Meeting Minutes
Building Board of Appeals
August 9th, 2016

The Rapid City Building Board met on August 9th, 2016. The following members were present: David Asbridge, Steve Struble, Steve Malone, Michelle Seaman, and Myron Tatum.

Staff Present: Brad Solon, Building Official, Jeff Larus, City Electrical Inspector, Carla Cushman, City Attorney and Serenna Zeisler, Building Services Secretary.

Others Present: Brandon George with Affordable Exteriors

Asbridge opened the meeting at 7:35 a.m.

1. Set Agenda

   Malone made a motion to set the agenda, seconded by Seaman, the motion carried 5-0.

2. Changes made to Ordinance for Contractor Licenses

   Carla stated we’ve added Siding Contractor licenses. Carla stated the electrical and plumbing journeyman and apprentice licenses are no longer required by the city. Carla went on to state there is a one year grace period in having to take the exam if a contractor’s license expires, and the grandfathering period was taken out. Struble asked if there was continuing education for siding contractors. George stated Knechts puts on 2 days every year that covers siding materials.

   Seaman made a motion to accept the changes as they are and to add siding to number 4, seconded by Struble, motion passed 5-0.

3. Changes made to Electrical Code

   Solon stated that the board approved the electrical and the plumbing changes to go to the legal and finance meeting; however at the public meeting we had we realized that the apprentice license changes were not in there. Solon stated we have added the changes, then have the public meeting and then put it on the agenda if it gets approved. Carla stated in the electrical code there is a 2:1 supervision for journeyman to apprentices. Malone asked the only changes to the electrical code are just the training and supervision for the instructors. Carla stated, yes. Struble asked, what is a wiring school? Larus replied there is a set of guidelines in the state electrical code. Struble stated that needs to be looked at because it isn’t stated that way and it reads is not clear. Seaman asked what it says in the South Dakota Electrical Commission rules and
regulations. Larus replied, he could go get the rules in and regulations in his office so the board could read how it is stated. Struble stated he doesn’t want to see 12 apprentice electricians on a job to one journeyman. Struble asked do we want to limit it to residential or could it be residential and commercial. Discussion continued. Malone stated they do need to learn the commercial side too. Tatum agreed. Tatum stated it has to be approved school by the state. Malone stated it already is. Larus stated he sees the loophole in how it is stated. Carla asked if we could have a provision that stated that the only time that there are projects that provide supervision can occur need to be approved in advance by the city. Struble agreed and stated he would like to see it written in the ordinance that prior notification and approval by the city that the project is happening. Discussion continued. Carla stated she would propose the ordinance to state; no journeyman electrician, electrical contractor, or Class B electrician, shall supervise more that 2 apprentice electricians at a time, no journeyman electrician, electrical contractor, or Class B electrician, shall supervise more than 12 apprentice electricians as part of an approved educational project for an electrical training program meeting the requirements of a wiring school as stated in South Dakota State Electrical Commissions Rules and Regulations in section 20.44.16.12 at a time, prior city approval must be given for educational projects that fall within this section.

Struble made a motion to approve that last and final reading, seconded by Tatum, motion passed 5-0.

4. Discussion Item: South Dakota Excise Tax Requirement for Contractor Licenses

Solon stated back in 1998 The Dept. of Revenue contacted Building Services and stated they would like us to require every contractor who applies for a contractor license to be required to show us they have a SD Excise Tax License, so at their request, we started to make that one of our requirements for any contractor who applied for a city contractor license. Solon stated the city recently had a contractor who wanted a license and stated he was exempt in having to produce the required SD Excise Tax License to us. Solon stated he wanted to bring the issue before the board to keep them updated on the matter. Carla stated, our ordinance is flexible, as it states the contractor shall provide and Excise Tax License as applicable. Discussion continued. Malone stated if the contractor is granted exemption in having to get an Excise Tax License by the state than let it be and leave it the way it is. Solon stated he shouldn’t be in the position where we have to debate it with the state
and the contractor. Discussion continued. Solon and the board agreed we could issue a contractor his/her license and if the contractor does not provide us with an Excise Tax License due to the state telling them they did not need one, than we will issue the license and be sure to notify the state again that they do not have an Excise Tax License. Solon stated we would monitor it and keep the board updated. Malone stated to bring it up again if it’s necessary.

Discussion tabled

5. Approval of the June 14th, 2016 BBOA Meeting Minutes

   Tatum made a motion to approve the meeting minutes, seconded by Struble, motion passed 5-0.

6. Adjourn