

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## LICENSING COMMITTEE MINUTES

May 10, 2017

9:00 a.m.

MEMBERS PRESENT: Chairman Mark Mahler  
Mr. Neil Case  
Mr. Scot Gring  
Ms. Christine Riggs  
Mr. Loren Moreland  
Mr. Michael Rowe

MEMBERS ABSENT: Mr. Jim Rose

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official  
Mr. Todd Welch, Regional Building Counsel  
Mr. Jay Eenhuis, Chief Plans Examiner  
Mr. John Welton, Chief Building Inspector  
Mr. Jack Arrington, Chief Plumbing/Mechanical Inspector  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Mark Mahler called the meeting to order at 9:00 a.m.

#### 1. **CONSIDERATION OF APRIL 12, 2017 LICENSING COMMITTEE MINUTES**

A motion was made by Neil Case to **APPROVE** the April 12, 2017 Licensing Committee Meeting Minutes as written, seconded by Christine Riggs; the motion carried unanimously.

#### 2. **COMPLAINTS**

a) A Complaint has been brought against Josh Noel, licensee for Quality Roofing & Construction, by Gerardo Medrano and Regional Building for performing work at 3490 Kestrel Drive, Colorado Springs, Colorado without pulling a permit; and for willful and wanton negligence in allowing another person to pull permits under his license and failing to follow through, in violation of Section RBC201.11.3, Nos. 1, 5 and 6, 2011 Pikes Peak Regional Building Code.

A motion was made by Loren Moreland to **POSTPONE** this Complaint for 30 days, and if Josh Noel fails to attend the Licensing Committee Meeting on June 14, 2017, the Licensing Committee is authorized to make a decision regarding this Complaint without Mr. Noel's attendance; and RBD staff will be authorized to work with the property owners to schedule inspections on Mr. Noel's "A" Status permits, should Josh Noel fail to appear on June 14, 2017, seconded by Scot Gring; the motion carried unanimously.

- b) A Complaint has been brought against Scott Bisland, licensee for Rocky Mountain Constructors, LLC, by Linda and George Chatman for pulling a permit for an unlicensed contractor to perform work at 4505 Melville Drive, Colorado Springs, Colorado, and for willful and wanton negligence at this same address, in violation of Section RBC201.11.3, Nos. 1, 3 and 6, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn in. Linda and George Chatman appeared and Linda Chatman stated she contracted with Ace Roofing to replace her roof and part of her decking was accidentally torn down in the process. She stated Ace Roofing had promised to repair the decking. Mrs. Chatman stated Ace Roofing never repaired the decking, and they were unresponsive to her phone calls. She stated she called RBD and discovered that Rocky Mountain Constructors pulled the permit for the project. She stated employees from Ace were on her property in April, without her knowledge or permission. Mrs. Chatman stated they paid Ace Roofing \$6,600 to replace their roof, fascia and gutters. She stated the fascia was completed on April 12<sup>th</sup>. She stated she contacted Mike Awal with Ace Roofing, and he promised to complete project, which was just completed, with the exception of the deck repair. Mrs. Chatman stated she and her husband were devastated by the way they were treated by Ace Roofing, and the fact that it took 7 months to complete the reroof of her home.

John Welton stated the reroof permit was completed on May 5, 2017. He stated the reroof permit was issued on October 17, 2016.

Scott Bisland appeared and stated Rocky Mountain Constructors has a Management Agreement with Ace Roofing, and they put their own project managers on these jobs. He stated the patio on this home was free standing with a cover that was attached to the house roof. He stated the patio cover and deck were rotting out. Mr. Bisland stated once they discovered the issue with the deck, they turned the project management back over to Ace Roofing. He stated the deck repair was not covered by insurance. He stated the patio cover was attached to the roof with two straps, but those straps had to be taken down when the roof was replaced.

Rick Langley with Ace Roofing stated they have been working with Rocky Mountain Constructors for years on insurance claim projects. He stated the permit was pulled on the project and managed by Rocky Mountain Constructors. Mr. Bisland stated he pulls permits for Rocky Mountain Constructors and Ace Roofing.

John Welton stated RBD Staff did notify Ace Roofing that they were required to have a license to pull a permit and perform work in El Paso County. Mr. Bisland stated there are three employees in his company and he subcontracts out most of the work; he does not carry Workmen's Compensation Insurance. Todd Welch stated that if Mr. Bisland subcontracts out work, those subcontractors must be licensed. John Welton stated Mr.

Bisland has 11 “A” Status permits. Rick Langley stated he is going to work with the insurance company to try to get funding to repair the deck.

A motion was made by Scot Gring to recommend to the Board of Review that a 2-year Incident Report be put in Scott Bisland’s contractor file, and Mr. Bisland is prohibited from pulling additional permits until all “A” Status permits have been completed, seconded by Loren Moreland; the motion carried unanimously.

- c) A Complaint has been brought against Ryan Hunter, licensee for Hunter Roofing Pros, by Shirley Harris for pulling a permit for an unlicensed contractor to perform work at 7075 Chippewa Road, Colorado Springs, Colorado, and for willful and wanton negligence at this same address, in violation of Section RBC201.11.3, Nos. 1, 5, and 6, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn in. John Welton stated Shirley Harris has filed a complaint that Ryan Hunter pulled a permit for an unlicensed contractor, Dan Wright and Kevin Hoyt, d/b/a K & H Roofing and Construction, to perform work at 7075 Chippewa Road, Colorado Springs, Colorado. Ryan Hunter stated Dan Wright contacted him and asked him to do this reroof because Mr. Wright did not have time to do the work. He stated he is having his own crews do the work on this project.

Todd Welch stated Ms. Harris’ complaint states that Dan Wright is working with American Dream Home Improvements, and it was determined that this may be the contractor doing the siding work. John Welton stated Mr. Hunter has pulled a total of 176 permits, and this is the first “official” complaint.

A motion was made by Scot Gring to recommend to the Board of Review that a 1-Year Incident Report be put in Mr. Hunter’s contractor file for pulling a permit for an unlicensed contractor to perform work at 7075 Chippewa Road, Colorado Springs, Colorado, seconded by Loren Moreland; the motion carried unanimously.

- d) A Complaint has been brought against Bryan Maples, licensee for Maple Tree Construction Group, by Julia and Eric Hendershot for performing work at 5054 Rusty Nail Point, Colorado Springs, Colorado prior to obtaining a license or pulling a permit, in violation of Section RBC201.11.3, Nos. 1 and 5, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn in. Eric and Julia Hendershot appeared and Mr. Hendershot stated their home sustained significant hail damage. He stated they were working with Devine Roofing; and Bryan Maples was working for Devine Roofing at that time. He stated during the process Mr. Maples stated the company had changed their name to Maple Tree Construction Group. Mr. Hendershot stated Mr. Maples’ crew damaged their home in some fashion every time they came out. He stated he repeatedly

asked Mr. Maples about the permit, and a stop work order was issued due to lack of a permit. He stated the concrete work that was done has to be ripped out. Mr. Hendershot stated they learned, after the fact, that Mr. Maples left Devine Roofing and started his own company, but they were not informed of this prior to signing a contract with Mr. Maples. He stated they chose Devine Roofing because they are a reputable contractor. John Welton stated RBD had documentation showing that the work was commenced prior to pulling a permit. Mr. Hendershot stated he requested lien waivers and receipts for materials, and those items have not been furnished to them. He stated they have paid Mr. Maples \$23,000.

Mr. Hendershot stated the Contract was signed on October 5, 2016, which was prior to Mr. Maples obtaining a license. John Welton stated Mr. Maples contracted to do work prior to obtaining a license; and he started the project prior to pulling a permit, which are the issues of this Complaint. Scot Gring stated Mr. Maples contracted to do work that is outside of the scope of his license; he is not a general contractor. Mr. Hendershot stated their concern is that they still have not received lien waivers or receipts for materials; and there is still work that has not been corrected and completed.

Mr. Maples stated the contract was based on an insurance claim, and the concrete patio was a \$17,000 patio. He stated he has made every attempt to correct all issues and/or damage created by his crews/subcontractors. He stated the homeowners prohibited him from going back on their property, and he believes this is their attempt to keep insurance monies. Mr. Maples stated he took care of the stop work order as soon as it was brought to his attention.

John Welton stated Mr. Maples has pulled 22 permits, and 6 have been completed, since he obtained his license on October 10, 2016. He stated the work on Mr. and Mrs. Hendershot's home was started after Mr. Maples was licensed, but the contract was signed prior to Mr. Maples being licensed. Loren Moreland stated his concern is that this is the first permit pulled by Mr. Maples and the homeowners have numerous complaints about the work that was done.

A motion was made by Loren Moreland to recommend to the Board of Review that a Letter of Reprimand be put in Bryan Maples' contractor file for the work done at 5054 Rusty Nail Point, Colorado Springs, Colorado prior to obtaining a license or pulling a permit, seconded by Scot Gring; the motion carried unanimously.

Break at 11:00 a.m. to 11:07 a.m.

### 3. COMPLAINT UPDATE

- a) A Complaint has been brought against Mario Vallejo, licensee for Architects Choice Builders, LLC, by Laci Mages-Valentino for pulling a permit for an unlicensed contractor to perform work at 225 Peck Court, Colorado Springs, Colorado, and for willful and wanton negligence at this same address, in violation of Section RBC201.11.3, Nos. 1, 3, 6 and 7, 2011 Pikes Peak Regional Building Code. *During the April 12, 2017 Licensing Committee Meeting, Mr. Vallejo was given 30 days to complete the permit for 225 Peck Court and his five outstanding "A" Status Permits, or reappear before the Licensing Committee on May 10<sup>th</sup> to give the Committee members an update on the status of those permits; the "A" Status Permits have not been completed.*

John Welton stated Mario Vallejo still has 4 "A" Status Permits that have not been completed, and the homeowner at 225 Peck Court has transferred her permit to another contractor. He stated the "A" Status permits all have associated trip fees because corrections have not been completed. Loren Moreland stated he believes Mr. Vallejo has been given numerous opportunities to correct these outstanding permits.

Mario Vallejo appeared and stated he has corrected the issues at 109 Security Boulevard. He stated he is prepared to bind his insurance, pay the trip fees, and he is requesting to have his license unlocked. John Welton stated RBD staff's concern is Mr. Vallejo's lack of urgency in completing these outstanding permits. Roger Lovell stated as a building department, we are responsible for life safety issues; RBD staff has attempted to work with Mr. Vallejo with very limited response, so he has concerns about his license moving forward.

A motion was made by Loren Moreland to recommend to the Board of Review that Mario Vallejo's contractor license be **REVOKED** due to his past history with RBD and his lack of response in completing the outstanding "A" Status Permits, seconded by Michael Rowe; the motion carried unanimously.

### 4. CONSENT LICENSE REQUESTS

#### **Building Contractor A-1**

BEAR CREAK GENERAL CONTRACTORS, LLC. – JEFFREY GOSCH  
CREATIVE BUILDERS CO. – EDWARD YOUNG  
HCBECK, LTD. – MATTHEW ARCHULETTA (PRIMARY EXAMINEE)  
LEGACY BUILDERS, INC. – JONATHAN HEINTZMAN  
UIC NAPPAIRIT, LLC. – NICHOLAS LATIER

**Building Contractor A-1**

JAG BUILDING GROUP, INC. – MATTHEW ALLEN

**Building Contractor B-1 (General Limited)**

ASHOUR BROTHERS, INC. – ISSA ASHOUR  
FAUROT CONSTRUCTION, INC. – DAVID AGNELLO  
NEUMARK COMMERCIAL BUILDERS, LLC. – SCOTT NEUENSCWANDER  
OX CONSTRUCTION, LLC. – DANIEL MOORE (UPGRADE)  
PAXIS GROUP, LLC. FRANKLIN DICKSON

**Building Contractor B-2 (General Limited)**

ENGELKE CONSTRUCTION SOLUTION, LLC. – ERIC ENGELKE

**Building Contractor C (Homebuilder)**

D12 HOMES, INC. – PAUL STEWART  
ENERGY & LIGHTING SOLUTIONS, LLC. – JOHN VASILAKIS (EXAMINEE  
CHANGES CO.)  
HEREBIC PROPERTIES, LLC. – DOUGLAS HEREBIC (EXAMINEE CHANGES CO.,  
REINSTATEMENT)  
JAYNE OF ALL TRADES, INC. – ERICA JOHNSON (ADDITIONAL)  
SNIDER CUSTOM HOMES, LLC. – MARK SCHWAB (UPGRADE)  
VASTINE INTERIORS, LLC. – JASON VASTINE

**Building Contractor D-1 (Exteriors)**

WHITTON CONSTRUCTION CO. INC. – RANDOLPH WHITTON

**Building Contractor D-1 (Roofing)**

CROWN ROYAL BUILDERS, INC. – ROBERT BURGETT  
DILIGENT ROOFING – HENRY SYDNOR  
HANK'S ROOFING – ROBERT QUEIN  
PC ROOFING, LLC. –SAMUEL CORRAL  
POWER POINTS, LLC. - GREGORY SINK  
PROJECT MANAGEMENT SERVICES CORP. – GREGORY MADDEN  
STONEBROOK ROOFING, INC. –IAN CHRISTIAN

**Building Contractor D-1 (Siding)**

LOVE YOUR STUCCO LYS, LLC. – RANDY SHEPHERD (ADDITIONAL)

**Building Contractor E (Residential Remodeling)**

HERITAGE VALLEY CONSTRUCTION – GERALD JOHNSON  
KODA RENOVATION, LLC. – DONALD FORRESTER  
SCHAULAND CONSTRUCTION – ELIOT SCHAULAND

**Mechanical Contractor A (Commercial)**

ALLIED PLUMBING AND HEAT, LLC. – ROBERT WILLIAMS (EXAMINEE  
CHANGES CO.)  
ANYTHING HVAC, LLC. – CARLOS HERRERA  
CFM HEATING & AIR CONDITIONING, INC. - DOUG MADSEN  
WAYNE’S HEATING & COOLING – ALBERTO MADRILL (UPGRADE)

**Mechanical Contractor B (Residential)**

A + DISCOUNTS HEATING & PLUMBING –DAVID FUENTES  
OASIS INDUSTRIES – MICHAEL SHIVELEY

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

ALBERTO MADRILL (REINSTATMENT)  
ANDREAS NILSSON  
BENJAMIN KING  
DANIEL VIDANA  
EGAN EDWARD  
JASON EAVES  
JOHN LOVE  
JOSHUA GLANCY  
KEVIN RYAN  
MATTHEW ORTH  
MICHAEL SHIVELEY  
RICHARD GRAZIER  
SAMMIE CLARK  
SCOTT DELMONTE  
ZACHARY MEYER

A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Neil Case; the motion carried unanimously.

## **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

### **Building Contractor B-2 (General Limited)**

PROGENITURE CONSTRUCTION, LLC. – RICHARD ORNELAS (EXAMINEE CHANGES CO., UPGRADE) \*

Richard Ornelas appeared and stated he started working as a framing contractor in the early 2000's, and in 2007 he obtained his "C" License. He stated recently he went back to school and got a degree in the architectural/construction fields, and has been working with Challenger Homes as a Site Supervisor. He said most recently he was a construction manager for Lincoln Hancock Restoration working on the Park Vista Community. Mr. Ornelas said he has worked on two Marriott Hotels as a supervisor; and he worked at the Summit Ministeries in Manitou Springs working on a commercial deck. He stated when he was working for the other companies, he did not need his license, so he let it expire. Loren Moreland stated he believes Mr. Ornelas does not have adequate experience for a "B-2" License. A motion was made by Loren Moreland to recommend to the Board of Review **APPROVAL** of a "C" (Homebuilder) License, with no limitations, and if Mr. Ornelas has an opportunity to do a "B-2" project, he can work with RBD staff to obtain a provisional license for that project, seconded by Christine Riggs; the motion carried unanimously.

*Scot Gring let the meeting at 12:28 p.m. and a quorum was maintained.*

### **Building Contractor C (Homebuilder)**

5 STAR HOME CONSTRUCTION, LLC. – GERALDINE DIETHEIN \*

Geraldine Diethein appeared and stated she has been working with two general contractors, Jeff Smith and Dennis Christmas, who have been training her to build houses for the past year. She stated she is not an employee of these general contractors, but she is the owner of the properties and builds the homes for resell purposes. She stated she has been the superintendent on five ground-up projects. A motion was made by Loren Moreland to recommend to the Board of Review **APPROVAL** of an "E" License, and if Ms. Diethein has an opportunity to do a "C" project, she can work with RBD staff to obtain a provisional license for that project, seconded by Neil Case; the motion carried unanimously.



**PAULES ENTERPRISES, LLC. – PAUL BILLARD \***

No one appeared. A motion was made by Michael Rowe to **POSTPONE** this license request until the next meeting, seconded by Loren Moreland; the motion carried unanimously.

**Building Contractor D-1 (Roofing)**

**RC ROOFING AND RENOVATIONS – RYAN CAMERON (ADDITIONAL) \***

Ryan Cameron appeared and stated his father was a general contractor in New York, and he was a project manager for his family's construction company, performing numerous roofing projects. John Welton stated Mr. Cameron has a pending complaint against him for doing work without a license, and Mr. Cameron is here today to get his license. Mr. Cameron stated he did not know the Codes and legalities of doing construction in Colorado, because it is much different in New York. John Welton stated RBD staff does not oppose this license request. A motion was made by Loren Moreland to recommend to the Board of Review **APPROVAL** of a "D-1" (Roofing) License, and any roofing projects that were started prior to permit must be permitted prior to Ryan Cameron pulling a new permit, seconded by Christine Riggs; the motion carried unanimously.

**Building Contractor D-1 (Siding)**

**UNITED RESTORATION, LLC. – BRYAN HUBBARD \***

Bryan Hubbard stated he has a roofing license, and is requesting a license to also perform siding work. John Welton stated Mr. Hubbard has five jobs that do not have permits, and if this license is approved, RBD staff would like to have permits pulled for these projects when Mr. Hubbard pulls his first new permit. He stated RBD staff has not received any complaints against United Restoration, LLC. A motion was made by Loren Moreland to recommend to the Board of Review **APPROVAL** of a "D-1" (Siding) License, and that all siding projects that were started prior to permit must be permitted prior to Bryan Hubbard pulling a new permit, seconded by Michael Rowe; the motion carried unanimously.

**5. UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

6. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 1:18 a.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official

RNL/llg