

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## LICENSING COMMITTEE MINUTES

October 12, 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  
Maria Miller, Commercial Banker

**MEMBERS ABSENT:** Trevit Smith, Building Contractor C

**RBD STAFF PRESENT:** Roger Lovell, Regional Building Official  
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  
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 9:01 a.m.

#### 2. **CONSIDERATION OF THE SEPTEMBER 14, 2023 LICENSING COMMITTEE MINUTES.**

A motion was made by Tim Toussaint to **APPROVE** the September 14, 2023 Licensing Committee Minutes as written; seconded by David Rojewski; the motion carried unanimously.

### 3. LICENSING VARIANCE REQUEST(S)

- a) Gregory Routt, Beverly's Heating & A/C Service, Contractor ID xxx66. The applicant requests a variance to Table RBC201.7, Pikes Peak Regional Building Code, 2023 Edition (the "Code" or "2023 Code"), based on Item 2 of Section RBC111.2.3, of the Code, to reduce the minimum insurance requirements to \$300,000/\$400,000, where \$1,000,000/\$2,000,000 is required by Code.

Toby Conquest advised of a working relationship with the applicant in the past, but that it has been many years ago. He did not consider such distant, former working relationship a conflict of interest.

Gregory Routt appeared in person and was sworn in. He agreed with Mr. Conquest that there was not a conflict of interest with regard to having Mr. Conquest hear the variance.

Mr. Routt indicated he recently retired from Peterson Airforce Base after 43 years, where he worked as an HVAC service tech. He has had his own HVAC business on the side during that time and since 1968. For the past three years however, he has been experiencing extreme financial hardship due to personal family issues. He has always worked for himself and has never had any employees; further, he only works on change-outs and servicing. He said he cannot afford the insurance requirements that have been adopted by the Code.

The Committee discussed the fact that a financial hardship is not addressed within the criteria of Section RBC111.2.3. The insurance policies and resulting requirements are in place to protect all parties involved, not just the contractor(s), but the property owner(s) as well.

Virginia Koulchitzka asked the applicant if he is asking the Committee to allow him to remain under the insurance requirements set forth in the Pikes Peak Regional Building Code, 2017 Edition, as amended (the "2017 Code"), and not have to increase the limits as required by the Code, as effective as of June 30, 2023. The applicant answered in the affirmative. Thereafter, Matt Matzen, the Department's permit/licensing supervisor, indicated that the 2017 Code sets limits at \$300,000/\$400,000 and the 2023 Code has raised those limits to \$1,000,000/\$2,000,000. He further stated that the insurance requirements the applicant is requesting would be in compliance with the 2017 Code.

Toby Conquest stated that the adoption of the 2023 Code with regard to the minimum insurance requirements is partly because of the increase in property values, and if a claim was to be filed, it would not be in the applicant's best interest if he did not carry the higher insurance limits. Further, the applicant needs to protect himself and the property owner(s) by complying with the adopted 2023 Code insurance requirements.

A motion was made by Zachary Taylor to recommend to the Board of Review **DENIAL** of the variance request to reduce the minimum insurance requirements; seconded by Tim Toussaint; the motion carried unanimously.

Ms. Koulchitzka provided Mr. Routt with his appeal rights pursuant to Section RBC101.7 of the Code.

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 Craig Nelson, Examinee for Professional Restoration & Repair, LLC, by John Vucasovich, for performing work at 3635 Hartsock Lane, 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, 2023 Edition.

Craig Nelson appeared in person and was sworn in. John Vucasovich appeared virtually and was also sworn in. Both parties confirmed receipt of the summons and complaint, which included forty (40) pages.

Mr. Vucasovich advised the Committee that his complaint is because the contractor did not obtain permit(s) to repair and stabilize his garage walls.

Mr. Nelson referenced a two-page summary of events for possible submission. Ms. Koulchitzka advised the document cannot be entered into evidence because the complainant is appearing virtually and unable to review the document for objection or examination purposes. Notwithstanding, Mr. Nelson may read it on the record during testimony.

Ms. Koulchitzka advised the Committee that an administrative issue requires questioning of the respondent, which may necessitate a continuance of the complaint. The issue is who is the licensed examinee for Professional Restoration & Repair, LLC.

The complaint was filed against Craig Nelson as the examinee of Professional Restoration & Repair, LLC, however, records indicate that Mr. Nelson is the owner of the company, not the examinee. The records further indicate Steven Jelinek as the licensee, Mr. Nelson confirmed. Mr. Nelson testified that Mr. Jelinek was an employee of the company, but retired a couple of years ago; notwithstanding the company has continued to use his license. Mr. Matzen recommended that this complaint be continued.

Ms. Koulchitzka reminded the contractor that within the jurisdictions of Pikes Peak Regional Building Department, no one may perform residential construction consulting and/or construction work without having a licensed and/or registered examinee when permits and inspections are required. Further, if the company has been operating without a licensed and/or registered examinee, it may be in violation of the Code. Thus, this complaint must be administratively continued at this time. Also, to avoid any ex-parte communication, any further conversations and/or discussions regarding the complaint, must include both parties, the complainant and the contractor, unless such conversations/discussions involve administrative processes only.

The complaint against Craig Nelson and Professional Restoration & Repair, LLC, was administratively continued to an unset date.

## 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.**

**BUILDING CONTRACTOR A-1 (COMMERCIAL)**

ABH Contractors dba 719 Constructors - Bryon Hoewisch  
(License upgrade and limitation of no ground up)

ATI Restoration, LLC dba ATI fka American Technologies, Inc. (ATI) - Jeffrey Moore  
(Company name or dba change and license reinstatement subject  
to an Administrative Lock until all 'A' status permits, if any, are  
resolved and limitation of no ground up)

**BUILDING CONTRACTOR A-2 (COMMERCIAL)**

Texana Builders LLC - Dustin Hubbard  
(Company changes examinee)

**BUILDING CONTRACTOR B-1 (LIMITED COMMERCIAL)**

Archer Western Construction, LLC - Sean Timmins  
(Company changes examinee)

TAD Builders Inc. - Min Lee

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

**BUILDING CONTRACTOR B-2 (LIMITED COMMERCIAL)**

Leeper LLC - Michael Leeper Jr  
(License reinstatement)

**BUILDING CONTRACTOR D-1 (CARPORTS)**

Elite 3 Construction LLC - Ryan Savage

**BUILDING CONTRACTOR D-1 (EXTERIORS)**

Denver Roofing and Construction LLC - Kfir Weiner  
(License reinstatement)

Platinum Contractors LLC - Christopher Galvan  
(License reinstatement)

**BUILDING CONTRACTOR D-1 (POOLS/SPAS)**

CO Pool Inc. dba Premier Pools and Spas of South Denver - Hector Guzman Barraza

**BUILDING CONTRACTOR D-1 (RETAINING WALLS)**

Greater Grounds Landscaping LLC - Jared Whiteley  
Miller Wall Company - David Smith

(Company changes examinee subject to an Administrative Lock  
until all 'A' status permits, if any, are resolved)

**BUILDING CONTRACTOR D-1 (ROOFING)**

A&W Projects LLC - Wendy Vicencio Martinez

BCCZ Industries fka BCCZ Industries dba BCZC Roofing & Exteriors  
William Kaeding (License reinstatement and company name or dba change)  
Colorado Custom Basement Corporation dba Grissom Contracting fka  
Grissom Contracting - John Grissom  
(License reinstatement and company name or dba change)  
Gusco Inc dba Gus Roofing Inc - Gustavo Haro  
Highpoint Contractors LLC dba Highpoint Builders - Michal Neppl  
(Examinee changes company)  
Lianro Exteriors LLC dba Lianro Metal Roofs - Llana Tolbert  
(Examinee changes company)  
Lifetime Exteriors of Colorado LLC - Richard Karbon  
(Company changes examinee)  
McIntire Construction, Inc. - Dustin McIntire  
Mission Restoration, LLC - Cory Orszulak  
(Examinee changes company)  
Platinum National Roofing - David Solomon II  
Tried and True Roofing LLC - Grant Spruill  
Walter Construction, LLC - Walter Cornejo  
(License reinstatement)  
WW Restoration, LLC - Stuart Lutz

**BUILDING CONTRACTOR D-2A (WRECKING)**

D & R Excavating, Inc. - Ralph Lopez  
(License reinstatement)

**BUILDING CONTRACTOR E (MAINTENANCE & REMODELING)**

Carroll's Construction and Carpentry LLC - Dylan Carroll  
Colorado Greenhouse Builders - Jason McFadden  
Customsunroom LLC - Andrei Pashuk  
(Examinee changes company and license reinstatement subject to an  
Administrative Lock until all 'A' status permits, if any, are resolved)  
Decks & Pergolas LLC - Scott Supranowicz  
Diamond Point Construction LLC - Albert Ohmer II  
(License reinstatement subject to an Administrative Lock until  
all 'A' status permits, if any, are resolved)  
Schauland Construction LLC fka Schauland Construction - Eliot Schauland  
(License reinstatement and company name or dba change)

**MECHANICAL CONTRACTOR A (COMMERCIAL)**

Buffalo Peaks Heating LLC - Kaleb Klopfenstein  
(Examinee changes company)  
Clanton Bros. Heating & Air, Inc. dba Clanton Heating & Air Inc fka  
Clanton Heating & Air, Inc. - Daniel Clanton  
(Company name or dba change)

**HEATING MECHANIC IV (HVAC SERVICE TECH)**

Kade Ezzell

A motion was made by Zachary Taylor to **APPROVE** the Consent License Requests; seconded by Toby Conquest; the motion carried unanimously.

**6. ITEMS CALLED OFF CONSENT CALENDAR**

No items were called off the Consent Calendar.

**7. INDIVIDUAL LICENSE REQUESTS**

*As continued from the Licensing Committee Meeting of September 14, 2023 due to the non-appearance by the applicant.*

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)

Jeffrey Abdelsater appeared virtually. Luke Sanderson, the Department's Senior Non-Compliance Inspector, advised the Committee the reason for asking the contractor to appear personally was to discuss pending allegations of residential construction consulting and/or construction work by Anderson Construction Group, Inc., prior to obtaining a license and/or permits.

Ms. Koulchitzka advised the Committee had the contractor applied for the license prior to the alleged claims, the licensing reinstatement would have been on the Consent Calendar before this Committee for consideration.

Mr. Sanderson stated that Anderson Construction Group, Inc., has been in business since August, 11, 2020, with a history of twenty-five permits, twenty-three of those being final and two listed as "A" Status. The company D-1 Roofing License is presently administratively revoked, and the applicant is requesting to reinstate the license before the Licensing Committee today.

A motion was made by Toby Conquest to **APPROVE** the License Reinstatement Request by Anderson Construction Group, Inc., and Jeffrey Abdelsater; seconded by David Rojewski; 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 10:11 a.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Roger N. Lovell".

Roger N. Lovell, Regional Building Official

RNL/gml

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

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