

## Meeting Minutes

### Building Board of Appeals

January 8th, 2019

The Rapid City Building Board met on January 8th, 2019. The following members were present: David Asbridge, Michele Seaman, Myron Tatum, and Steve Malone.

Staff Present: Brad Solon, Jeff Larus, Matt Schumacher, Kinsley Groote, and Serenna Zeisler

Others Present: Shoun Sailor, with All Star Construction, and homeowner, Dale Nikkala, who resides on 713 Blaine Street

Meeting opened at 7:31

1. Set Agenda

**Asbridge asked for a motion to set the agenda, Seaman made a motion to set the agenda, seconded by Tatum, motion passed 4-0.**

2. All Star Construction Contractor License Appeal

Asbridge asked Solon to brief the Board on the appeal. Solon explained the complaints on both Merlot and Blaine regarding the work that was being performed by All Star Construction in that Matt Schumacher, Building Inspector for The City, also witnessed. Schumacher sited work without permits, no inspections being done, and poor work being done as well, and that is what led to the result of their license being suspended. Solon suggested that they could potentially interact with the Board on a quarterly basis for review on their permit activity and status of permits. Asbridge asked who made the complaints. Solon replied, the homeowners on Merlot and Blaine did those two, and the other one's on Horrace Man and Saint Charles, The City observed. Shoun Sailor, production manager and license holder at All Star Construction, referenced back to Merlot and that there became a dispute between them and the homeowner, and that they met with Brad Solon in August to explain the situation. Sailor explained the complaint on Blaine, he felt that protocol was followed, maybe late in getting the permit, but they have addressed those issues in his office and will be sure moving forward that things will be done right. Tatum asked since their license was suspended, was he able to do work in the City. Sailor replied no, but that he asked Brad if he could finish work on the open permits they had, and he was able to do so. Malone addressed the time frame of the license suspension. Seaman asked if the jobs without permits had been inspected and if the work was completed to code. Solon commented that they were inspected and that they were not all to code. City Building Inspector, Matt Schumacher, explained that the proper inspections were not initially completed and there were things that were not constructed up to code. Sailor stated that there was work the homeowner had done before they were even hired, and to be responsible for work that the homeowner started and or finished before they were even hired is a huge problem/concern. Discussion continued. Homeowner, Dale Nikkala, of 713 Blaine, stated they had started the

project in April and didn't complete a walk through until November. Nikkala went on to explain that they requested All Star to do simple things like adding a lock on the bathroom door, they wouldn't do it, and other simple things that they would request to have done, they wouldn't do, and he found that other contractors could do those changes with no problem. Nikkala stated All Star wanted the remainder of the money before the project was done. Nikkala added, the work was not satisfactory whatsoever and he felt like he was being taken advantage of. Nikkala stated he was charged \$1,000.00 for the building permit fee and there was never even a building permit pulled for the project on his house. Malone asked if the Board still had the power to appeal Brads decision to revoke a license. Solon replied, he has the authority to suspend or revoke a license and the contractor can appeal that decision to the Building Board. Malone reiterated that they do not hear complaints from homeowners on contractors, and that they only can hear and vote on an appeal made by a contractor due to the revocation or suspension of their contractor license and that is what they are hearing today. Discussion continued. Malone stated there has been things done wrong but that he, Shoun Sailor, has come before the Board with a plan, and they should give him a chance to come in on a quarterly basis to explain the projects they have permits for, and give him a chance to do things right.

**Malone made a motion to allow for a probationary period, and that Sailor would come before the Board every 3 months with a checklist of building permits he has been issued and building permits he has closed, for the next year, and after a year they could clear him, if he has done things correctly, seconded by Tatum.**

**Seaman added, to not only make a list of the permits pulled, but to also explain and justify the jobs that they are doing in the City and if it does not require them to pull a permit for it, why they did not need to pull a permit.**

**Malone added If the rules are not followed and if there are any violations in the year time period, then the license suspension is back in affect.**

**Motion passed 4-0.**

3. Review of the Proposed Ordinance to Adopt the 2018 International Mechanical Code

Larus spoke on the significant changes in the 2018 IMC and what they took out, and what was kept in. Larus commented they added that you could perform shut down off of sprinkler flow. Also, ranges in commercial buildings, but are non-cooking establishments, with the type of ranges that do not get hot enough to cause a fire, are acceptable. Larus and Solon added both amendments are fully supported by the Fire Department. Discussion continued. Malone had to leave the meeting.

**Tatum made a motion to delay the vote until the next scheduled meeting,**

**Seaman requested to allow Malone's comments at the public meeting and or City Council.**

**Seaman made a motion to send the 2018 IMC to City Council, seconded by Tatum, motion passed 3-0.**

4. Status of IBC, IRC, IFGC, & IPMC

Solon explained that all the codes passed their first reading at Legal and Finance, and that they would go back to Legal and Finance for the 2<sup>nd</sup> reading the following Wednesday.

5. Approval of the December 11<sup>th</sup>, 2018 BBOA Meeting Minutes

**Seaman made a motion to approve the December 11<sup>th</sup> meeting minutes, seconded by Tatum, motion passed 3-0.**

6. Adjourned