

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

December 10, 2020

9:00 a.m.

MEMBERS PRESENT: Chair Loren Moreland
Vice Chair Michael Rowe
Jim Rose
Christopher Freer
Michael Finkbiner

MEMBERS ABSENT: Zachary Taylor
Tim Toussaint

OTHERS PRESENT: Roger Lovell, Regional Building Official
Jina Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official – Plans
John Welton, Deputy Building Official - Inspections
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Loren Moreland called the meeting to order at 9:03 a.m.

The Licensing Committee meeting was conducted virtually via a program called Microsoft Teams live events, which is accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>.

Instructions on conducting the virtual meeting were provided.

1. **CONSIDERATION OF THE NOVEMBER 12, 2020 LICENSING COMMITTEE MINUTES**

A motion was made by Michael Rowe to **APPROVE** the November 12, 2020 Licensing Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

2. **COMPLAINT(S)**

a) A complaint has been brought against Lonny Crawford, Licensee and Owner of Altitude Heating and Air, by Maria Adriana Moreno for performing work at 3435 Bridgewood Lane, Colorado Springs, Colorado prior to obtaining permit(s), in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, 2017 Pikes Peak Regional Building Code, as amended. *This complaint was heard by the Licensing Committee on October 15, 2020, and the complaint was continued for 30 days so the complainant could retain a third party interpreter. The complainant then requested*

another 30-day extension because she was out-of-town during the November 12, 2020 Licensing Committee meeting.

The complaining party was not in attendance; therefore, a motion was made by Jim Rose to hear this item out of order (after Item 2.c), seconded by Michael Finkbiner; the motion carried unanimously.

This Item was heard after Item 2.c.

Jina Koulchitzka stated the interpreter is no longer available for the complaint, due to scheduling issues. Maria Adriana Moreno stated she will require an interpreter in order to participate in this hearing; therefore, she would like to **CONTINUE** her complaint to the January 14, 2021 Licensing Committee meeting. A motion was made by Jim Rose to **CONTINUE** this complaint to the January 14, 2021 Licensing Committee meeting, seconded by Christopher Freer; the motion carried unanimously.

- b) A complaint has been brought against Phillip Tafoya, Licensee, Owner and Registered Agent for Journeyman Construction Enterprises, by Alexis Corral for performing work at 7260 Shawnee Place, Colorado Springs, Colorado without the proper license and prior to obtaining permit(s), in violation of Sections RBC105.1, RBC201.3 and RBC201.11.3, Nos. 1, 5 and 6, 2017 Pikes Peak Regional Building Code, as amended.

This Item has been **CONTINUED** to the January 14, 2021 Licensing Committee Meeting at the request of the complaining party.

- c) A complaint has been brought against Randy Chappell, Licensee, Owner, and Registered Agent for Climate Solutions, LLC, by William Coon for performing work at 5354 Goodview Drive, Colorado Springs, Colorado prior to obtaining permit(s), in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, 2017 Pikes Peak Regional Building Code, as amended.

All parties testifying were sworn in. William Coon appeared and stated he hired Climate Solutions, at the recommendation of his neighbor, to install a new HVAC system in his home in March, and he did not realize that it had not obtained the proper permits for this installation until the Department's non-compliance officer came to his home and brought the issue to his attention. He stated he immediately notified Randy Chappell of the issue (this was in August), and he stated he would take care of the permits. Mr. Coon stated in October he received a notice from the Department that the permit had not been obtained yet, so he filed the complaint against Mr. Chappell with the Department at that time.

Mr. Coon stated he discovered that Air Pros “took over” Climate Solutions sometime before he hired Climate Solutions. He stated he received confirmation from Air Pros yesterday that permits are in place now through One Source Home Service (One Source), which is another company owned by Air Pros.

John Welton stated Climate Solutions has been in business since on or around April 25, 2017; it currently holds a Heating A License that is in good standing with the Department. It has obtained a total of 312 permits that have been completed; 13 open permits; 5 voided permits, and 5 “A” Status permits.

Randy Chappell stated he sold this project at the same that he was forming the partnership with Air Pros, with different data systems being put in place. He stated when he talked to Mr. Coon in August, they were trying to get the issues with the data system resolved through management, but he was removed from the company shortly thereafter. He has not been involved with the company since the last week of August, and he is currently involved in some lawsuits over open permits and some other issues with the business. Mr. Chappell stated Air Pros does not have access to his license, but he has obtained some permits “personally and not through the business”. He stated he is currently working on resolved his “A” Status permits.

Mr. Welton stated Air Pros is not licensed in our jurisdiction. He questioned Mr. Chappell about the working relationship between Air Pros, Climate Solutions and One Source; this complaint before the Committee today occurred while all of these companies were working together. It is a Code violation to provide residential construction consulting or construction work under Air Pros, as a non-licensed contractor; without having a contract for this particular complaint, it is not clear who consulted for and contracted for the work. All of the open permits and the “A” Status permits on the license of Climate Solutions are the responsibility of Climate Solutions and the examinee for that company, Randy Chappell.

Upon questioning by Ms. Koulchitzka, Mr. Chappell stated Climate Solutions merged with Air Pros in January 2020, and he became a partner with Air Pros at that time. He stated that partnership is currently in the process of being terminated. He stated at the end of July (or beginning of August) Air Pros bought One Source, so it is now listed with the State as Air Pros/One Source, and he was “pushed out of the company” at that time; he is currently involved in a lawsuit over this matter. Mr. Chappell stated he allowed Air Pros to use his license to obtain permits at the time of the merger. Ms. Koulchitzka directed Mr. Chappell to produce copies of any and all partnership agreements, contracts or records with Air Pros and/or One Source since January 2020 forward specific to the acquisition of the company, so the Department may inspect those documents to determine how work was consulted for and/or performed further to determine whether an investigation is needed for specific violations of the Pikes Peak Regional Building Code. That documentation must be submitted to the Department

two weeks from the meeting today. Mr. Chappell stated the company Air Pros that he merged with was not the same Air Pros that merged with One Source; it was a completely different acquisition and a separate company; he is not “tied to” One Source.

Chair Moreland stated he believes the Committee should concentrate on the complaint on the agenda, and based on permit history and the ongoing merger of the company, a violation to the Code occurred and a permit was not obtained as it should have been, and likely not obtained in a timely manner due to the separation of the two companies. Mr. Welton stated the Department’s staff is concerned when a statement is made by a contractor that something “fell through the crack”. He questioned Mr. Chappell if he had other projects that required permits that may have also “fallen through the cracks” of timing during the merger agreements? Mr. Chappell responded “no” that this was the only project that occurred at the beginning of the transitions and software changes.

Mr. Welton express concern about the lapse in time from the installation of the HVAC system to the time the permit was obtained and inspections performed, due to any potential life safety issues that may have occurred during that interim time period should there have been issues with the installation.

Mr. Chappell stated he was unaware that One Source obtained the permit yesterday; it was his intent to take responsibility for that permit. Mr. Coon stated he informed Air Pros about the hearing today regarding his project, and he was immediately contacted by One Source, which obtained the permit yesterday and is intending to take responsibility for completing his project, i.e. requesting inspections, service and warranties.

A motion was made by Michael Finkbinder that a Three-Year Incident Report be put in the contractor file of Randy Chappell; if Mr. Chappell applies for a name change with a new company, he must reappear before the Licensing Committee; and a staff update be given during the January 14, 2021 Licensing Committee with regard to inspection results of this homeowner’s HVAC system, seconded by Jim Rose; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Consent license requests will be acted upon as a whole, unless a specific item is called for discussion by a Committee member or a citizen wishing to address the Committee.

Building Contractor A-1 (Commercial)

ALLIANCE CONSTRUCTION SOLUTIONS, LLC – BRIAN WEINMASTER
GREYSTAR DEVELOPMENT AND CONSTRUCTION, LP – SAMUEL HOSFELT
JAMES R. HOWELL & CO., INC. DBA HOWELL CONSTRUCTION – ROGER

SMITH (EXAMINEE CHANGES COMPANY SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL “A” STATUS PERMITS, IF ANY, ARE RESOLVED)
SAUNDERS CONSTRUCTION, INC. – TONY STREET (COMPANY CHANGES EXAMINEE SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL “A” STATUS PERMITS, IF ANY, ARE RESOLVED)
SOLON HOMES INC DBA SOLON CONSTRUCTION “FKA” PATINA HOMES LLC
– MICHAEL DAVIS (EXAMINEE CHANGES COMPANY)

Building Contractor A-2 (Limited Commercial)

REMINGTON BUILDERS GROUP LLC – REMINGTON SMITH

Building Contractor B-1 (Limited Commercial)

ABERDEEN CONSTRUCTION, INC. – RONALD HOEKSTRA (COMPANY CHANGES EXAMINEE)
CRYSTAL RIVER HOMES, INC. – DANNAL PATTERSON (REINSTATEMENT)
ELECTRONIC ENVIRONMENTS CO. LLC – MICHAEL HARTKE

Building Contractor B-2 (Limited Commercial)

DEDICATED CONSTRUCTION MANAGEMENT LLC – KEITH TUBIN

Building Contractor C (Homebuilder)

FADING WEST CONSTRUCTION, LLC – QUINN STAUFFER (EXAMINEE CHANGES COMPANY & ADDITIONAL LICENSE)
G STONE CONSTRUCTION INC. DBA GH CONSTRUCTION – GRACE HODGSON

Building Contractor D-1 (Retaining Wall)

ROSCH SOUTHWEST, LLC – RICHARD JENKINS

Building Contractor D-1 (Roofing)

ALL PURPOSE ROOFING AND GUTTERS, LLC DBA ALL PURPOSE ROOFING AND GUTTERS – FRANK QUINTANA
CCG ROOFING & PROJECT MANAGEMENT “FKA” CATASTROPHE CONSULTANTS GROUP – DANE MCGILL (REINSTATEMENT & COMPANY NAME CHANGE)
GROVETON ROOF & SOLAR – JOHN MULDOON
PASKOS HIGH-CALIBER SERVICE CO. LLC – SHEENA PASKO
POWER POINTS LLC. DBA POWER POINTS LLC. – GREGORY SINK
RELIABLE ROOFING AND RESTORATION INC. – MATTHEW DENT (EXAMINEE)

CHANGES COMPANY)

TOP THAT COMMERCIAL ROOFING INC. “FKA” TOP THAT ROOFING INC. – PHILIP THERIAULT (REINSTATEMENT & COMPANY NAME CHANGE SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL “A” STATUS PERMITS, IF ANY, ARE RESOLVED)

VIP CONSTRUCTION LLC 2 – JENNIFER PELLEGRINI (REINSTATEMENT SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL “A” STATUS PERMITS, IF ANY, ARE RESOLVED)

Building Contractor D-1 (Stucco)

DOUBLE R CONSTRUCTION LLC - RAUL RASCON (REINSTATEMENT SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL “A” STATUS PERMITS, IF ANY, ARE RESOLVED)

Building Contractor D-5A (Sign)

TOTAL IMAGE SOLUTIONS LLC – JASON DAWSON

Building Contractor E (Maintenance & Remodeling)

DAVIS CONSTRUCTION INC DBA DAVIS ROOFING & EXTERIORS – DANIEL DAVIS (ADDITIONAL LICENSE & COMPANY NAME CHANGE)

ROCKY MOUNTAIN RENOVATORS LLC – JOHN PASCAL

THIR I, LLC DBA CENTER POINT RENOVATIONS – SEAN SMITH

THRIVESTAR DBA THRIVESTAR RENOVATIONS – CHRIS SHANNON

Building Contractor F-1 (Solar)

FREEDOM FOREVER COLORADO, LLC – GREGORY ALBRIGHT (ADDITIONAL LICENSE)

Mechanical Contractor - A (Commercial)

ALNOR, INC. DBA COOLING CUBED – MATTHEW DILLON (ADDITIONAL LICENSE & EXAMINEE CHANGES COMPANY & PRIMARY EXAMINEE)

ECS LLC DBA EAGLE CONTRACTING SERVICES LLC – KURT RILLEMA (COMPANY CHANGES NAME)

FRONT RANGE HOME SERVICES LLC – ROBERT MALLARD

RASMUSSEN MECHANICAL SERVICES DBA RASMUSSEN MECHANICAL SERVICES, INC. – BRUCE RASMUSSEN (REINSTATEMENT)

Mechanical Contractor – B (Residential)

ALL PHASE APPLIANCE – MANUEL GONZALES

CHIEF MECHANICAL 719 LLC – JONATHAN ESPINOZA HERNADEZ
MIDTOWN SWEEPS, INC DBA MIDTOWN CHIMNEY SWEEPS - BYRON
SCHRAMM (COMPANY CHANGES NAME)
Heating Mechanic IV (HVAC Service Tech)

CRAIG SMEDLEY
DAVID BINGHAM
DAVID FOX
JORDAN JOSEPH
RYAN SULLIVAN
WILLIAM NGUYEN

Consent Items for Voluntary Suspension

B. HOUGHTON CONSTRUCTION CO – BRADLEY R. HOUGHTON –B-A1
HOME RENEWAL ENTERPRISES, LLC – KENDALL ROY – B-C
JOSEPH J SERIO – JOSEPH SERIO - B-A1
KROLL DISTINCTIVE HOMES – JAMES KROLL – B-C

A motion was made by Jim Rose to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Michael Finkbiner; the motion carried unanimously.

4. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

Break from 10:38 a.m. to 10:45 a.m.

5. **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

Building Contractor A-1 (Commercial)

CONSTRUCTION DONE RIGHT, LLC – NICHOLAS BROOKS

John Welton stated Nicholas Brooks has **WITHDRAWN** his license request.

Building Contractor B-1 (Limited Commercial)

ALCORN CONSTRUCTION, INC. – JASON RANDELS (COMPANY CHANGES EXAMINEE)

Jason Randels appeared. John Welton stated Mr. Randels was asked to appear before the Committee today because he is listed as Vice President of the company, and RBD staff

would like to know Mr. Randel's role in the projects that are listed in the work history section of the application. Three of the projects are ground-up and two are tenant finishes. Further explanation of the applicant's ground-up experience is requested. Mr. Randel's stated he was the Director of Operations on the projects and had an overall supervisory role on the projects. He stated he started out in the field for a year and moved into a project engineer role in the office; he then moved into estimating for 3 years; thereafter he became a project manager/estimator for 6 to 7 years; and then moved into the Director of Operations role where he oversees all of the operations just as he does today. A motion was made by Jim Rose to recommend to the Board of Review **APPROVAL** of a B-1 (Limited Commercial) License, seconded by Michael Rowe; the motion carried unanimously.

EL PASO GREEN ENERGIES, LLC DBA PEAK VIEW SOLAR – DOUGLAS BRODHAGEN (COMPANY CHANGES EXAMINEE)

Douglas Brodhagen appeared. John Welton stated this is not a request for a company changing examinee; RBD's records reflect that this is an additional examinee or back-up examinee for this company. He stated this examinee is appearing due to lack of ground-up experience. Mr. Brodhagen stated his work experience includes residential structural modifications, with no ground-up experience. Mr. Welton stated based on the application as submitted, RBD staff would recommend downgrading to a C License with no ground-up permits. Mr. Brodhagen stated he would like to downgrade his license request to a C License with no ground-up permits. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of a C License, with the condition of no ground-up permits, seconded by Jim Rose; the motion carried unanimously.

G&J DEVELOPMENT, INC – GARY HOOKER

Gary Hooker appeared and stated the work history on his application are all tenant finishes; there are no ground-up projects. He stated the projects on his work history are all commercial; not residential as noted on his application. He stated he has been doing commercial work for the past 25 to 30 years. Mr. Hooker stated his plans are to continue to perform tenant finish work, but would like to also have the licensure to allow him to do the core/shells. John Welton stated Mr. Hooker's experience would be more suited to a B-2 License, which allows a maximum square footage of 7,500 square feet. Mr. Hooker stated he would like to request a downgrade of his license request to a B-2 License. A motion was made by Jim Rose to recommend to the Board of Review **APPROVAL** of a B-2 License, seconded by Michael Rowe; the motion carried unanimously.

Building Contractor C (Homebuilder)

HIGH MARK EXCAVATING AND CONSTRUCTION, LLC – LUKE MAGISTRELLI

Luke Magistrelli appeared and stated his experience is working for both building contractors and homeowners, who he assisted with their ground-up construction. He stated he worked for LT and Sons Builders as the job foreman and built multiple homes in the Stone Manor Heights and Cedar Heights areas; he also built two personal residences for himself from the ground-up; and built a ground-up home for American Craftsmen Homes doing everything from utilities through the final stages of the home construction. He stated he has worked for Colorado Task Force One as a shoring operations specialist, so he has training through the Army Core of Engineers. Mr. Magistrelli stated he framed the house, performed the excavation work, and assisted with the subcontractors on the house at 9175 High Mark, Woodland Park, Colorado, which was a homeowner permit. He stated this was a year-long project, which was completed in 2017. He stated he was unaware that a license is required for assisting with any residential construction consulting or construction work that is regulated by the Code. Mr. Magistrelli stated in addition to the 9175 High Mark project, he also assisted with framing the house at 10955 Grenadier Road in Woodland Park.

Michael Finkbiner noted that Mr. Magistrelli's website notes that he is doing excavating and offering construction services. It also notes that Mr. Magistrelli is a licensed septic system contractor. Mr. Magistrelli affirmed that he is a licensed septic system installer in El Paso and Teller Counties. He stated he has had his website up since the beginning of the year with the full intention of getting his C license. Chair Moreland stated technically Mr. Magistrelli is licensed (he has a septic license), so it is not a misstatement, although it could be misconstrued by some people. He believes Mr. Magistrelli is an "old school experienced construction guy". He further stated he believes Mr. Magistrelli has the experience for a C license, perhaps with limitations. Chair Moreland stated Mr. Magistrelli has been very honest with the Committee during this hearing, and the other Committee members were in agreement with Chair Moreland's assessment. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of a C (Homebuilder) License, with the limitation of two ground-up permits until completed, at which time Mr. Magistrelli may work with RBD staff to remove the restriction, seconded by Jim Rose; the motion carried unanimously.

Building Contractor D-1 (Roofing)

ABOVE THE REST LLC DBA ABOVE THE REST ROOFING – CHRISTOPHER WILLIS

Christopher Willis appeared and stated he was the apprentice on all of the projects in the work history on his license application. He stated he works with his father, who is a

subcontractor, and all projects are residential construction. He stated he has worked in all phases of this roofing business. Mr. Willis stated currently they are subcontracting the roofing projects to roofers that are licensed and insured. He stated his plans are to do primarily residential reroofs. A motion was made by Michael Finkbiner to recommend to the Board of Review **APPROVAL** of a D-1 (Roofing) License, with the limitation of 5 permits until completed, at which time Mr. Willis may work with RBD staff to have the restriction removed, seconded by Jim Rose; the motion carried unanimously.

6. **UNFINISHED BUSINESS**

There was no Unfinished Business.

7. **NEW BUSINESS**

Roger Lovell thanked the Licensing Committee members for their time and participation in the virtual Licensing Committee meetings this past year; and wished each member a Happy Holiday Season.

The meeting adjourned at 11:54 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/llg

Accommodations for the hearing impaired can be made upon request with forty-eight (48) hours' notice. Please call (719) 327-2989.

Pikes Peak Regional Building Department (PPRBD) meeting agendas and minutes, as well as archived records, are available free of charge on PPRBD's website at <https://www.pprbd.org/Information/Boards>. Audio copies of the record may be purchased by contacting PPRBD at (719) 327-2989.