

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

December 13, 2017

10:00 a.m.

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

MEMBERS ABSENT:

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Mr. Todd Welch, Regional Building Counsel
Ms. Virginia Koulchitzka, Regional Building Counsel
Mr. Jay Eenhuis, Chief Plans Examiner
Mr. John Welton, Chief Building Inspector
Mrs. Jessie King, Contractor Licensing
Mrs. Rebecca Mulder, Communications Coordinator
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Mark Mahler called the meeting to order at 9:03 a.m.

Todd Welch introduced Jina Koulchitzka, RBD's new attorney that will commence working at RBD at the end of the year.

1. **CONSIDERATION OF NOVEMBER 8, 2017 LICENSING COMMITTEE MINUTES**

A motion was made by Michael Rowe to **APPROVE** the November 8, 2017 Licensing Committee Minutes as written, seconded by Christine Riggs; the motion carried unanimously.

2. **COMPLAINTS**

- a) A Complaint has been brought against Frank Walley, IV, licensee for K1 Roofing and Restoration, LLC, by Gary Renneberg for pulling a permit for an unlicensed contractor to perform work on his home, located at 6175 Desoto Drive, Colorado Springs, Colorado; and by Nancy Allen for pulling a permit for an unlicensed contractor to do work at 6042 Instone Circle, Colorado Springs, Colorado, in violation of Section RBC201.11.3, Nos. 1, 3, and 6, 2011 Pikes Peak Regional Building Code. *This complaint was postponed*

from the November 8, 2017 Licensing Committee Meeting because Mr. Walley contacted RBD staff and informed them they he did not receive the notice for that meeting.

All parties testifying were sworn in. Nancy Allen appeared and stated she hired a friend/contractor to finish her basement; they demoed the basement, and at that point, the contractor changed companies. She stated there were a number of issues with this friend/contractor, and she went to RBD and discovered that the permit was pulled under K1 Roofing and Restoration, LLC. She stated she discovered that Frank Walley was not aware of the permit; he was “helping out a buddy.”

Todd Welch stated Gary Renneberg, a homeowner, filed a complaint against Frank Walley for pulling a permit for another contractor, to perform work at his home, but Mr. Walley has resolved this issue.

Frank Walley appeared and stated he is prepared to rectify this complaint, and he has already resolved the issue with Gary Renneberg. He stated he has removed the names of other contractors from his license, to disable anyone else from pulling permits under his license. He stated he has joint ventures with other contractors, which has been causing this issue. Mr. Walley stated he has offered to help Nancy Allen finish her project, but she is already working with another contractor to complete the project.

Mark Mahler stated the Committee’s concern is that Mr. Walley is not even aware that there are issues with the permits that are under his license. Mr. Walley stated he is making every effort to resolve these issues when he is made aware of the them. John Welton stated Mr. Walley has 42 open permits and 9 “A” Status permits. Mr. Walley stated five of these permits were contracted by other contractors. He stated there are still other people that have the ability to pull permits under his license. Rebecca Mulder stated K1 has pulled a total of 300 permits in El Paso County. Mr. Walley stated he has plans to build a nightclub/bar in El Paso County, and Mr. Welton stated Mr. Walley does not hold the proper license for this type of structure. Mr. Welton stated Mr. Walley’s license has not been active since September 23rd, and Mr. Walley has been granted several extensions to resolve the “A” Status Permits, and only two permits were resolved, although new “A” Status permits were added to the list during this timeframe. He stated a number of these permits are very old permits. Loren Moreland stated he is concerned because Mr. Walley is taking on more work in this County and not completing his existing permits first.

A motion was made by Loren Moreland to recommend to the Board of Review **REVOCATION** of Frank Walley’s contractor license, seconded by Michael Rowe; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1

AD MILLER SERVICES, INC. – TY TOLER (EXAMINEE CHANGES CO.)
SCHMUESER & ASSOCIATES, LLC. – LARRY SCHMUESER (NAME CHANGE)

Building Contractor B-1 (General Limited)

BALDRY DEVELOPMENT – DARRELL BALDRY
B & T ENTERPRISES, INC. – BILLY MARTIN
INTEGRATED WATER SERVICES – JOHN BOPP
LEADERSHIP CONSTRUCTION, INC. - MARK CLUTTS
RENAISSANCE CONSTRUCTION COMPANY – MICHAEL THOMAS

Building Contractor B-2 (General Limited)

INDEPENDENT CONSTRUCTION COMPANY, LLC. - SEAN CASEY

Building Contractor C (Homebuilder)

ARTISAN DESIGN - BUILD CORPORATION – JOHNATHAN BROOKS
CMH HOMES, INC. DBA CLAYTON HOMES #739 – PHILLIP DICKSON

Building Contractor D-1 (Exteriors)

TOP GUN CLEANING & RESTORATION, INC. - RODNEY CRUCE (CO. CHANGES
EXAMINEE) *

Building Contractor D-1 (Foundation Repair)

SUBTERRA GEOTECHNICAL SOLUTIONS – CARY LANGE

Building Contractor D-1 (Roofing)

AX CO. LLC - ALEXBLAGG
SIMON ROOFING AND SHEET METAL CORP. CARLPALM
YORKSHIRE FEDERAL, INC. – BOB ROTHLSBERGER

Building Contractor D-2A (Wrecking)

ISELER DEMOLITION, INC. – JOHN PHILLIPS

Building Contractor F-1 (Solar)

TAVA SOLAR - JAMES GUSTQAFSON (REINSTATEMENT)

Mechanical Contractor A (Commercial)

DUCTED COMFORT, LLC. – RICHARD COLBY (REINSTATEMENT)
EUGENE R. WHITING - EUGENE WHITING (EXAMINEE CHANGES CO.)
SYNEGY MECHANICAL SERVICES – MICAH SHAMASH
SIERRA MECHANICAL, INC. - DAVID COLLIGAN (REINSTATEMENT)

Mechanical Contractor C-1 (Gas Piping)

FIREPLACE SOLUTIONS & SERVICES, LLC. - STEPHEN QUINLAN
MATHY MECHANICAL & C – THU MAI

Mechanical Contractor E (Elevator & Escalators)

COLORADO ELEVATOR SOLUTIONS SCOTT BRUGH

Heating Mechanic IV (HVAC Service Tech)

JURGEN CRNOKRAK
CODY RANDOLPH
DAVID COLLIGAN (REINSTATEMENT)
JONATHAN ZINN
JEFFREY RENN

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

LICENSE REQUESTS CONSIDERED INDIVIDUALLY

Building Contractor D-1 (Roofing)

RESTORATION COATING, LLC. - JESSICA BERTHIAUME (EXAMINEE CHANGES CO.) *

Jessie King stated this contractor is not here today, and this is the second Committee meeting she has missed. She stated Ms. Berthiaume was originally licensed under Str8 Up Colorado, and currently this company has 44 open and/or expired permits; 32 of those permits have not been called in for an inspection and are expired. She stated she would suggest that Ms.

Berthiaume's license be revoked so RBD can notify all of the homeowners, which is RBD's standard procedure. Ms. King stated she spoke with Jessica Berthiaume who informed her that she was unaware that permits were being pulled under her license, and was uncomfortable appearing before this Committee for her license request. John Welton stated RBD has not received any complaints about this contractor to date. He stated RBD can issue a complaint, but we would have to issue the standard 20-Day Notice and bring her before a future Licensing Committee meeting. Ms. King stated the open/expired permits pulled by Ms. Berthiaume for Str8 Up Colorado will follow Ms. Berthiaume to Restoration Coatings, LLC. John Welton stated RBD can file a complaint against this contractor and require that she appear before the Licensing Committee. A motion was made by Scot Gring to recommend to the Board of Review **DENIAL** of this license request to move her license to a new company, seconded by Jim Rose; the motion carried unanimously.

Mechanical Contractor A (Commercial)

AFFORDABLE PLUMBING & HEATING, INC. – KEVIN DALTON (EXAMINEE CHANGES CO., PRIMARY EXAMINEE, UPGRADE) *

Kevin Dalton appeared. Jessie King stated Mr. Dalton was licensed under a different company and he is upgrading his license. She said Mr. Dalton did pull 37 permits under that company and did complete them, and there were no issues with Mr. Dalton while working for his previous employer. She said Mr. Dalton will be accepting responsibility of 44 "A" Status permits for Affordable Plumbing & Heating, Inc. as well as 175 open permits. Jack Arrington stated his concern is that Mr. Dalton is aware that he is taking responsibility for these outstanding permits.

Mr. Dalton stated he is currently working on the "A" Status Permits, as well as the open permits, and focusing on resolving these permits. Mr. Arrington stated Mr. Dalton has resolved 20 permits in the past two weeks. Mr. Dalton stated he anticipates that he will be able to resolve the outstanding "A" Status Permits by the end of February. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a Mechanical Contractor "A" (Commercial) License, with the stipulation that all current "A" Status Permits be completed within 90 days and Mr. Dalton can work with RBD staff to resolve these permits, seconded by Christine Riggs; the motion carried unanimously.

RESCUE MECHANICAL, INC. - MICHAEL SCHWERTFEGER (REINSTATMENT, UPGRADE) *

Michael Schwertfeger appeared. Jessie King stated Mr. Schwertfeger is upgrading his license from a C-1 Mechanical License. John Welton stated Mr. Schwertfeger has a high level of experience, as he was an employee with RBD for a number of years. Mr. Schwertfeger stated he was employed by J.D. Stewart in the mid-1990's, and obtained his license in 1998. He stated he was employed by RBD for five years, and has recently started

his own company because he felt he could have a stronger impact on the community. He stated his plans are to do residential work, but he would like to have the ability to expand over to commercial work. Loren Moreland stated he has worked with Mr. Schwertfeger in the past and would support this license request. A motion was made Jim Rose to recommend to the Board of Review **APPROVAL** of a Mechanical Contractor "A" (Commercial) License, seconded by Loren Moreland; the motion carried unanimously.

4. **UNFINISHED BUSINESS**

a) Update on Eagle Carports

Neil Case stated he would like a status report on Eagle Carports. John Welton stated Eagle Carports was granted a license on October 11th, and to date they have pulled two permits. He stated RBD staff was given a list of projects that they have started.

5. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 12:07 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg