

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

February 14, 2018

9:00 a.m.

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

MEMBERS ABSENT:

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official
Ms. Virginia Koulchitzka, Regional Building Counsel
Mr. Jay Eenhuis, Deputy Building Official - Plans
Mr. John Welton, Deputy Building Official – Inspections
Mr. Bert Warchol, Chief Building Inspector
Mrs. Rebecca Mulder, Licensing Supervisor
Ms. Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Loren Moreland called the meeting to order at 9:02 a.m.

1. **CONSIDERATION OF JANUARY 10, 2018 LICENSING COMMITTEE MINUTES**

A motion was made by Jim Rose to **APPROVE** the January 10, 2018 Licensing Committee Minutes as written, seconded by Scot Gring; the motion carried unanimously.

2. **COMPLAINTS**

- a) A Complaint has been brought against Anthony Esclavon, licensee for Centurion Construction, Inc., by Regional Building Department for modifying the “Date Issued” on the legal page of Permit L29520, for the property located at 6570 Bonifas Court, Colorado Springs, Colorado, in violation of Section RBC201.11.3, No. 6, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn. Anthony Esclavon appeared and stated he did the estimate for this deck in November, but then he had some health issues, so he turned the project over to his “lead guy”, to pull the permit and commence the project. He stated he

learned after the fact that the piers were never inspected, and the permit that was eventually pulled was not for the deck that he designed for this homeowner. He said he also had other issues with this employee, so he voided the permit on this project, with the intent to pull another permit for the correct deck design. Mr. Esclavon stated his employees working on this project, i.e. Cameron Powers, Jonathan Ledbetter, and Mark Lucas, are no longer working for him. Rebecca Mulder stated the permit was pulled on December 27, 2017, but the date of the permit was modified to show that the permit was pulled on November 14, 2017. She stated Mr. Esclavon does not have Workmen's Compensation Insurance, so he should not have employees working for him. John Welton stated no inspections have been performed on this project previous to and since the permit was voided.

Luke Stephens, the homeowner, appeared and confirmed the information presented by Mr. Esclavon. He stated this project was a deck replacement, and the work commenced November 21, 2017 and was completed November 27, 2017, but it was never inspected. Mr. Esclavon stated he is licensed in seven states, and this is the first time that he has not pulled a permit for a project. Mrs. Mulder stated this contractor has been in business since 2011, and he has a total of 27 permits, 25 permits have been completed, and two permits have been voided, this project being one of them. A motion was made by Mark Mahler to recommend to the Board of Review that a One-Year Incident Report be placed in Anthony Esclavon's contractor file, because Mr. Esclavon, due to health issues, relied on his employees to perform this project per Code, and his employees took advantage of the situation. He stated Mr. Esclavon is required to pull a permit and complete inspections on this project within 90 days. In addition, RBD staff is requested to give this Committee an update on this complaint in 90 days, seconded by Neil Case; the motion carried unanimously.

- b) A Complaint has been brought against Kevin Gray, licensee for Empire Signs, Inc., by Regional Building Department for installing signs without pulling permits at: 4090 Austin Bluffs Parkway, 1612 South Nevada Avenue, 1604 South Nevada Avenue, and 602 West Colorado Avenue, all in Colorado Springs, Colorado, in violation of Sections RBC105.9.1 and RBC201.11.3, Nos. 1, 2, 5, and 6, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn. Kevin Gray appeared and stated while he was out of state, his foreman neglected to pull a permit for the address at 4090 Austin Bluffs Parkway prior to installation of the sign. He stated he tried to correct this item when he became aware of it. He stated the installation at 602 West Colorado Avenue was his error because he had two installations in close proximity and he confused the addresses when ordering the install. He stated the two installations on South Nevada were started prior to pulling a permit because the review process was held up, and his client was anxious to have the work completed. Mr. Gray stated he has been in business for 16 years, and he realizes that these issues are his responsibility. Rebecca Mulder stated Mr.

Gray has pulled a total 585 permits, 491 have been completed, 1 permit is locked, there are 8 "A" Status, 32 pending permits awaiting electrical attachment, 48 permits have been voided, and 5 open permits. Scot Gring stated RBD's history on this contractor indicates that he started losing control of his permits in 2015, and Mr. Gray stated he got "too comfortable" with the situation and let things go. Mrs. Mulder stated most of the "A" Status Permits are missing the electrical attachment on these permits, and RBD staff has received a notice of cancellation of Mr. Gray's insurance. John Welton stated RBD staff has been working with this contractor for the past two years; at one point he had 43 "A" Status permits. He stated RBD staff has not been getting any cooperation from Mr. Gray for the past six months, and staff would like to see progress made on the "A" Status permits.

Kurt Schmitt, City of Colorado Springs Sign Inspector, appeared and stated he has been trying to work with this contractor to keep him current with his permits and inspections. He stated signs that are taller than 7' require engineering and a footing, and the projects on South Nevada fall into this category, i.e. the signs have been installed without permits and required documentation. Mr. Gray stated the general contractor did the concrete and steel for the two projects on South Nevada, and when he came into RBD to pull the permits, he found that the general contractor had not had inspections done on the foundation work for these two signs. He stated he tried to remedy this situation, but it got out of hand quickly. Loren Moreland stated Mr. Gray is an experienced sign contractor and does not have a legitimate excuse for how these projects have or have not been handled; moreover, he is taking a lot of RBD's staff time to monitor his work. Mr. Gray stated he has learned today that he must follow proper protocol in pulling permits for his projects in a timely manner. He stated he can complete his outstanding projects in 14 days. He stated his insurance is now in place. Mr. Welton stated the first step that needs to be done is to pull permits for these projects and the 7' signs have to be signed off by an engineer. He stated RBD staff would recommend an allowance of one permit to be pulled for every four permits completed, and Mr. Gray must return to this Committee in 120 days to give the Committee an update on his progress in completing his outstanding permits.

A motion was made by Scot Gring to recommend to the Board of Review that Kevin Gray can pull one permit for every four permits completed; he must send RBD staff documentation that he has insurance in place prior to pulling any permits; and a Two-Year Incident Report will be placed in his contractor file. After completion of Mr. Gray's outstanding permits, he can work with RBD staff to have the restriction removed, and he must reappear before the Licensing Committee in 120 days to give the Committee a progress report, seconded by Mark Mahler; the motion carried unanimously.

Break from 10:21 a.m. to 10:30 a.m.

- c) A Complaint has been brought against Eric Heckman, licensee for Silver Summit GC, LLC, by Regional Building Department for performing work at 19590 Horseshoe Court, Peyton, Colorado, prior to pulling a permit, in violation of Sections RBC201.11.3, Nos. 1, 5, 6, and 7, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn. Eric Heckman appeared. Jina Koulchitzka stated Mr. Heckman currently has a Letter of Reprimand in his contractor file. John Welton stated the Letter of Reprimand was for the same offense that he is appearing for today, i.e. commencing work prior to pulling permits. He stated this complaint is for starting a new single-family home prior to pulling a permit; the footings were installed on October 30, 2017, and the permit was pulled on November 9, 2017. Mr. Heckman stated he is helping a friend build a house; the homeowner is managing the majority of the project; and the homeowner contacted the engineer to do the inspection prior to him pulling the permit. He stated the homeowner is not a principal of nor does he work for Silver Summit GC in any manner. Mr. Heckman stated he did not set the forms, he did not call for the concrete, and he did not call for the engineer to do the inspection; the homeowner took care of these items himself. Mr. Welton stated an engineer can do footing inspections.

Rebecca Mulder stated Silver Summit has been in business since 2015, and it currently has 42 total permits, 33 completed permits, 2 open permits, and 7 voided permits. Mr. Welton stated he has talked to the property owner, who intends to do the cosmetic aspects of the home after it has reached a certain point. He stated RBD staff is devoting a great deal of time monitoring Mr. Heckman's projects, and would recommend a suspension of his contractor license. He stated RBD staff would then contact the homeowners to notify them that they are responsible to complete their projects, and in this case, there are only two projects. Mr. Heckman stated he has called in a final on the roofing permit, but it has not been completed yet. He stated he has two projects scheduled for the future, a landscaping project and a bathroom retiling.

A motion was made by Mark Mahler to recommend to the Board of Review **SUSPENSION** of Eric Heckman's contractor license for a period of ninety (90) days, seconded by Michael Rowe; the motion carried unanimously.

3. **CONSENT LICENSE REQUESTS**

Building Contractor A-1

MARK BAIRD – MARK P BAIRD (EXAMINEE CHG COMPANY)
SMITH ENVIRONMENTAL & COMPANY – JAY SAWICKI

Building Contractor B-1 (General Limited)

AVCON CONSTRUCTION – ANDY VIGIL
SUMMIT BUILDERS INC. – DENNIS STERN (EXAMINEE UPGRADE)
ASPEN GROUP LTD. – CHARLES HORMUTH

Building Contractor C (Homebuilder)

ALEC BUILDERS CORP. – ANDRE LECLEREQ (REINSTATEMENT)
STRICKER CONSTRUCTION CONSULTING – DAVID L STRICKER (EXAMINEE
CHG COMPANY)
HOMERUN RESTORATIONS, INC. – SHAWN SHAFFER

Building Contractor D-1 (Roofing)

COLORADO ROOFING SPECIALTY – DAVID ATKINS
DIAMANTE ROOFING & EXTERIORS – MEAGAN SHEAR (EXAMINEE CHG
COMPANY)
IRONHAWK LLC – RICHARD LAWSON (EXAMINEE CHG COMPANY)

Building Contractor D-1 (Stucco)

MONSTER STUCCO, INC. – EDUARDO MADERA
PEAKVIEW WINDOWS AND SIDING – SHAWN O’LAUGHLIN

Building Contractor D-1 (Siding)

CHEYENNE MOUNTAIN ROOFING – JUSTUS WHIPKEY (EXAMINEE CHG.
COMPANY)
CRS ROOFING COMPANY LLC – RICKY INGERSELL
UNIVERSAL HOME IMPROVEMENT OF COLORADO – MICHAEL ESPINOZA

Building Contractor D-1 (Towers)

CENTERLINE SOLUTIONS LLC – GEOFF GALLINGER
RSDS CONTRACTING – RICHARD W STWALLEY

Building Contractor Sign D-5A

SPEARHEAD LLC – KYLE S BOWLIN

Building Contractor E (Maintenance Remodeling)

ARBOR PRESS INTERIOR DESIGN & REMODELING LLC – CALEB BURGESS
CHEYENNE MOUNTAIN ROOFING – JUSTUS WHIPKEY (EXAMINEE CHG.
COMPANY)

Building Contractor F-1 (Solar)

LIV SOLAR LLC – MATTHEW J HOSKING

Mechanical Contractor A (Commercial)

EAGLE HEATING AND AIR CONDITIONING – JAMES E WHALEN JR
(COMPANY CHG EXAMINEE)
MAURICE T DOUGLAS – MAURICE T DOUGLAS

Mechanical Contractor B (Residential)

PREMIER HEATING AND AIR – REED D BARTON
RIGHT CHOICE HEATING & COOLING – JOSEPH TOYER

Mechanical Contractor C-2 (Commercial Refrigeration)

HUSSMAAN SERVICES CORPORATION – CURTIS WOLFF

Mechanical Contractor C-1 (Gas Piping)

CH4 MECHANICAL LLC – BENJAMIN L METZGAR

Heating Mechanic IV (HVAC Service Tech)

JONATHAN COVINGTON
JOHN MARTINEZ
ALLEN CAMERON
DAVID BURSON
JOHN GUSTAFSON
EMMANUEL CALUS
HUNTER MICHAUD
KYLE PACI
LARRY POSTLEWAIT
JEFFERSON WILCOX

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 B-1 (General Limited)

BELVEDERE CONSTRUCTION – RYAN THAYER*

Ryan Thayer appeared. Rebecca Mulder stated this contractor is appearing today due to lack of experience for this type of a license. Mr. Thayer stated he has 14 years of experience in residential remodeling. He stated he is requesting this license to do structural work on residential property. Scot Gring informed Mr. Thayer that he only needs a “C” License to do residential work. Mr. Thayer stated he would like to modify his license request from a “B-1” License to a “C” License. He stated he worked for his uncle, in South Dakota, building custom residential homes, and has worked on a number of remodeling projects. He stated he has a “B” License in Douglas County and Castle Rock. He stated his long-term plans are to do residential remodels. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) license, limited to no ground-up construction, seconded by Mark Mahler; the motion carried unanimously.

Building Contractor C (Homebuilder)

HOBBS CONSTRUCTION – SCOTT HOBBS* (COMPANY CHG EXAMINEE)

Scott Hobbs appeared and stated he has been working in the construction industry for 20 years, and has been managing his family’s construction business for the past 8 years, his mother being the licensee. He stated his parents are retiring, so he will be taking over the business which necessitates this request for a license. He stated he has been a superintendent for construction of a number of projects. Mr. Hobbs stated he is willing to accept all open permits currently in the company’s name, which includes two permits. Rebecca Mulder stated the company has pulled 79 permits, 77 of which are completed, and 2 are open. She stated the current licensee has a “B-1” License. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a “C” (Homebuilder) License, limited to two ground-up permits, until completed, unlimited below, at which time Mr. Hobbs can work with RBD staff to remove the restriction, seconded by Jim Rose; the motion carried unanimously.

THE MITCHELL STEPHEN COMPANY – MITCHELL S. SIKICH*

No one appeared. A motion was made by Jim Rose to **POSTPONE** this license request for 30 days, seconded by Mark Mahler; the motion carried unanimously.

4. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

5. **NEW BUSINESS**

John Welton introduced Bert Warchol, RBD's new Chief Building Inspector. Mindy Stuemke introduce Matt Matzen, RBD's new Senior Permit Technician. Rebecca Mulder introduced Luke Sanderson, RBD's Non-Compliance Inspector. Roger Lovell stated RBD has undergone a small reorganization, and Rebecca Mulder is now the Licensing Supervisor, John Welton is the Deputy Building Official for Inspections, Jay Eenhuis is the Deputy Building Official for Plans, and Bill Lewis is RBD's new Public Relations Manager.

The meeting adjourned at 11:38 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg