



Board of Building Standards

CONFERENCE MEETING AGENDA

DATE: OCTOBER 22, 2021
TIME: 1:00 PM
LOCATION: TRAINING RM 1, 6606 TUSSING RD, REYNOLDSBURG

Call to Order

Roll Call

Consideration of Minutes

[MIN-1](#) September 17, 2021 Meeting Minutes

Certification Hearing

[CH-1](#) Certification Hearing

Committee Reports

[CR-1](#) Code Committee Report
[CR-2](#) Certification Committee Report
[CR-3](#) Education Committee Report

Ratification of Board Recognized Accreditation Bodies, Conformity Assessment Bodies & Industry Trade Association Certification Programs

No items for consideration.

Building Department Support and Oversight

[RE-1](#) Audit Summary Report - Robert Kurtz/City of Vermilion
[RE-2](#) October 2021 Building Department Visit Update
[RE-3](#) Investigation #21-02 Patrick Barnes

Public Comments

Old Business

New Business

Compensate Board Members for Work Performed at their Regular Rate

Future Meeting Schedule

November 19, 2021
December 17, 2021

Proposed 2022 Meeting Schedule

January 28, 2022	August 26, 2022
February 25, 2022	September 23, 2022
March 25, 2022	October 21, 2022
May 13, 2022	November 18, 2022
June 24, 2022	December 16, 2022

Motion to Adjourn

File Attachments for Item:

MIN-1 September 17, 2021 Meeting Minutes

MINUTES
BOARD OF BUILDING STANDARDS
CONFERENCE MEETING & CERTIFICATION HEARING
September 17, 2021

The Board of Building Standards Conference Meeting was called to order at 1:00 p.m., Friday, September 17, 2021 at 6606 Tussing Road, Reynoldsburg, Ohio, Chairman Timothy Galvin presiding.

Ms. Regina Hanshaw, Executive Secretary, called the roll and reported that the following Board members were present:

Gregory Barney, Industrialized Units
Julienne Cromwell, Structural Engineer
Joseph F. Denk, Jr., Mechanical Engineer
Timothy P. Galvin, General Contractor, Chair
Don Leach, Attorney
Terry McCafferty, Public Member
Christopher Miller, Renewable Energy
John Pavlis, Homebuilder, Vice-Chair
Jeff Samuelson, Architect
Bailey Stanbery, Homebuilder
Jeff Tyler, Architect
Greg Warner, Fire Service
Paul Yankie, Energy Conservation

The following Board members were absent:

John Johnson, Construction Materials
Don McIlroy, Mayor

The following staff members were present:

Megan Foley, Certification Program Administrator
Debbie Ohler, Staff Engineer
Jay Richards, Assistant Architect Administrator
Rob Johnson, Assistant Architect Administrator\
Mike Regan, IU Plans Examiner
Andrew Rowan, Assistant Attorney General

A quorum of the Board was present.

The following visitors were present:

Kris Klaus, OHBA

CONSIDERATION OF THE MINUTES

Mr. Samuelson moved and Mr. Leach seconded to approve the minutes of the August 20, 2021 Certification Hearing and Conference Meeting.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

CERTIFICATION HEARING

Chairman Galvin opened the hearing to hear testimony on the individuals and building departments appearing on the Final Certification Hearing Agenda in the Board's Meeting Packet at the Hearing tab. Ms. Foley informed the Board that the individuals and departments appear on the hearing agenda have been reviewed by the Certification Committee and determined to meet the requirements of certification. There being no testimony, Chairman Galvin closed the hearing.

COMMITTEE REPORTS

CR-1 Code Committee Report

Mr. Denk gave the committee's report included in the Board's Meeting packet at Tab CR-1:

The Code Committee met on September 17, 2021, with the following members present: Mr. Denk, Ms. Cromwell, Mr. Miller, Mr. Pavlis, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, and Mr. Yankie. Board Chairman Galvin was also present.

The committee report is included in the September 17, 2021 Board Meeting Packet at tab CR-1 for the Board's consideration.

September 17, 2021 Special Code Committee Meeting

Call to Order

The meeting was called to order by Mr. Denk at 9:06 A.M.

Approval of Minutes

No items for consideration

Petitions

No items for consideration

Recommendations of the Residential Construction Advisory Committee

No items for consideration

Old Business

New Business

Guest presenter, Shaunna Mazingo of The Mazingo Code Group, provided a presentation to the committee, via MS Teams, titled IECC-Commercial Significant Changes 2012-2021. Ms. Mazingo answered questions from the committee relating to DOE determination, trends in energy code enforcement, building department limited staffing levels and limited knowledge of the high-tech energy controls, and equipment sizing.

After the presentation and a break, the committee continued discussion relating to DOE determination, the building department challenges with resources and energy code enforcement, third party inspections, peer review, etc. No action was taken by the committee.

Adjourn

Ms. Cromwell made the motion to adjourn at 11:58 A.M. and Mr. Tyler seconded the motion. The motion passed unanimously.

Mr. Denk moved and Mr. Miller seconded to approve the recommendations of the committee.

CR-2 Certification Committee Report

Mr. Leach gave the committee's report included in the Board's Meeting packet at Tab CR-2:

The Certification Committee met in person on September 16th, 2021 at Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. Leach, Mr. McCafferty, Ms. Cromwell, Mr. Stanbery, Mr. Tyler, and Mr. Warner. Board Chairman Timothy Galvin was also present. The Committee makes the following recommendations, included in the September 17th, 2021 Board Packet at Tab CR2, for the Board's consideration, including approval of Division of Industrial Compliance Plumbing Inspectors for BBS Plumbing Plans Examiner certification.

Also present at the meeting were BBS Staff, Megan Foley and Regina Hanshaw.

Recommend the following applications be approved following a certification hearing effective immediately unless otherwise noted on the certification hearing agenda:

Certification ID	Name	Certification
8582	Carney, Matthew	Fire Alarm System Designer
8592	Clayton, Charles	Automatic Sprinkler System Designer
2397	Cook, Jeffrey	Building Official
2418	Dixon, Thomas	Fire Alarm System Designer
8586	Edwards, Carla	Fire Alarm System Designer
473	Ford, Charles	Fire Alarm System Designer
8594	Fuller, Rick	Residential Building Inspector
8539	Hoskins, Jimmy	Residential Building Official
2501	Jacobs, Dave	Electrical Plans Examiner
5944	Lenehan, James**	Building Official Building Plans Examiner Building Inspector
8575	Matthews, Paul	Mechanical Inspector
2567	Meeker, Roy	Electrical Plans Examiner Residential Building Official
1078	Neff, Roger	Building Inspector Trainee
5699	Petrick, Kristine	Building Official Building Inspector Nonresidential Industrial Unit Inspector
8591	Pickard, William	Plumbing Inspector Mechanical Inspector
6171	Pikus, Lenore	Residential Building Official
8593	Roenker, Matthew	Automatic Sprinkler System Designer
8617	Schickler, Hilary	Residential Building Inspector
8590	Stanich, Brian	Plumbing Inspector
8589	VanBuskirk, Eric	Fire Alarm System Designer
	Volle, Jonathan	Electrical Safety Inspector Trainee Residential Building Inspector Trainee
6376	Wakefield, Alexandria	Residential Building Official

*Electrical Safety Inspectors must complete examinations prior to issuance of interim certification

** Denotes approval conditioned on receipt of forms or fees.

Building Department Certifications, Manufactured Homes Inspection Agency/Inspectors
Woodville, Village of - new commercial department
In contract with Sandusky County for enforcement
Exceptions: Med Gas

Jeffrey Hayes - Manufactured Homes Inspector

Preapplication review of his experience.

Committee Recommendation: Based on provided information, applicant does not appear to meet the requirements for certification as a manufactured home inspector

Personnel Certification Applications

Recommend the following applications be denied, additional information be requested, or other action as noted:

Faciana, Dave - BO, RBO

Cert ID: 4688

Current Certifications: BI, ESI Trainee

Committee Recommendation: Application tabled for resolution of Yearly Operational Report matter.

George, Brian - BI, RBI

Cert ID:

Current Certifications: none

Committee Recommendations: Request additional information on structural experience, work subject to inspection under Ohio or model code.

Duelley, Daniel - BI
Cert ID: 8573
Current Certifications: RBI
Committee Recommendation: Request additional information on specific commercial/nonresidential structural experience, work subject to inspection under Ohio or model code.

Walter, David - BI
Cert ID: 6320
Current Certifications: PI, PPE
Committee Recommendation: Request additional information on specific structural work experience subject to inspection

Plumbing Plans Examiner Certifications to be issued administratively, effective September 30, 2021

DIC ID	Cert	First Name	MI	Last Name	BBSCert ID
K02007		Jay	S	Abner	
K00481		Steve		Atkins	45
K00727		Aaron		Beery	
K00551		Edward	C	Bissler	
K02074		Russell		Cromwell	
K00884		Darrin	R	Dawson	
K02011		Dwayne	C	Dean	
K00616		Edward		Ebling	
K00918		Jerry		Frederick	
K00975		Steve		Fryman	
K02054		Michael	W	Gaus	4998
K00917		Keith		Geiger	
K02015		John		Getce	
K00002		Tim		Heather	
K00456		Steven	F	Hunter	
K02041		Walter	G	Keigley, Jr.	
K00473		David	A	McGlothen	968
K02029		Michael	D	Miller	1010
K00004		Sean		Moore	1034
K00892		Dennis	K	Oliver	2105
K00964		Kevin		Ploutz	
K00751		John		Shanley	2196
K00634		Kelly	R	Shepherd	
K00674		Daniel	C	Shields	1349
K00571		Tom		Spayth	2852
K00980		Aaron	P	Streng	5182
K2018		Patrick		Timlin	5900
K00977		Robert	M	Westcott, III	2866

Mr. Leach moved and Mr. McCafferty seconded to approve the recommendations of the committee.

Chairman Galvin called for the ayes and nays.

CR-3 Education Committee Report

Mr. McCafferty gave the committee’s report included in the Board’s Meeting packet at Tab CR-3:

The Education Committee met in person on September 16th, 2021 at Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. McCafferty, Mr. Stanbery,

Ms. Cromwell, Mr. Tyler, and Mr. Warner. Chairman Galvin was also present. The committee makes the following recommendations, included in the September 17th, 2021 Board Packet at Tab CR3, for the Board's consideration.

Also present at the meeting were BBS Staff members, Megan Foley.

Course Applications Approvals, Denials, and Conditions as Noted.

Fire Door Systems for Vertical Opening Separations (McKeon Door - OBOA/ODPCA Conference)

All Certifications (2 hours)

Committee Recommendation: Recommend approval.

Fire Door Systems for Elevator Lobbies (McKeon Door - OBOA/ODPCA Conference)

All Certifications (2 hours)

Committee Recommendation: Recommend approval

2018 IBC Fire and Life Safety Principles (International Code Council)

All certifications except ESI (4 hours)

Committee Recommendation: Recommend approval

2018 IBC Significant Changes (International Code Council)

All certifications except ESI (6 hours)

Committee Recommendation: Recommend approval

2018 IPC, IMC, IFGC Significant Changes (International Code Council)

All certifications except ESI (6 hours)

Committee Recommendation: Recommend approval.

Grounding and Bonding Electrical Services (Ohio Certificate Renewal)

ESI, BO, MPE, BPE, EPE, BI, FPI, NRIUI, RBO, RPE, RBI, RIUI (4 hours)

ESIAC Recommendation: Recommend approval.

Committee Recommendation: Recommend approval with 2020 NEC caveats.

NEC Round Table (Greater Cincinnati Electrical Association)

ESI, BO, EPE, RBO, RPE (4 hours)

ESIAC Recommendation: Recommend approval.

Committee Recommendation: Recommend approval with 2020 NEC caveats.

Sill Plate Anchorage Solutions for Wood-Frame Construction (Simpson Strong-Tie - OBOA-ODPCA Conference)

BI, MPE, MI, RBO, RPE, RBI (1 hour)

Committee Recommendation: Recommend approval

Understanding the UL Fire Resistance Online Directories (National Gypsum - OBOA-ODPCA Conference)

BO, MPE, BPE, BI, FPI, MI, PI, NRIUI, RBO, RPE, RBI, EMI, RIUI (2 hours)

Committee Recommendation: Recommend approval.

Voltage Drop Prevention (Ohio Certificate Renewal)

ESI, BO, MPE, BPE, EPE, BI, FPI, NRIUI, RBO, RPE, RBI, RIUI (4 hours)

ESIAC Recommendation: Recommend approval.

Committee Recommendation: Recommend approval with 2020 NEC caveats.

Ventilation Best Practices (Owens Corning)

All certifications except ESI (1 hour)

Committee Recommendation: Tabled for technical review

Mr. McCafferty moved and Ms. Cromwell seconded to approve the recommendations of the committee.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

**RATIFICATION OF BOARD RECOGNIZED ACCREDITATION BODIES,
CONFORMITY ASSESSMENT BODIES & INDUSTRY TRADE ASSOCIATION
CERTIFICATION PROGRAMS**

AB-1 Center for Building Innovations – Testing Labs

Mr. Rob Johnson presented the application for Center of Building Innovations to be recognized as a testing laboratory.

In accordance with the Board initiative to update its list of Conformity Assessment Bodies under rules 4101:1.1-01 and 4101:7.7-01 and after having submitted the required documents, Mr. Denk moved and Mr. Samuelson seconded that the Board ratify item: 113: Center for Building Innovations - Madison, WI

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

BUILDING DEPARTMENT SUPPORT AND OVERSIGHT

No items for consideration.

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS

OB-1 Proposed Adoption 2020 NEC – Stakeholder Comments

Ms. Ohler updated informed the Board that we did not receive any additional stakeholder comments in response to notification of proposed update of the 2020 in the Ohio Building, Plumbing & Codes and that Staff was going to continue to move through next stages of rule adoption consistent with the Board’s prior action.

NEW BUSINESS

There were no items for consideration.

**COMPENSATE BOARD MEMBERS FOR WORK PERFORMED AT THEIR
REGULAR RATE**

Ms. Hanshaw reported that board members had performed committee and board work for the amount of hours, including board meetings, as follows:

Mr. Barney	8	Mr. Miller	8
Ms. Cromwell	16	Mr. Pavlis	8
Mr. Denk	8	Mr. Samuelson	8
Mr. Galvin	24	Mr. Stanbery	16
Mr. Johnson	0	Mr. Tyler	16
Mr. Leach	16	Mr. Warner	16
Mr. McCafferty	16	Mr. Yankie	8
Mr. McIlroy	0		

Mr. McCafferty moved and Mr. Warner seconded to compensate board members for the work performed at their regular rate.

Chairman Galvin called for the ayes and nays.

Motion carried unanimously.

FUTURE MEETINGS

October 22, 2021
November 19, 2021
December 17, 2021

ADJOURNMENT

Mr. McCafferty moved and Mr. Warner seconded to adjourn. The Board adjourned at 1:15 p.m.

Timothy Galvin, Chairman
Board of Building Standards

Regina Hanshaw, Executive Secretary
Board of Building Standards

File Attachments for Item:

CH-1 Certification Hearing

OCTOBER 22nd, 2021
CERTIFICATION HEARING AGENDA

Notice is hereby given that the Board of Building Standards will convene for a certification hearing in accordance with the rules of the Board at 1:00 PM, Friday, October 22nd, 2021 at the Board of Building Standards, Training Room 1, 6606 Tussing Road, Reynoldsburg, Ohio 43068.

The purpose of the hearing is to hear testimony from anyone wishing to speak to the proposed certification of building departments, local boards of building appeals, and building department personnel.

Also included in this hearing are candidates for Plumbing Plans Examiner, who currently hold their Plumbing Inspector certifications through the Division of Industrial Compliance. In accordance with Ohio HB 110, the certification programs are being unified under BBS certification authority, and all current certified DIC Plumbing Inspectors will be automatically transitioned into BBS certifications for Plumbing Plans Examiner upon request.

Certification ID	Name	Certification
8579	Blair, Tracy	Plumbing Inspector
8573	Duelley, Daniel	Building Inspector
8464	Fay, Garrett	Building Inspector
5544	Harmon, Shawn	Building Inspector
8687	Hickman, James	Electrical Safety Inspector*
8703	Hogan, John	Residential Building Inspector
5830	Lenahan, Daniel	Building Official
		Building Plans Examiner
		Plumbing Plans Examiner
		Building Inspector
8702	McClain, Amanda	Residential Building Inspector Trainee
8688	Saracino, Nathan	Residential Building Inspector
8705	Sebetto, Joseph	Residential Building Inspector
4972	Shaver, Eric	Building Official
8704	Siler, Joshua	Non Residential Industrialized Unit Inspector
		Residential Industrialized Unit Inspector
8691	Swain, Gary	Residential Building Inspector
8686	Barrett, Chad	Automatic Sprinkler System Designer
8685	Niespodzianski, Daniel	Fire Alarm System Designer
8689	Class, Dillion	Fire Alarm System Designer
8690	Evans, Andrew	Fire Alarm System Designer
8692	Woods, Justian	Fire Alarm System Designer

4688	Faciana, Dave **	Building Official
		Residential Building Official
8701	Laick, Matthew	Residential Building Inspector
6320	Walter, David	Building Inspector
	Burns, James**	Electrical Safety Inspector*
	Matthews, Ronald	Electrical Safety Inspector*

*Electrical Safety Inspectors must complete examinations prior to issuance of interim certification

** Denotes approval conditioned on receipt of forms or fees or other conditions.

**Plumbing Plans Examiner Certifications to be issued administratively,
effective September 30, 2021**

DIC Cert ID	First Name	MI	Last Name	BBS Cert ID
K00573	Philip	F	VanBenschoten	1534
K00633	Michael		Schlabach	8674
K00723	William		Adley	8600
K02003	Christopher	E	Price	8662
K00933	Ronald	K	Bartley	8604
K00700	Vernon	E	Buyer	8612
K00742	Robert	P	Lewis	8645
K02012	Timothy	J	Miller	6156
K0703	William		Fling	1863
K00694	Mark	A	Burnett	189
K02044	Jerome		Periandri	6345
K02037	Stephen	J	Pop	5856
K02075	Matthew		Allen	8602
K02050	Michael	D	Mast	5786
K02014	Michael	A	Sloane	8676
K00771	Michael	T	Gallagher	8599
K00776	Barry		Sweigart	2856
K02073	Mark	A	Kuhn	8644

File Attachments for Item:

CR-1 Code Committee Report



Board of Building Standards

CODE COMMITTEE RECOMMENDATIONS

The Code Committee met on October 21, 2021, with the following members present: Mr. Denk, Ms. Cromwell, Mr. Johnson, Mr. Miller, Mr. Pavlis, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, and Mr. Yankie. Board Chairman Galvin was also present.

The committee report is included in the October 22, 2021 Board Meeting Packet at tab CR-1 for the Board's consideration.

October 21, 2021 Code Committee Meeting

Call to Order

The meeting was called to order by Mr. Denk at 1:05 P.M.

Approval of Minutes

Mr. Samuelson made the motion to approve the minutes of the Code Committee meeting held on June 24th. Mr. Tyler seconded the motion. The motion passed unanimously.

Mr. Tyler made the motion to approve the minutes of the Code Committee meeting held on September 17th. Mr. Samuelson seconded the motion. The motion passed unanimously.

Petitions

No items for consideration

Recommendations of the Residential Construction Advisory Committee

No items for consideration

Old Business

New Business

- ASHRAE members and guest presenters, Ned Heminger of HAWA, Michael Myer of PNNL, and Len Sciarra of Farr Associates, provided a presentation to the committee, via MS Teams, titled Overview of Changes to ASHRAE 90.1-2019. The presenters answered questions from the committee relating to modelling, cost effectiveness, rebates/incentives, equipment efficiencies, code enforcement challenges, and energy policy. No action was taken by the committee.
- OBC Section 105 - Annual Approvals. The BBS Executive Secretary was contacted by Geoff Eaton, the Superintendent of DIC, who requested an amendment to OBC Section 105.1.5, allowing for structural and building alterations, in addition to building services equipment alterations, to be performed under the annual approval process provided that the building

owner has the related BBS-certified personnel on staff performing inspections and keeping records. Staff presented a proposed amendment for the committee's consideration and suggested that the remaining existing language could be improved to provide clarity. Mr. Tyler suggested that coordinating language should also be added to the inspection section 108. The committee agreed in concept with Mr. Eaton's request to expand the scope of the annual approvals to include structural and building alterations. However, Mr. Miller made a motion to table the item while staff drafts language to clarify the intent of the annual approval process. Mr. Samuelson seconded the motion to table. The motion passed unanimously.

- OBC Ch 2 - definition of "Registered Design Professional". The BBS Executive Secretary was contacted by Doug Boyer of the Ohio Chapter of the American Society of Landscape Architects (ASLA). The ASLA membership is requesting amendments to OBC Section 106.2.1 and the definition of "Registered Design Professional" to clearly permit landscape architects to seal construction documents. Staff explained that the definition is used throughout the code, not just in Section 106.2.1, and that the definition already includes a reference to Revised Code 4703.36 which is specifically for landscape architects. Staff presented a proposed amendment to add the words "landscape architect" in the definition for clarification. Mr. Tyler suggested that this is an education issue, not a code issue. Mr. Pavlis moved to table the item and invite Mr. Boyer to attend the next meeting and explain what they are running into and why the need to change the code and definition when it already references the landscape architect statute. Ms. Cromwell seconded the motion. The motion to table passed unanimously.
- Ms. Cromwell mentioned that she was a speaker at the Structural Engineers of Ohio (SEO) conference. The members asked "What is the interpretation of "minor storage facilities" as used in OBC Table 1604.5? Staff suggested that the building official would make that interpretation. Additionally, someone indicated that the RCO Figure 301.2 (wind maps) are based upon old ASCE 7 maps, even though the code references a newer edition of ASCE 7. Staff found no ICC errata and will review code change proposals and get back with Ms. Cromwell. No action was taken.
- Mr. Pavlis asked about a gas utility requiring the gas lines to be painted yellow, even though that requirement is not in our code. Staff and Mr. Miller explained that some gas utility companies maintain authority throughout the building, even on the house side of the point of delivery. The owner agrees to the utility company policies when they sign the service agreement. If you want the gas, you will paint the pipe.

Adjourn

Mr. Johnson made the motion to adjourn at 3:25 P.M. and Mr. Miller seconded the motion. The motion passed unanimously.

File Attachments for Item:

CR-2 Certification Committee Report



Board of Building Standards

CERTIFICATION COMMITTEE MEETING REPORT

The Certification Committee met in person on October 22nd, 2021 at Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. Leach, Mr. McCafferty, Ms. Cromwell, Mr. Samuelson, Mr. Stanbery, Mr. Tyler, and Mr. Warner. Board Chairman Timothy Galvin was also present. The Committee makes the following recommendations, included in the October 22nd, 2021 Board Packet at Tab CR-2, for the Board's consideration, **including** approval of Division of Industrial Compliance Plumbing Inspectors for BBS Plumbing Plans Examiner certification.

Also present at the meeting were BBS Staff, Regina Hanshaw, Rob Johnson, and Megan Foley, and guest, William Toole.

Recommend the following applications be approved following a certification hearing effective immediately unless otherwise noted on the certification hearing agenda:

Certification ID	Name	Certification
8579	Blair, Tracy	Plumbing Inspector
8573	Duelley, Daniel	Building Inspector
8464	Fay, Garrett	Building Inspector
5544	Harmon, Shawn	Building Inspector
8687	Hickman, James	Electrical Safety Inspector*
8703	Hogan, John	Residential Building Inspector
5830	Lenahan, Daniel	Building Official
		Building Plans Examiner
		Plumbing Plans Examiner
		Building Inspector
8702	McClain, Amanda	Residential Building Inspector Trainee
8688	Saracino, Nathan	Residential Building Inspector
8705	Sebetto, Joseph	Residential Building Inspector
4972	Shaver, Eric	Building Official
8704	Siler, Joshua	Non Residential Industrialized Unit Inspector
		Residential Industrialized Unit Inspector
8691	Swain, Gary	Residential Building Inspector
8686	Barrett, Chad	Automatic Sprinkler System Designer
8685	Niespodzianski, Daniel	Fire Alarm System Designer
8689	Class, Dillion	Fire Alarm System Designer
8690	Evans, Andrew	Fire Alarm System Designer
8692	Woods, Justian	Fire Alarm System Designer

Timothy Galvin, Chairman

Ohio Board of Building Standards
6606 Tussing Road
Reynoldsburg, OH 43068-9009

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4688	Faciana, Dave **	Building Official
		Residential Building Official
8701	Laick, Matthew	Residential Building Inspector
6320	Walter, David	Building Inspector
	Burns, James**	Electrical Safety Inspector*
	Matthews, Ronald	Electrical Safety Inspector*

*Electrical Safety Inspectors must complete examinations prior to issuance of interim certification

** Denotes approval conditioned on receipt of forms or fees or other conditions.

Building Department Certifications, Manufactured Homes Inspection Agency/Inspectors

None this month

Personnel Certification Applications

Recommend the following applications be denied, additional information be requested, or other action as noted:

Faciana, Dave - BO, RBO

Cert ID: 4688

Current Certifications: BI, ESI Trainee

Committee Recommendation: Recommend approval with probation, three hour ethics education, no further interims. Board staff to review department procedures.

Holbert, Harry Jr- BI, RBO

Certification ID# 4776

Current Certifications: None (Prev. held BI, RBO interim in 2014)

Committee Recommendations: Request that applicant full current application packets and fees for both certifications.

Kudela, Jeremy RBI

Certification ID# 8684

Current Certifications: None

Committee Recommendations: Request additional information on experience or Trainee program.

Julian, John - RBI

Cert ID:

Current Certifications: None

Committee Recommendation: Request additional information on experience, or Trainee program

Timothy Galvin, Chairman

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Perno, Dan - ESI

Cert ID: 6362

Current Certifications: BI, PI, PPE, RBO, RBI

ESIAC: Not received in time for ESIAC review.

Committee Recommendation: Recommend referral to ESIAC for review prior to Board action.

Old Business

Barnes Investigation Report: Committee reviewed investigation report

New Business

Master Plans Examiner Certification: Bill Toole attended committee meeting to discuss changes to requirement for Master Plans Examiner Certification.

Plumbing Plans Examiner Certifications to be issued administratively, effective September 30, 2021

DIC Cert ID	First Name	MI	Last Name	BBS Cert ID
K00573	Philip	F	VanBenschoten	1534
K00633	Michael		Schlabach	8674
K00723	William		Adley	8600
K02003	Christopher	E	Price	8662
K00933	Ronald	K	Bartley	8604
K00700	Vernon	E	Buyer	8612
K00742	Robert	P	Lewis	8645
K02012	Timothy	J	Miller	6156
K0703	William		Fling	1863
K00694	Mark	A	Burnett	189
K02044	Jerome		Periandri	6345
K02037	Stephen	J	Pop	5856
K02075	Matthew		Allen	8602
K02050	Michael	D	Mast	5786
K02014	Michael	A	Sloane	8676
K00771	Michael	T	Gallagher	8599
K00776	Barry		Sweigart	2856
K02073	Mark	A	Kuhn	8644

Timothy Galvin, Chairman

Ohio Board of Building Standards
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File Attachments for Item:

CR-3 Education Committee Report



Board of Building Standards

EDUCATION COMMITTEE MEETING REPORT

The Education Committee met in person on October 22nd, 2021 at Training Room 3, 6606 Tussing Road at 10:00 AM, with the following members present: Mr. McCafferty, Mr. Stanbery, Ms. Cromwell, Mr. Samuelson, Mr. Tyler, and Mr. Warner. Chairman Galvin was also present. The committee makes the following recommendations, included in the October 22nd, 2021 Board Packet at Tab CR-3, for the Board's consideration.

Also present at the meeting were BBS Staff members, Megan Foley.

Course Applications Approvals, Denials, and Conditions as Noted.

2018 IRC Update with Ohio Amendments (International Code Council - OBOA Joint Conference)
BO, BPE, BI, RBO, RPE, RBI, RMI, RIUI (3 hours)
Committee Recommendation: Recommend approval, include MPE.

BlazeMaster Fire Protection Systems (Lubrizol)
BO, BI, FPPE (3 hours)
Committee Recommendation: Recommend approval, include MPE, FPI.

NEC 2017 of Ohio (HalfMoon Education)
All certifications except PI, PPE, NRIUI, and RIUI
ESIAC Recommendation: Recommend approval
Committee Recommendation: Recommend approval.

Ventilation Best Practices (Owens Corning - OBOA Joint Conference)
All certification except ESI (1 hour)
Committee Recommendation: Recommend approval.

2018 IBC Significant Changes Part A (International Code Council - OBOA Joint Conference)
All certifications except ESI (3 hours)
Committee Recommendation: Recommend approval.

2018 IBC Significant Changes Part B (International Code Council - OBOA Joint Conference)
All certifications except ESI (3 hours)
Committee Recommendation: Recommend approval.

2018 IPC Significant Changes (International Code Council - OBOA Conference)
All certifications except ESI (3 hours)
Committee Recommendation: Recommend approval.

2018 IMC and IFGC Significant Changes (International Code Council - OBOA Joint Conference)
All certifications except ESI (3 hour)
Committee Recommendation: Recommend approval.

File Attachments for Item:

RE-1 Audit Summary Report - Robert Kurtz/City of Vermilion

October 22, 2021

Audit Summary Report – Robert Kurtz

In response to the Board's action on August 20, 2021, the Board requested staff to complete an audit of the City of Vermilion's operations for the purpose of verifying if Mr. Kurtz had performed any electrical safety inspections for the City as he did with Vermilion Township. Board staff contacted Bridget Triana, Administrative Building Clerk with the City of Vermilion and requested inspection records of all electrical safety inspections and the names of all persons having performed them.

Records indicated that Mr. Kurtz did not perform electrical safety inspections which corroborated his testimony that as the building official for the City, he caused all electrical safety inspections to be performed by the certified ESI's as required by the Board's rules. Board staff further verified through the review of the Vermilion Yearly Operational reports, that ESI's John Deitrich and Garth Grob are both employed with the City of Vermilion to perform those duties and responsibilities.

Board staff recommend no further action related to the audit requirement of the Board.

File Attachments for Item:

RE-2 October 2021 Building Department Visit Update

Building Department Support and Oversight

October 2021 Department Visit Status Report

Board Staff conduct building department visits to engage building officials in discussion regarding the administration of their departments and to obtain feedback for the Board.

Specifically, Board Staff inquire on the status of plan review and inspection turnaround times, protocols, policies and processes of the department, software systems used, current and projected activity, department funding and fees, reported activity to the Board, relationships with fire departments, administration and elected officials, the issuance of plan approvals, adjudication orders, certificates of occupancy, and appeals.

The following Building departments were visited since the last Board update:

West Jefferson
Maple Heights
Willoughby
Huron
Eastlake
Upper Arlington
South Euclid
Muskingum County
Golf Manor
Fairborn
Fayette County
Walton Hills
Montgomery County
Canal Fulton
Wycliffe
Springfield
Ross County
Middletown
Bay Village
Addyston
Grove City

Staff observed that building departments have trended to implement and upgrade software/computer systems to adapt to a greater online presence and continue to increase digital plan review of electronically submitted submissions. (A Virtual Office.)

Building officials indicate that workflow is stabilizing and, in some locations, slowing in both commercial and Residential sectors. Most departments are back to full time onsite inspections. Some video inspections are done for minor work in residential projects only.

Recent comments include positive feed about education access, inquiries of code updates, and “missing video conference Appeals hearings”. (They appreciated not having to travel and use most of a day to attend onsite appeals hearings.) Other comments included praise for Staff response times and thorough information. Others expressed appreciation for the recent consolidation of BBS and DIC plumbing certifications Board.

File Attachments for Item:

RE-3 Investigation #21-02 Patrick Barnes



Ohio Board of Building Standards

Patrick Barnes **Investigation**

Staff Report

Number: 21-02

Personnel Involved: Patrick Barnes Electrical Safety Inspector, Residential Building Official

Allegation: Violations of Duties and Responsibilities

Date Investigation Ordered: August 24, 2021

Date of Report: October 15, 2021

Board of Building Standards Duties / Report Organization and Purpose

Revised Code § 3781.10(E) directs the Board of Building Standards to certify municipal, township, and county building departments and their personnel to enforce the administrative rules promulgated by the Board. As licensees of the Board, building departments and individuals certified by the Board are subject of review, investigation, and discipline by the Board for failure of proper enforcement of the Board's rules. Persons affected by the actions of Board-certified individuals and departments may file a complaint with the Board. Upon receipt of a complaint, Board Staff conducts an initial inquiry into the allegations and determines if there is enough basis to warrant further investigation. The complaint related to this report provided the basis for the Board to order staff to investigate.

This report provides a synopsis of the complaint, background, investigation findings, observations, applicable code requirements, as well as a conclusion and recommendation. This report provides adequate information to assist the Board in determining what actions, if any, it may take regarding evidence related to specific violations of the Board's rules. It does not address the rights or obligations of parties to any previous or pending enforcement action by a building department in the enforcement of the Board's rules. Parties should consult with their legal counsel regarding these matters.

Allegation / Complaint Summary

On August 11, 2021, a complaint [Exhibit 1] was received from Nicole Vassil indicating that electrical safety inspector Patrick Barnes with the Lake County residential building department failed to perform his duties as an electrical safety inspector, potentially exposing the homeowners to a serious hazard. Ms. Vassil stated that the Vassals were experiencing electrical shock sensations while exiting their recently constructed swimming pool, patio, and decks at their residence, located at 30901 Kourtney Court, Willoughby Hills, Ohio, and that Mr. Barnes did not address these concerns properly through inspection. Instead, Mr. Barnes allowed the electrical contractor to certify that the project was installed correctly requiring no further verification or abatement of the hazard.

Background

Mr. and Mrs. Vassil had contracted with a local contractor to install an above ground swimming pool including decks and patios. The work was subcontracted with other contractors. The project was submitted to the Lake County Building department for approvals by the pool contractor, Absolute Pools. Lake County approved the application and submitted documents in June 2020. H&M Landscaping was contracted for the installation of the electrical work and gas lines for the water heater /filter system. No permits were requested by H& M or issued to them for the electrical and gas work. Work commenced in 2020 and was completed in 2021. The homeowners noticed electrical safety issues in July 2021, and they contacted H&M Landscaping to investigate the concern. H&M provided their own opinion initially as why the electric sensations were occurring and then agreed to send an electrician to the site to assess the conditions. Tri County Electric visited the site and told the owner to no longer use the pool until a bonding deficiency was addressed. Tri-County indicated to the Vassil's that the pool was not properly bonded and grounded.

Shortly thereafter, the Vassil's contacted the Lake County Building Department and spoke with building/electrical inspector, Jeff Cook, who informed the Vassil's that the gas and electric permits were not applied for and that the other approvals for the pool, patios, and decks were submitted and approved, but the contractor had never picked up the permits or secured any inspections for the construction of the project despite the department notifying them that

the permit and plans were ready. Mr. Cook communicated that they would need to resubmit the project since the original permits expired. He then explained the processes and inspections needed to ensure the project complied with the approved documents and how it would be safe to use.

The following week after these events and conversations occurred, Mr. Cook was away on leave from the office. During his absence, an inspection was called by the contractor, and Patrick Barnes was assigned to perform an electrical inspection for ‘bonding’ of the pool. At the time of Mr. Barnes’ inspection, the systems to be inspected were not exposed or visible for inspection.

After that visit, the contractor contacted the owner to inform them that the electrical inspection performed by electrical safety inspector Patrick Barnes passed the inspection and that there were no issues. [Exhibit 2] It was stated by the contractor H&M Landscaping that ‘a narrative’ produced by Tri-County Electric was sent to Mr. Barnes for review, and that he “Approved” the narrative. [Exhibit 3] Lake County Building department provided three inspection reports that showed the status of the process that occurred between 7/21/21 to 8/3/21.

Investigation Findings & Observations

Records provided by Lake County show that the previous inspection entry prior to Mr. Barnes’s inspection was conducted by Jeff Cook who initially responded to the Vassil’s requests to verify their concerns of electrical grounding issues. The inspection records of Mr. Cook did not note the presence of a possible hazardous condition. If, following the identification of potential serious hazard, the building official should have issued an order - notifying the owner to not use (vacate) the pool and thus ordering the owner to abate the condition immediately. The inspection record simply noted “not to use the pool”. [Exhibit 4]

Also, Lake County Building Official Dave Strichko provided information that the applicant (contractor) had submitted documents for approvals and that the department had approved the project, but the contractor failed to secure the ready approvals and required documentation for all inspections required to be performed by the department. This was discovered about one year after the initial application, review and approval of the design construction documents, and after the built project was primarily completed.

Board staff interviewed Mr. Barnes on October 1, 2021, to discuss the circumstances of his involvement in the project. There was also discussion about his duties and responsibilities as an electrical safety inspector, and other certifications he has received from the Board. From the interview with Mr. Barnes, the following events were identified. [Refer to Exhibit 4]

1. Mr. Barnes indicated Tri-County Electrical had requested the inspection.
2. Mr. Barnes provided he was assigned to inspect the bonding of the swimming pool and the proper grounding of the decks and pool equipment. All work was completed on the project and no visual access was provided or made to determine non-compliance. (All systems were covered up.)
3. Mr. Barnes performed the inspection on 7/28/21. The only entry noted was that the bonding was “not in compliance” but did not state as to what the “not in compliance” was compared to.
4. Mr. Barnes indicated that he gave the owner several options to move forward:
 - a. Remove materials to expose the bonding and grounding systems for inspection.
 - b. To not contact H&M Landscaping since Ms. Vassil indicated she did not wish to work with them.
 - c. Get a verification letter of compliance from the electrical contractor to establish that the system is safe.

- d. If wanting to overturn his (Mr. Barnes) decision, to go to his supervisor, David Strichko, Building official.

Mr. Barnes decided to contact Tri-County Electric to discuss with them about writing a certification letter to state the project was safe and in compliance with the requirements of the National Electric Code, since he believed Ms. Vassil chose the option to not want to communicate with the contractor or work with them. In the interview with Board Staff, Mr. Barnes stated that “If I do not make the decision, then who will?” and added that he proceeded to tell Tri-County Electric that “If I feel comfortable with what you did, then I will approve the letter.” Tri-County did provide the letter [Exhibit 5], and Mr. Barnes approved it, as stated in the inspection entry dated 7/28/21. [Exhibit 4] He also provided he believed that Tri-County Electric Owner Rick Loconti, who is also a building official, would not jeopardize his own reputation “just over a bonding issue” if he didn’t believe the pool was safe. (Board Staff learned that Rick Loconti who is a building official, no longer owns Tri-County Electric. He sold the company to his son also named Rick Loconti.)

Mr. Barnes also provided that his rationale behind the approval was based on his perceived authority as a residential building official (RBO) for Lake County. This was consistent with his initial response letter sent to the Board after he received the notification of investigation authorized by the Board. This letter was dated August 30, 2021 [Exhibit 6] in which he justified his position based on Chapter 1 of the Ohio Building Code. Mr. Barnes provided that since he is certified by the Board as an RBO, and the County has recognized him by compensation for having the certification, he therefore believed he could perform those duties and responsibilities for the County even though his responsibility as assigned that day on the Vassil project was to inspect bonding and grounding of a system that was an electrocution hazard. Board Staff explained that there is a difference between holding an RBO certification versus being *the* certified residential building official of the department, which in this case, is David Strichko.

The subsequent inspection record after the Barnes inspection was completed by Mr. Cook, where he communicated the invalidation of the ‘certification letter’ submitted by Tri-county electric and the approval of that letter given by Mr. Barnes.

Last, the Board has received communication from Mr. Strichko that Lake County is also addressing these matters that are before the Board and are working with the Vassils and their contractors to ensure that all approvals have been reissued, inspections are being conducted, and the work is being verified to comply. The contractor chose to expose the work as well as correct all code violations that were built due to the absence of the contractor not following through in securing the approved documents and approvals initially. They are also correcting the absence of footings for the decks, insufficient coverage of the grounding loop and bond band in and around the pool, and the proper grounding of pool equipment. Lake County anticipates the project to be completed and in compliance.

Code Requirements

4101:7-3-01 § (F) (7) (c) Residential and non-residential building department personnel certification.

(c) Grounds for revocation or suspension. The board shall revoke or suspend an individual’s certification if the board concludes that the individual has committed one or more of the following:

- (iii) Gross negligence, incompetence, misconduct in performance of duties, or engaging in conduct that is considered a conflict of interest;

(v) Violation of the duties described in section 104 of rule 4101:1-1-01 of the Administrative Code for non-residential certifications and section 104 of rule 4101:8-1-01 of the Administrative Code for residential certifications.

(d) Revocation or suspension. In the event of suspension or revocation of a certification, the individual shall no longer hold out to the public or any jurisdiction that the individual is certified to exercise enforcement authority or holds the board certification which has been suspended or certification revoked. During a suspension, the certificate holder shall comply with the training, reporting, auditing, or other remedial action required by the board. In addition to such other authority the board may have, the board is authorized to revoke the individual's certification for failure to comply with such remedial requirements.

(e) Probationary status. In the event of an investigation in which the board decides not to immediately suspend or revoke an individual's certification, the board may place the individual on probationary status for a period of time and require remedial action as the board deems appropriate. During this time the certificate holder shall comply with the training, reporting, auditing, or other remedial action required by the board. In addition to such other authority the board may have, the board is authorized to revoke or suspend the certificate holder's certification for failure to comply with such remedial requirements.

4101:8-1-01 § 104.2.1 Residential building official. The residential building official is responsible for the enforcement of the rules of the board and of Chapters 3781. and 3791. of the Revised Code relating to the construction, arrangement, and the erection of residential buildings or parts thereof and may perform duties outlined in this section and in sections 104.2.2.1 and 104.2.3.1 below. All residential building officials shall conduct themselves in a professional, courteous, impartial, responsive, and cooperative manner. Residential building officials shall be responsible to assure that a system is in place to track and audit all projects, to assure that all residential building department personnel perform their duties in accordance with this section, and for the overall administration of a residential building department as follows:

104.2.1.3 Inspections. If the plans for the erection, construction, repair, alteration, relocating, or equipment of a building are subject to inspection by the residential building official, under section 108, the residential building official shall make such inspections as the building official is authorized to make or shall cause to be made such inspections, investigations, and determinations as are necessary to determine whether or not the work which has been performed and the installations which have been made are in conformity with the approved construction documents. The residential building official shall identify any special conditions that would affect the timing of inspections and schedule inspections times mutually agreed upon by the building official and the owner.

4101:8-1-01 § 104.2.3.3 Electrical safety inspector. An electrical safety inspector is responsible to determine electrical systems compliance with approved construction documents in accordance with section 108. An electrical safety inspector trainee is designated to determine electrical systems compliance with approved construction documents, in accordance with section 108, under the direct supervision of an individual holding an electrical safety inspector certification.

4101:8-1-01 § 108.6 Inspections, observation of violations, unsafe conditions, or serious hazards. When an individual certified to make inspections from the residential department having jurisdiction finds that any work in connection with the location, erection, construction, repair, alteration, moving, or equipment of a residential building is contrary to the approved residential construction documents for the same, the residential building inspector shall proceed as required in either section 108.6.1 or 108.7.

(emphasis added)

Conclusion

Staff determined that Mr. Barnes did not follow established enforcement procedure as the Electrical Safety Inspector called to inspect the bonding of the Vassil pool by allowing a certification letter to take the place of the required inspection to confirm compliance with approved construction documents. This resulted in approval of a potential serious hazard. Additionally, Mr. Barnes misused his perceived authority as a Residential Building Official. Even if Mr. Barnes was the RBO for Lake County responsible for the overall administration of the department -which he is not – an RBO does not, nor does any other certified personnel have authority to accept a certification from a contractor in lieu of a required inspection and code compliance.

Recommendations

Board Staff recommends closure of the investigation and recommends a disciplinary action against Mr. Barnes' Electrical Safety Inspector certification. Further, Board Staff recommends Mr. Barnes' Residential Building Official certification be placed on probation for a period of 12 months. As a condition of the probation, Mr. Barnes shall be required to complete 3 hours each of continuing education in Chapter 1 and Building Official training through the Ohio Building Code Academy in addition to the required 30 hours of continuing education to renew his Residential Building Official certification. Mr. Barnes shall submit certificates of completion of these courses prior to the end of the probationary period.

A draft of this report was provided to Mr. Barnes and Ms. Vassil on October 15, 2021 for review and comment. Comments received are attached as Appendix A.

Hanshaw, Regina

From: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>
Sent: Monday, October 18, 2021 8:07 AM
To: Johnson, Robert
Cc: Hanshaw, Regina
Subject: Additional Concerns/Questions Investigation

Subject: Additional Concerns/Questions Investigation

Good Morning Rob,

This matter has been referred to my CWA Union representatives Bill Vidmar and Phil Naples for an internal investigation, I was hoping that these additional questions and concerns would still be a part of this investigation, I would be grateful for this further consideration;

-) 1.) Why has Dave Strichko never given any response to my internal emails regarding this inspection?**
-) 2.) Why has Dave Strichko never verbally given an order, directive, or response concerning this inspection as my direct supervisor?**
-) 3.) After announcing at an August 16th meeting with Jason Boyd, Joel Dimare, Bill Vidmar, Dave Strichko and myself, that this inspection had become a current problem (2 weeks after the fact) for him, then allowing me the opportunity to give a full explanation of the events that unfolded that day, and the rationale behind my decision to everyone at the meeting, why did Dave Strichko not respond then?**
-) 4.) After the august 16th meeting if he was currently faced with my decision, why did Dave Strichko not go back to the home owner Nicki Vassil, and make an attempt to overturn my verbal decision to resolve the issue by his own authority?**
-) What are the "Ethics Charges" filed against me? No clarification of wrong doing has been afforded me. Why is Dave Strichko not making any attempt to prove my innocence to this complaint?**
-) 5.) Why did Dave Strichko not notify the Board and Nicky Vassil that the Public record reflects; "Not in Compliance" Waiting for verification letter that Pool Bonding was installed and compliant to the National Electrical Code, for review?**

- 1.) **Why did Dave Strichko feel it necessary to notify the Ohio Board of Building Standards the following comments found within the complaint by Nicky Vassil and the Ohio Board of Building Standards;**

Concerning the comment within the complaint re; “Human Resource involvement”... What bearing does that comment have on the “Ethics Complaint” filed against me by Nicky Vassil and the Ohio Board of Building Standards? No internal complaint has ever been filed against me. A False and misleading statement.

Concerning the comment within the complaint re; “Addressing Mr. Barnes’ Actions”...That comment/statement immediately paints a bad light on anyone’s character. What actions? I had a very cordial conversation with Nicky Vassil, no tempers flared, no cross words came between us. Professionalism was maintained. Defamation of my character.

Why was the Board notified and given the suggestion that I was a disciplinary problem outside of the scope of this complaint by David Strichko? No complaint or disciplinary actions has ever been forwarded against me.

It is my hope, that these questions being true and to the best of my knowledge, will take precedence in this investigation to discover an ulterior motive and uncover the real truth, and my innocence.

Respectfully submitted,

~ Patrick Barnes ~

Patrick Barnes
Building/Electrical Inspector
Phone: 440-350-2636 ext. 109

Fax: 440-350-2660
Lake County Building Department



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Hanshaw, Regina

From: Vassil, Nicky <pavelen@ccf.org>
Sent: Monday, October 18, 2021 8:16 AM
To: Johnson, Robert
Cc: Hanshaw, Regina; Vassil, M.D. Andrew
Subject: RE: Investigation Report

Mr. Johnson,

Thank you for forwarding this. I do want to clear up one very big misconception that I see in this drafted report. I, Nicole Vassil, never spoke with Mr. Barnes until after he approved the "bonding". My husband and I were out of town when this inspection by Patrick Barnes took place. In the section pertaining to Mr. Barnes' interview on October 1st, item number 4 is not correct. Mr. Barnes had already approved a letter of compliance from Tri-County before we ever had an initial discussion. It was during that initial discussion with Mr. Barnes that he then gave me the options of, 1) Hiring another company to verify the safety, 2) Asking Tri-County to do a continuity test (I asked if this was something Mr. Barnes could do and he said no, that responsibility would be mine). Mr. Barnes was also extremely defensive in my first and only conversation with him which is what really led me to believe something was amiss. During our one and only conversation which occurred after approval was already done, he indicated that he would testify on my behalf if there was an incident (just stating for the record, very high on my priority list in life is not to have to go before a court because someone was electrocuted at my house), listed his credentials, started he would never risk his 30+ year career on something that wasn't safe, etc. I feel most people would have absolutely instilled their faith in Mr. Barnes – however, when someone is so defensive in what was supposed to be a cordially discussion regarding the inspection on my property – it immediately throws up a red flag. Patrick Barnes NEVER gave me the name of David Strichko, he never asked if we wanted to remove the materials to expose the bonding and grounding systems for inspection and he never asked if I wanted to get a letter of compliance from Tri-County to establish the system was safe. Mr. Barnes gave me none of those options – again, he stated I could hire another electrician to confirm or ask Tri- County to perform a continuity test - both options being at the expense of myself and my husband.

Mr. Barnes is either outright lying or his memory has severely failed him regarding this matter. You can look through any call logs on my phones and you will see there was never any communication with Mr. Barnes and I until after he already approved the bonding. I was given no choice in the matter and I want to make that very clear. We only ever spoke one time and it was in that call that I asked how he could have inspected the bonding.

Thank you,

I would appreciate if you would send an amended draft – I do not know if this changes the outcome of this investigation. If you want to discuss further please don't hesitate to contact me on my cell – 440-487-5794.

Nicole Vassil

From: robert.johnson@com.state.oh.us [mailto:robert.johnson@com.state.oh.us]
Sent: Friday, October 15, 2021 3:26 PM
To: Vassil, Nicky <pavelen@ccf.org>
Cc: Regina.Hanshaw@com.state.oh.us
Subject: [EXT] Investigation Report

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Dear Ms. Vassil,

The attached report is for your review and comment. Please review the attached report. If you have any comments, please forward them to the attention of Regina Hanshaw, Ohio Board of Building Standards Executive Secretary. Any comments received by Wednesday October 20, 2021 will be incorporated as an addendum with the report, and will be reviewed by the Ohio Board of Building Standards for their consideration at the Certification Committee meeting and the Board Conference meeting.

Thank you.



Robert Johnson
Assistant Construction Codes Administrator
The Ohio Board of Building Standards
BBS@com.state.oh.us

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From: Vassil, Nicky <pavelen@ccf.org>
Sent: Friday, August 27, 2021 1:35 PM
To: Hanshaw, Regina; Johnson, Robert
Cc: Vassil, M.D. Andrew; Strichko, David; npavelecky@yahoo.com
Subject: I would like to file a formal complaint against Patrick Barnes, an inspector in Lake County, Ohio.
Attachments: 30901 Kourtney Court Permit #201149.pdf; [EXT] Re: Follow up; [EXT] FW: Inspection Approval; FW: Inspection Approval; SKM_C55821073011240.pdf; FW: Narrative; [EXT] Inspections

I am notifying you that I would like to file a formal complaint against Patrick Barnes, an inspector for Lake County, Ohio.

The following is a summary of issues pertinent to our city and county regarding our construction project at 30901 Kourtney Ct., Willoughby Hills, Ohio:

After we (Andrew and Nicole Vassil) obtained our permit, an above ground pool was installed via Absolute Pools through Litehouse Pools and Spas in Wickliffe (permit attached); they do no electric or gas work.

Prior to our pool installation, we finalized a contract with H&M Landscaping on 6/18/20 for installation of electric and gas lines to run the pump and heater. At the same time we also contracted H&M for the construction of a deck to surround the pool and the insert of an adjacent patio. Without our knowledge, H&M never obtained permits for electric or gas line installation, but proceeded with construction and we were told it was safe to swim. After a year had gone by, and the project was not complete, on 7/8/21, we requested that they cease work so we may re-assess the situation.

On 7/10/21, we were experiencing consistent electric shocks on the deck. We contacted the owner of H&M Landscaping immediately and he told us he thought the issue was a natural occurrence with composite decking related to the correct humidity and temperature levels but wanted to send out an electrician right away to confirm. We declined to have someone come out that day because it was the weekend and we were frustrated with H&M and Mark Mazzurco. We locked up the pool right then and he said he would have someone come on Monday, July 12th to assess the situation. On 7/12/21, Tri-County Electric came to our property and we were sent an email from Steve Fuller (H&M) that Tri-County Electric told us not to swim in the pool as they need a certain part and would be back the next day to fix it; we asked them to take pictures and documentation of what was wrong at this time and what was done to fix it (it is not clear if they actually took any pictures, at least none were shared with us). They came on 7/13/21 and they informed us that the pool was never bonded and grounded - this is something standardly completed as soon as electric is run. We have recorded phone calls from Tri-County Electric on 7/13/21 where they admitted that the pool was never bonded and grounded, and that the employee present when the electric was run and pool installed was no longer working for them. Tri-County stated this should never have happened and there is no excuse and all they could offer was an apology. After we communicated with Tri-County and they said all was fixed we were still not comfortable swimming in our pool.

At the advice of our attorney, we contacted the county to file a complaint against H&M Landscaping and their owner Mark Mazzurco on approximately 7/15/21. We spoke to Jeff Cook and it is at this time that Jeff let us know that no gas line permit was ever applied for, and the other permits that were applied for were never actually pulled. Jeff came out to our property within a couple of days and from my impression was shocked to see our project was so far along with no permits or inspections having been done. It was at this point that we learned that the inspection process should be on-going during construction, not after. Jeff advised us to lock our pool until building plans were re-submitted (since they had expired by this time), permits were reapplied for and pulled, and that the county could come out and figure out how to do some of these inspections that were missed along the way. Jeff took us very seriously and advised us not to use the pool and we appreciated his advice; he informed us that he would be out of town the following week, 7/26/21-7/30/21 (as were we), and we locked the pool and did not use it.

Our contractor, Mark Mazzurco, told us on 7/30/21 via email that the electrical inspection passed (see attached email [EXT] Re: Follow Up). Nicky then called Jeff Cook to verify this on 8/02/21 after we returned from vacation and believed Jeff to be back in the office as well. Jeff told us he could not understand how the inspection could have been performed so quickly as lines are buried and he was out of the office. He stated there was no chance someone from the county inspected it in its current st

and it was possible that Mark had his own person inspect but that essentially meant nothing. We then asked our contractor "who did the inspection?" and he let us know Patrick Barnes. Mark Mazzurco then forwarded an email from Patrick Barnes and Tri-County essentially stating that approval was obtained (see attached, FW: Inspection Approval). In this email, they described a "narrative", but it was not attached when Mark Mazzurco forwarded it to us.

We reached out to Patrick Barnes regarding the inspection and how he approved our project on that same day 8/02/21 (see FW: Inspection Approval) . We were told the project passed electrical inspection (see attached email "FW: Inspection Approval",) not based on an on-site visit, but based on reading the narrative provided by Tri-County Electric (see attached SKM... pdf"). He told us that he would not risk his 30 year career and approve the bonding that he was called out to inspect because it was all covered up for over a year. However he was adamant that he could approve the project based on the narrative from Tri-County Electric. He was defensive and stated he would testify for us if there was a problem, and with this signed "narrative" from Tri-County we could sue them and hold them liable if anything happened since we had it on their company letter head. He also stated that he was trying to save us issues by not having them dig lines up for inspection. Patrick also said he was only there to inspect the bonding, however on the "narrative" from Tri-County they listed all the work they said they did and he wrote "Approved". It was also very apparent to the naked eye that the heater was still not bonded. It is therefore unclear if it was/is him just approving the bonding as he said that was all he was scheduled to look at or was he approving all of the work Tri-County said they did. We immediately didn't feel comfortable and reached out to Jeff Cook after speaking to Patrick (see FW: Narrative).

Note, Tri-County Electric also failed to properly label the circuit breakers – this would have made it challenging to shut power quickly if an electrocution had occurred. They stated that they properly re-labeled the circuit board on 7/13/21; I would think this should be inspected as well.

Jeff Cook immediately checked in the system and sent the following email (Inspections (find attached in that email 3 permit updates with his initial findings from his first visit to our property and sequentially something from Patrick and then a rebuttal on a permit from Jeff) and also informed us that review of a document from the electrician does not qualify as an inspection. He told us to continue not to swim until things have been properly inspected.

We now have a project with gas, electric and footers not having been inspected, but all lines are now buried and composite decking surface material has been put on. Our main focus at this point is to know that at least we are safe from electrocution when using our pool. We feel very fortunate that nothing happened to anyone at our house but the idea that Patrick Barnes thinks putting Tri-County on the line is not acceptable for inspection. There is no amount of money that could replace a catastrophic injury to someone we love and care about. It was unethical, unlawful and totally negligent of Patrick to approve the bonding based on the word of a company. Patrick also made other suggestions to me when I didn't seem satisfied that it was safe to swim- he told me I could call Tri-County and see if they could conduct a continuity test (at which point I suggested maybe that was something he could do and he told me that is not something that the county inspectors do), he also advised me I could hire another electrician to verify if it was safe- in essence doing the job he should have done.

We have also filed a formal complaint with the county against H&M landscaping and Mark Mazzurco. We are also letting you know we want to file a complaint against Patrick Barnes for negligence.

Please let us know how we can further assist you. We have documentation via text, email and recorded phone conversations that might be helpful.

Sincerely ,
Nicole Vassil

Nicole Vassil

Senior Medical Dosimetrist | Radiation Oncology
Cleveland Clinic | 9500 Euclid Ave. | Cleveland, OH 44195
216 444-3456 | pavelen@ccf.org

Please consider the environment before printing this e-mail

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ZONING PERMIT / CERTIFICATE APPLICATION

LOCATION	
Address	30901 Kourtney Ct. Willoughby Hills
Zoning	31A 005 G 000450

CONTACTS	
PROPERTY OWNER / UTILITY COMPANY	
Name	Andrew Vassil
Address	30901 Kourtney Ct
City/Zip	Willoughby Hills
Phone	216-513-8605
Email	Vassila@ccf.org
APPLICANT / CONTRACTOR (IF NOT OWNER)	
Name	Firm H & M Landscaping
Address	10389 Kinsman Rd
City/Zip	Newbury OH 44065
Phone	Cell 216-401-8101 Office 440-564-1157
Email	markmazzurco@hmlandscaping.com

PROJECT - Property map and/or sketch required with all applications. See page 2 for General Conditions.

MISCELLANEOUS - NO PC/ABR REQUIRED

Type	Fee / Bond	Provide location, quantity, area, and/or dimensions of project
A Apron	\$50	
B Bsmt Waterproof'g	\$50	
C Demolition	\$50	
D Drive Culvert	\$50	
E Excavat'n / Hauling	\$75 + Bond	
F Roofing	\$50	
G Siding	\$50	
H Street Opening	\$75 + Bond	
I Pool - Above Grnd	\$75	✓
J Window(s)	\$50	
Other		

PC/ABR OR MINOR ALTERATION APPROVAL REQUIRED

Type	Fee / Bond	Provide location, quantity, area, and/or dimension of project
K Principal Bldg/Add'n	Vary	
L Accessory (>200 sf)	\$75	
M Accessory (<200 sf)	\$75	
N Deck	\$75	✓
O Driveway / Parking	\$50	
P Fence / Wall	\$50	
Q Signs	\$50	
R Pool - Below Grnd	\$50	
S Protected Area	\$75	
T Zoning Certificate	\$50	
Other		

Notes:

see attached

RECEIVED

JUN 10 2020

BUILDING DEPARTMENT
Willoughby Hills City Hall

Valuation of Work: \$150,010

SIGNATURES

The applicant agrees to conform to all applicable local, state, and federal codes and requirements, and to coordinate required inspections. Failure to do so may result in fines, penalties, or registration revoked. Attach Homeowner's Acknowledgement if applicant is homeowner.

Applicant (Print Name)	Approved By (Print Name)	950 ^W	DE
Signature & Date	Signature & Date	Amt Rec'd	By
		730	201149
		Cash/Chk	Permit

Rev: 10/23/2019

APPROVED

By Kevin Trepal at 8:56 am, Jun 11, 2020

FIR 33376

Page 1 of 4

City of Willoughby Hills, Ohio
Department of Building and Zoning
Pietro DiFranco, PE, RBO - Zoning Administrator

Date: 6/17/2020
Receipt No.: 201149 A
Check No.: Visa
Tracking No.: 201149
Registration No.:

Cash Receipt No.:
Batch No.:

Payee: Nicole Vassil
Job Address: 30901 Kourtney Court, Willoughby Hills, OH

Account	Description	Amount
Building Department Fees		
110.000.44100	Sale of Documents	
110.000.45705	Bldg Dept Book Keeping Fees	
110.000.45720	Zoning Review / In-House	
110.000.45730	Inspection Fees	
110.000.45750	Impact - New House	
110.000.45810	PCABR / Misc	
110.000.45900	State Fee - Inspections/Review	
Total Building Department Fees		

Zoning Permit Fees		
110.000.45706	Apron	
110.000.45706	Basement Waterproofing	
110.000.45706	Demolition	
110.000.45706	Excavation & Hauling	
110.000.45706	Roofing	
110.000.45706	Siding	
110.000.45706	Street Opening Permits	
110.000.45706	Pool Permits - Above Ground	\$75.00
110.000.45706	Pool Permits - In-Ground	
110.000.45706	Windows & Doors	
110.000.45706	Deck	\$75.00
110.000.45706	Driveway/Parking	\$50.00
110.000.45706	Fence/Wall	
110.000.45706	Protected Area	
110.000.45706	Zoning Certificate	
110.000.45706	Drive Culvert	
110.000.45706	Storm Sewer	
110.000.45706	Accessory Structure (<200 SF)	
110.000.45706	Accessory Structure (>200 SF)	
110.000.45706	Principal Bldg / Addition	
110.000.45706	Signs	
110.000.45715	Sanitary Sewer	
Total Building Permits		\$200.00

Account	Description	Amount
Board of Zoning Appeals Fees		
110.000.45707	BZA Variance Fee	
110.000.45708	BZA Legal Fee	
110.000.45710	Bond Forfeitures	
Total Building Permits		

Home Occupation Permits		
110.000.45740	Home Occupation Permits	
110.000.45745	Home Occupation Permit Renewals	
Total Home Occupation Permits		

Contractor Registration Fees		
110.000.45760	Contractor Registration Fee	
110.000.45770	Contractor Registration Renewal Fee	
110.000.45780	Contractor Registration Appeal Fee	
Total Contractor Registration Fees		

Sanitary Sewer Permits & Fees		
610.000.45850	Tap-In Fees - Euclid \$300	
610.000.45851	Prepaid Tap In Fees	
610.000.45855	Euclid Creek Tap In - City \$3,000	
610.000.45856	Lateral Inspection Fees - City \$250	
610.000.45857	Lateral Inspection Fees - Overtime	
610.000.46100	Assessment - Euclid Sewer Conn.	
610.000.46100	Assessment - Chardon / Bishop	
610.000.46100	Assessment - Chardon / Lamplight	
610.000.46100	Assessment - Oakwood	
Total Sanitary Sewer Permits & Fees		

Deposits		
819.000.49500	BZA	
821.000.49500	Zoning Permit	\$750.00
823.000.45720	Engineering / Plan Review / ROW	
823.000.45725	PC/ABR	
823.000.45760	Road Opening Permits	
Total Building Deposits		\$750.00

Total Receipt	\$950.00
----------------------	-----------------

WILLOUGHBY HILL PLAN APPROVAL CHECKLIST

Address: 30901 Kourtney	PPN: 31-A-005-G-00-045-0
Owner: Andrew Vassil	Phone or Email: vassila@ccf.org
Contractor: H & M Landscaping	Phone or Email: markmazzarro@hmlandscaping.com
Project Description: Pool & Deck	

Req'd		Plan Approval	Approved By & Date
Y	N		
	X	City PCABR <i>For development plans listed in 1111.02</i>	
	X	City BZA <i>For appeals and variances per 1117</i>	
	X	Lake County Soil & Water Conservation District <i>SWP3 (Full) for soil disturbance one (1) acre or more & all commercial and industrial; SWP3 (Abbreviated) for soil disturbance between 0.1-1 ac. Per 1369.05</i>	
	X	Lake County Storm Water Management Dept. <i>For activities disturbing one (1) acre of land or more, and as otherwise required by the city engineer per 1367.05</i>	
	X	Lake County General Health District <i>For septic systems per 921, water wells and plumbing permits</i>	
	X	City Engineer <i>ROW per 905, Drainage per 909, Sanitary Sewers per 921, Grading per 1365, CSWM per 1367, E&SC per 1369, Protected Areas per 1167</i>	
	X	City Fire Department <i>For all zoning districts except single-family residential per 1507.13.02</i>	
X		City Zoning Approval <i>For minor alterations per 1111.05, Zoning Certificates per 1113.02, Protected Areas per 1167, & Flood Plain Develop. per 11169</i>	6/11/2020 (K. Trepal)
X		City Contractor Registration <i>All contractors performing work in the city shall be registered with the City Building Department per 1373, even if registration with the County is also required</i>	
X		Lake County Building Department <i>All Building, Plumbing, Electrical and HVAC permits required per OBC and RCO</i>	

- Notes: 1. One set of approval stamped plans shall be returned to the Willoughby Hills Building Department.
2. Other approvals may be applicable such as for drinking water, wetlands, etc...

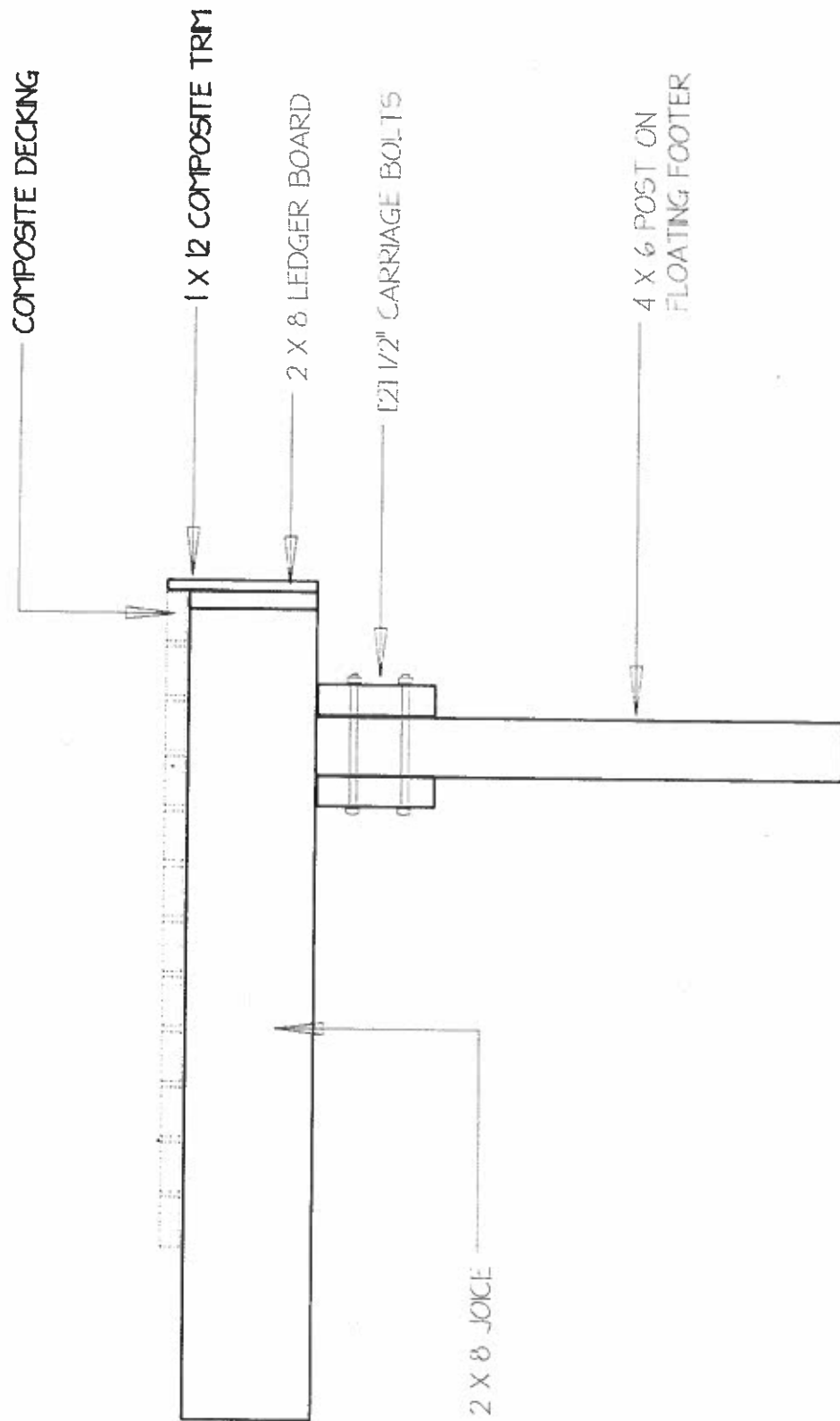
Willoughby Hills Zoning Permit Fees + Deposits

Project Location	30901 Kourtney	Date	6/11/2020
Project Owner	Andrew Vassil	PPN	31-A-005-G-00-045-0
Contractor Name	H & M Landscaping	Phone:	
Contractor Address		Email:	markmazzarro@hmlandscaping.com

	Qty	Unit Cost	Unit	Fee	Unit Cost	Deposit	Ref
Exterior Remodel							
Basement Waterproofing		\$50	/Ea	\$0	\$0	\$0	
Demolition		\$50	/Ea	\$0	\$500	\$0	
Pool - Above Ground	1	\$75	/Ea	\$75	\$250	\$250	
Roofing		\$50	/Ea	\$0	\$0	\$0	
Siding		\$50	/Ea	\$0	\$0	\$0	
Windows & Doors		\$50	/Ea	\$0	\$0	\$0	
ROW / City Engineer							
Apron		\$50	/Ea	\$0	\$0	\$0	909
Drive Culvert		\$50	/Ea	\$0	\$0	\$0	
Erosion & Sediment Control		\$0	/Ea		\$1,500	\$0	1369
* \$1,500 min. deposit							
Excavation / Hauling		\$75	/Ea	\$0	\$250	\$0	1365
Sanitary Sewer		\$30	/Ea	\$0	\$0	\$0	1331.01
San - Euclid Creek Trunk Tap-In		\$3,000	/Ea	\$0	N/A	N/A	921.001
San - City of Euclid Tap-In		\$300	/Ea	\$0	N/A	N/A	921.07
San - Inspection		\$250	/Ea	\$0	N/A	N/A	1331.02
San - Sayle Farm #3 Ass.		\$3,567.00	/Ac	\$0.00	N/A	N/A	921.08
San - Euclid Sewer Conn. Ass.		\$4,800.00	/Ac	\$0.00	N/A	N/A	921.04
San - Chardon/Bishop Ass.		\$38.73	/Ft	\$0.00	N/A	N/A	921.09
San - Chardon/Lamplight Ass.		\$7.34	/Ft	\$0.00	N/A	N/A	921.10
San - Chardon/Oakwood Ass.		\$21.44	/Ft	\$0.00	N/A	N/A	921.11
Storm Sewer		\$30	/Ea	\$0	\$0	\$0	1331.01
Street Opening		\$75	/Ea	\$0	\$2,000	\$0	
* \$2,000 min. deposit							
Minor Alteration / Zoning Admin							
Accessory Structure (< 200 sf)		\$75	/Ea	\$0	\$250	\$0	
Deck	1	\$75	/Ea	\$75	\$250	\$250	
Driveway / Parking / Patio	1	\$50	/Ea	\$50	\$250	\$250	1331.01
Fence / Wall		\$50	/Ea	\$0	\$0	\$0	
Zoning Certificate - New Bldgs & Change Use		\$50	/Ea	\$0	\$0	\$0	
PC/ABR Required							
Accessory Structure (> 200 sf)		\$75	/Ea	\$0	\$250	\$0	
New House Impact		\$500	/Ea	\$0	\$0	\$0	1331.02
Principal Building / Addition		\$50	/Ea	\$0	\$250	\$0	
Pool - Below Ground		\$50	/Ea	\$0	\$250	\$0	
Protected Area		\$50	/Ea	\$0	\$500	\$0	1167
Signs		\$50	/Ea	\$0	\$0	\$0	
Reviews							
BZA		\$100	/Ea	\$0	\$0	\$0	
PCABR		\$50	/Ea	\$0	\$0	\$0	
Plan Review - City Engineer		\$0	/Ea	\$0	\$1,530	\$0	1365
* House=\$1,530; Other=TBD							
Plat Review - City Engineer		\$0	/Ea	\$0	\$1,030	\$0	1365
* \$1,030 min. deposit							
Plan Review - Protected Area		\$0	/Ea	\$0	\$1,030	\$0	1167
* \$1,030 min. deposit							1169
Zoning Review - In-house		\$50	/Ea	\$0	\$0	\$0	
Subtotal				\$200		\$750	

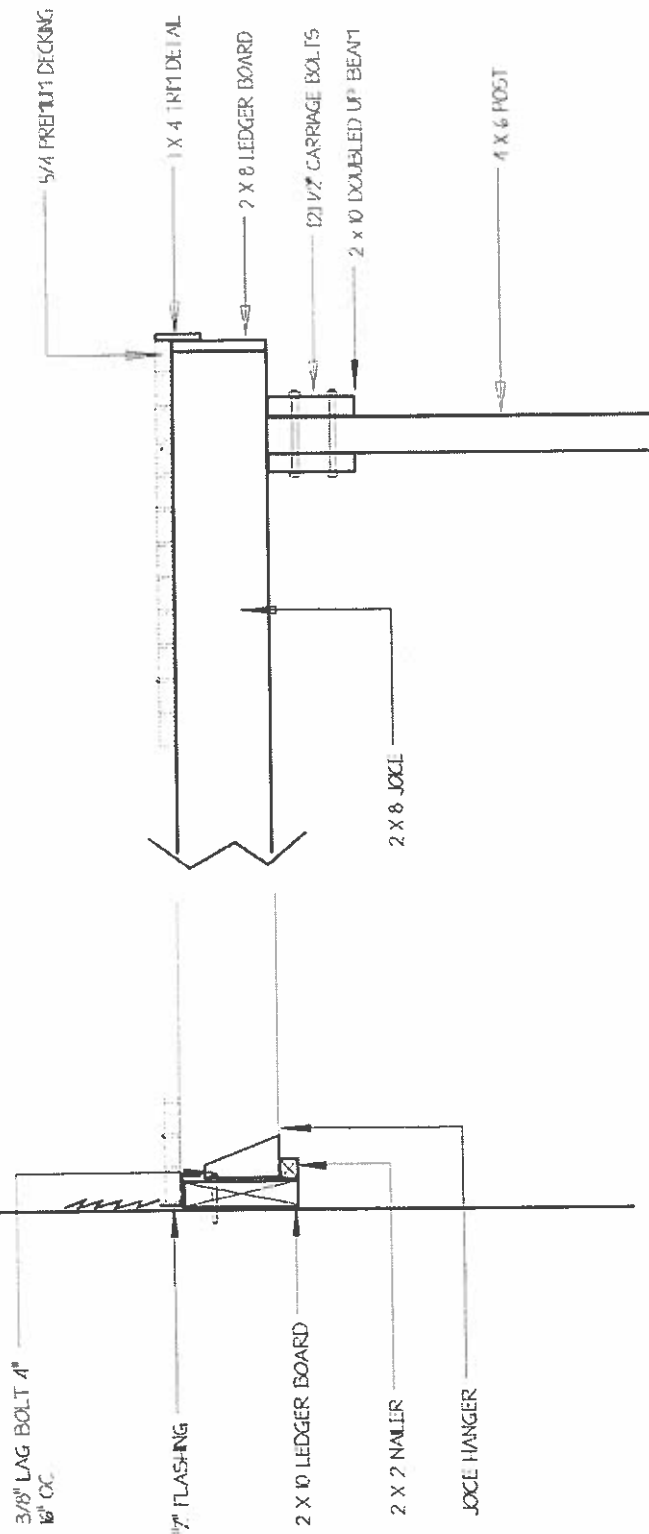
Notes

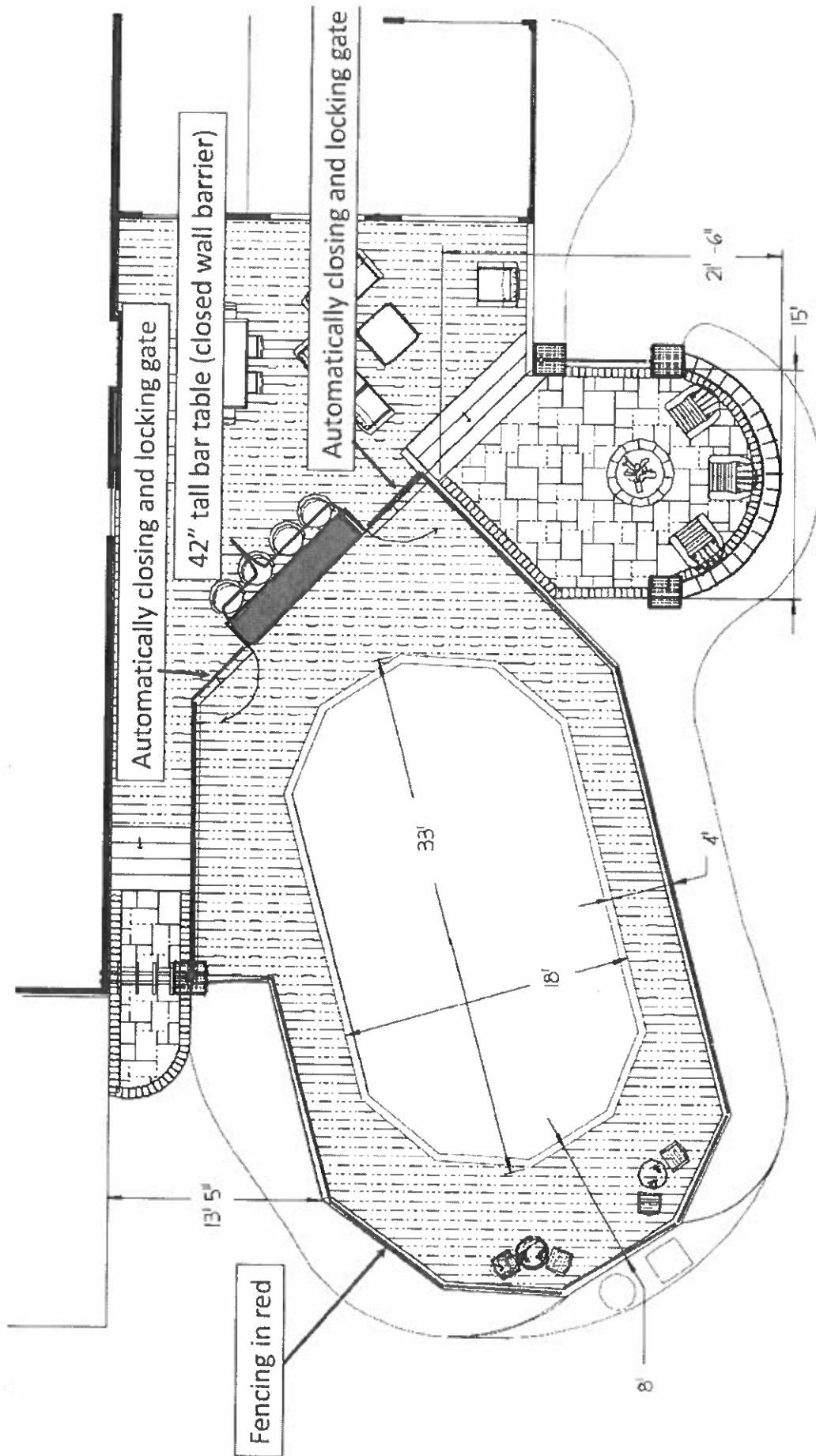
- 1 Deposit amounts are minimums for stand-alone projects, however may be increased for large projects, or lowered for projects with multiple components.
- 2 Depositor shall request a refund of unused amounts after a project is successfully complete & within 2 years of depositing funds, otherwise they may be considered forfeited per WHCO 1331.09



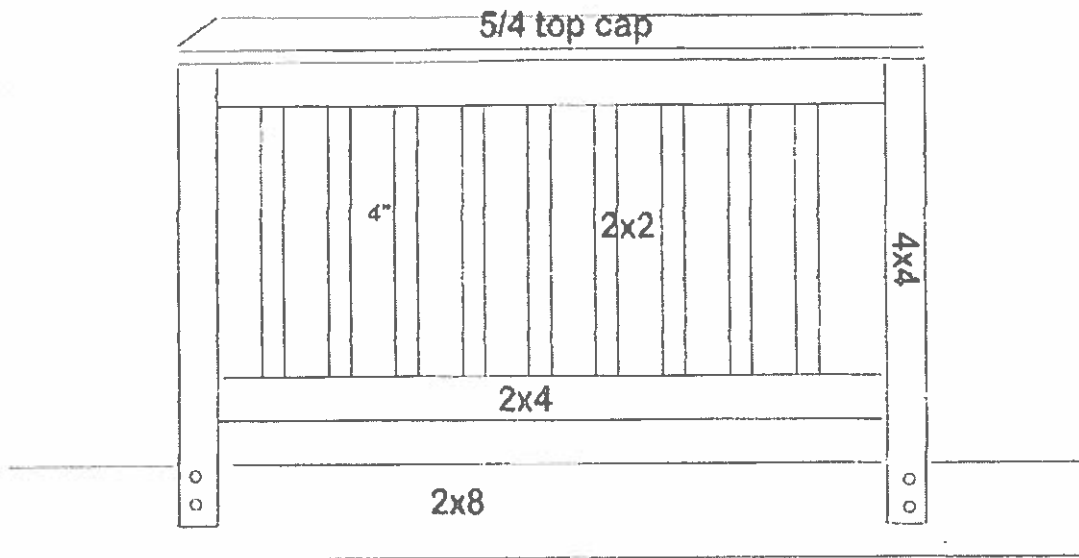
Deck Cross Section NTS

Ledger & Joice Detail

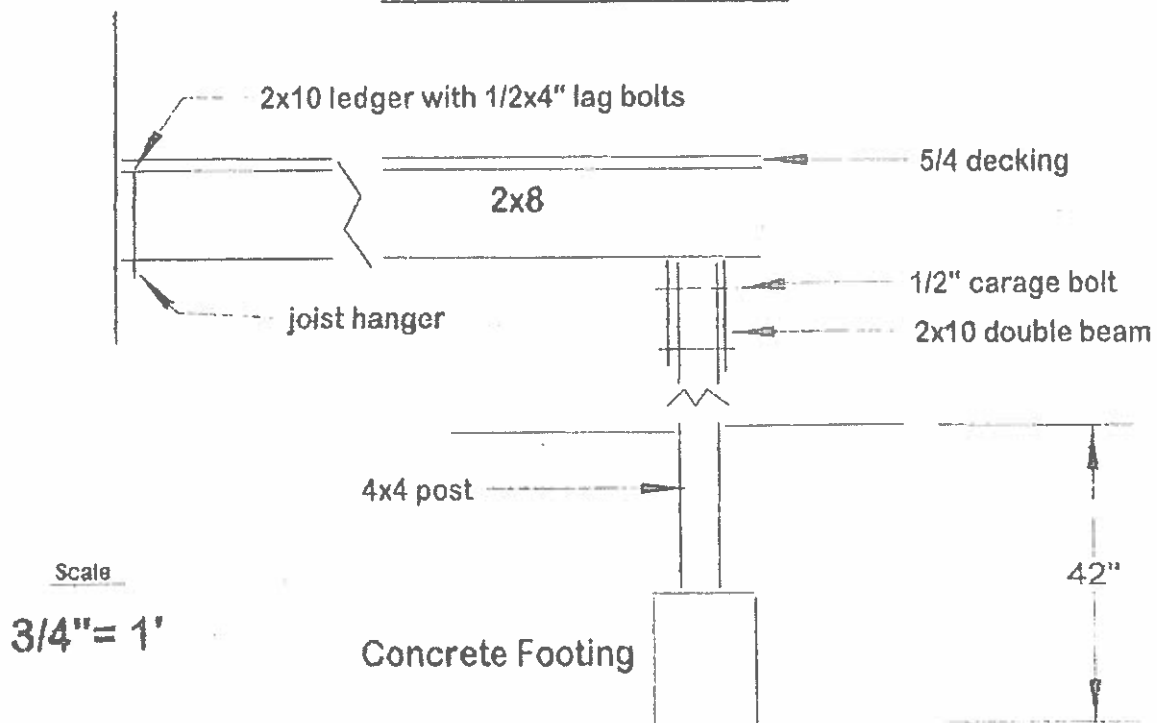


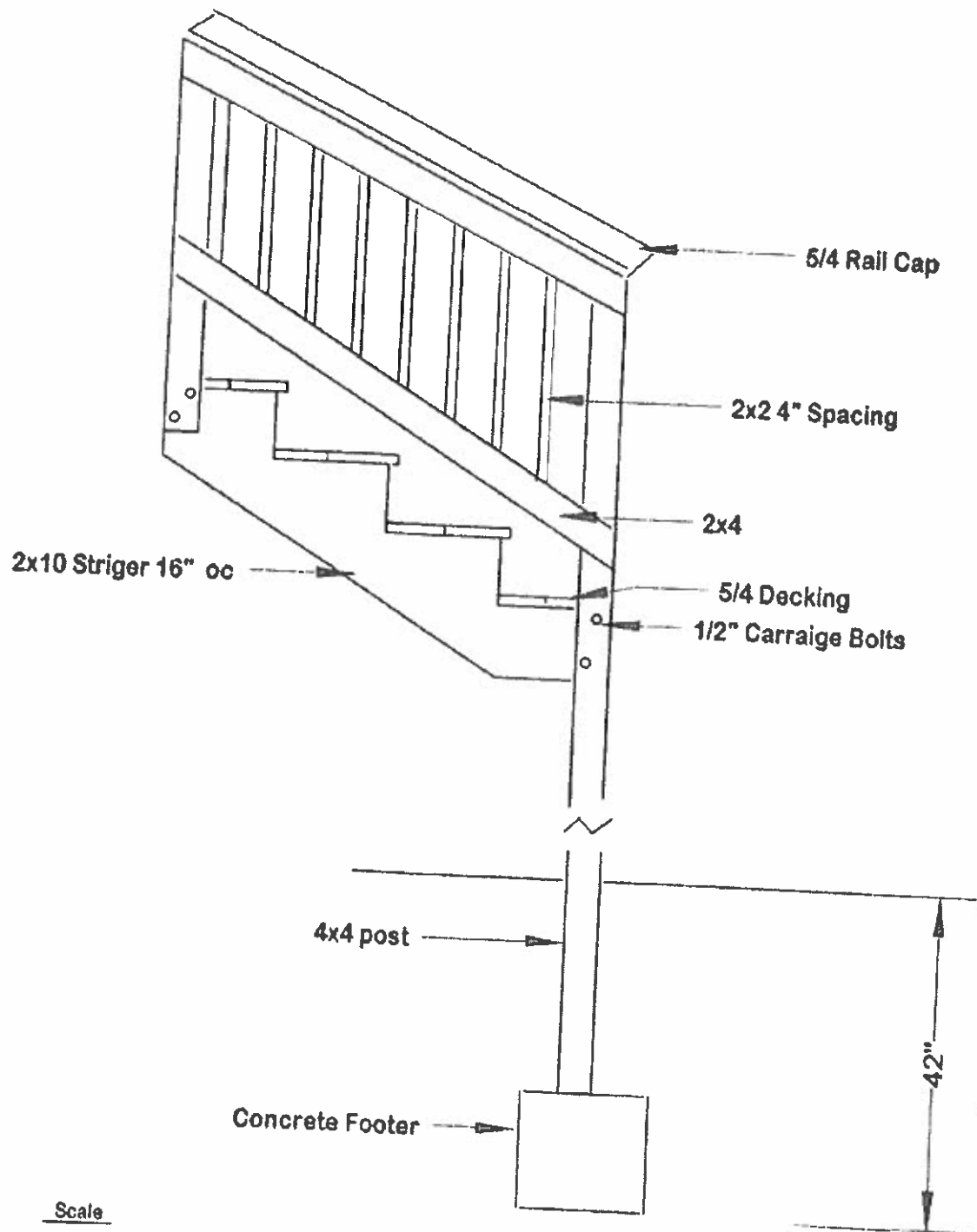


Railing Detail

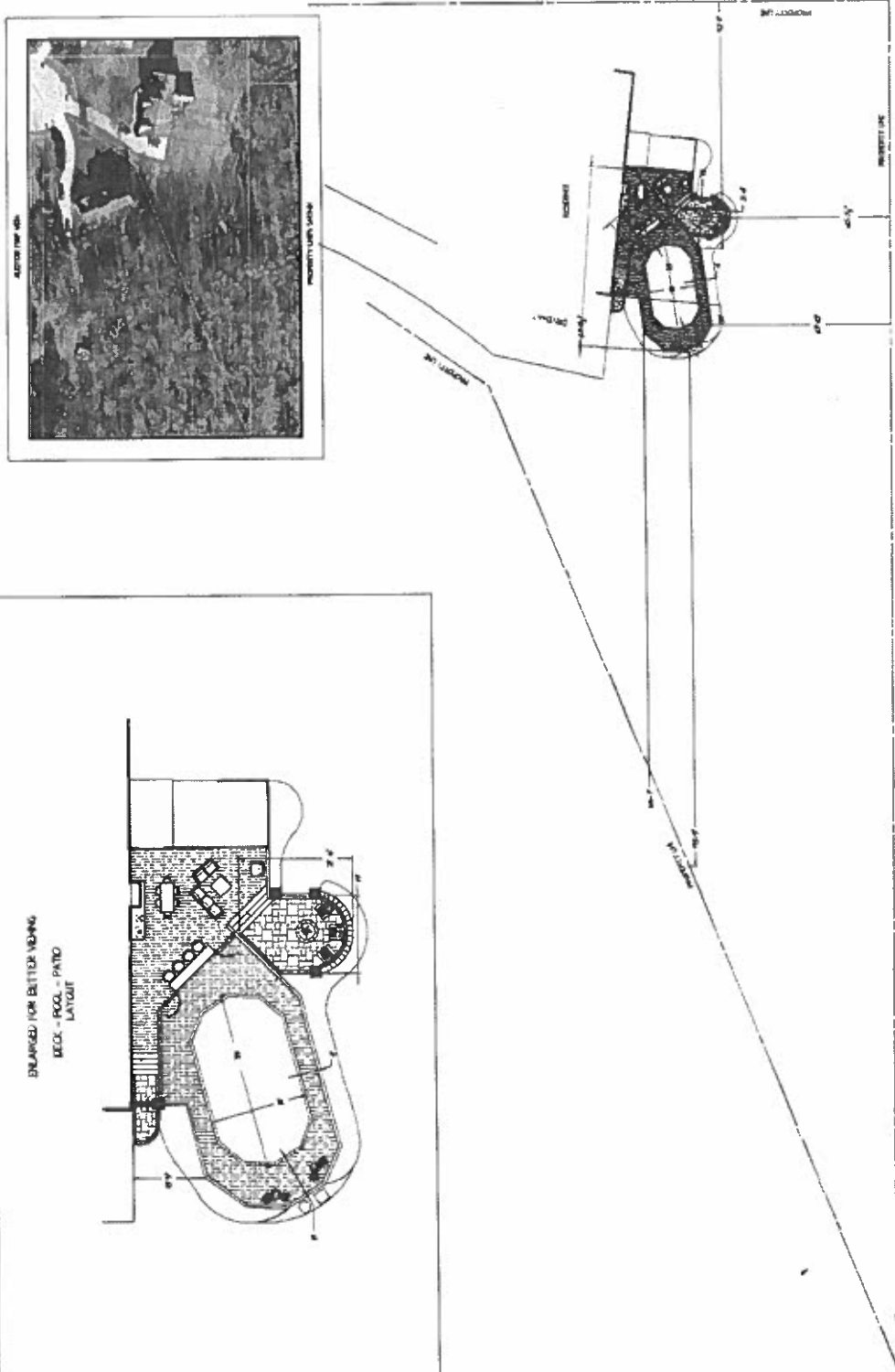


Framing Detail





Scale
3/4" = 1'



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LEGEND POOL PACKAGES

SOLD OUT

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OUR PRICE \$2,595.00 - \$5,395.00

PRODUCT ID WPP-LEG-334

Price as Selected \$5395.00

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SHIPS FROM VENDOR

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SHAPE AND SIZE

QUALITY X 33'

ROUND 33'

QUANTITY

1

▼ Description

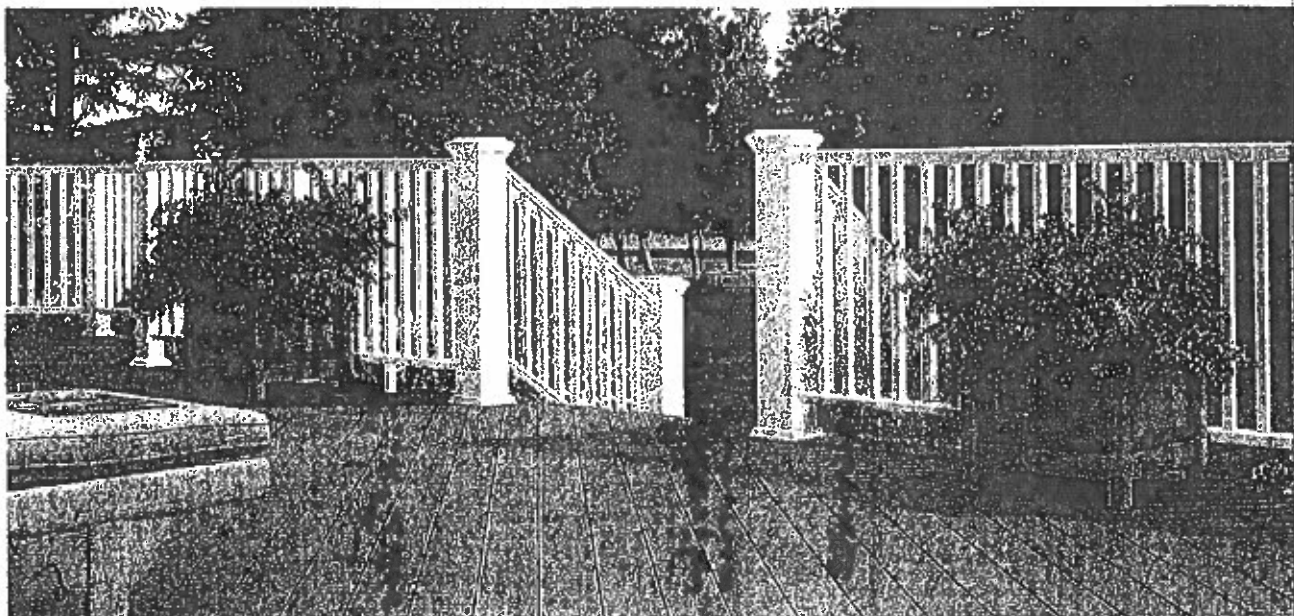
The Legend provides a superior look, top-notch design, and long last durability. A great addition to backyard this summer!

Litehouse Do-It-Yourself No Fault Guarantee is included

Thousands of additional Pool Packages available. Please contact your local Litehouse Store for Pricing, Financing & Payment Options.

▼ Details

- 10 Inch injected resin top ledge
- Ledge cover made from durable resin
- 8-inch fully supportive resin upright
- Computer designed wall joint ensures better resistance to water pressure
- Oversized bolts augment stability
- Heavy wall corrugation lets the wall resist both water pressure and external shocks
- Exclusive Rapid Flow Wall Guard™
- 54" Wall provides extra water depth
- 20 Mil virgin vinyl Boulder Swirl unibead liner
- Deluxe Maintenance Kit Includes:
 - Vacuum Set with Weighted Vac Head, Vac Pole and Boxed Hose
 - Skimmer Net
 - Test Strips
 - Thermometer



Read all instructions completely before starting any part of the installation. Each sub rail kit comes complete with all parts, hardware and installation guide to install one complete sub-rail kit. (EXCLUDING TOP RAIL, POSTS, SKIRTS AND CAPS) sub-rail kits have been pre-cut to 6' or 8' lengths. Check to ensure the kit is complete.

SAFETY: Always wear goggles when cutting, drilling, and fastening materials.

NOTE: Check local building code requirements prior to installation.

IMPORTANT NOTES:

- 5 1/2" Top Rail is sold separately and comes in 6', 8', 12', and 16' lengths. Use the Top Rail Connectors with all joints including Post, In-Line, 45° and 22.5° to ensure a proper fit between parts.
- For best results, we recommend the use of the Tallboy Surface Mount Brackets for the most secure and strongest method of attachment.
- **Post sleeves are designed to be installed within the height of the rail system they are being used with and are NOT designed for structural use.**

1

POST INSTALLATIONS

The 4x4 and 6x6 post sleeves have been designed to slide easily over the rust proof coated Tallboy. Follow the Surface Mount Bracket instructions for wood deck or concrete slab before installation of the Post Sleeves. Pressure treated wood 4x4 or 6x6 can also be used but is not recommended due to uncontrolled swelling, cracking and twisting of the wood. A minimum lumber size of 3 3/8" and a maximum of 3 9/16" is required for proper fit of sleeves. A tight fit is not recommended.

IMPORTANT: DETERMINING POST HEIGHT

4x4 CENTER POST:

For 36" railing height, the post sleeve must be cut to 34".
For 42" railing height, the post sleeve must be cut to 40".

6x6 MAIN POSTS:

For other than column full height 6x6 post installations, cut the main 6x6 Post Sleeve a minimum of 2" higher than the desired rail height or 38" for a 36" rail or 44" for a 42" rail.

NOTE: If wood posts are being used, small shims may be used if excessive gaps are present in the post sleeves.

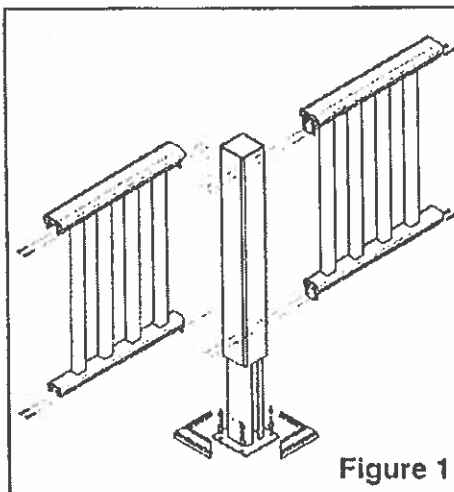


Figure 1



2

RAIL MEASURING AND CUTTING

Measure between post sleeves, top and bottom, to obtain the rail length. Also check rail opening to ensure the posts, newels or wall where the rail is to be mounted are plumb and square. To obtain proper baluster spacing, be sure to measure and cut retainer and bottom rail an equal distance from the center.

TIPS: See our website www.azek.com for:

- 1) Optional cut technique to equally divide rail kits, i.e., make 2 rail sections from one rail kits.
- 2) How to cut and position railing on the Post Sleeve at a 45° angle.

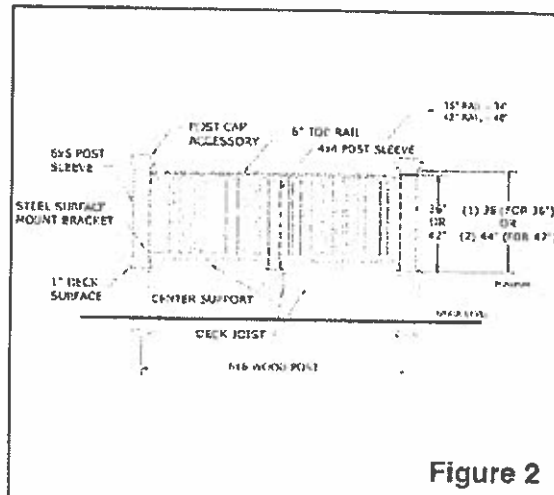
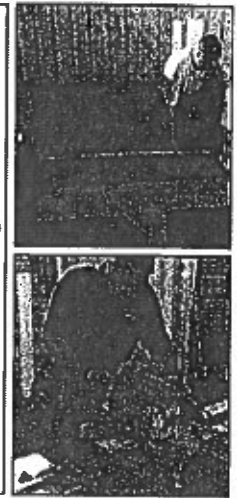


Figure 2



3

RETAINER AND BOTTOM RAIL BRACKET INSTALLATION

Place the U shaped end of the bracket on the under side of the bottom rail and retainer just slightly inside (1/16") the cut edge. Mark and drill pilot holes with a 3/16" drill bit. Drill holes to proper size using a 3/8" drill bit.

NOTE: When drilling the bottom rail, drill through the bottom wall only - do not drill through the top surface wall. Using the Allen Key supplied, screw the threaded insert into the 3/8" holes from the bottom until flush. Be careful not to over tighten/torque. Fasten brackets using the 1/4" x 20 pan head bolts to the underside of the retainer and bottom rail.

NOTE: The hidden fastener brackets will not work in the over the post application for the Reserve Rail system due to the placement of the brackets.

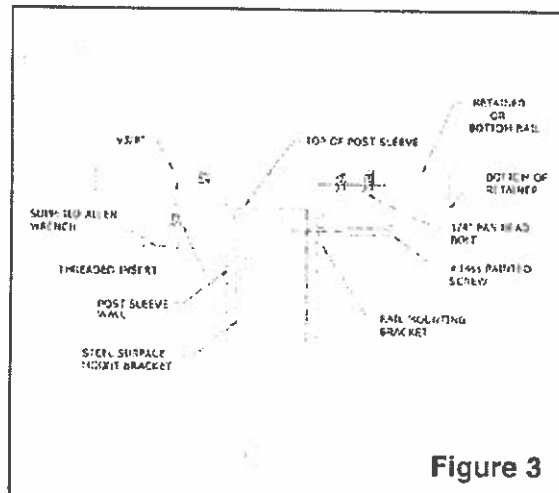


Figure 3



4

ASSEMBLE AND FASTEN

Align the ends of the baluster with the pre-drilled holes in the retainer (see fig. 4).

Using the #8 stainless steel wood screws, fasten the ends of the baluster to the retainer first, through the pre-drilled holes, then fasten the other ends of the balusters to the bottom rail (be careful not to overtighten/torque the screws.)

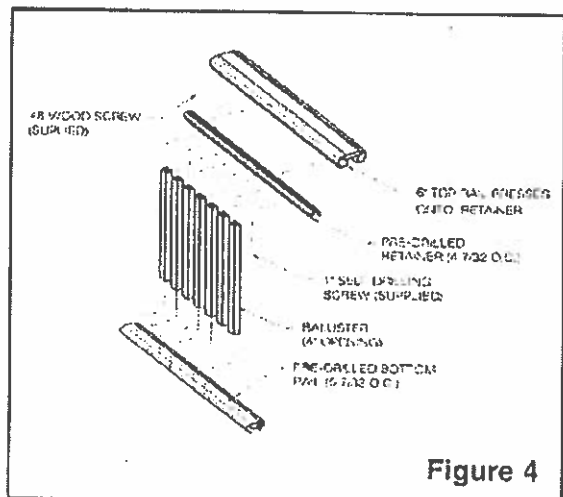
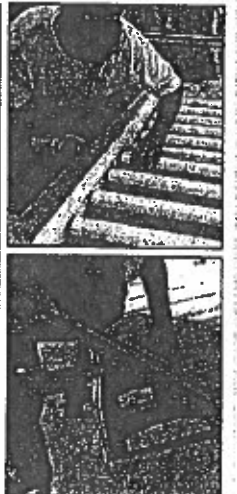


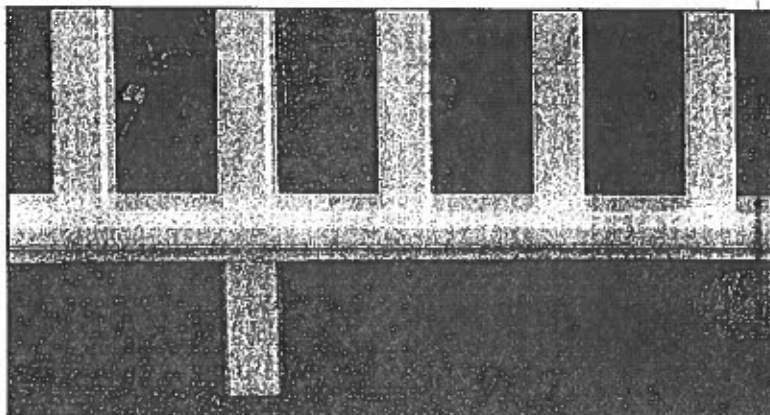
Figure 4



5

CENTER RAILING SUPPORT

Attach the stainless steel center support bracket to the pre-cut center support using the 1 remaining #8 wood screw. Install the support assembly in the center of the underside of the bottom rail using the 1" screws supplied in the sub kit.



6

CONNECTION TO POSTS

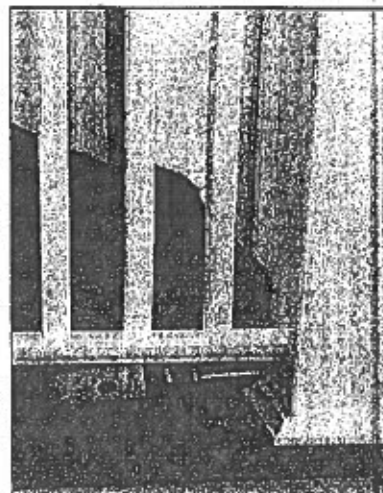
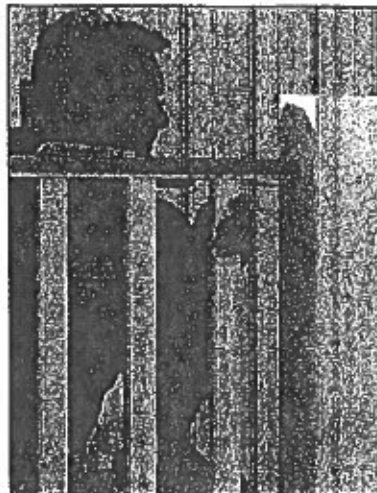
#6-1: 4x4 Center Post, Corner Post and 6x6 Main Posts

Center the assembled rail sub section between the post sleeves and position the bottom of the retainer approximately 1/16" above the top of the 4x4 center post. Mark the bracket hole locations and drill with a 3/16" drill bit. Fasten the section to the post using the #14 x 2" stainless steel painted screws supplied with a #3 square drive bit. NOTE: For the 4x4 center post and corner post, the bottom of the retainer should sit at the top of the post to allow the top hand rail to pass over the 4x4 center post. For a center post corner application a 6" Top Rail Corner Connection Hardware Pack is required.

#6-1: 6x6 Main Posts, 45° Connection

Follow the 45° Rail Installation Instructions or visit our website at www.azek.com for details. A 45° Hardware Pack is required for this installation.

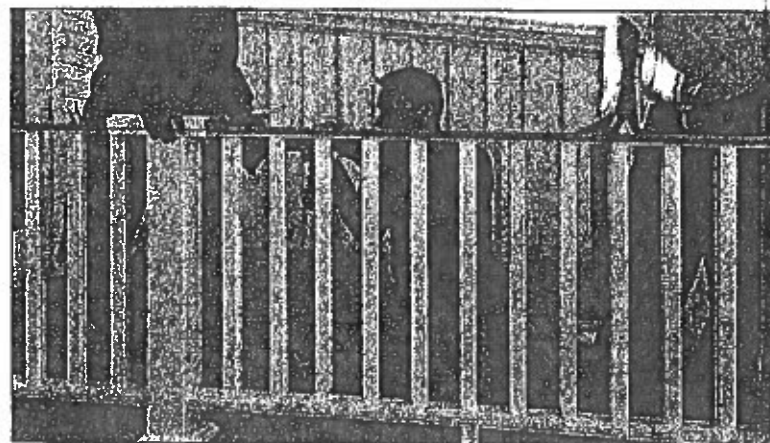
NOTE: When fastening brackets to post sleeves DO NOT OVER TORQUE the screws. Once the screws are "seated" they are tight.



7

INSTALL ALL SECTIONS

Before installing the top rail, ensure all sub rail sections are installed.





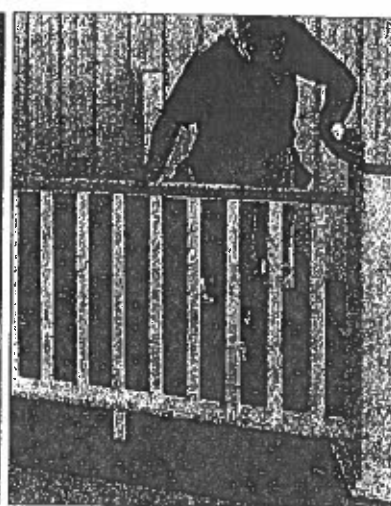
INSTALL 6" TOP HAND RAIL

After all sub rail sections have been installed, measure the length between the 6x6 main posts and cut the Top Rail.

(NOTE: Use the System Connectors, sold separately, at all joint connections to ensure proper fit.) Place the cut Top Rail onto the retainer of the previously installed sub Rails and over the 4x4 center posts. (NOTE: If the top Rail is tight over the 4x4 Center Post, the retainers may be misaligned. To correct this problem, loosen the #14 x 2" stainless steel screws holding the top brackets, reinstall Top Rail and retighten the screws.)

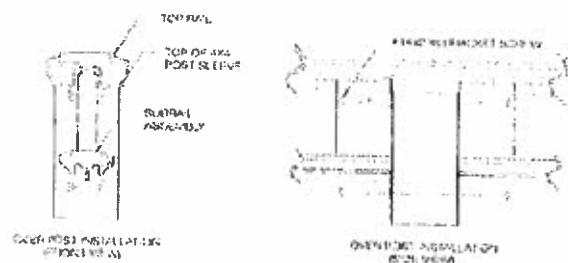
#8-1: Install Corner 6" Top Rail over Center Post

Follow the directions as per step #8. Cut Top Rails with corresponding 45° angles approximately 1/8" shorter than a piece for a tight fit to allow room for the joiner piece. Before installation of the Top Rail, insert both Top Rails into the joiner. Place the loose assembled Top Rail pieces onto the retainer, find the proper seating location and firmly press Top Rails onto the retainers. (NOTE: Caulking may be used to seal the joiner to the Top Rail if desired.) A 4x4 Over-Post Connection Hardware Pack is required for this application.



FASTEN THE 6" TOP RAIL TO RETAINER

Use the remaining 1" stainless steel screws supplied, fasten up through the retainer into the underside of the Top Rail to lock it in place. Space screws evenly. For additional holding strength use caulking between the Retainer and the Top Rail.



AZEK Building Products
801 Corey Street, Scranton, PA 18505
www.azek.com

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RIG02/10/2008



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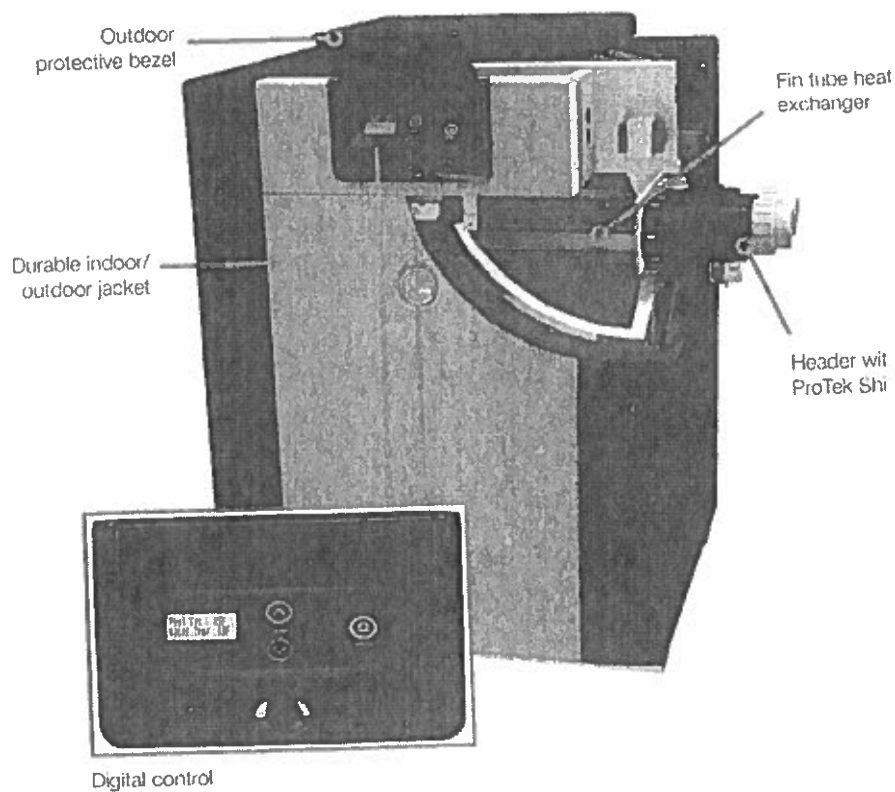
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RELAXATION

Soak it all in, you deserve this.

The sleek and stylish Rheem Digital Gas Pool and Spa Heater features innovative technology designed to keep your pool or spa at the perfect temperature for your enjoyment. Built to withstand various weather conditions, this modern pool and spa heater is the perfect solution for environments requiring efficiency, convenience and versatility. Thanks to a brilliant low-profile design, corrosion resistant cabinet made of galvanized metal, copper fin tube heat exchanger, and a bevy of advanced engineered materials, enjoying your heater year round is a breeze.

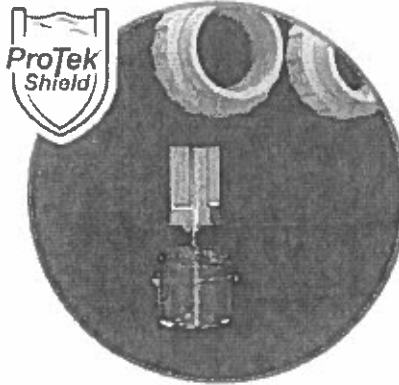


STARTS HERE.

ProTek Shield

ProTek Shield is a cutting-edge module that protects the heat exchanger and extends the life of your Rheem Digital Gas Pool and Spa Heater. Rest, soak or swim knowing that your pool heater investment can be enjoyed even longer thanks to this innovative, patent-pending technology.

- Excellent for use in chlorinated and salt water pools
- Engineered to take the brunt of the corrosion that naturally occurs over time (erosion of the ProTek Shield means it's working!)
- Utilizes breakthrough patent pending technology
- Compact design
- Easy to replace, saving you time and money



More Amazing Features



Heat Exchanger

Our Digital Gas Pool and Spa Heater includes various application options based on fin tube materials including: copper and cupronickel, both available as ASME¹.

Cast iron ASME headers provide the strength needed to meet commercial code requirements.



Digital Controls

Equipped with an intelligent control system that can easily be tied into an existing remote system, our heater also features a microprocessor-controlled thermostat for setting the perfect temperature for your pool or spa.



Flexible Installation

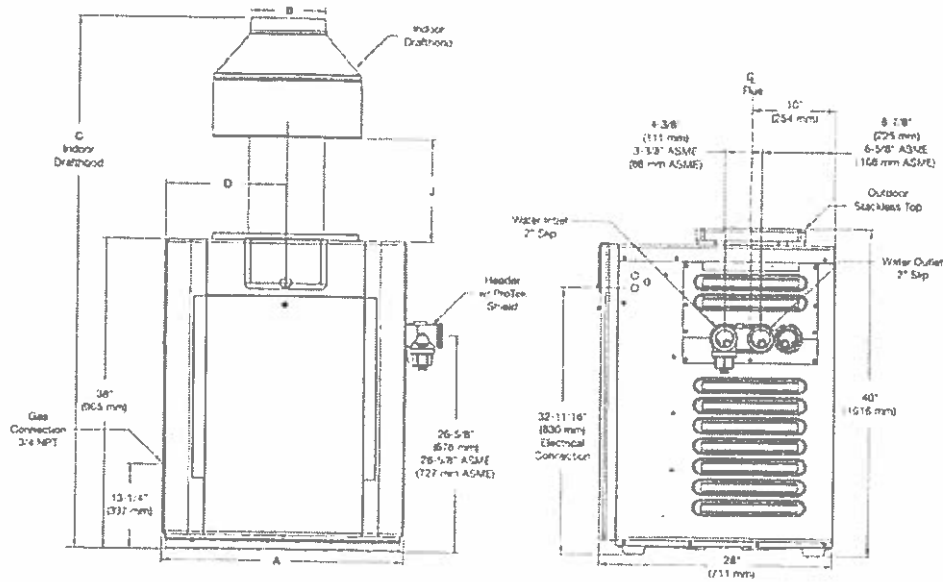
Whether upgrading your existing system or adding a new pool or spa to your home, the Rheem Digital Gas Pool and Spa Heater offers you flexible installation solutions.

Bonus: The self-adjusting burner compensates for gas pressure fluctuations, ensuring that the heater will always burn clean and safe.

ASME heaters do not include ProTek Shield

Learn more at rheem.com

Digital Gas Pool and Spa Heater Models 206A - 406A



Model	MBTUH		Dimensions in. (mm)					Est. Ship Weight lbs. (kg)		
	Copper Input	Cupronickel Input	A Width	B Flue	C Indoor Draft Hood	D	J	wt Polymer Headers and Stackless Top	wt Cast Iron Headers and Stackless Top	Indoor Draft Hood
206A	109,500	180,000	20 (508)	6 (152)	61-5/8 (1565)	10 (254)	11 3/4 (295)	200 (91)	210 (95)	12 (5)
206A	205,000	240,000	23 (584)	7 (178)	62 (1575)	11 1/2 (292)	11 (279)	220 (100)	230 (104)	15 (7)
336A	332,500	300,000	26 (660)	8 (203)	63 (1600)	13 (330)	10 5/8 (270)	240 (109)	250 (113)	17 (8)
406A	399,000	360,000	29 (737)	9 (229)	64 1/2 (1638)	14 1/2 (368)	12 1/8 (308)	260 (118)	270 (122)	20 (9)

	Amp Draw	
	120 volt*	240 volt*
Digital	4	2

* Ship weight only



www.rheem.com

2151 Eastman Avenue Oxnard, CA 93030 805-278-5300

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CARTRIDGE DELUXE SYSTEM

Complete the Cartridge filtration system with the Waterway Supreme High Performance Pump and Accessories.

FEATURES:

- LARGE FILTRATION SMALL FOOTPRINT CARTRIDGE FILTER
- TOP OF THE LINE SUPREME HIGH PERFORMANCE SINGLE OR DUAL SPEED PUMP
- EXTRA LARGE 7" PUMP TRAP WITH CLEAR LID
- UNIONIZED GATE VALVE TO ISOLATE THE SYSTEM FOR MAINTENANCE
- TWO 1 1/2" DIAMETER HOSES WITH CLAMPS
- FILTER AND PUMP MOUNTING BASE
- COMPLETE FITTING PACKAGE FOR ALL CONNECTIONS
- ACCESSORY BASE ALLOWS FOR ADDITION OF OPTIONAL TIMER AND/OR CHLORINATOR KITS FOR MINIMAL MAINTENANCE
- DUAL SPEED PUMP MEETS CEC TITLE 20 CODE

INCLUDES:

- 2 HOSES (1 1/2" X 6 FT)
- FILTER/PUMP WITH UNION ADAPTER HOSE FITTINGS AND HOSE CLAMPS
- 3 FT CORD TWIST LOCK PLUG (NEC/UL) OR 5 FT CORD NEMA PLUG
- DELUXE ONE PIECE BASE SYSTEM
- UNIONIZED GATE VALVE TO ISOLATE SYSTEM FOR MAINTENANCE

FILTER	FILTRATION AREA	VOLTS	HP	CORD
1C1007	100 SQ. FT.	115	1.0	3 FT TWIST LOCK
FC1507	150 SQ. FT.	115	1.0	3 FT TWIST LOCK



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LITEHOUSE
Pools & Spas

From: Mark Mazzurco <markmazzurco@hmlandscaping.com>
Sent: Friday, July 30, 2021 4:26 PM
To: Vassil, M.D. Andrew
Cc: Nicky Vassil
Subject: [EXT] Re: Follow up

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Guys I want to let you know that the electrical was approved so there's no issues. Based off of the work that was done. I know the gas line has their permits as well and I'm just waiting for my permits.

Mark Mazzurco

President H&M Landscaping
Office 440-564-1157
Cell. 216-401-8101

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Always strive for improvement

On Jul 29, 2021, at 10:35 AM, Vassil, M.D. Andrew <VASSILA@ccf.org> wrote:

Hi Mark. Do you have any updates on permits so inspections can be done? We need the electrical to be inspected so we can use our pool asap.

From: Mark Mazzurco <markmazzurco@hmlandscaping.com>
Sent: Monday, July 26, 2021 12:49:13 PM
To: Vassil, M.D. Andrew <VASSILA@ccf.org>
Cc: Nicky Vassil <npavelecky@yahoo.com>
Subject: [EXT] Re: Follow up

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Yes we are working on that right now. Shouldn't take Long they had everything they needed so it's just paying them their fees. The miscommunication was I thought you were getting the permits because you need to get them to install the pool. I know you guys submitted the paper work. Didn't realize the pool went in without the actual permit being obtained. I'll get it worked out. I don't have any concerns about what was done but I will go through the process.

Mark Mazzurco

President H&M Landscaping
Office 440-564-1157
Cell. 216-401-8101

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On Jul 26, 2021, at 12:40 PM, Vassil, M.D. Andrew <VASSILA@ccf.org> wrote:

Mark. We were shocked to learn that you did not obtain the appropriate permits to do our project as stated in the contract. We understand you need to resubmit the plans and pull permits, and have inspections done (that should have been done throughout the project). The county told us not to swim until things are inspected. We hope you are working on obtaining the proper permits to complete the project. Also, your contractors permit for the City of Willoughby Hills expired on 12/31/20.

Let us know where you are in this process. We cannot move forward at all until you have don't these things properly.

From: Mark Mazzurco <markmazzurco@hmlandscaping.com>
Sent: Monday, July 26, 2021 10:04:37 AM
To: Vassil, M.D. Andrew <VASSILA@ccf.org>
Subject: [EXT] Follow up

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device.

Andrew just following up on my last email. I didn't hear anything back from you but I don't want to assume anything. Please let me know if you'd like to get together thank you.

Mark Mazzurco

President H&M Landscaping
Office 440-564-1157
Cell. 216-401-8101

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Johnson, Robert

EXHIBIT

3

From: Mark Mazzurco <markmazzurco@hmlandscaping.com>
Sent: Monday, August 2, 2021 3:11 PM
To: Vassil, M.D. Andrew; Vassil, Nicky
Subject: [EXT] FW: Inspection Approval

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Please see below. this is what was sent to me. im not trying to skirt anything just trying to get this done for you.

Mark Mazzurco

President
H & M Landscaping, Inc.
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Markmazzurco@hmlandscaping.com

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- Always Strive for Perfection

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From: Wendy Podojil <wpodojil@tricountyelectricservice.com>
Sent: Monday, August 02, 2021 2:54 PM
To: Mark Mazzurco <markmazzurco@hmlandscaping.com>
Subject: Inspection Approval

Here you go! See the email trail below.

Thanks!

Wendy Podojil

Service Administrator

Tri-County Electric Service, Inc.

4900 Neo Parkway

Garfield Heights, OH 44128

Office: (440) 542-0735 Extension: 119

Fax: (440) 542-9611

www.tricountyelectricservice.com



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From: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>
Sent: Friday, July 30, 2021 1:13 PM
To: Wendy Podojil <wpodojil@tricountyelectricservice.com>
Subject: RE: Narrative

APPROVED, and thank you very much.

Kind regards,

~ Patrick ~

Patrick Barnes
Building/Electrical Inspector
Phone: 440-350-2636 ext. 109
Fax: 440-350-2660
Lake County Building Department



Lake County, Ohio

From: Wendy Podojil [<mailto:wpodojil@tricountyelectricservice.com>]
Sent: Friday, July 30, 2021 11:55 AM

To: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>

Subject: Narrative

Good morning, Patrick. Here is the narrative we promised you. If you need anything else, please feel free to contact me.

Thank you!

Wendy Podojil

Service Administrator

Tri-County Electric Service, Inc.

4900 Neo Parkway

Garfield Heights, OH 44128

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Johnson, Robert

From: Vassil, Nicky <pavelen@ccf.org>
Sent: Sunday, August 8, 2021 7:41 PM
To: Vassil, M.D. Andrew
Subject: FW: Inspection Approval

From: Vassil, Nicky
Sent: Monday, August 2, 2021 3:26 PM
To: Patrick.Barnes@lakecountyohio.gov; jeff.cook@lakecountyohio.gov
Cc: npavelecky@yahoo.com; Vassil, M.D. Andrew <VASSILA@ccf.org>
Subject: FW: Inspection Approval

Hi Patrick,

I just spoke with Jeff and I believe he was out of the office last week and was not aware that you did an inspection at our property located in Willoughby Hills. This email was just forwarded to my husband and myself by Mark Mazzurco. I am looking through the correspondence and was just trying to see what "the narrative" TRI- County Electric is talking about. We had a major issue and I just want to make sure everything is ok before we swim.

Please feel free to call if you would like- or discuss with Jeff and he can call us.

Thanks,

Nicole and Andrew Vassil

Nicky cell- 440-487-5794

Work- 216-444-3456

Andrew cell- 216-513-8605

Office- 440-878-3211

From: Mark Mazzurco [mailto:markmazzurco@hmlandscaping.com]
Sent: Monday, August 2, 2021 3:11 PM
To: Vassil, M.D. Andrew <VASSILA@ccf.org>; Vassil, Nicky <pavelen@ccf.org>
Subject: [EXT] FW: Inspection Approval

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From: Wendy Podojil <wpodojil@tricountyelectricservice.com>

Sent: Monday, August 02, 2021 2:54 PM

To: Mark Mazzurco <markmazzurco@hmlandscaping.com>

Subject: Inspection Approval

Here you go! See the email trail below.

Thanks!

Wendy Podojil

Service Administrator

Tri-County Electric Service, Inc.

4900 Neo Parkway

Garfield Heights, OH 44128

Office: (440) 542-0735 Extension: 119

Fax: (440) 542-9611

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From: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>
Sent: Friday, July 30, 2021 1:13 PM
To: Wendy Podojil <wpodojil@tricountyelectricservice.com>
Subject: RE: Narrative

APPROVED, and thank you very much.

Kind regards,

~ Patrick ~

Patrick Barnes
Building/Electrical Inspector
Phone: 440-350-2636 ext. 109
Fax: 440-350-2660
Lake County Building Department



From: Wendy Podojil [mailto:wpodojil@tricountyelectricservice.com]
Sent: Friday, July 30, 2021 11:55 AM
To: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>
Subject: Narrative

Good morning, Patrick. Here is the narrative we promised you. If you need anything else, please feel free to contact me.

Thank you!

Wendy Podojil

Service Administrator

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Garfield Heights, OH 44128

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Johnson, Robert

From: Vassil, Nicky <pavelen@ccf.org>
Sent: Monday, August 2, 2021 4:41 PM
To: Vassil, M.D. Andrew; npavelecky@yahoo.com
Cc: jeff.cook@lakecountyohio.gov
Subject: FW: Narrative
Attachments: SKM_C55821073011240.pdf

Jeff,

I have no idea what to do. I understand you have a personal matter. Please contact me when you are back in the office – it can wait.

Patrick could obviously not inspect the bonding (since it is all covered up) so he thought having TRI County write this letter was acceptable.

I'm not sure how comfortable I feel with that. We will continue not swimming until we have spoken to you more in depth.

Let's talk when you are back in the office.

Thanks

Nicky

From: Barnes, Patrick [mailto:Patrick.Barnes@lakecountyohio.gov]
Sent: Monday, August 2, 2021 3:53 PM
To: Vassil, Nicky <pavelen@ccf.org>
Subject: [EXT] FW: Narrative

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Wendy Podojil [mailto:wpodojil@tricountyelectricservice.com]
Sent: Friday, July 30, 2021 11:55 AM
To: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>
Subject: Narrative

Good morning, Patrick. Here is the narrative we promised you. If you need anything else, please feel free to contact me.

Thank you!

Wendy Podojil
Service Administrator

Tri-County Electric Service, Inc.
4900 Neo Parkway
Garfield Heights, OH 44128

Office: (440) 542-0735 Extension: 119
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4900 Neo Parkway, Garfield Heights, OH 44128
Phone: (440) 542-0735

July 30, 2021

Patrick Barnes
Lake County Building Inspector
Lake County Building Department

RE: 30901 Kourtney Court Electrical

To whom it may concern:

I certify that the work listed below was performed by Tri-County Electric Service, Inc. The work was performed in accordance with NEC standards and is safe.

- Install (1) 20 amp 120v dedicated circuit in conduit to weather rated/gfci protected 20 amp twist lock receptacle at garden post for pool equipment. Install (2) weather rated gfci on dedicated circuit at common area. Install (2) gfci protected USB combo receptacle at common area.
- Remove existing 200 amp Main Breaker Combo Meter with additional 240v 100 amp feed. Replace with new gear and bring grounding up to NEC requirements.
- Tri County to provide and install bonding for pool/pool equipment
- Mounted boxes and re worked existing wire that was ran to make it up to code. Pulled new circuits for outdoor kitchen, instahot/mini fridge/outside outlets/pool filter, ran outlets and fixed the original wiring
- Installed 5 USB outlets/bubble cover
- Installed 1 single pole switch/bubble cover
- Installed 1 WR GFI/bubble cover
- Installed 4 GFI Breakers for outdoor circuits

Korey Kikta
Service Manager

Johnson, Robert



From: Cook, Jeff <Jeff.Cook@lakecountyohio.gov>
Sent: Tuesday, August 3, 2021 3:24 PM
To: Vassil, Nicky; wpodojil@tricityelectricsservice.com; markmazzurco@hmlandscaping.com
Subject: [EXT] Inspections
Attachments: Permit # 2020003545; Permit # 2021003564; Permit # 2021003564

Follow Up Flag: Follow up
Flag Status: Flagged

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To All;

Please review the attached inspections recorded in our system to date. Please review all inspections and notes. It is my hope that these clarify the status of this job and inspections as of 8/3/2021.

Thank You

Jeffrey Cook
Building/Electrical Inspector
Phone: 440-350-2636 ext. 108
Fax: 440-350-2660
Lake County Building Department



Johnson, Robert

From: Lake County <wo@iworq.net>
Sent: Tuesday, August 3, 2021 2:35 PM
To: Cook, Jeff
Subject: Permit # 2020003545

Click [Here](#) to open inspection



Inspection Information

Permit #: 2020003545
Permit Date: 06/27/2020
Inspection Date: 07/21/2021
Permit Type:
Inspection Type: COMPLAINT
Requested By: Nicole Vassil - Homeowner
Contact Info: 440-487-5794
Scheduled Date: 07/21/2021
Scheduled Time: 00:00
Completed Date: 07/21/2021
Description: Building Permit never picked up. No Gas Piping Permit pulled yet. Electric Permit not paid for yet. Deck is built and they are getting shocked around the pool.
Inspection Status: NOT IN COMPLIANCE
Assigned To: 3 JEFF COOK
Time In: 00:00
Time Out: 00:00
Hours: 0.0

Notes

07/21/2021 All work has been completed without inspections, plan review was completed in June of 2020 but was never picked up and paid for. Electrical application was never paid for or permit issued. No GP permit has been issued (pool heater and fire pit).
Owner called and was getting shocked in contact with pool water, guards, etc., electrician apparently came back and corrected some bonding-no electrical inspections have been performed, advised owner to not use pool until resolved. No GP inspections have been performed, including UG. No post hole, framing inspections have been performed. FYI opening at bottom cord of guard to deck surface does not comp

with opening limitations, must be less than 4", currently 6". Plan approval is expired. Contractor to re-submit and obtain all permits at which time on site meeting will be required to determine path forward and what needs to be exposed for inspections.

Property Information

Parcel#: 31-A-005-G-00-045-0

VASSIL ANDREW D & NICOLE N

30901 KOURTNEY

Zoning: Lot: Block: Sub:

VASSIL ANDREW D & NICOLE N

30901 KOURTNEY CT

WILLOUGHBY HILLS, OH 44092

Johnson, Robert

From: Lake County <wo@iworq.net>
Sent: Tuesday, August 3, 2021 2:35 PM
To: Cook, Jeff
Subject: Permit # 2021003564

Click [Here](#) to open inspection



Inspection Information

Permit #: 2021003564

Permit Date: 07/27/2021

Inspection Date: 07/28/2021

Permit Type:

Inspection Type: ELEC. BONDING

Requested By: Wendy

Contact Info: 216-865-6770

Scheduled Date: 07/29/2021

Scheduled Time: 10:30

Completed Date: 07/30/2021

Description: cONTRACTOR WILL BE SENDING STATEMENT THE POOL IS ELECTRICALLY COMPLIANT TO NEC.

Inspection Status: NOT IN COMPLIANCE

Assigned To: 1 PATRICK BARNES

Time In: 00:00

Time Out: 00:00

Hours: 0.0

Property Information

Parcel#: 31-A-005-G-00-045-0

VASSIL ANDREW D & NICOLE N

30901 KOURTNEY

Zoning: Lot: Block: Sub:

VASSIL ANDREW D & NICOLE N

30901 KOURTNEY CT

WILLOUGHBY HILLS, OH 44092

Johnson, Robert

From: Lake County <wo@iworq.net>
Sent: Tuesday, August 3, 2021 3:10 PM
To: Cook, Jeff
Subject: Permit # 2021003564

Click [Here](#) to open inspection



Inspection Information

Permit #: 2021003564

Permit Date: 07/27/2021

Inspection Date: 08/03/2021

Permit Type:

Inspection Type: ELEC. CONSULT

Requested By:

Contact Info:

Scheduled Date: 08/03/2021

Scheduled Time: 00:00

Completed Date: 08/03/2021

Description:

Inspection Status: NOT IN COMPLIANCE

Assigned To: 3 JEFF COOK

Time In: 00:00

Time Out: 00:00

Hours: 0.0

Notes

08/03/2021

This is follow up to inspection performed by Patrick Barnes - TO ALL WHO ARE CONCERNED; Electrical inspections are not and cannot be approved based on a narrative provided by contractor of record. According to our system the inspection performed on 7/28/2021 is still indicating not approved by PB even though an email chain seems to show it was approved by PB based on a narrative PB requested from contractor. Narrative was provided and IS NOT AN ACCEPTABLE REPACEMENT for an on-site inspection as required by OBC. NO ELECTRICAL RELATING TO THIS PROJECT HAS BEEN INSPECTED OR APPROVED. No inspections will be performed until an on-site meeting arranged by General Contractor, at which time we will determine a path forward for which all inspections can be accomplished and approved as noted on original complaint notes made by JC on 7/21/2021.

Property Information

Parcel#: 31-A-005-G-00-045-0

VASSIL ANDREW D & NICOLE N

30901 KOURTNEY

Zoning: Lot: Block: Sub:

VASSIL ANDREW D & NICOLE N

30901 KOURTNEY CT

WILLOUGHBY HILLS, OH 44092

Johnson, Robert

EXHIBIT

5

From: Vassil, Nicky <pavelen@ccf.org>
Sent: Monday, August 2, 2021 4:41 PM
To: Vassil, M.D. Andrew; npavelecky@yahoo.com
Cc: jeff.cook@lakecountyohio.gov
Subject: FW: Narrative
Attachments: SKM_C55821073011240.pdf

Jeff,

I have no idea what to do. I understand you have a personal matter. Please contact me when you are back in the office – it can wait.

Patrick could obviously not inspect the bonding (since it is all covered up) so he thought having TRI County write this letter was acceptable.

I'm not sure how comfortable I feel with that. We will continue not swimming until we have spoken to you more in depth.

Let's talk when you are back in the office.

Thanks

Nicky

From: Barnes, Patrick [mailto:Patrick.Barnes@lakecountyohio.gov]
Sent: Monday, August 2, 2021 3:53 PM
To: Vassil, Nicky <pavelen@ccf.org>
Subject: [EXT] FW: Narrative

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Wendy Podojil [mailto:wpodojil@tricountyelectricservice.com]
Sent: Friday, July 30, 2021 11:55 AM
To: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>
Subject: Narrative

Good morning, Patrick. Here is the narrative we promised you. If you need anything else, please feel free to contact me.

Thank you!

Wendy Podojil
Service Administrator

Tri-County Electric Service, Inc.
4900 Neo Parkway
Garfield Heights, OH 44128

Office: (440) 542-0735 Extension: 119
Fax: (440) 542-9611



RSB, LPE



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Wendy Podojil [<mailto:wpodojil@tricountyelectricservice.com>]

Sent: Friday, July 30, 2021 11:55 AM

To: Barnes, Patrick <Patrick.Barnes@lakecountyohio.gov>

Subject: Narrative

Good morning, Patrick. Here is the narrative we promised you. If you need anything else, please feel free to contact me.

Thank you!

Wendy Podojil
Service Administrator

Tri-County Electric Service, Inc.
4900 Neo Parkway
Garfield Heights, OH 44128

Office: (440) 542-0735 Extension: 119

Fax: (440) 542-9611

www.tricountyelectricservice.com



RSB, LPE



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From: Hanshaw, Regina
Sent: Monday, August 30, 2021 8:23 AM
To: Johnson, Robert
Subject: FW: Response (Unethical) Complaint / Patrick Barnes
Attachments: Doc 1.pdf.docx; Doc 2. pdf.docx; Doc 3.pdf.docx; Doc 4.pdf; Doc 5.pdf

Regina Hanshaw
OBBS

From: Barnes, Patrick <Patrick.Barnes@lakecountyoio.gov>
Sent: Sunday, August 29, 2021 1:00 PM
To: Hanshaw, Regina <Regina.Hanshaw@com.state.oh.us>
Subject: Response (Unethical) Complaint / Patrick Barnes

To whom it may concern,

I am answering with the fullest of responsibility, honesty, and integrity, to the complaint (unethical) filed against me by Nicky Vassil from the Ohio Board of Building Standards. I will address the allegations from the Code by which I uphold, and by the authority for which I have been granted.

SECTION R104

DUTIES AND POWERS OF THE BUILDING OFFICIAL

R104.1 General. The *building official* is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

On location for “Pool Bonding Only”. No prior information was given for this inspection. My interpretation of the Code at that “snapshot in time” was to find a reasonable approach to meet the Codes full intent and purpose.

R104.2 Applications and permits. The *building official* shall receive applications, review *construction documents* and issue *permits* for the erection and *alteration* of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

in location for "Pool Bonding Inspection Only". No prior information was given for this inspection, everything was concealed.

R104.3 Notices and orders. The *building official* shall issue necessary notices or orders to ensure compliance with this code.

Notice was given (See attachment) of "Bonding" verification (letter) from Electrical contractor. Pool had been installed for over a "year and a half" prior to this inspection. Thousands of dollars of landscaping (verified by homeowner and lengthy discussions offering her to speak to my Supervisor in rationale of my decision) as well as a Deck w/ Z brick skirting surrounding the pool. Homeowner unwilling to excavate / demolition to provide verifiable proof of bonding conductor.

R104.4 Inspections. The *building official* shall make the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

See email attachment(s) to Supervisor and other Inspector having prior knowledge of Inspection. Supervisor claims interaction prior to homeowners' complaint, no directive of overturning decision to accept the report by the responsible (Tri County Electric) individual.

R104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. to the approval of the appointing authority.

Based on the facts for which I have provided, I have upheld the intent and integrity of the Code to the best of my ability. No directive to overturn my decision by the appointing authority has been afforded me. The complaint alleging negligence by the homeowner who would not allow excavation/demolition to provide verifiable proof, placed me in the decision I have made in good faith and without malice.

his statement is true and to the best of my knowledge, respectfully submitted,

~ Patrick C Barnes ~

Patrick Barnes
Building/Electrical Inspector
Phone: 440-350-2636 ext. 109
Fax: 440-350-2660
Lake County Building Department



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