

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

July 9, 2020

9:00 a.m.

MEMBERS PRESENT: Vice Chair Michael Rowe
Jim Rose
Michael Finkbiner
Christopher Freer
Zachary Taylor
Tim Toussaint

MEMBERS ABSENT: Chair Loren Moreland

OTHERS PRESENT: Roger Lovell, Regional Building Official
Jina Koulchitzka, Regional Building Attorney
John Welton, Deputy Building Official – Inspections
Matt Matzen, Permit and Licensing Supervisor
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Vice Chair Michael Rowe called the meeting to order at 9:08 a.m.

The Licensing Committee meeting was conducted 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>.

Instructions for conducting the virtual meeting were provided.

1. **CONSIDERATION OF THE JUNE 11, 2020 LICENSING COMMITTEE MINUTES**

A motion was made by Christopher Freer to **APPROVE** the June 11, 2020 Licensing Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

2. **COMPLAINT(S)**

- a) A complaint has been brought against Joseph Hunt, Licensee, Owner and Registered Agent for ProperKey LLC, by Linda Alderman for performing work at 10365 REA Road, Fountain, Colorado prior to obtaining permit(s), in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, 2017 Pikes Peak Regional Building Code, as amended.

All parties testifying were sworn in. Linda Alderman stated she entered into a contract with ProperKey LLC (“ProperKey”) on September 13, 2019. She stated the materials for the roof were delivered prior to the permit being obtained. The permit for the deck was not obtained and the old deck was removed on September 26, 2019. There was no barrier installed across the exterior door when the deck was removed creating a life safety issue because there is a 4’ drop from that exterior door. In addition, the roof above that deck was not supported properly when the deck was removed, creating an additional life safety issue. The stucco work was commenced on September 18, 2019, prior to a permit being obtained on September 26, 2019.

Ms. Alderman introduced a 14-page exhibit (Exhibit 1), with no objections to admissibility from Mr. Hunt, summarized as follows: text messages from Chris Anderson to Linda Alderman representing the following: the deck was removed on September 26, 2019; Chris Anderson was a partner of ProperKey; the stucco was commenced on September 18, 2019 (when the permit was obtained on September 26, 2019); and the shingles for the reroof were delivered on October 4, 2019 (when the permit was obtained on October 9, 2019).

Ms. Alderman stated she worked with Chris Anderson, supposedly a partner with ProperKey, although Joseph Hunt is the licensee for ProperKey. She stated she has never worked with Joseph Hunt. She stated a Stop Work Order was placed on her home on April 30, 2020, due to lack of a permit for the deck.

Matt Matzen noted the license information for ProperKey, stating that Workers Compensation was rejected, and Joseph Hunt is the only approved Associate on file. Mr. Hunt holds a Building C License and a D-1 (Roofing) License. He stated ProperKey has obtained a total of 644 permits since 2004; there are 636 completed permits, 8 voided permits, and zero “A” Status Permits.

Joseph Hunt appeared and stated there was some miscommunication regarding the timing of obtaining the permits, but permits for the reroof and stucco were obtained. He stated the deck permit was not obtained in a timely manner because he was trying to get insurance supplements to pay for the deck. He stated he submitted a claim to the insurance company, but it did not include the deck, so he worked with the insurance company to increase the claim to cover the deck, but that was not approved until January 3, 2020. Hunt stated he did not receive payment for the work that was completed, so he placed a lien on the property. He stated he did not obtain the permit for the deck, because he was not being paid for the work that was done, so he was not sure if he would be completing the deck. He stated there is an open balance for Ms. Alderman’s project. Ms. Alderman noted that the construction contract notes that payment is not required until the project is done. She noted that Mr. Hunt’s comment about payment is irrelevant due to the manner in which the contract was written.

Michael Rowe and Christopher Freer both agreed that the life safety issues created by the deck being removed are a concern to the Committee regardless of whether Mr. Hunt was receiving payment. Mr. Matzen stated a permit was required prior to removal of the deck.

Mr. Hunt stated he wrote a letter for this Committee which notes that he understands that the removal of the deck (prior to permit) created life safety concerns, and he takes responsibility for that issue. The referenced letter was presented for the Committee's review and admitted into evidence as Exhibit 2 without an objection from Ms. Alderman. Mr. Hunt stated he is willing to correct the life safety items at Ms. Alderman's home due to the deck removal. He stated he is also willing to put a barrier across the exterior door immediately after the meeting today. He stated he would also install proper supports for the roof: all to be completed within the next two weeks.

A motion was made by Jim Rose to place a Two-Year Incident Report in ProperKey LLC's contractor file for creating life safety issues conditional upon Mr. Hunt mitigating any and all deck related life safety issues within a reasonable time (not to exceed 30 days), an administrative update be given to the Committee during the August 13, 2020 Licensing Committee meeting, and the matter be withheld from Board of Review approval of the meeting minutes until after the August 13, 2020 Licensing Committee meeting should further action need to be taken by the Committee; seconded by Christopher Freer; the motion carried unanimously.

Jina Koulchitzka stated should further action be needed by the Committee, the Department would issue summons(es) to the licensee for the purposes of appearing, as needed. She further stated the Department has authority, pursuant to Section RBC103.12 of the Pikes Peak Regional Building Code (the "Code"), to issue administrative fines; the Department retained such right, and fine(s) may be imposed. Ms. Koulchitzka further stated the parties to this complaint have 30 calendar days from the decision of this Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Code.

3. COMPLAINT UPDATES

- a) A complaint has been brought against Frederick Wrobel, Jr., Owner and Licensee, and Akeem Seriki, President, Black Oak Homes & Design, Inc., by Pikes Peak Regional Building Department for performing work at 11935 Silver Concho Trail, Elbert, Colorado in violation of Sections RBC106.4 and RBC201.11.3, Nos. 1, 5 and 6 of the 2017 Pikes Peak Regional Building Code, as amended, specific, but not limited to: vault not constructed per approved plan (load bearing walls not resting on expanded footing / header not supported by trimmers / load bearing wall not constructed on outer wall joist resting on foundation).

- b) A complaint has been brought against Frederick Wrobel, Jr., Owner and Licensee, and Akeem Seriki, President, Black Oak Homes & Design, Inc., by Pikes Peak Regional Building Department for performing work at 11970 Silver Concho Trail, Elbert, Colorado in violation of Sections RBC105.1, RBC106.4 and RBC201.11.3, Nos. 1, 5 and 6 of the 2017 Pikes Peak Regional Building Code, as amended, specific, but not limited to: vault not constructed per approved plan (load bearing walls not resting on expanded footing); and failure to timely obtain required permit(s).
- c) A complaint has been brought against Frederick Wrobel, Jr., Owner and Licensee, and Akeem Seriki, President, Black Oak Homes & Design, Inc., by Pikes Peak Regional Building Department for performing work at 11950 Oregon Wagon Trail, Elbert, Colorado in violation of Sections RBC105.1, RBC106.4 and RBC201.11.3, Nos. 1, 5 and 6 of the 2017 Pikes Peak Regional Building Code, as amended, and more specifically, Article 210.12 of the National Electric Code, 2014 Edition or 2017 Edition, as applicable, specific, but not limited to: no AFCI protection present in panel upon investigation inspection; inability to verify vault room / finished without permit but can see walls not resting on footing; and failure to timely obtain required permit(s).
- d) A complaint has been brought against Frederick Wrobel, Jr., Owner and Licensee, and Akeem Seriki, President, Black Oak Homes & Design, Inc., by Pikes Peak Regional Building Department for performing work at 11960 Oregon Wagon Trail, Elbert, Colorado in violation of Sections RBC106.4 and RBC201.11.3, Nos. 1, 5 and 6 of the 2017 Pikes Peak Regional Building Code, as amended, specific, but not limited to: vault not constructed per approved plan (load bearing walls not resting on expanded footing / header not supported by trimmers / load bearing wall not constructed on outer wall joist resting on foundation).
- e) A complaint has been brought against Frederick Wrobel, Jr., Owner and Licensee, and Akeem Seriki, President, Black Oak Homes & Design, Inc., by Pikes Peak Regional Building Department for performing work at 13890 Irish Hunter Trail, Elbert, Colorado in violation of Sections RBC105.1, RBC106.4 and RBC201.11.3, Nos. 1, 5 and 6 of the 2017 Pikes Peak Regional Building Code, as amended, and more specifically, Article 210.12 of the National Electric Code, 2014 Edition or 2017 Edition, as applicable, specific, but not limited to: vault not constructed per approved plan (load bearing walls not resting on expanded footing / header not supported by trimmers / load bearing wall not constructed on outer wall joist resting on foundation); and failure to timely obtain required permit(s) (electric permit obtained 05/22/2019; still open for AFCI re: installation).

Certain complaint items were heard by the Licensing Committee on May 14, 2020, and the Committee determined that the license of Frederick Wrobel, licensee for Black Oak Homes, be locked for 30 days to give him an opportunity to obtain the necessary permits, complete all repairs, and finalize all permits; and Fredrick Wrobel and Akeem

Seriki, Black Oak Homes, be required to appear before the Licensing Committee on June 11, 2020, to give the Committee an update on the status of the outstanding permits; the Licensing Committee to make a final decision regarding the complaints at that time. Should all or a significant portion of the permits be completed prior to the June 11, 2020 Licensing Committee meeting, Black Oak Homes could work with Department staff to have the lock on its license released; sufficient documentation from any homeowner that will not allow access to their home due to the current COVID pandemic would be required and considered by Department staff for purposes of sufficient and timely compliance by Black Oak Homes.

All parties appeared at the June 11, 2020 Licensing Committee meeting. The Committee determined that the license of Frederick Wrobel be unlocked, and that RBD staff give the Committee an administrative update during the July 9, 2020 Licensing Committee meeting, including, but not limited to deferment of repairs by homeowners because of COVID-19, with possible further investigation or action to be taken by the Licensing Committee, if needed, on the outstanding complaints, as listed above. Should that be needed, the Department would issue summons(es) to the licensee for the purposes of appearing, as needed.

John Welton provided an administrative update. He stated Item 3a has been permitted and completed; and the homeowners for Items 3b through 3e have provided documentation to the Department requesting that their repairs be delayed due to the COVID-19 pandemic. The Committee felt additional updates on Items 3b through 3e were unnecessary; as a result, the Department dismissed the complaints without prejudice.

4. **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.

Building Contractor A-1 (Commercial)

MYERS AND SONS CONSTRUCTION, LP – KURTIS FRAILEY
(REINSTATEMENT)
SCHEINER COMMERCIAL GROUP, INC. – JOSEPH SCHEINER (UPGRADE)
TARA CUSTOM HOMES, INC. – MARK RISING (COMPANY CHANGES
EXAMINEE & ADDITIONAL LICENSE)

Building Contractor B-1 (Limited Commercial)

BLACKBURN CONSTRUCTION, INC. DBA BLACKBURN CONSTRUCTION OF
MISSISSIPPI, INC. – JOHN THORNTON
CALIBER METAL BUILDINGS, L.L.C. – TED WILLIAMS (EXAMINEE CHANGES)

COMPANY)
INNOVATE DESIGN BUILD INC. – JOSH HORNER
RICK SHIPMAN CONSTRUCTION, INC. – SCOTTY GOODSON
RUSSCO, INC. – MATTHEW PICHETTE
ULTIMATE CONSTRUCTION SERVICES, FORMERLY KNOWN AS BRITT
AASEBY CONSTRUCTION INC. – RICHARD BIALICK (COMPANY CHANGES
NAME)

Building Contractor B-2 (Limited Commercial)

PRATUM CONSTRUCTION, LLC – RICHARD KELLER
TONY ESCLAVON DBA CENTURION CONSTRUCTION SERVICES – TONY
ESCLAVON (COMPANY CHANGES NAME)

Building Contractor C (Homebuilder)

CILLESSEN CONSTRUCTION COMPANY – HEATH CILLESSEN
HIGH COUNTRY WORX – KEITH KRIZAK
K.L. FOLK, INC. – KENNETH FOLK (EXAMINEE CHANGES COMPANY)
VROLIJK CUSTOM HOMES, LLC – CHRIS VROLIJK (REINSTATEMENT)

Building Contractor D-5A (Sign)

COLORADO CANYON SIGNS, INC., FORMERLY KNOWN AS CANYON SIGNS –
SPENCER SWANN (COMPANY CHANGES NAME)

Building Contractor D-1 (Exteriors)

A BETTER CHOICE HOME IMPROVEMENT – JAMES POWERS
DS ENTERPRISES, INC DBA WATERSHED ROOFING AND RESTORATION –
DAVE SCHECK (COMPANY CHANGES EXAMINEE)

Building Contractor D-1 (Roofing)

BARLO INC. DBA INTERSTATE ROOFING, INC. – THOMAS BOUCKAERT
(SECONDARY EXAMINEE)
BEYOND EXTERIORS LLC DBA BEYOND ROOFING LLC – DARREN JOHNSON
COLORADO BUILDING SOLUTIONS, INC. – MATT SCHENDEL
COLORADO COPPER, INC. – TILLMAN NELSON
COOPER CONSTRUCTION LLC – JONATHAN MAXFIELD (REINSTATEMENT)
INFINITE EXTERIORS LTD. – DENNISE SIMONE
J3 CONSTRUCTION, INC. DBA O'HARA'S SON ROOFING COMPANY – LUKE
COLEMAN
MODERN ROOFING LLC DBA MODERN ROOF CO – NICOLAS GILLAN

ROCK SOLID ROOFING LLC – KRIS RUBIO
ROOFING SOLUTIONS L.L.C. DBA ROOFING SOLUTIONS OF LOUISIANA,
L.L.C. – JEDADIAH MARSOLF
TILEY ROOFING, INC. – JORDAN SCANLAND (COMPANY CHANGES
EXAMINEE)
CUSTOM SLOPE ROOFING LLC – BRANDON EDWARDS (EXAMINEE
CHANGES COMPANY)

Building Contractor D-1 (Stucco)

ZUNIGA STONE, LLP – JORGE ZUNIGA SAMANIEGA

Building Contractor E (Maintenance & Remodeling)

DAYHOFF REMODELING, INC, DBA GREEN CRAFT – CHARLES DAYHOFF
(COMPANY CHANGES NAME)
NOKAOI-INSPECTIONS DBA PPI L.L.C. DBA PIKES PEAK INSPECTIONS L.L.C.
– JOSEPH OETKEN (COMPANY CHANGES NAME & REINSTATEMENT)
SC RENOVATIONS AND REMODEL LLC – JOHN CLARK (REINSTATEMENT)

Building Contractor F-1 (Solar)

TELT VENTURES LLC DBA 1SOLAR – PRESTON BARLOW (ADDITIONAL
LICENSE)

Mechanical Contractor - A (Commercial)

BRUCE MECHANICAL OF COLORADO INC – BENJAMIN COOK (COMPANY
CHANGES EXAMINEE)
JAMES FRANK DUNKLEY DBA CASCADE PLUMBING & HEATING –
CRISTOPHER GRUENZNER (EXAMINEE CHANGES COMPANY SUBJECT TO
AN ADMINISTRATIVE LOCK UNTIL "A" STATUS PERMITS, IF ANY, ARE
RESOLVED)
STELLAR MECHANICAL SOLUTIONS LLC – JOHN KIELY

Mechanical Contractor – C-1 (Gas Piping)

TAYLOR SEPTIC AND PLUMBING – CHARLEY TAYLOR (REINSTATEMENT)

Heating Mechanic IV (HVAC Service Tech)

GERALD BRIMBLE JR (COLORADO SPRINGS UTILITIES)

Consent Items for Voluntary Suspension

CASTLEWOOD HOMES INC – JAMES MCPHERSON- B-C
FRED BORMANN - FRED BORMANN – B-C
FREEDOM HOMES USA LLC. – WILLIAM WALLACE – B-D-2A (WRECKING)
MARTINSON CONSTRUCTION, LLC – MARTIN LAZECHKO B-A1 (ACTIVATE
LICENSE FROM VOLUNTARY SUSPENSION)

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

5. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

6. **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

Building Contractor A-1 (Commercial)

JACK'S OF ALL TRADES INC DBA JACKS OF ALL TRADES INC. - DWAYNE
FREEMAN (COMPANY CHANGES EXAMINEE)

Dwayne Freeman appeared. Matt Matzen stated Mr. Freeman provided four of the required five Type A, E, I or H projects that would allow his license request be placed on the Consent Calendar. He stated the four projects listed were UCCS projects and have no ties to Jack's of All Trades, Inc. He stated Mr. Freeman was listed as an owner's rep for those four projects, so he is appearing before the Committee to clarify his role in those UCCS projects and his project history.

Mr. Freeman stated as State owned buildings, UCCS had an architect and a general contractor build their projects, and his role was the middleman between the university administration and the architect/general contractor. He stated the State architect has State Code reviewers that do all inspections for the State owned buildings. He stated the project managers for UCCS are contract administrators.

Mr. Freeman stated he only listed four of the projects that he worked on for UCCS to give the Committee a broad spectrum of his work, but he worked on numerous smaller projects for the University. He stated for the larger, more technical projects, the University would hire larger, more well-known contractors to assist with those projects.

Upon questioning regarding his position as an owner's rep, and the responsibility that role carried, Mr. Freeman stated the owner's rep is more of a superintendent who is involved in the day to day operations of every project. He stated he was in the field the majority of his time. Mr. Freeman stated he is in the process of getting his A License in Aurora, and he has A Licenses in Castle Rock and Broomfield. He stated his long-term plans are to be able to build large commercial remodeling/additions in the \$3 million to \$5 million range; he does not plan to do ground up construction in the next five years. Matt Matzen stated Mr. Freeman could downgrade his license request to an A-2 License and still be able to do the work he has described to the Committee. This would allow him to contract to build any type of occupancy classifications allowed by the Pikes Peak Regional Building Code with the exception of Group A, E, or I occupancies exceeding 30,000 square feet in total building floor area, or any building that requires Type 1 construction.

Mr. Freeman amended his license request to an A-2 License. A motion was made by Jim Rose to recommend to the Board of Review **APPROVAL** of an A-2 License, seconded by Christopher Freer; the motion carried unanimously.

7. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

8. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:04 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/llg

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