

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

October 12, 2016

9:00 a.m.

MEMBERS PRESENT: Chairman Mark Mahler
Mr. Scot Gring
Mr. Jim Rose
Mr. Neil Case
Mr. J. B. (Johnny) Johnson

MEMBERS ABSENT: Mr. Vince Colarelli
Mr. Richard Gillit

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Mr. Jay Eenhuis, Chief Plans Supervisor
Ms. Jina Koulchitzka, Legal Counsel
Mr. John Welton, Chief Building Inspector
Mr. Jack Arrington, Chief Mechanical/Plumbing Inspector
Ms. Jessie King, Contractor Licensing
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Mark Mahler called the meeting to order at 9:01 a.m.

Jay Eenhuis introduced Jina Koulchitzka, attorney with Alpern Myers Stuart LLC, filling in for Todd Welch while he is on a medical leave of absence.

1. **CONSIDERATION OF SEPTEMBER 14, 2016 LICENSING COMMITTEE MINUTES**

A motion was made by Johnny Johnson to **APPROVE** the September 14, 2016 Licensing Committee Minutes as written, seconded by Jim Rose; the motion carried unanimously.

2. **COMPLAINTS**

- a) A complaint has been brought against Paul Hume, Jr., licensee for Rescon Holdings, LLC, by Nancy Milliron with Colorado Su Casa Realty, LLC, property manager for the fourplex located at 4995 Picturesque Circle, Colorado Springs, Colorado, for work performed at this address without obtaining a permit, in violation of Sections RBC201.11.3(3) and (5), 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn in. Nancy Milliron appeared and stated this is a four-plex that she manages for the owner. She stated Rescon Holdings was selected by the insurance company to reroof the building. She stated the roof was replaced in June, and the insurance company requested that she sign off that the project had been completed; where upon she contacted RBD and discovered that a permit had not been pulled for the project. Ms. Milliron stated the permit was not pulled until September 6th. She stated it is her understanding that Total Roofing actually did the reroofing work on this building, but she did not sign a contract with anyone; this was taken care of by the insurance company. John Welton stated Rescon Holdings has a "B-1" License. He stated Total Roofing pulled the permit on September 6th. He stated the roof has passed inspection and the permit was completed recently.

Matthew Burkholder with Colorado Su Casa Realty, LLC appeared and stated he attempted to contact Rescon Holdings a number of times regarding the lack of a permit for this roofing project, and Rescon Holdings was very uncooperative.

Paul Hume appeared and stated Mr. Santoli, the homeowner, selected Rescon Holdings to do this work and his contract is with Mr. Santoli. He stated Rescon Holdings subcontracted the work to Total Roofing; and in the past he depended on the roofing contractors to pull the permits. He stated due to this incident, he is now pulling all permits himself, and not relying on his subcontractors to pull permits. Mr. Hume stated a representative from Rescon Holdings did inspect the roof after the work was completed. Mr. Welton confirmed that Rescon Holdings can pull roofing permits, as long as they are subcontracting the work to another licensed contractor.

A motion was made by Scot Gring to place a One-Year Incident Report in the contractor file for Paul Hume due to lack of management on the project, seconded by Johnny Johnson; the motion carried unanimously.

- b) A complaint has been brought against David Lemnah, licensee for Lokal Communities, LLC, by Regional Building for starting work on the following list of new residential single family homes and townhomes in Colorado Springs, Colorado prior to having permits in place, in violation of Sections RBC201.11.3(1) and (5), 2011 Pikes Peak Regional Building Code.

Permit K19137; 1370 Promontory Bluff View;
Permit K19135; 1378 Promontory Bluff View;
Permit K19147; 1386 Promontory Bluff View;
Permit K19145; 1394 Promontory Bluff View;
Permit K23350; 1402 Promontory Bluff View;
Permit K23352; 1410 Promontory Bluff View;
Permit K14180; 1459 Promontory Bluff View;

Permit K14182; 1467 Promontory Bluff View;
Permit K14183; 1475 Promontory Bluff View;
Permit K12387; 11705 Promontory Plateau Point;
Permit K12386; 11711 Promontory Plateau Point;
Permit K12383; 11716 Promontory Plateau Point; and
Permit K12382; 11722 Promontory Plateau Point.

All parties testifying were sworn in. John Welton appeared and gave the details of the complaint. He stated on September 8th, one of RBD's inspectors informed him that there were two properties that had been started prior to pulling permits. He stated they were able to determine this by the date on the engineer's letter. Mr. Welton stated upon further investigation, they discovered that there were a number of additional permits wherein the project had been started prior to pulling permits. He stated he then locked the permits and put a note in BDA for the contractor to call him. He stated RBD informed the contractor that they were going to impose a \$1,000 fine for each permit that was started prior to permit. Mr. Welton stated he informed the contractor that if he would let RBD know the actual number of projects that had been started prior to pulling permits, which was 13, he would not issue additional fines, but if it were excessive, he would have to appear before the Licensing Committee.

David Lemnah appeared and stated in several cases they did form footers prior to pulling a permit, but they corrected this issue as soon as they were informed by RBD that there was a problem. He stated he has met with his construction team and put procedures in place so this does not occur again in the future. He stated their company works in a number of different communities in Colorado and each community is different in the time frame when a permit is to be pulled. Mr. Lemnah stated this is the first community in Colorado Springs that they have done.

Thomas Pucciano appeared and stated he has been working in Colorado Springs in the construction industry for 16 years. He stated he was not aware that a permit was required to be pulled prior to breaking ground; he was under the impression that a permit was necessary prior to the first inspection. Mr. Lemnah stated he had an on-site meeting with his construction team, when he learned of this issue, so they are aware of the rules and regulations in the building departments where all of their projects are under construction.

John Welton stated in El Paso County a permit is required prior to setting footing forms. A motion was made by Scot Gring to place a One-Year Incident Report in the David Lemnah's contractor file, seconded by Jim Rose; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1

HITT CONTRACTING, INC. – STEVE RICHBOURG
WD CONSULTING LLC – WILLIAM TIBBIT

Building Contractor B-1 (General Limited)

BAB BUILDERS – KENNETH ROWELL
CENTURY CONSTRUCTION & SONS LTD. – MARK GREELEY (UPGRADE)
CJ RESTORATION – JAY CHAPMAN (CO. CHANGES EXAMINEE)
CUTTING EDGE CONSTRUCTION COMPANY DBA ELKRIDGE CUSTOM HOMES –
PHILLIP JUNG (EXAMINEE CHANGES CO.)
KEY CONSTRUCTION - BYONG HONG (REINSTATEMENT)
PLANET GRANITE, INC. – JEFFREY COURTRIGHT
POTTHOFF ENTERPRISES – LARRY POTTHOFF (EXAMINEE CHANGES CO.)
SPRINGS ROOFING AND CONSTRUCTION LLC – DAVID MORGAN (EXAMINEE
CHANGES CO.)
TUTT SERVICES ENTERPRISES, LLC - RUSSELL TUTT

Building Contractor B-2 (General Limited)

DN TANKS INC. – ROBERT WALSH (REINSTATEMENT)

Building Contractor C (Homebuilder)

FINE LINE CARPENTRY L.L.C. – MARC PATTERSON (REINSTATEMENT)
EMPIRE BUILDERS – WARREN HENDRICKS
IDEAL BUILDERS - MARK PALMER (REINSTATEMENT)
PIKES PEAK HABITAT FOR HUMANITY - JEFFREY WHITE (PRIMARY
EXAMINEE)
TERRA VISTA CUSTOM HOMES, LLC – CHRISTINA VIDER
MAYHEM RESTORATION & REMODEL – THALASSA FUHRMANN (EXAMINEE
CHANGES CO., REINSTATEMENT)
SOUTHERN HERITAGE CONSTRUCTION COMPANY LLC – DREW KENNEDY
(EXAMINEE CHANGES CO.)
SYNERGY HOMES DC, LLC - STANLEY ANDERSON (EXAMINEE CHANGES CO.)
THE FRUITION COMPANY, LLC. – STEPHEN UVEGES (EXAMINEE CHANGES CO.)

Building Contractor D-1 (Exteriors)

3G CONSTRUCTION – MICHAEL TRICAK (ADDITIONAL)
ALLITUDE CONSTRUCTION INC. – SEAN WARREN
LIBERTY SOLUTIONS INC. DBA LIBERTY CONSTRUCTION – DAVID WALLACE
PRIORITY RESTORATION – ERIC REHBERGER (UPGRADE)
RD CONSTRUCTION, LLC – IDALIA CAZARES
STORM TEAM CONSTRUCTION – BRADON EDWARDS (PRIMARY EXAMINEE)
SONNERS CONTRACTING INC. – DAVID SONNER
THAT’S MY ROOFER.COM - DEREK MCKEAN (UPGRADE)
WILLIAM KNIGHT – WILLIAM KNIGHT (UPGRADE)

Building Contractor D-1 (Foundation)

COSTWISE CONCRETE CONTRACTORS, INC. – WARREN SPRING

Building Contractor D-1 (Roofing)

ALL AROUND ROOFING & EXTERIORS – BRYON THOMAS (SECONDARY EXAMINEE)
ASPEN SIDING & WINDOWS – TACY FARRINGTON
A- TOP ROOFING – DAVID DABB (REINSTATEMENT)
BEAR PAW CONSTRUCTION & ROOFING – JOSH POLLARD (REINSTATEMENT)
CALIBER RESTORATION, LLC – BLAKE SUTTLE
CAVENDER’S CONSTRUCTION - DEBORAH CAVENDER
COPPER CREEK CONSTRUCTION, LLC – STEPHEN MILLER
CO PRO CONSTRUCTION – BRIAN NEWMAN
CORNERSTONE ROOFING & EXTERIORS – TERRY LESLEY
CRICKETT ROOFING LLC - RANDALL RABALAIS (PRIMARY EXAMINEE)
DIVISION 7 SERVICES, LLC DBA Q1 CONSTRUCTION – JOHN JONES III (EXAMINEE CHANGES CO.)
FOREST HILLS RESTORATION – DUANE SMITH
JCP GENERAL CONTRACTING – JAMIE YEAGER
LEGACY BUILDERS LLC – JAMES LONG
MAPLE TREE CONSTRUCTION GROUP – BRYAN MAPLES
MCCLEARY, INC. - JASON MCCLEARY
MILE HIGH RESTORATION INC. DBA SARENSEN ROOFING & EXTERIORS, G.C. – BRIAN
SORENSEN (EXAMINEE CHANGES CO.)
MOUNTAIN TOP CONSTRUCTION - STEPHEN PETERSON
NEEDHAM ROOFING INCORPORATED – STEVEN NEEDHAM
PETERICH CUSTOM – DANIEL PETERICH

R & C ROOFING – DAMON CRIPPEN
RIDGELINE ROOFING & RESTORATION LLC - LARRY MCSWAIN
ROOFINGBYJB.COM – JOEL BACA (EXAMINEE CHANGES CO.)
SKYLIGHT MASTERS - FORREST PERRY
STR8 UP COLORADO – JESSICA BERTHIAUME
STAYING STRONG LLC STRONG CONTRACTORS – MATTEO MAZZULLO- REVEL
SUNNY CONSTRUCTORS AND ROOFING LLC – GUY THACKER (CO. CHANGES
EXAMINEE)
TRUTEK ROOFING AND RESTORATION – IAN WARDELL
WEATHERPROOF EXTERIORS INC. – PEDRO ZAVALA–DURAN (PRIMARY
EXAMINEE)
WEATHER TECK RENOVATIONS LLC- BRIAN TRASK

Building Contractor D-1 (Siding)

SPEARS CONSTRUCTION LLC – RICHARD SPEARS (ADDITIONAL)
WEATHERPROOF EXTERIORS INC. – PEDRO ZAUALA-DURAN (ADDITIONAL)

Building Contractor D-1 (Stucco)

ICX CONSTRUCTION AND REMODELING, LLC – CARLOS RIVERA – ROSADO
(EXAMINEE CHANGES CO.)

Building Contractor D-2A (Wrecking)

SB ADVANCED REMEDIATION SERVICES, INC. – WILLIAM POSEY JR.
(EXAMINEE CHANGES CO.)

Building Contractor E (Residential Remodeling)

BDM CUSTOM CONTRACTING LLC - BENJAMIN MITTAN
ENERGY SAVING PROS – STUART LYTLER (EXAMINEE CHANGES CO.)
KMW INDUSTRIES - KEVIN WHEELER

Building Contractor F-1 (Solar)

SUSTAINABLE DESIGNS, LLC DBA SUNKEY ENERGY – CHAD SIPE

Mechanical Contractor A (Commercial)

BAKKEN HEATING & COOLING SERVICES – ROBERT BAKKEN
(REINSTATEMENT)

BASSET HEATING & AIR CONDITIONING INC. – MICHAEL MACHADO (UPGRADE)
MITCHELL HEATING, LLC – DOUG HAAR (SECONDARY EXAMINEE)
THORNTON PLUMBING & REPAIR INC – DARREL THORNTON (UPGRADE)

Heating Mechanic IV (HVAC Service Tech)

ALEXANDER ROY
JOSHUA ATKINSON
KEITH HELLER (REINSTATEMENT)
MICHAEL HAWKINS (REINSTATEMENT)
ROBERT HOFFMAN

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

Jessie King stated there have been over 400 roofing licenses requested since the July hail storm, and John Welton stated 18,000 reroofing permits have been issued since July 28th.

Break from 9:50 a.m. to 9:57 a.m.

Building Contractor A-1

JOE R. JONES CONSTRUCTION, INC. – DUSTIN BROWN *

Dustin Brown appeared and stated he is the Vice President for the company and he oversees all of the construction for the company. He stated he has been working in the construction industry for 25 years. He stated he works with eight project managers in his company. Mr. Brown stated he has built Walmart stores, schools, and nursing homes. He stated they have a general services contract with Walmart and they have been asked to do work in Colorado Springs. He stated he has licenses in other states, and “A” licenses in Boulder County, Larimer County, and the towns of Parker, Lafayette, Broomfield and Castle Rock in Colorado. John Welton stated had RBD had a completed application prior to the agenda being sent out, this license request would have been a consent item. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of an “A-1” License, seconded by Johnny Johnson; the motion carried unanimously.

Building Contractor C (Homebuilder)

D12 HOMES, INC. – PAUL STEWART *

Paul Stewart appeared and stated most of his ground up experience was in Iowa and they do not have a building department in Cherokee, Iowa. He stated he worked for two main contractors in Iowa, one doing “earth work”, i.e. sewer lines, septic systems, etc. He stated he also worked for a commercial contractor in Cherokee, Iowa working on a school and numerous pole barns. Mr. Stewart stated he also had his own construction business doing small jobs. He stated he is currently working for Womack Ministries in Woodland Park. He stated he is requesting this license to enable him to do some “side work” to earn extra money, and also to have the ability to obtain insurance for D12 Homes. Mr. Stewart stated this license will not be used to do work for the bible college or ministry. Scot Gring stated Mr. Stewart currently has a website representing himself as a builder, although he is not currently licensed. He stated he does not feel Mr. Stewart has adequate experience for a “C” license. Mr. Stewart stated he currently owns two four-plexes that he is renovating, and he has “flipped” several houses. John Welton stated the Committee can recommend a provisional license for this contractor. Mr. Stewart stated he plans to build two houses in the next six months; and four or five in the next twelve months. John Welton stated a provisional license could be granted for six months and three permits. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a Provisional License for six months and three ground-up permits, seconded by Johnny Johnson; the motion carried unanimously.

HERITAGE VALLEY CONSTRUCTION – GERALD JOHNSON *

Jay Eenhuis stated Gerald Johnson had an emergency and had to leave. A motion was made by Johnny Johnson to **POSTPONE** this License Request for 30 days, seconded by Scot Gring; the motion carried unanimously.

* Appearance required at the Licensing Committee meeting.

4. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

5. **NEW BUSINESS**

There was no New Business to discuss

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The meeting adjourned at 10:37 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg