

**Teller County Board of Review
July 11, 2012
Meeting Minutes**

Chairman Carl Andersen called the meeting to order at 2:02 p.m. Those answering roll call were:

*Carl Andersen, Chairman
* Bert West
* Dave Dernbach
* Steve McCann

Staff: Chris Brandt
Allen Chamberlin
Olya Sharonova
Lynda Morgan

* Voting members

Carl Andersen stated that the Board of Review meetings are public and anyone wishing to speak must first address the Chairman.

Carl Andersen appointed alternate member Steve McCann as a voting member for today's meeting.

**Review and Approve Minutes
From the May 2 & June 6, 2012 Meetings**

Bert West moved to approve the May 2, 2012 meeting minutes as presented. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

Bert West moved to approve the June 6, 2012 meeting minutes as presented. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

Request for Variance

Request from Jack Hunsberger at 8210 CR 8 Permit #A38782 for a variance to 2003 IRC – Sec. R307.2 (Walls are to be non-absorbent to 6 feet above shower floor).

Allen Chamberlin reviewed the staff report presented and explained that while out on site performing a plumbing top-out inspection, Mark Landsittel, building inspector, had noticed that the window in the shower could possibly be an issue. In discussion with Jack Hunsberger, the owner, it was revealed that the sips panel manufacturer had constructed the panels not per the design instructions. The loft bathroom was redesigned by the owner and that put the shower on this wall with the window. Mark reviewed the code and had concerns for this issue, so he approved the plumbing top-out, but did not approve the full inspection pending a decision on the location, installation and trim work around the window.

It is the recommendation of the Building Department to deny the request for a variance by the homeowner, Jack Hunsberger, and to require that his construction comply with the minimum building code, section R307.2 of the 2003 International Residential Code. Building department concerns with this installation include the window not being designed to repel this amount of water intrusion from the inside. The owner has discussed with the building inspector his intentions of trimming the interior window opening with wood trim. In addition, the bottom of the window does not even meet the required 72 inches in height, thus exposing the entire surface of the window and frame to an unusual amount of water from the shower.

This can very easily lead to water intrusion and saturation into the exterior wall cavity, behind other surface finishes, floor, and framing, promoting mold and construction deterioration. The owner's intent

to install a shower curtain is just a band aid and does not meet the modifications section of the building code in section 104.10.

At a quick glance of the measurements as drawn on the plan, it appears to staff that there are several alternatives to the proposed layout that should be considered before looking at a modification to the code.

Mr. Jack Hunsberger is present.

There was a discussion between Allen Chamberlin and the Board on the intent of the code and how the minimum intent of the code could be met, which included but was not limited to the following:

- Mr. Hunsberger may be able to provide documentation that the window was designed for this application, i.e. water impermeable and tempered
- He may remove the window or move it up to 72"
- Mr. Hunsberger may also be able to use glass block with sealed grout

Mr. Hunsberger gave a synopsis of the situation that included but was not limited to the following:

- Sips panels were delivered precut
- Framer notified Mr. Hunsberger that shower will not fit into the original designated space, and that the shower needed to go on the exterior wall just to fit
- Window is an operable fiberglass model, no wood in the frame; however the rest of the wall framing is 2x6 wood studs
- Mr. Hunsberger is planning on using a shower curtain over the window to solve the issue brought up by the inspector
- Mr. Hunsberger presented pictures to the Board, showing the location of the window in question from the inside and outside of the house

There was further discussion between Mr. Hunsberger, Allen Chamberlin and the Board on the intent of the code and how the minimum intent of the code could be met, which included but was not limited to the following:

- Allen Chamberlin explained to the Board and to the homeowner how the bathroom can be rearranged in order to comply with the codes
- Window's glass would have to be replaced with tempered glass and window would have to be completely sealed in order to comply with codes
- The issue was identified early in the construction process, and can be resolved
- Shower can be smaller than 30"x36"
- Owner can put glass block on the inside; with glass block on the inside the window can stay non-tempered
- Owner may be able to use another non permeable window on the inside to meet the code

Carl Andersen opened the matter up for public comment. No public comment. Close public comment.

Bert West moved to deny the request from Jack Hunsberger at 8210 CR 8 Permit #A38782 for a variance to 2003 IRC – Sec. R307.2 (Walls are to be non-absorbent to 6 feet above shower floor). Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

Mr. Hunsberger was advised of his appeal rights.

Chairman Carl Andersen called for a recess at 2:33 p.m.
Chairman Carl Andersen called the meeting back to order at 2:38 p.m.

Contractor Licenses
Industrial Contractors/Managers Inc.
Burnell Zercher
Class A

Mr. Zercher is present. Mr. Zercher gave a brief overview of his recent work history and building experience, which included but was not limited to the following:

Mr. Zercher stated that the company had a Class A license several years ago in Teller County, at that time have done a lot of work for CC&V Mine
However since they let the license lapse they are here again reapplying since the Mine is back and ready to do more work
Mr. Zercher started working in construction in 1983
He has built Steel Mills, Power Plants, and Churches

Chris Brandt indicated everything was in order with the State.

Carl Andersen opened this matter up for public comment. No public comment. Close public comment.

There was further discussion between the applicant, Allen Chamberlin and the Board, which included but was not limited to the following:

Mr. Zercher noted that the correct name of his company is "Industrial Constructors/Managers Inc.
Allen Chamberlin brought up a question regarding one of the reference letters, and the question was resolved

Dave Dernbach moved to grant the Industrial Constructors/Managers Inc., with Burnell Zercher as the examinee, a Class A license, upon receipt of one more reference letter specifically from HGF Architects describing Class A projects. Bert West seconded. Roll call vote and all said yes. The motion carries.

Keystone Construction of the Rockies, Inc.
George S Matty
Upgrade from Class B to Class A

Mr. Matty is not present. Matter was deferred to the end of the meeting.

Thin Air Home Repair & Remodel, LLC
Mitchell Walma
Class C-1

Mr. Walma is present. Mr. Walma gave a brief overview of his recent work history and building experience, which included but was not limited to the following:

Mr. Walma has been in the construction industry since he was 10 years old

Also was a director of facilities maintenance of YMCA for 3 ½ years, where he supervised: flood and fire mitigation, the construction of 2 new residence halls, a large deck for kids' performances, and maintenance of over 30 buildings
Now he would like to start his own business

Familiar with Building Codes

Currently holds a Class E license with Pikes Peak Regional Building Department
Board discussed the differences between a Class E license from Pikes Peak Regional Building Department and Teller County Class C-1 license,

After the Board determined that a Class E is more restrictive than Class C-1, a suggestion was made for the examinee to take a Teller County Class C-1 license test

Chris Brandt stated for the record that Mr. Walma completed the blanks in the contractor application.

Carl Andersen opened this matter up for public comment. No public comment. Close public comment.

There was further discussion between the applicant, Allen Chamberlin and the Board, which included but was not limited to the following:

Mr. Walma stated that if he was asked to build a small addition, he would be comfortable doing that work, using subcontractors and following all the codes.

The YMCA position did not allow him to get hands on experience

The Board was advised by staff that they can grant the Class C-1 Limited License

Mr. Walma was open to that option

Bert West moved to grant Thin Air Home Repair & Remodel, LLC, with Mitchell Walma as the examinee, a Class C-1 Limited License, not allowing any building additions to habitable structures. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

Carl Andersen has noted for the record that the agenda item: We Win Enterprises, LLC, Inc. / Daniel W. Spence / Class C-1, was withdrawn.

Board Discussion

A. Discuss Amended Teller County Building Code: Article II – Licenses and Registration, (Qualifications for Licensing in Teller County).

Staff presented information concerning Section 102.g – Insurance Requirements, concerning the 30 day cancellation notice, for the Board's discussion.

Staff stated that the Section 102.g – is outdated and causes a lot of issues and delays for the contractors, insurance carriers and the Building Department.

There was further discussion between the Board members and staff, which included but was not limited to the following

Accord has changed the insurance certificate form; so the insurance agents are no longer able to include the 30 day cancellation notice in the form

After that Building Department started requiring a "Common policy conditions page" to be included with the submittal of an application, it was notified by the legal department that that page did not satisfy the requirements of the current code

Building Department is getting a lot of resistance and negative feedback from contractors and insurance agents regarding this requirement

Then Building Department started requiring “The endorsement changes to the policy page”, and encountered even more difficulties
After speaking with one of the major insurance agents in this area, certain items were explained to the Building Department:

1. Most major insurance companies no longer offer 30 day cancellation notices in their policies
2. In order to get “The endorsement changes to the policy page” the insurance agent has to request it for every policy and every contractor, making it a very long and difficult process
3. Obtaining the endorsement page to the policy, or the 30 day cancellation writing in the form, still does not guaranty the compliance from the insurance companies and notice to the Teller County
4. If the insurance companies offer 30 day notification, Teller County Building Department may be notified anyway
5. Pikes Peak Regional Building Department no longer requires 30 day cancellation notification to be included in its insurance requirements

The staff is asking the Board to consider and recommend to the Teller County Board of County Commissioners to amend Article II, Section 102.g – Insurance Requirements to delete the 30 day cancellation notice.

Staff has asked the Board to submit their comments for the rest of the discussion on Article II – Licenses and Registration to the Building Department prior to the next Board of Review meeting on August 1st, 2012.

Carl Andersen opened the matter up for public comment. No public comment. Close public comment.

Carl Andersen moved to continue the agenda item, Discuss Amended Teller County Building Code: Article II – Licenses and Registration, (Qualifications for Licensing in Teller County) to the next meeting on August 1st, 2012; and for the staff to bring the item concerning Section 102.g – Insurance Requirements, to delete the 30 day cancellation notice, back before the Board as a consider and recommend to the Board of County Commissioners. Bert West seconded. Roll call vote and all said yes. The motion carries.

Contractor Licenses
Keystone Construction of the Rockies, Inc.
George S Matty
Upgrade from Class B to Class A

Mr. Matty is still not present.

Carl Andersen moved to continue this item.

There was further discussion between staff and the Board, which included but was not limited to the following:

Mr. Matty was pulled off of the agenda twice before, once due to not passing an ICC test and therefore not meeting the requirements, and the second time due to a family emergency

Bert West suggested denying the request and requiring George Matty to resubmit the entire application in the future

Staff notified the Board that Mr. Matty believes that ICC made a mistake in regards to his test and is in the process of working it out

The Board did not wish to continue this item at this time

Carl Andersen withdrew his motion to continue.

Carl Andersen opened this matter up for public comment. No public comment. Close public comment.

Bert West moved to deny the Keystone Construction of the Rockies, Inc., with George S Matty as the examinee, an upgrade from Class B to Class A license. Carl Andersen seconded. Roll call vote and all said yes. The motion carries..

There being no further business the meeting was adjourned at 3:27 p.m.