

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

BOARD OF REVIEW MINUTES

September 20, 2023 – Wednesday – 11:00 a.m.

MEMBERS PRESENT: Chair Loren Moreland, Building A, B or C Contractor
Christy Riggs, Architect
Jeffrey Finn, Citizen-at-Large
Christopher Freer, Engineer

MEMBERS ABSENT: Vice Chair Vince Colarelli, Building A or B Contractor

RBD STAFF PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official – Plans
Matthew Matzen, Permit/Licensing Supervisor
Gina LaCascia, Executive Administrative Assistant

PROCEEDINGS:

The Board of Review meeting was conducted in a hybrid form, allowing Committee members, Department staff, and the public to attend in person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Room 100-14, or 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>.

1. CALL TO ORDER: DETERMINATION OF A QUORUM

Chair Loren Moreland called the Board of Review meeting to order at 11:00 a.m.

2. CONSIDERATION OF THE AUGUST 16, 2023 BOARD OF REVIEW MINUTES

A motion was made by Christy Riggs to **APPROVE** the August 16, 2023 Board of Review Minutes as written; seconded by Christopher Freer; the motion carried unanimously.

3. CONSIDERATION OF TECHNICAL AND LICENSING COMMITTEES' MINUTES

a) Technical Committee Minutes of September 6, 2023.

A motion was made by Jeffrey Finn to **APPROVE** the September 6, 2023 Technical Committee Minutes as written; seconded by Christy Riggs; the motion carried unanimously.

b) Licensing Committee Minutes of September 14, 2023.

Christy Riggs recused herself from voting on the Licensing Committee Minutes of September 14, 2023 only with Building Contractor A-1 (Commercial) regard to the Contractor Complaint against Bridger Gene Kucinski, examinee, and Go Freedom Ventures dba K2 Homes, LLC, due to a conflict of interest .

Jeffrey Finn and Christopher Freer recused themselves from voting on the Licensing Committee Minutes of September 14, 2023 only with regard to Building Contractor A-1 (Commercial) Nor'wood Limited, Inc., Scott Norman, due to a conflict of interest.

A motion was made by Christy Riggs to **APPROVE** the Licensing Committee Minutes of September 14, 2023 with the exception of Item 4, Contractor Complaint against Bridger Gene Kucinski, examinee, and Go Freedom Ventures dba K2 Homes LLC, and Item 6, Items Called off Consent Calendar, specific only to Nor'wood Limited, Inc., Scott Norman; seconded by Christopher Freer; the motion carried.

With the recusal of Christy Riggs, a motion was made by Jeffrey Finn to **APPROVE** Item 4 of the Licensing Committee Minutes of September 14, 2023; seconded by Christopher Freer; the motion carried.

Virginia Koulchitzka advised the Board that there were no Board member alternates available for the conflicts raised specific to Nor'wood Limited, Inc., Scott Norman, and therefore, requested Mr. Norman to appear in person before the Board to discuss the conflicts of interest on public record. Mr. Finn's conflict of interest as the Senior Vice President of the Nor'wood Development Group is actual and non-waivable.

Mr. Norman appeared in person and testified that he is applying for a reinstatement of license and a change in company, indicating it is for an A-1 license; previously, he was an examinee for another company. Currently, he holds an executive level position with Nor'wood Limited, Inc., where he does not have direct or indirect supervision of contractors engaged on project(s), including, but not limited to lack of review or approval of remunerations made to those contractors. He further stated that he does not work directly with Christopher Freer, but that they are working on the same project through Saunders Nor'wood Construction.

Mr. Freer's line of work is design work. While he personally benefits, financially as well, from the working relationship with Saunders Nor'wood Construction, he can remain impartial, unbiased, and not personally influenced in the consideration of Mr. Norman's license application.

While the conflict is actual, since no party took objection to it, and there were no public comments specific to the matter discussed, the actual conflict was determined waivable, and therefore, with the recusal of Jeffrey Finn, a motion was made by Christy Riggs to **APPROVE** the request for license reinstatement; seconded by Loren Moreland; the motion carried.

4. DECISION APPEALS

There were no Decision Appeals.

5. UNFINISHED BUSINESS

There was no unfinished business.

6. NEW BUSINESS

Mr. Finn inquired what other available options there are to resolve similar conflicts of interest, as the one(s) addressed today. Ms. Koulchitzka advised that since alternate members' terms are specifically adopted in and regulated by the Code, any remaining available considerations would arguably be either: (i) an amendment to the Code, which is not an available consideration due to certain legislative restrictions on Code amendment(s) with resulting consequences; or (ii) an administrative decision, which could be procedurally challenged. Therefore, the discussion of the subject conflict(s) on public record is the preferable practice.

The meeting adjourned at 11:20 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/gml

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

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