

Meeting Minutes

Building Board of Appeals

June 13th, 2017

The Rapid City Building Board met on June 13th, 2017. The following members were present: David Asbridge, Steve Malone, Steve Struble, and Michelle Seaman.

Staff Present: Brad Solon, Carla Cushman, Serenna Zeisler.

Others Present: None

1. Set Agenda

Seaman made a motion to set the agenda, Struble seconded, and motion passed 4- 0.

2. Baete-Forseth License Corrected

Solon stated the person they had discussed at a previous meeting had taken and passed the exam and now had obtained a mechanical installers license and that they now have their mechanical contractors license, their installers license and that they had also been warned to make sure everyone working under them also carried their apprentice licenses and there shouldn't be any day laborers working on jobs. Discussion followed regarding what the process is for ticketing a business who is hiring day laborer's. Asbridge asked why we can't ticket the owner vs. the day laborers. Cushman replied the ordinance reads a person, as in the actual person performing the work, should carry the proper license, so it makes it hard to ticket the owner of the company vs. the person that is carrying out the work. Malone stated his confusion is on why we would ticket the guy who wants to work vs. the actual license holder who knows what the rules are. Discussion continued. Malone stated he would rather see a stop work order on the job vs. tickets being given to day laborers. Cushman stated there are civil actions they can take if it comes to that point. Seaman stated they could get ticked for not providing proper supervision. Malone asked does the mechanical contractor/installer have to actually be on the job site to "supervise" his apprentices. Seaman answered yes. Discussion continued. Malone reiterated that the right thing to do is to give a stop work order on the job if it is witnessed that the outfit is operating with day laborers vs. the day laborers being ticketed. Solon agreed.

Discussion tabled

3. Follow Up on Prior Building Board Cases

Baken Park Appeal, a letter has been sent to correct the electrical work or they will be charged criminally.

Plumbing and Electrical codes went through summer of 2016.

Knowlin Street substandard appeal has been cleaned up and is not a problem, no one is residing there at this time.

Geotech report and the soils affidavit for single family homes has been going good with no complaints.

Residential Code Amendments were approved and are in effect with no complaints. 105 and 121 E Saint Joseph Street apartments were demoed and there are new apartments there now.

Fire-pits, it was decided they were decorative and not for heat so they were exempted.

Powell retaining wall- a letter was sent to the contractor to get a permit and fix it and he sent us a letter explaining his position. Powell has informed us the wall has been rebuilt and completed. Foghorn discussion was tabled, nothing happened with it, the city workers who brought it to BBOA didn't reappear to discuss or move it forward.

Siding contractors-there are 3 total in the city.

SD Excise Tax requirement-should we or should we not require for city contractor license? Our argument is we are not going to require it and police for the SD Dept of Revenue if they are not going to make people follow the rules.

Horst License Appeal- License issued.

Mobile Home Travel Parks are approved and in affect.

Hailstrike appeared one time and he then disappeared, his license is set as revoked.

2 houses on Silver Street- 1 demoed house due to no appeal and corrections not made. The other house has vagrants residing off and on in it.

Chapel Valley Homeowner Ross/Steele Appeal is done.

Grahm/Bolt License Appeal is done.

4. An Ordinance to Amend Provisions Concerning Appeals to the Building Board of Appeals By Amending Section 15.04.130 of the Rapid City Municipal Code.

Cushman stated the Mayor shared concern on how the Ordinance reads in regards to the decisions Brad makes on not revoking a contractor license and that the homeowner can appeal that decision to the Building Board. The Mayor would like the Ordinance changed so the homeowner is not able to appeal Brad's decision to the Building Board. Cushman explained that he wants to eliminate the homeowner using the board as the court system. Discussion followed. Asbridge stated he agrees with the Mayor in that the city should not be the landing spot for disputes between the homeowners and the contractors.

Malone made a motion to recommend approval with the changes noted, seconded by Seaman, motion passed 3-1.

5. 2017 NEC Adoption
Solon stated the State Electrical Commission moved to adopt the 2017 NEC. Struble stated generally there are not a lot of changes in the rules. Solon stated the biggest changes are the final/void status on permits enforcement by the State.

Discussion Tabled

6. Approval of the May 9th 2017 BBOA Meeting Minutes

Struble made a motion to approve the minutes, seconded by Malone, motion passed 4-0.

7. Adjourn

