtaining his UL listing for this boiler, as well as a patent. He stated he has added a cover to the boiler and it is still all electric. Todd Welch stated perhaps a letter from the homeowner might be required acknowledging that the boiler is not yet listed. He stated Mr. Benton could apply for a variance for each address to allow installation of this equipment, until he has the UL listing, and the homeowner would have to appear with Mr. Benton to present the variance to the Committee. The Committee members stated they would like the mechanical and electrical engineers to appear at least on the first variance request to discuss the boiler with the Committee.

Jim Vernon stated he believes the Committee's options are a site specific variance, or a presentation with regard to an alternate means and methods variance for this boiler, pursuant to Section RBC104.7, 2011 Pikes Peak Regional Building Code, which will only have to go before the Committee one time for approval.

7. **NEW BUSINESS**

a) Potential Contractor Complaint

Dan Rial stated there is a Black Forest resident whose house burned during the fire, and she has built another home on a different piece of property. He said the owner is a single parent, and she put the electric meter in her name, but her contractor initially put the gas meter in his name. He stated the homeowner was asked to transfer the gas meter to her name upon completion of the house, but she forgot to do so, and the contractor had Black Hills Energy put a padlock on the meter while the homeowner was out of town. Mr. Rial stated when the homeowner returned home and found the home without heat or hot water, she asked him for his assistance with this issue. He stated Black Hills Energy was under the understanding the house was vacant, but the contractor knew that it was occupied, and Mr. Rial believes this created a life safety issue. He stated he would like the MEP Committee's support on this issue, because he would like to bring this contractor before the Building Committee on a complaint for creating a life safety issue for this homeowner. Mr. Rial stated the homeowner is trying to get her warranty items taken care of prior to filing a complaint against this contractor. Todd Welch stated he believes this contractor should be brought before the MEP Committee because it involves a mechanical issue, and Mark Mahler agreed.

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

Henry W. Yankowski
Regional Building Official

HWY:llg