

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

September 14, 2023 – Thursday – 9:00 a.m.

MEMBERS PRESENT: Chair Steve Lepine, Building Contractor A, B or C
Vice Chair Tim Toussaint, Citizen at Large
Toby Conquest, Mechanical Contractor A
Zachary Taylor, Architect
David Rojewski, Building Contractor A
Trevit Smith, Building Contractor C
Maria Miller, Commercial Banker

MEMBERS ABSENT:

OTHERS PRESENT: Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official-Plan Review
Matthew Matzen, Permit/Licensing Supervisor
Luke Sanderson, Senior Non-Compliance Inspector
Gina LaCascia, Executive Administrative Assistant

PROCEEDINGS:

The Licensing Committee 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, Hearing Room on the Upper Level, 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 Steve Lepine called the meeting to order at 9:00 a.m.

2. **CONSIDERATION OF THE AUGUST 10, 2023 LICENSING COMMITTEE MINUTES.**

A motion was made by Zachary Taylor to **APPROVE** the August 10, 2023 Licensing Committee Minutes as written; seconded by David Rojewski; the motion carried unanimously.

3. **COMPLAINT(S) UPDATE**

a) Heart Heating & Cooling, LLC

During the August 10, 2023 Licensing Committee meeting, a motion was made by Tim Toussaint to lift the suspension previously placed on Heart Heating & Cooling, LLC, so the company can obtain new permits, the suspension, however, is not to be lifted earlier than August 14, 2023, which is past the deadline for an appeal. Mr. Toussaint requested that Department staff provide an update to the Committee in September; seconded by Zachary Taylor; the motion carried unanimously.

Matthew Matzen provided the Committee with an update stating that, of the thirty A-Status permits Heart Heating & Cooling has remaining, nine permits have been accepted for CNC and are currently in the thirty-day waiting period. He said this leaves twenty-one pending permits, which Heart Heating & Cooling is diligently working through with the assistance of Luke Sanderson, the Senior Non-Compliance Inspector. He said that no other permits have been administratively closed.

The Committee will not require further update(s).

4. **CONTRACTOR COMPLAINT(S)**

Conduct of Hearing.

Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

Oral Evidence. Oral evidence shall be taken only on oath or affirmation.

Hearsay Evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this State.

Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule that might make improper the admission of any evidence over objection in civil actions in courts of competent jurisdiction in this State.

Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

Rights of Parties. Each party shall have these rights among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

4. To impeach any witness regardless of which party first called to testify;
 5. To rebut the evidence against the party;
 6. To represent the party or to be represented by anyone of the party's choice who is lawfully permitted to do so.
- a) A complaint has been brought against Bridger Gene Kucinski, Examinee for Go Freedom Ventures, dba K2 Homes, LLC, by Pikes Peak Regional Building Department, for not obtaining a temporary certificate of occupancy (TCO) or a certificate of occupancy (CO) for the property located at 1255 S. 26th Street, Colorado Springs, Colorado, prior to allowing occupancy in violation of Sections RBC110.1.1 and RBC201.11.3.1 and 6, Pikes Peak Regional Building Code (the "Code"), 2017 Edition, as amended.

Virginia Koulchitzka advised the Committee, as follows: the complaint was filed by Pikes Peak Regional Building Department ("RBD") with a resulting summons to Bridger Gene Kucinski, Examinee for Go Freedom Ventures, dba K2 Homes, LLC, for not obtaining a temporary certificate of occupancy (TCO) or a certificate of occupancy (CO) for the property located at 1255 S. 26th Street, Colorado Springs, Colorado, prior to allowing occupancy. The governmental agency withholding approval(s) for TCO was the City of Colorado Springs, and more specifically City Engineering. The City of Colorado Springs issued a Stop Work Order ("SWO") dated June 29, 2023. After this matter was originally scheduled for appearance before the Committee on August 10, 2023, it was administratively continued by RBD to allow the interested parties an opportunity to resolve outstanding issues. As a result, a TCO was issued on September 6, 2023, with an expiration date of October 6, 2023. While the attachments to the complaint include the site plan, a plat, drainage letter, and soils and foundation investigation and geologic hazards evaluation, most of these documents are relevant to the issues holding up the TCO with City Engineering, and therefore, considered moot for the remaining Code violations: Sections RBC110.1.1 and RBC201.11.3.1 and 6.

Bridger Gene Kucinski appeared in person and was sworn in. Matthew Matzen, as present, was sworn in. Luke Sanderson was also present and sworn in.

Mr. Matzen presented the complaint. The home located at 1255 S. 26th Street, Colorado Springs, Colorado was occupied prior to obtaining a TCO or a CO. At the time RBD learned of the occupancy of the residence, all RBD inspections had been completed, except a partial from an outside reviewing agency, City Engineering. Mr. Sanderson performed a site visit which confirmed the subject occupancy prior to a TCO or a CO. An approval for TCO was not issued by City Engineering until September 5, 2023, which a resulting TCO issuance on September 6, 2023. Public improvements have not been completed, nor has a construction plan been submitted for approval. "GEC issues need to be resolved prior to CO."

Luke Sanderson confirmed that during his site visit on July 12, 2023, he spoke with the owner of said property as well as the contractor to confirm no TCO or CO had been obtained. He also confirmed that City Engineering had a partial inspection remaining before a CO can be issued.

Mr. Kucinski provided three-pages of exhibits: a Certificate of Occupancy (Temporary Residential), i.e., a TCO, dated September 6, 2023, as Exhibit A; a Timeline of Events prepared by Mr. Kucinski, as Exhibit B; and a partial RBD printout of the Inspection History of said property, as Exhibit C. With regard to the admissibility of said exhibits, Ms. Koulchitzka objected to Exhibit B after Mr. Kucinski confirmed on record that he will testify to the subject timeline.

Mr. Kucinski testified that there was a partial engineering inspection in April of 2023, which indicated “In progress: ok for TCO, pending public improvements from DP dated March 2019.” He further stated that the building final was passed on June 27, 2023. He admitted that this was his error in misunderstanding that a TCO was a different process than the CO.

Ms. Koulchitzka confirmed with Mr. Matzen that the contractor portal, which is available through RBD’s website, does provide contractor access to request a TCO, which can also be accomplished over the telephone or by visiting the Department personally.

A motion was made by Zachary Taylor to place a One-Year Incident Report in the files of Bridge Gene Kucinski, as the examinee, and Go Freedom Ventures, dba K2 Homes, LLC, for allowing occupancy of 1255 S. 26th Street, Colorado Springs, Colorado prior to obtaining the required TCO or CO; seconded by Toby Conquest; the motion carried unanimously.

Ms. Koulchitzka provided Mr. Kucinski with his appeal rights pursuant to RBC101.7 of the Code, verbally, as well as providing a printed copy of the Notice of Appeal Rights, 2017 Edition of the Code. Further, she stated the Department has authority, pursuant to Section RBC103.12 of the Code, to issue administrative fines; the Department retains such right, and fines(s) may be imposed.

5. **CONSENT LICENSE REQUESTS**

Consent license requests will be acted upon as a whole unless a specific item is called for discussion by a Committee member or a citizen wishing to address the Committee.

The following committee members: Chair Steve Lepine, Zachary Taylor, and David Rojewski disclosed actual conflict(s) of interest with the license request of Nor’wood Limited, Inc., Scott Norman. As a result, this license request was heard under Item 6 of the Agenda (Items Called off the Consent Calendar).

David Rojewski advised that he has a conflict of interest with Vantage Homes Corp., fka Vantage Homes Corporation, Chad Thurber. As a result, this license request was heard under Item 6 of the Agenda (Items Called off the Consent Calendar).

Zachary Taylor advised of a letter of reference issued to Kenney Konstruktion LLC, James Kenney. However, after further discussion, the matter was not determined to be a conflict of interest; therefore, this license request remained on the Consent License Requests.

BUILDING CONTRACTOR A-1 (COMMERCIAL)

HH Development LP - Zachary Olson
Onsite Construction Group, LLC - Rachel Starr
Stillwater GC, LLC - Asia Stewart
(Examinee changes company)

BUILDING CONTRACTOR A-2 (COMMERCIAL)

Kenney Konstruktion LLC - James Kenney
(Limitation of no ground up)
Whitestone Construction Services, Inc. - Justin Blais
(Company changes examinee and limitation of no ground up)

BUILDING CONTRACTOR B-1 (LIMITED COMMERCIAL)

Diamond Contractors, Inc. - Matthew Perry
Dynamic Trades, Inc. - Edwin Klein
Emerald Construction Management, Inc., dba Emerald C.M., Inc., dba Emerald C.M., Inc., fka Emerald C.M., Inc. - Ruben Bravo
(Company changes examinee and company name or dba change and license subject to an Administrative Lock until all 'A' status permits, if any, are resolved)
Harvey USA LLC - Samuel Birch
(Examinee changes company)
Hobby Lobby Stores, Inc. - Travis Godbeer
(Limitation of no ground up)
West RAC Contracting Corp - Michael Goris
(License reinstatement)
Western States Services - Karen Harricharan
(Limitation of manufactured buildings only)

BUILDING CONTRACTOR B-2 (LIMITED COMMERCIAL)

Vantage Homes Corp. fka Vantage Homes Corporation - Andrew Sanchez
(Additional license and company name or dba change and limitation of no ground up)

BUILDING CONTRACTOR C (HOMEBUILDER)

Arise Building & Restoration LLC - Matthew Greene
Home Repair Shop fka Home Repair Shop Inc. - Richard Vaughn
(License reinstatement and company name or dba change)
Pure Renovations LLC - Johanna Patten
(Limitation of no ground up)
Rampart Enterprises, Inc. dba Strecker Homes fka Rampart
Construction - Douglas Strecker
(Company name or dba Change and license subject to an
Administrative Lock until all 'A' status permits, if any, are resolved)
RJI Professionals Inc. - Mark Schmidheiser II
(Additional license)
Superior Building - Randy Mills
(License reinstatement)
QC Construction Inc. - Wayne Latka
(License reinstatement)

BUILDING CONTRACTOR D-1 (EXTERIORS)

Total Exteriors LLC - Jason Pankhurst

BUILDING CONTRACTOR D-1 (POOLS/SPAS)

Altitude Pool and Spa LLC - Richard Long

BUILDING CONTRACTOR D-1 (ROOFING)

Bader Roofing and Construction Services LLC - Jeffery Bader Jr.
(License reinstatement)
Best Roof Roofing Company LLC - Dennis Miller
Crawford Roofing LLC - Tracy Mills Mancinas
(License reinstatement)
Encompass Builders of Colorado LLC - Wade Madden
(Examinee changes company)
Equinox Roofing - Matthew Jury
Guy Roofing, Inc. - Victoria Guy
Hunter's Precision Construction & Roofing, Inc. fka Precision
Construction & Roofing - Dennis Williams
(Company name or dba change and license reinstatement
subject to an Administrative Lock until all 'A' status permits,
if any, are resolved)
Incline Exteriors - William Schenkel
(Company changes examinee)
Linear Roofing & General Contractors LLC fka Linear Roofing and
General Contractors L.L.C. - Ethan Vandercook
(Company changes examinee and company name or dba change)
Marshall Brothers Construction LLC dba G2 Roofing - Robert Marshall

Optimum Roofing LLC - Daniel Corral

(License reinstatement)

Phoenix Restoration of South Florida LLC - Chad Cress

Pro Exteriors LLC - Chandler Milliken

Riley's Roofing LLC - Derek Riley

(License reinstatement and examinee changes company)

Roof Rite Exteriors LLC dba Roof Rite Exteriors dba Service Rite - Myles Mckeever

Roofcraft, LLC - Christopher Schlumpf

Upfront Restoration & Roofing Inc. - Trent Shane

(Company changes examinee)

Your Roofer, Inc. - Ricky Martinez

(Examinee changes company)

BUILDING CONTRACTOR D-1 (SIDING)

Paramount Construction, LLC - Mildred Brown

(License reinstatement)

BUILDING CONTRACTOR D-5A (SIGNS)

Nickels Manufacturing LLC dba Parker Sign Arts - Brandon Parker

BUILDING CONTRACTOR D-1 (STUCCO)

Jose Anibal Plastering LLC fka Jose Anibal Plastering - Jose Tejada Palencia

(Company name or dba change)

BUILDING CONTRACTOR E (MAINTENANCE & REMODELING)

Brien Remodel & Handy Ltd. - Nathan Brien

Holloway Customs LLC - Zachariah Holloway

Jason Does It All, LLC - Kevin Craig

(Examinee changes company)

BUILDING CONTRACTOR F-1 (SOLAR)

Advantage Solar, LLC dba Solarise Solar - Scott Searle

(Additional license)

Affordable Alternative Energy LLC dba ARE Solar - Casey Cole

(License reinstatement subject to an Administrative Lock
until all 'A' status permits, if any, are resolved)

MECHANICAL CONTRACTOR A (COMMERCIAL)

Advanced Climate Solutions of IL LLC - Kenneth Perkins

(Additional license)

B & L Plumbing, Inc. dba T&W Indoor Comfort dba T&W Indoor

Comfort Company fka B&L Plumbing, Inc. - Wayne McKinney

(Examinee changes company and company name or dba change)

Clearesult Consulting, Inc. - Richard Meek
Ducts Unlimited Mechanical Systems, Inc. - Clifton Lamont
(Company changes examinee)
Frost Line Mechanical, LLC - Robert Neill
(License reinstatement)
Tatro Plumbing Co. Inc. - Roy Sanchez
(Additional license)
The Garrett Mechanical Company, LLC dba Blue Star Mechanical and
Plumbing fka The Garrett Mechanical Company, LLC - Darren Miller
(Additional license and company name or dba change)

MECHANICAL CONTRACTOR B (RESIDENTIAL)

Baer Essentials LLC dba Midtown Chimney Sweeps - Michael Baer
Colorado Air Solutions LLC - Jonathon Rodriguez
Denver Ducts Corp. dba Denver Ducts Heating and Air Conditioning - Dara Chhim
Mattingly Mechanical LLC - Brian Mattingly
(License reinstatement and examinee changes company)

HEATING MECHANIC IV (HVAC SERVICE TECH)

Aaron Barnes (License Reinstatement)
Brady Pool (License Reinstatement)
Gary Davidson Jr.
Ian Smith
Jaden Berry
Joseph Murphy III
Robin Lorck
Sarah Bossard

A motion was made by Zachary Taylor to **APPROVE** the Consent License Requests, with the exception of Nor'wood Limited, Inc., Scott Norman, and Vantage Homes Corp., fka Vantage Homes Corporation, Chad Thurber; seconded by David Rojewski; the motion carried unanimously.

6. ITEMS CALLED OFF CONSENT CALENDAR

Vantage Homes Corp., fka Vantage Homes Corporation - Chad Thurber
(Company name or dba change)

With the recusal of David Rojewski, a quorum was maintained; a motion was made by Zachary Taylor to **APPROVE** the license request of Vantage Homes Corp., fka Vantage Homes Corporation, Chad Thurber; seconded by Toby Conquest; the motion carried unanimously.

Nor'wood Limited, Inc. - Scott Norman
(License reinstatement and examinee changes company)

With the recusals of Chair Steve Lepine, Zachary Taylor, and David Rojewski, a quorum was maintained; a motion was made by Toby Conquest to **APPROVE** the license request of Nor'wood Limited, Inc., Scott Norman; seconded by Trevit Smith; the motion carried unanimously.

7. **INDIVIDUAL LICENSE REQUESTS**

Anderson Construction Group, Inc., dba Anderson Construction fka
Anderson Construction Group, Inc. - Jeffrey Abdelsater
(License reinstatement subject to an Administrative Lock Until
all 'A' status permits, if any, are resolved and company name
or dba change)

Matthew Matzen advised the Committee of two open complaints against Anderson Construction Group, Inc., and the fact that these complaints are the reason for the Individual License Request and resulting request for in-person appearance.

As no appearance was made by Jeffrey Abdelsater or any representative of Anderson Construction Group, Inc., a motion was made by David Rojewski to **CONTINUE** this individual license request to the Licensing Committee meeting in October, 2023 to allow the applicant to make an appearance; seconded by Zachary Taylor; the motion carried unanimously.

8. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

9. **NEW BUSINESS**

There was no new business to discuss.

10. **ADJOURN**

The meeting adjourned at 9:55 a.m.

Respectfully submitted,



Roger N. Lovell, Regional Building Official

Pikes Peak Regional Building Department
Licensing Committee Meeting Minutes
September 14, 2023
Page 10

RNL/gml

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

Pikes Peak Regional Building Department (PPRBD) meeting agendas and minutes, as well as archived records, are available free of charge on PPRBD's website at <https://www.pprbd.org/Information/Boards>. Audio copies of the record may be purchased by contacting PPRBD at (719) 327-2989.