

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

March 10, 2022

9:00 a.m.

MEMBERS PRESENT: Chair Michael Rowe
Zachary Taylor
Jim Rose
Steve Lepine
Michael Finkbiner

MEMBERS ABSENT: Vice Chair Christopher Freer
Tim Toussaint

OTHERS PRESENT: Virginia Koulchitzka, Regional Building Counsel
Jay Eenhuis, Deputy Building Official – Plans
John Welton, Deputy Building Official – Inspections
Joel Segura, Chief Plumbing Inspector
Matthew Matzen, Permit/Licensing Supervisor
Luke Sanderson, Senior Non-Compliance Inspector
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Michael Rowe called the meeting to order at 9:01 a.m.

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>.

John Welton thanked Jim Rose for his time and dedication to the Licensing Committee for the past seven years and presented Mr. Rose with an appreciation plaque to show the Department's gratitude for his service. He stated Michael Finkbiner is ending his 3-year term on the Licensing Committee; he will be moving to the Department's Technical Committee; he thanked Mr. Finkbiner for volunteering his time and expertise as a committee member for the Licensing Committee. Mr. Welton stated although Christopher Freer is not in attendance today, the Department staff would like to acknowledge and thank Mr. Freer for serving on the Licensing Committee for the past four 4 years. Mr. Freer is moving to the Board of Review/Advisory Board to fill the Engineer's position on those two boards.

1. **CONSIDERATION OF THE FEBRUARY 10, 2022 LICENSING COMMITTEE MINUTES**

A motion was made by Jim Rose to **APPROVE** the February 10, 2022 Licensing Committee Minutes as written, seconded by Michael Finkbiner; the motion carried unanimously.

2. **COMPLAINT(S)**

- a) A complaint has been brought against Charles Joseph, Licensee and Registered Agent, Mile High Renovations & Repair LLC by Wayne Medina for performing work at 1018 Emory Circle, Colorado Springs, Colorado without the proper license, registration, and contractor permit(s), in violation of Sections RBC105.1, RBC201.3, RBC201.2, RBC201.4.2, RBC206.1, RBC307.2, and RBC201.11.3, Nos. 1, 5 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended.

Wayne Medina (“Medina”) appeared in person and was sworn in. He stated he had a problem with the electric panel in his home in December 2020. He contacted Angie’s List to obtain contact information for a contractor to make the repairs. He stated he received a call from Charles Joseph (“Joseph”) within a very short time requesting that he be the first to bid on the project. Medina stated Joseph had him obtain a homeowner permit for the project, which he did not knowing that it was the contractor’s responsibility to obtain the permits. He stated the work was completed but it failed inspection. He stated he tried to contact Joseph for almost a year to make the repairs without any response from Joseph, so he hired another contractor to complete the work at an additional expense of \$2,300.

Medina stated Joseph gave him a business card which stated he was licensed and insured. He discovered that Joseph had a Building “E” License, which does not allow him to do electrical work. He also discovered that Joseph did not have insurance. He stated the City got involved in the project because the wiring above the house was sitting on the house, so the City set a new pole to correct this life safety issue.

Matthew Matzen (“Matzen”) appeared and was sworn in. He stated Joseph was granted a Building “E” License on May 10, 2021; he has not obtained any permits to date. He stated Joseph was not licensed or registered with the Department when the work was completed on this project in December 2020.

Charles Joseph appeared and was sworn in. He stated he has never been licensed to do electrical work. He stated he informed Medina that he could “pull the wire” for him, but Medina would have to obtain the permit. He stated most of his work is painting and flooring, which does not require a permit. Joseph stated he does residential remodeling work, but he subs out the electric and plumbing.

Michael Rowe stated his concern is that Joseph is doing work that he is not licensed or qualified to do. Joseph stated it was his understanding that if the homeowner obtained the permit and the work was inspected, it alleviated any life safety concerns because the inspection staff would catch any life safety issues. Matzen stated Code prohibits contracting for work without the proper license. Further, permitting the project is the contractor's responsibility.

A motion was made by Michael Finkbinder to place a Two-Year Incident Report in the contractor file of Charles Joseph with Mile High Renovations & Repair LLC for performing work at 1018 Emory Circle, Colorado Springs, Colorado without the proper license, registration, and contractor permit(s), seconded by Zachary Taylor; the motion carried unanimously.

Ms. 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 Code. Further, she stated the Department has authority, pursuant to Section RBC103.12 of the Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to issue administrative fines; the Department retains such right, and fine(s) may be imposed.

- b) A complaint has been brought against Joshua Wutschke, Licensee and Registered Agent, Wutschke Arthur Enterprises Inc., d/b/a Enviro Roofing & Construction, Inc. and Anthony Smith, Licensee, A & A Classic Exteriors by Gloria Salazar for obtaining a permit for another licensed contractor, A & A Classic Exteriors, to retain a non-licensed contractor, Better Construction LLC, to perform work at 11780 Valle Verde Drive, Colorado Springs, Colorado, without proper license(s) and permit(s), in violation of Sections RBC201.2, RBC201.3, RBC105.1 and RBC201.11.3, Nos. 1, 3 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended.

Joshua Wutschke ("Wutschke"), Anthony Smith ("Smith), and Gloria Salazar-Morris ("Salazar") appeared virtually and were sworn in; each party stated they did not have witnesses to call for testimony. Matt Matzen appeared and was sworn in.

Salazar stated on June 13, 2021, she contracted with Anthony Smith, A & A Classic Exteriors, to give her mother an estimate to repair the siding on her home. He initiated an insurance claim for wind and hail damage through their homeowner's insurance with Allstate. The scope of the work in the contract was for residing and fencing; on August 24, 2021, Mr. Smith had her mother sign another contract for roofing. Smith subcontracted the project to Enviro Roofing & Construction, which then hired Better Construction to reroof her mother's house and barn. They learned that Wutschke with Enviro Roofing & Construction obtained the permit for the project; and Smith did not have a contractor's license.

Smith stated he applied for his license in El Paso County immediately following the contract confirmation with Mrs. Salazar. He then “reached out” to Enviro Roofing as a “back-up” because he was unsure how long it would take to process his license with the Department. Ms. Koulchitzka stated the Code considers this “construction consulting” and “construction work” without having a license, which is in violation of the Code. Smith stated this only became an issue with the homeowner when it was time to pay for the work that was done. He stated as of March 9, 2021, he has a settlement agreement with the homeowner for \$10,000 to settle the matter; a third-party inspector has inspected the property and found no defective work of any kind.

Salazar stated the roof has not been completed; and the windows were never completed. Wutschke stated Better Construction has been his roofing crew for the past 13 years.

Salazar stated their complaint is that Smith contracted with her mother without having a contractor license in El Paso County. The permit was obtained by a licensed contractor, but the work was completed by an unlicensed contractor. She stated her mother’s mortgage company prohibited Smith from being on their property when it discovered he did not hold a contractor license.

Matt Matzen stated A & A Classic Exteriors has been licensed with the Department since on or around August 16, 2021. Their insurances are up-to-date; however, their license is inactive because Smith did not pay the Department’s fees to activate the license. Smith has an inactive Building “D-1” Roofing License. There is no permit history since the license was never activated.

Mr. Matzen stated Wutschke with Enviro Roofing has been licensed with the Department since on or around August 6, 2018; the license is a Building “D-1” Exteriors; it is currently in suspended status due to liability insurance certificate being expired since August 6, 2021. Permit History: 6 total permits obtained; 2 are in “A” Status; 4 permits have been completed. Better Construction is not a licensed contractor with the Department.

Smith stated the only outstanding item for completion of the roof is the skylight installation. He stated the skylight is in his garage awaiting installation, but he is not permitted on the Salazar property. Upon questioning by the Committee members, Salazar stated she will not allow Smith on her property because he is not licensed. In addition, he filed a mechanics lien on the Salazar property, and due to legal ramifications, their attorneys also would object to Smith doing any work on the Salazar property. She stated she would not object to having Enviro Roofing install the skylight, so the permit can be completed. Ms. Koulchitzka stated because Wutschke does not currently have current insurance on record with the Department, this presents a liability issue; therefore, he should not be permitted to be on the Salazar property until the Department receives confirmation that all insurance obligations are current. Wutschke

stated his insurance is in place and he will have an insurance certificate submitted to the Department.

A motion was made by Michael Finkbiner that a 1-Year Incident Report be put in the contractor file of Anthony Smith, licensee for A & A Classic Exteriors, for contracting for construction work at 11780 Valle Verde Drive, Colorado Springs, Colorado prior to being licensed, seconded by Zachary Taylor; the motion carried unanimously.

A motion was made by Michael Finkbiner that a 1-Year Incident Report be put in the contractor file of Joshua Wutschke, licensee and registered agent for Wutschke Arthur Enterprises Inc., d/b/a for Enviro Roofing & Construction, Inc., for obtaining permit(s) for an unlicensed contractor, A & A Classic Exteriors; and for letting his liability insurance lapse. Mr. Wutschke is required to install the skylight in the Salazar home, and final the permit within 60 days. A staff update is required in 60 days, seconded by Zachary Taylor; the motion carried unanimously.

Ms. 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 Code. Further, she stated the Department has authority, pursuant to Section RBC103.12 of the Pikes Peak Regional Building Code, 2017 Edition, as amended (the "Code"), to issue administrative fines; the Department retains such right, and fine(s) may be imposed.

- c) A complaint has been brought against Dustin Hood, Registrant, and Jeffery Purcella, Licensee, Air Pros One Source LLC by Jack Denton for performing work at 402 North 33rd Street, Colorado Springs, Colorado prior to obtaining 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.

The complaining party Jack Denton has requested that his Complaint be **CONTINUED** to the April 14, 2022 Licensing Committee meeting. A motion was made, seconded, and passed unanimously for a continuance.

3. **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)

GREEN EARTH COMMERCIAL CONTRACTING COMPANY - RICKEY WILSON
ICONERGY LTD. - CLEVELAND BOWLING (LIMITATION OF NO GROUND UP)
J.H. REICH CONSTRUCTION LLC - JOHN REICH
REI SERVICES LLC - JOHN VASILAKIS (EXAMINEE CHANGES COMPANY AND
ADDITIONAL LICENSE)

Building Contractor A-2 (Commercial)

NEWERA CONSTRUCTION, LLC - ZACHARY VANDYKE (LICENSE UPGRADE)

Building Contractor B-1 (Limited Commercial)

BLATTNER ENERGY, LLC 'FKA' BLATTNER ENERGY, INC. - BRADLEY LEMIEUX (COMPANY NAME OR DBA CHANGE)

CLARION DESIGN ROCKY MOUNTAIN, INC. - NATHAN ADDISON (LIMITATION OF NO GROUND UP)

DAY ENTERPRISES, INC. DBA EXECUTIVE BUTLERS - HARRISON DAY (LIMITATION OF NO GROUND UP)

ON POINT SALIENCY, INC. - RODNEY CRUCE (EXAMINEE CHANGES COMPANY)

TLC SERVICES, LLC - TRENT CHRISTNER

Building Contractor B-2 (Limited Commercial)

MAX DEVELOPERS INC - TROY TURNER (LIMITATION OF NO GROUND UP)

Building Contractor C (Homebuilder)

D & S CONSTRUCTION LTD. - WILLIAM TRUMBLY (LIMITATION OF NO GROUND UP AND LICENSE UPGRADE)

ENDEAVOR EXTERIORS - ANDREW BROUGHAM (LIMITATION OF NO GROUND UP AND ADDITIONAL LICENSE)

JOHN K REGAN - JOHN REGAN

LD HORTON LLC - JAMES MCALLISTER

RATHBUN GENERAL CONTRACTORS, INC - PAUL RATHBUN (LICENSE REINSTATEMENT)

THE BECKONY GROUP, INC. DBA BECKONY KITCHENS & BATHS 'FKA' THE BECKONY GROUP, INC. - JONATHAN WARD (LIMITATION OF NO GROUND UP AND COMPANY NAME OR DBA CHANGE)

TRALON HOMES, LLC - SCOTT BERRY (COMPANY CHANGES EXAMINEE)

Building Contractor D-1 (Exteriors)

DONE RIGHT ROOFING & EXTERIORS INC 'FKA' DONE RIGHT ROOFING AND EXTERIORS - PATRICK HERNANDEZ (COMPANY NAME OR DBA CHANGE)

ON POINT SALIENCY, INC. - RODNEY CRUCE (EXAMINEE CHANGES COMPANY)

R4 ROOFING & EXTERIORS 'FKA' R4 ROOFING & EXTERIORS LLC - JOSEPH REZZONICO (COMPANY NAME OR DBA CHANGE)

Building Contractor D-1 (Siding)

JR & CO., INC. - JONATHAN SCHILLING (ADDITIONAL LICENSE)
POWER HOME REMODELING GROUP, LLC - ERICK CLERICO (COMPANY CHANGES EXAMINEE AND LICENSE SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL ALL 'A' STATUS PERMITS, IF ANY, ARE RESOLVED)

Building Contractor D-5A (Sign)

CHAMBLER & SONS CONSTRUCTION LLC - ROBERT CHAMBLER
PINNACLE SIGNS & GRAPHICS, LLC - JESSE WADE (LICENSE REINSTATEMENT)

Building Contractor D - 1 (Roofing)

A.J. SHIRK ROOFING, LLC - ANTHONY OSTBLOM (LICENSE REINSTATEMENT)
ALL ROOF LLC - MICHAEL HOFFMAN (EXAMINEE CHANGES COMPANY AND LICENSE REINSTATEMENT SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL ALL 'A' STATUS PERMITS, IF ANY, ARE RESOLVED)
CHIP'S ROOFING & EXTERIORS, LLC - JOHN EZZO
ELEMENT SYSTEMS, LLC - THOMAS SEDWICK
MKE PARTNERS LLC DBA BONHARDT ROOF & TRADES CO - ANDREW LA BONTE
NATIVE ROOFING AND SOLAR LLC - DEVIN LARSEN
ONE STOP SHOP CONSTRUCTION, LLC - GABRIEL SEAMAN
PRIORITY CONTRACTING AND ROOFING OF DENVER LTD DBA PRIORITY ROOFING OF DENVER 'FKA' PRIORITY CONTRACTING AND ROOFING OF DENVER LTD - ANTHONY HENSLER (COMPANY CHANGES EXAMINEE AND COMPANY CHANGES NAME OR DBA)
RECOVERY ROOFING AND RESTORATION INC - CANDICE CRUZ
SIMPLIFIED HOME SOLUTIONS - KIMEUL GRIFFITH
S&S CONSTRUCTION SERVICES, LLC - SERGIO SARABIA (LICENSE REINSTATEMENT SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL ALL 'A' STATUS PERMITS, IF ANY, ARE RESOLVED)

Building Contractor D-2A (Wrecking)

ADVANCED REMEDIATION SERVICES INC 'FKA' ARS - WILLIAM POSEY JR (COMPANY CHANGES NAME OR DBA)
ALL-CON, INC. DBA ACI SERVICES - KEITH ALLIS

Building Contractor E (Maintenance & Remodeling)

CUSTOM DECK SOLUTIONS LLC - AARON GRAY

Building Contractor F-1 (Solar)

LIV SOLAR LLC - JASON MASHBURN

Mechanical Contractor – A (Commercial)

AFFORDABLE SERVICES 24/7, LLC - TRAVIS ALPS (ADDITIONAL LICENSE)

FALLING STAR LTD. - BRAD NEES (ADDITIONAL LICENSE)

FALLING STAR LTD. - JOSHUA WOLF

FRONT RANGE CONSTRUCTION, INC. DBA M1 MECHANICAL - ALBERT ROGERS (EXAMINEE CHANGES COMPANY AND ADDITIONAL LICENSE)

GOLDEN WAY MECHANICAL, INC. - ERIC MCLARTY (COMPANY CHANGES EXAMINEE)

HOME COMFORT HEATING & AIR, LLC - VERNON ZIMMERMAN

MASTER ROOTER PLUMBING LLC. - ZACHARY BOWLING (ADDITIONAL LICENSE)

PLAINS HEATING AND AIR CONDITIONING, INC. - CALE ELY (COMPANY CHANGES EXAMINEE AND LICENSE SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL ALL 'A' STATUS PERMITS, IF ANY, HAVE BEEN RESOLVED)

R BUCK HEATING AND AIR CONDITIONING, INC. - RANDY BUCK (LICENSE REINSTATEMENT)

TELLER COUNTY MECHANICAL - KEITH CANTARA (LICENSE REINSTATEMENT)

THORNTON PLUMBING & REPAIR, INC. - DARREL THORNTON (LICENSE REINSTATEMENT SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL ALL 'A' STATUS PERMITS, IF ANY, HAVE BEEN RESOLVED)

Mechanical Contractor - C (Gas Piping)

FATHER DAUGHTER PLUMBING AND DRAIN SERVICE LLC - CHRISTOPHER PARKER (ADDITIONAL LICENSE)

Q3 CONTRACTING, INC. - ANDREW FEUERBORN (ADDITIONAL LICENSE)

Heating Mechanic IV (HVAC Service Tech)

LOGAN PRUETT

KERRY SPANN

MICHAEL MARGIOTTA

NATHAN LANNING

OSSIAN HALL

TRAVIS BERNHEISEL (LICENSE REINSTATEMENT)

Consent Items for Voluntary Suspension

DARRELL ALLEN - DARRELL ALLEN - HB

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

4. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

5. **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

There were no License Requests appearing individually.

6. **UNFINISHED BUSINESS**

There was no Unfinished Business.

7. **NEW BUSINESS**

There was no New Business.

The meeting adjourned at 11:05 a.m.

Respectfully submitted,



Roger N. Lovell
Regional Building Official
RNL/lhg

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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