

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

February 9, 2023

9:00 a.m.

MEMBERS PRESENT: Chair Steve Lepine, Building Contractor A, B or C
Vice Chair Tim Toussaint, Citizen at Large
Michael Rowe, Banker
David Rojewski, Building Contractor A
Trevit Smith, Building Contractor C
Zachary Taylor, Architect (*Joined the Meeting Late*)
Toby Conquest, Mechanical Contractor A (*Joined the Meeting Late*)

MEMBERS ABSENT:

OTHERS PRESENT: Virginia Koulchitzka, Regional Building Attorney
Jay Eenhuis, Deputy Building Official – Plan Review
John Welton, Deputy Building Official – Inspections
Matthew Matzen, Permit/Licensing Supervisor
Luke Sanderson, Senior Non-Compliance Inspector
Linda Gardner, 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 JANUARY 12, 2023 LICENSING COMMITTEE MINUTES**

A motion was made by Tim Toussaint to **APPROVE** the January 12, 2023 Licensing Committee Meeting Minutes as written, seconded by Michael Rowe; the motion carried unanimously.

3. **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 Grant Moore, Licensee, Moore Restoration and Remodeling LLC, by Dr. Ben Bynum for performing work at 945 War Eagle Drive North, Colorado Springs, Colorado prior to obtaining proper permit(s), in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended. Further, violations are alleged specific to Sections RBC201.2 (contractor licensing general provisions, including but not limited to, obligations and responsibilities), RBC206.1 (Colorado electrical contractor's license requirement and resulting registration with Regional Building), RBC205.1 (Colorado State master plumber's license requirement and resulting registration with Regional Building), and RBC204.2.2 (Mechanical Contractor B (Residential) license requirement).

Grant Moore (“Moore”) appeared in person and was sworn in. Dr. Ben Bynum (“Bynum”) appeared virtually and was sworn in.

Break from 9:08 a.m. to 9:28 a.m. due to technical difficulties.

Bynum stated he hired Moore Restoration and Remodeling on October 11, 2021 to install two decks and perform an interior remodel at his home for the contract price of \$77,955. The projects were supposed to be completed within 8 to 12 weeks. He stated Moore’s services were terminated due to his insistence on being paid for a complete bathroom prior to a final inspection on the bathroom by Department staff; the bathroom still required permits for an exhaust fan and electrical work. A \$2,750 shower door was also outstanding. Bynum stated Moore filed a lien on his property. He stated Moore was prepaid for materials that were never delivered; as well as work that was never completed. He stated he has obtained homeowner permits and has had the project completed.

Moore stated his permits for Bynum’s home are still open, although they have gone into “A” Status at this point in time. Luke Sanderson stated it would be appropriate for Moore to void his permits since the project has been completed under Bynum’s permits. Moore stated his attorney has advised him to not close out the permits yet until this issue with Bynum can be resolved. He stated the only outstanding item at Bynum’s project is a glass shower door.

Luke Sanderson stated Moore Restoration and Remodeling obtained Bynum’s deck permit on November 17, 2021; the residential remodel and repair permit was obtained on February 1, 2022. Those permits are currently sitting in “A” Status. Moore stated he did start on the interior remodel prior to obtaining a permit because he had to put up a temporary wall in the bedroom “for fear of the bedroom wall actually collapsing”. Moore Restoration and Remodeling did open some floors to see where plumbing was located, so they did start some exploratory work prior to having permits. They ran into a number of technical problems in the online plan submittal process as the plans were not legible when received by RBD, although they were legible “on his end”. There were additional permits obtained by the property owner on June 2, 2022 for the deck and the interior remodel to finish those permits. Mr. Sanderson stated Moore Restoration and Remodeling has a Building C License that is currently in good standing with the Department, and the company has been in business since on or around August 16, 2021; Moore Restoration and Remodeling has obtained 7 total permits, 3 have been completed, and 4 are “A” Status permits. Two of the “A” Status permits are for the Bynum residence.

Mr. Sanderson stated on the residential interior remodel repair permit, there is a rejected building final due to “missing bathroom exhaust fan and water closet per 2015 IRC; attach mechanical and electrical permits; complete all other required inspections.” Moore stated he was terminated from the job before he could call for a final inspection.

The electrical permit was obtained by The Lectrician on February 1, 2022; that permit has been completed. The permits obtained by The Lectrician, COS Plumbing and Moore Restoration and Remodeling for the interior remodel are all separate permits; they are not attached.

A motion was made by Michael Rowe to place a Two-Year Incident Report in the contractor file of Grant Moore with Moore Restoration and Remodeling LLC, with the limitation of one open permit at a time, to be released by RBD staff, seconded by Tim Toussaint; the motion carried unanimously.

Virginia Koulchitzka advised the parties to the complaint of their appeal rights: 30 calendar days from the decision of the Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Pikes Peak Regional Building Code, 2017 Edition, as amended (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 fine(s) may be imposed.

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)

BLACK SQUIRREL CREEK CONSTRUCTION, LLC - BRIAN BROOKBANK
INTEGRATED HOSPITALITY CONSTRUCTION, LLC - PAUL BUSCHING
LEISURE CONSTRUCTION, INC. - SEAN EDWARDS (LICENSE
REINSTATEMENT)
THE CHRISTMAN COMPANY - JOSHUA BACHERT

Building Contractor A-2 (Commercial)

E.G.C. SERVICES, INC - SAMUEL THIELEN (LICENSE UPGRADE)
MK CO - MICHAEL KILLEN
NARVAES WESTERN, LLC - AMORY NARVAES (LICENSE UPGRADE AND
LIMITATION OF NO GROUND UP)
SAI CONSTRUCTION & ENGINEERING INC - VANDARA PONGPHACHANXAY
TRI-LAKES BUILDING CO., INC. 'FKA' TRI-LAKES BUILDING CO - DAVID
WILSON (COMPANY NAME OR DBA CHANGE)

Building Contractor B-1 (Limited Commercial)

JAKE MIEROP CONSTRUCTION LLC - JACOB MIEROP
LAKOTA ROOFING & CONSTRUCTION, INC. - MITTCHELL ROLEY
(LIMITATION OF NO GROUND UP)

ROCKBRIDGE CONSTRUCTION & MANAGEMENT INC 'FKA' ROCKBRIDGE
CONSTRUCTION AND MANAGEMENT INC - ROBERT DAMERON SR (LICENSE
REINSTATEMENT AND COMPANY NAME OR DBA CHANGE)
WOODLAKE CONSTRUCTION MANAGEMENT, L.L.C. - JEFFREY MARTINEZ
(ADDITIONAL LICENSE)

Building Contractor C (Homebuilder)

CENTURY COMMUNITIES, INC. DBA CENTURY COMMUNITIES 'FKA'
CENTURY COMMUNITIES - JEREMY RAINWATER (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)
CENTURY COMMUNITIES, INC. DBA CENTURY COMMUNITIES 'FKA'
CENTURY COMMUNITIES - MICHAEL FENTON (COMPANY NAME OR DBA
CHANGE AND LICENSE SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL ALL
'A' STATUS PERMITS, IF ANY, ARE RESOLVED)
GLOVER CONSTRUCTION CO. 'FKA' GLOVER CONSTRUCTION - RODGER
GLOVER (COMPANY NAME OR DBA CHANGE)
ISLAND CONSTRUCTION SERVICES LLC DBA ISLAND CUSTOM HOMES
'FKA' ISLAND CONSTRUCTION SERVICES LLC - JESSE SOWANICK
(COMPANY NAME OR DBA CHANGE)
MILLENNIUM HOMES LLC - JESUS HERNANDEZ (LICENSE REINSTATEMENT)
TRALON HOMES, LLC - IEVGEN VERMENCHUK (COMPANY CHANGES
EXAMINEE)
WIRE WORKS CO., INC. - LANNY WOODS (LICENSE UPGRADE)

Building Contractor D - 1 (Roofing)

ICI ROOFING, LLC - CALDER SAGEN (LICENSE REINSTATEMENT AND
EXAMINEE CHANGES COMPANY)
RESOLUTIONS CONTRACTORS, LLC - CODY BURCH
REVOLUTION COMPANIES, LLC DBA THE ROOFING REVOLUTION 'FKA'
EVOLUTION ENTERPRISES, LLC THE ROOFING REVOLUTION - ERIKA
BOYD (COMPANY NAME OR DBA CHANGE)

Building Contractor D-1 (Siding)

POWER HOME REMODELING GROUP, LLC - TRAVIS DIXON (ADDITIONAL
LICENSE)

Building Contractor D-5A (Signs)

EL PASO COUNTY SIGNS, INC. DBA PINNACLE SIGNS & GRAPHICS - JESSE
WADE (EXAMINEE CHANGES COMPANY)

Mechanical Contractor – A (Commercial)

EP MECHANICAL TECHNOLOGIES INC. ‘FKA’ EP MECHANICAL TECHNOLOGIES - JAIME ZUBIATE (LICENSE UPGRADE AND COMPANY NAME OR DBA CHANGE)
HIGHTOWER MECHANICAL, LLC DBA HIGHTOWER MECHANICAL - JOHN HOWARD JR
RM CLAY LLC DBA CLAY MECHANICAL - NATHAN DICK

Mechanical Contractor - B (Residential)

AIRBORNE MECHANICAL LLC - CHRISTOPHER CASH

Mechanical Contractor - C-1 (Gas Piping)

THE GAS CONNECTION LLC - DAVID LEWIS (COMPANY CHANGES EXAMINEE)

Heating Mechanic IV (HVAC Service Tech)

JACOB HOFMANN
KENNETH CARPENTER (LICENSE REINSTATEMENT)

A motion as made by Zachary Taylor to recommend to the Board of Review **APPROVAL** of the Consent Calendar License Requests, seconded by Michael Rowe; the motion carried unanimously.

Trevit Smith recused himself from voting on Item 5; a quorum was maintained.

5. ITEMS CALLED OFF CONSENT CALENDAR

Building Contractor C (Homebuilder)

GOODWIN KNIGHT, LLC - TREVIT SMITH (EXAMINEE CHANGES COMPANY AND ADDITIONAL LICENSE)

A motion was made by Zachary Taylor to recommend to the Board of Review **APPROVAL** of the license request of Trevit Smith with Goodwin Knight, LLC, seconded by Michael Rowe; the motion carried unanimously.

6. LICENSE REQUESTS CONSIDERED INDIVIDUALLY

There were no License Requests appearing individually.

7. UNFINISHED BUSINESS

There was no Unfinished Business.

8. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 10:11 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/lfg

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.