

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

June 13, 2018

9:00 a.m.

MEMBERS PRESENT: Chairman Loren Moreland
Mark Mahler
Scot Gring
Christine Riggs
Michael Rowe
Christopher Freer

MEMBERS ABSENT: Jim Rose

OTHERS PRESENT: Roger Lovell, Regional Building Official
Virginia Koulchitzka, Regional Building Counsel
Jay Eenhuis, Deputy Building Official - Plans
John Welton, Deputy Building Official – Inspections
Jack Arrington, Chief Plumbing/Mechanical Inspector
Rebecca Mulder, Licensing Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chairman Loren Moreland called the meeting to order at 9:00 a.m.

1. CONSIDERATION OF MAY 9, 2018 LICENSING COMMITTEE MINUTES

A motion was made by Christine Riggs to **APPROVE** the May 9, 2018 Licensing Committee Minutes as written, seconded by Christopher Freer; the motion carried unanimously.

2. COMPLAINT

- a) A Complaint had been brought against Timothy Prime and Anthony Cerciello, licensees for Berwick Electric Co., by Joyce Martinez for performing work at 1428 North Prospect Street, Colorado Springs, Colorado prior to pulling a permit, in violation of Section RBC201.11.3, Nos. 1, 5 and 6, 2011 Pikes Peak Regional Building Code. *This Complaint was heard by the Licensing Committee on May 9, 2018, and the Complainant **POSTPONED** it for 30 days so she could attempt to reach an amicable resolution with Berwick Electric.*

Loren Moreland informed the Licensing Committee that this Complaint had been **POSTPONED** for 30 days because the complainant, Joyce Martinez, notified RBD staff

that she was ill and would not be able to attend. Rebecca Mulder stated Berwick pulled a permit for baseboard heaters, but it had not been inspected yet or scheduled for inspection. A motion was made by Mark Mahler to **POSTPONE** this Complaint until the July 11, 2018 Licensing Committee meeting, seconded by Christine Riggs; the motion carried unanimously.

3. COMPLAINT UPDATE

- a) A Complaint was 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. *Anthony Esclavon appeared before the Licensing Committee on February 14, 2018. The Committee recommended that a One-Year Incident Report be placed in Mr. Esclavon’s contractor file, and he was required to pull a permit and complete inspections on this project within 90 days. RBD staff gave the Licensing Committee an update on this Complaint during the May 9, 2018 meeting, noting that Mr. Esclavon had not pulled a permit for the subject property; and the Committee requested that RBD staff send Mr. Esclavon notice that he was required to attend the June 6, 2018 Licensing Committee meeting to give the Committee an update*

Anthony Esclavon appeared, was sworn in, and stated a permit was pulled for this property, and all inspections had been completed. Rebecca Mulder stated the permit was pulled on May 23, 2018, and inspections completed on May 31, 2018. Mr. Esclavon stated he had health issues which delayed completion of this project, but it had now been completed. Ms. Koulchitzka stated a One-Year Incident Report was placed in Mr. Esclavon’s contractor file.

- b) A Complaint was 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. *Kevin Gray appeared before the Licensing Committee on February 14, 2018, and the Committee determined that Mr. Gray could pull one permit for every four permits completed; he was required to send RBD staff documentation that he had insurance in place prior to pulling any permits; and a Two-Year Incident Report was placed in his contractor file. After completion of Mr. Gray’s outstanding permits, he could work with RBD staff to have the restriction removed, and he was required to reappear before the Licensing Committee in 120 days to give the Committee a progress report.*

Kevin Gray did not appear. Rebecca Mulder stated Empire Signs' liability insurance was current; but the company's workers' compensation insurance was cancelled on June 1, 2018. She stated Mr. Gray had pulled 6 permits, by closing out 4 permits for every permit pulled. She stated he had completed 4090 Austin Bluffs Parkway in its entirety; he had plan approval on 602 West Colorado Avenue, but had not permitted it; and 1604 and 1612 South Nevada Avenue have been permitted with no inspections and no electrical attachments. Kurt Schmitt, Sign Inspector with Colorado Springs Development Enterprises, appeared and stated 602 West Colorado Avenue was approved through Planning and Zoning, but he discovered after speaking with RBD staff yesterday that this sign was not permitted, even though it was installed, but all noncompliant issues were resolved for Zoning and Planning. A motion was made by Mark Mahler to **POSTPONE** this item until the end of the agenda, seconded by Christine Riggs; the motion carried unanimously.

This matter was continued at this point after Item 6.

All parties testifying were sworn in. Rebecca Mulder stated Empire Signs had completed several permits and pulled 1 permit for every 4 permits closed. Kevin Gray stated the jobs on Nevada were complete, but he had been unable to get the electrician to attach to the permit to complete the electrical portion of the permit. Jina Koulchitzka requested written documentation from Mr. Gray detailing his attempts to complete both of the properties with the electrician. John Welton stated a complaint could be filed against the electrician doing work without a permit, and the owner of 602 West Colorado Avenue was very anxious to have this matter resolved because a lien had been placed on his property. Ms. Koulchitzka requested names of the electricians doing work on the signs on all properties, but Mr. Gray stated the customers made the arrangements with the electrician to have the electrical portion of the work done on the signs. He stated he was not on site when the electrical portion of the signs were completed. He stated he had worked with Advantage Signs to perform projects for it, with Advantage Signs selling the jobs, and Advantage Signs hiring the electrical contractor. He stated he only did installations for Advantage Signs as a subcontractor, and did not know who the hired electricians were. Ms. Mulder stated the signs were permitted as illuminated signs, which required the electrical attachment(s) to close the permits.

Ms. Mulder stated currently Empire Signs had 8 "A" status permits and 6 open permits. Mr. Welton stated RBD staff's concern was that it was unknown who did the electrical work on these signs and the electrical attachments were still required to close the permits.

A motion was made by Scot Gring to recommend to the Board of Review that this complaint be extended for 60 days; Kevin Gray was required to reappear in 60 days to give the Licensing Committee an update on this complaint; and Mr. Gray could pull 1 permit for every 4 permits completed, seconded by Mark Mahler; the motion **FAILED** 0:5.

A motion was made by Scot Gring to recommend to the Board of Review that this complaint be extended for 60 days; Mr. Gray could pull 1 permit for every 4 permits completed; and upon completion of the outstanding permits, Mr. Gray could work with RBD staff to remove the restriction, seconded by Mark Mahler; the motion carried unanimously.

4. **CONSENT LICENSE REQUESTS**

Building Contractor A-1 (Commercial)

BONSAI DESIGN – THADDEUS SHRADER
LIQUID STRUCTURES – JASON TRAVERS
LUPINE CONSTRUCTION & DESIGN, LLC - SCOTT MCKERLIE (EXAMINEE CHANGES COMPANY)
MYERS & SONS, LP – JOHN BRUSKI
SKA BUILDING GROUP – FRANCISCO VALENZUELA

Building Contractor B-1 Limited Commercial)

DESIGNATPLAY LLC – TIMOTHY ANDREWS
ECONOMY ROOFING AND EXTERIORS DBA 1ST CALL CONSTRUCTION – JOSEPH CLIFFORD (ADDITIONAL LICENSE)
FARRINGTON CONSTRUCTION MANAGEMENT – ERIC FARRINGTON
RAMPART CONSTRUCTION, INC – FRANK COSTELLANO (EXAMINEE CHANGES CO.)
RIVETER ENTERPRISES – KENNETH MANN

Building Contractor B-2 (Limited Commercial)

THE VERTEX COMPANIES, INC – ROBERT BERGESON

Building Contractor C (Homebuilder)

5280 CONSTRUCTION AND ROOFING – ROBERT DEMITH (EXAMINEE CHANGES CO.)
BILLINGSLEY CONSTRUCTION DBA MIDCO CONSTRUCTION, INC – DONNER BILLINGSLEY (EXAMINEE CHANGES COMPANY)
DESIGNATPLAY, LLC – ANNABELLE GULDNER
LISCOTT CUSTOM HOMES, LTD – ROBERT COWLEY
PUROCLEAN PROFESSIONAL RESTORATION – RYAN STROTHER
WELLNESS WALK-IN TUBS, LLC – SEAN WELCH

Building Contractor D-1 (Exteriors)

JJ CONSTRUCTION & ROOFING – JENNIFER MONTAGUE (UPGRADE)

Building Contractor D-1 (Roofing)

COPPER RIDGE CONSTRUCTION, LLC – JONATHAN POTTER
DOUGLAS COLONY GROUP, INC- CHRIS FAULKNER (COMPANY CHANGES EXAMINEE)
ECONOMY ROOFING AND EXTERIORS DBA 1ST CALL CONSTRUCTION – STEVEN BOUNDS
GREAT AMERICAN ROOFING AND RESTORATION, LLC – ALLAN LAMP
FRANKLIN ROOFING, INC – WALTER NEUBERT
FRONTIER ROOFING SYSTEMS, INC – ROBERT SCHMITZ
JUST ROOFS AND GUTTERS – BRIAN FRIEND (EXAMINEE CHANGES CO.)
MILE HIGH ROOFING, INC – SCOTT JEFFREY (REINSTATEMENT)
MODERN PRO ROOFING – BRETT SCHULTZ
TEXAS CAPITAL, MKL, INC ABELLOS ROOFING – MICHAEL LOWE (CO. CHANGES EXAMINEE)
TEXAS CAPITAL, MKL, INC ABELLOS ROOFING – TIMOTHY ABELLO (NAME CHANGE)

Building Contractor D-1 (Siding)

POWER HOME REMODELING GROUP, LLC – STEPHEN MAST

Building Contractor D-5A (Sign)

BELLINO ELECTRIC SERVICES, LLC – SEAN HOPSON (ADDITIONAL LICENSE)
TEXAS REPUBLIC SIGNS, LLC – MICHAEL EVERETT

Building Contractor F-1 (Solar)

BLUE RAVEN SOLAR, LLC – JAMES MAULE (ADDITIONAL LICENSE)
LUMEN ELECTRICAL SERVICES – EARL MICEK (ADDITIONAL LICENSE)
SKYLINE SOLAR, LLC – TRENT HEIDEN
TASK ENTERPRISES- SHAWN HOWARD

Mechanical Contractor A (Commercial)

AMERICAN MECHANICAL SERVICES OF COLORADO SPRINGS, LLC – JAMES THOMAS (ADDITIONAL LICENSE PRIMARY)
DYNAMIC AIR SYSTEM- EUGENE WHITING (EXAMINEE CHANGES CO.)

FURNACE DOCTORS, LLC – JAMES FOWLER (REINSTATEMENT)
NEXREV, LLC – KERRY BURR

Mechanical Contractor B (Residential)

BOB’S HEATING AND AIRCONDITIONING, INC – ROBERT NELSON
MOUNTAIN AIR HEATING AND COOLING, LLC – JORDAN MATTHEWS

Mechanical Contractor C-1(Gas Piping)

CJ’S PLUMBING HEATING & EXCAVATING, LLC – JOEL VALDEZ
GRADE SCOTT C & M PLUMBING- GRADE SCOTT (REINSTATEMENT)
RMW, INC – RICHARD WEBERG (ADDITIONAL LICENSE)

Heating Mechanic IV (HVAC Service Tech)

ANDREW BAYETTE
ANTHONY EDGELL
CHARLES AUTRY
CHARLES MCCARTY
DAVID SMITH
DYLAN BURKE
ERICH VINSON
FRANK LUEKE
JOHN ROESTI
KODY TOLLIVER
PHILLIP SWEREN
MICHAEL MADRID
WILLIAM MOUNT

Christine Riggs stated she had a working relationship with Frank Costellano with Rampart Construction, and she would like to recuse herself from voting on this specific license request only.

A motion was made by Mark Mahler to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Michael Rowe; the motion carried unanimously.

5. **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

Building Contractor C (Homebuilder)

PROFESSIONAL HOME SOLUTIONS – KELLY LIVELY

Rebecca Mulder stated this license request had been postponed until the July 11, 2018 Licensing Committee meeting, and Mr. Lively had been informed that if he did not attend the July 11, 2018 Licensing Committee meeting, he would have to reapply. A motion was made by Michael Rowe to **POSTPONE** this item until the July 11, 2018 Licensing Committee meeting, seconded by Mark Mahler; the motion carried unanimously.

Building Contractor D-1 (Roofing)

CRESTONE CONSTRUCTION, LLC DBA CRESTONE ROOFING - MARK RAMEY

Mark Ramey appeared and stated he had been working in the financial industry for the past 17 years and recently formed a roofing company with his friend, Jeff Curtis; but he did not have a great deal of experience yet. He stated he planned to run the business side of this company, and Mr. Curtis would be taking care of the roof installations. Jeff Curtis stated he would be working for Mr. Ramey and he had a great deal of roofing experience. Rebecca Mulder stated the Licensing Department had difficulty in clarifying Mr. Ramey's work history and experience, so he was asked to appear before the Committee today for that information.

Loren Moreland stated this Committee determined if licensee requests have adequate experience for a license in El Paso County. Mr. Curtis stated he had never been licensed himself but had been working as a 1099 employee for other roofing companies as a salesman and project manager. He stated he had been training Mr. Ramey, and the references/past projects on Mr. Ramey's application were his projects at the locations where he had been training Mr. Ramey. Loren Moreland stated Jeff Curtis should be the one applying for the license because he had the experience. Mr. Ramey stated he was issued a provisional license, allowing him to pull 6 permits; he asked if he could continue to work until Mr. Curtis could be approved for a license. Ms. Mulder stated this Committee could allow extension of Mr. Ramey's provisional license for 60 days, and allow 6 permits, because Crestone Construction had not pulled any permits to date. Mr. Curtis stated he anticipated that he could pull 10 to 12 permits in the next 60 days. John Welton stated RBD staff issued the provisional license to "right a wrong" that was done internally, and it would be easy to monitor this company's work with only 6 permits. Jina Koulchitzka stated RBD staff was concerned that the work done in the past by Mr. Curtis was done as a 1099 employee, and based on this information, RBD staff suggested that the provisional license be revoked. Mr. Welton stated Mr. Curtis must be an employee or principal of the company and not working as a 1099 employee.

A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a provisional license, conditional upon Crestone Construction pulling a maximum of 6 permits for the next 60 days, while Jeff Curtis goes through the application process to become the licensee for Crestone Construction, LLC, seconded by Mark Mahler; the motion carried 4:1. Michael Rowe opposed.

Break from 10:00 a.m. to 10:12 a.m.

Mechanical Contractor A (Commercial)

LEGACY AIR HVAC, LLC – FALLIN PARKER

Jack Arrington stated Mr. Parker had the references for this license, and he was before the Committee today because there were 17 rooftop units that were replaced on Starbucks locations without permits. He stated Mr. Parker was a licensed contractor in Denver, and should have known and was reasonably expected to know that he was required to be licensed to do this type of work.

Fallin Parker stated he was the President of Legacy Air HVAC, LLC, and he was from Phoenix and does a lot of work for Starbucks across the country; primarily service and repair work. He stated in Phoenix you could replace a “like for like” as long as you do not add additional weight to the roof. He stated Colorado was unique in that you must be licensed to do work where other states do not require a license for the same work. Mr. Parker stated he was here today to remedy this issue. He stated he was licensed in Denver, Aurora, Englewood, Boulder, Arizona, Utah, Nevada, California, Hawaii, and Washington. Mr. Arrington stated with these rooftop units that were installed, RBD staff does not know who did the electrical portion of the project. A motion was made by Scot Gring to recommend to the Board of Review **APPROVAL** of a Mechanical Contractor A (Commercial) License, conditional upon no new permits being pulled until all unpermitted work had been permitted and inspected to the approval of RBD, seconded by Christine Riggs; the motion carried unanimously.

Jina Koulchitzka stated RBD staff would issue a fine of \$250 per HVAC unit installation without a permit, for 17 locations, for a total of \$4,250, which must be paid within 30 days of the June 20, 2018 Board of Review meeting. Rebecca Mulder stated Mr. Parker could pull the permits after the Board of Review on June 20, 2018, if the fine had been paid.

6. UNFINISHED BUSINESS

- a) Status Report on Silver Summit GC – 90 Day License Suspension Imposed on March 16, 2018

John Welton stated the time frame for the Silver Summit suspension had expired, so that suspension would be lifted. He stated RBD staff had no additional issues with this contractor.

7. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 10:56 a.m.

Respectfully submitted,

Roger N. Lovell
Regional Building Official

RNL/llg