

**Teller County Board of Review
January 5, 2011
Meeting Minutes**

Chairman Bert West called the meeting to order at 2:03 p.m. Those answering roll call were:

*Carl Andersen
*Sonny Strobl
*Jeff Smith
*Jared Bischoff, Vice Chairman
*Bert West, Chairman

Staff: Chris Brandt
Allan Chamberlin
Lynda Morgan

Bert West stated that the Board of Review meetings are public and anyone wishing to speak must first address the Chairman.

Bert West appointed alternate member Jeff Smith as a voting member for today's meeting.

* Voting members

**Approve Posting & Publication Sites
For 2011 Board of Review Public Notices**

Sonny Strobl moved to approve the 2011 Board of Review posting and publication sites as presented which include the Building Department at 540 Manor Court, the Northeast Teller Fire Department at 1010 Evergreen Heights Drive, a local newspaper and the Teller County web site. Carl Andersen seconded. Roll call vote and all said yes. The Motion carries.

Chairman and Vice Chairman Elections

Jeff Smith moved to elect Bert West as Chairman of the Board of Review for 2011. Carl Andersen seconded. Roll call vote three yes votes, one no vote and Bert West abstaining. The motion carries.

Bert West moved to elect Jared Bischoff as Vice Chairman of the Board of Review for 2011. Jeff Smith seconded. Roll call vote with four yes votes and Jared Bischoff abstaining. The motion carries.

**Review and Approve
Board of Review Meeting Dates for 2011**

Jared Bischoff moved to approve the Board of Review Meeting Dates for 2011 and the first meeting in 2012 as presented noting no adjustments in meeting dates will be necessary due to holidays and requests the wording be amended on the document, adding the word usually before "the first Wednesday of the month" and deleting the "unless a holiday falls in that week" wording regarding holidays. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

**Review and Approve Minutes
From the December 1, 2010
Meeting**

Jeff Smith moved to approve the December 1, 2010 meeting minutes as presented. Carl Andersen seconded. Roll call vote with 3 yes votes and Sonny Strobl and Bert West abstaining. The motion carries.

Contractor Licenses
Mountain Wireless Construction, Inc.
Randal Hanson
Class A

Mr. Hanson is not present. Bert West moved this agenda item to the end of the meeting and moved to the next scheduled agenda item.

Spectrum Construction Contracting LLC
Change in examinee to Lee Longanbach
License 3340A/B

Mr. Longanbach present. Mr. Longanbach gave a brief overview of his recent work history and building experience, which included specifics on previous projects detailing scope and range of the type of construction used in the development and modification of cellular tower sites along with the equipment buildings constructed on the sites, as well. All cellular sites are unoccupied. The Board asked questions of the application regarding various construction methods used in the construction of cellular sites as well as questions of overseeing projects from a superintendent's role versus a project manager's role as it pertains to the current Teller County B Class License held by Spectrum Construction Contracting LLC. The Board reviewed the documents submitted by Mr. Longanbach. There was further Board discussion on the scope and range of the previous projects and it was determined that a Class B License would be most appropriate. Mr. Longanbach agreed with the reduction to a Class B License and changed the application submitted to reflect the change in the Class License. It was noted that one more Letter of Reference would be required to meet the minimum licensing requirements.

Bert West opened this matter up for public comment. No public comment. Close public comment.

Sonny Strobl moved to change the Spectrum Construction Contracting, LLC examinee to Lee Longanbach upon receipt of one more Letter of Reference reflecting Class B type work and to change the license to a Class B License. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

Reactivation and change in examinee of
License 3420C – Red Hawk Construction
Levi Wilson

Mr. Wilson present. Mr. Wilson gave a brief overview of his recent work history and building experience, which included but was not limited to the following:

Red Hawk Construction is a father & son operation
Been operating since the mid 1980's – Levi joined company 8 years ago
Market is small single family dwellings – foundation through finish carpentry
Range of building from custom Victorian style to log homes
Built 12 homes in 10 years – built 6 in Teller County
Finished a 3,000 square foot craftsman style home 3 weeks ago
Holds contracting licenses in El Paso, Park and Fremont Counties
Let license lapse – father was the examinee however father is stepping back from the business and Levi is taking over more of the company's business

The Board reviewed documents submitted by Mr. Wilson. Chris Brandt indicated everything was in order with the State.

Jared Bischoff moved to reactivate License 3420C Red Hawk Construction with Levi Wilson as the examinee. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

Continued item:
Chard Roofing & Home Improvement
Mark A. Honas
Class C/ C-1

Mr. Honas present. Mr. Honas gave a brief overview of his recent work history and building experience, which included but was not limited to the following:

Currently hold Class D license for roofing in Teller County
The last 6 months been re-roofing in Teller County from damages resulting from the hail storm that occurred in July
Been sole proprietor for 13 years
Holds a Class A credential from the International Code Council
Previous work includes basement remodels, basement finishes, and exterior siding
With his company's exposure from re-roofing has opportunity to expand business in the area involving more than re-roofing type work

The Board reviewed documents submitted by Mr. Honas. It was noted during the review of the documents submitted that the Description of Operations on the Insurance Certificate would need to reflect Class C-1 type work. There was further Board discussion on the scope and range of the previous projects and it was determined that a Class C-1 License would be most appropriate. Mr. Honas agreed with the reduction to a Class C-1 License and changed the application submitted to reflect the change in Class License.

Bert West opened this matter up for public comment. No public comment. Close public comment.

Jeff Smith moved to grant Chard Roofing & Home Improvement with Mark A Honas as examinee, a Class C-1 License upon receipt of an updated insurance certificate that reflects a Description of Operations for class C-1 type work . Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

Continued item:
Keystone Building & Restoration
Donald L. Smith
Class C

Mr. Smith present. Mr. Smith gave a brief overview of his recent work history and building experience, which included but was not limited to the following:

Works mostly in the restoration area of construction
Has experience in kitchen and bathroom remodeling as well
Previous work includes residential building from the ground up
Holds licenses in various cities in and around the Denver area

Currently doing re roofing projects in Teller County resulting from damages from the hail storm in July

Mr. Smith presented three Letters of Reference to the Board for their review. Chris Brandt indicated everything was in order with the State. The Board reviewed documents submitted by Mr. Honas.

Bert West opened this matter up for public comment. No public comment. Close public comment.

Carl Andersen moved to grant Keystone Building & Restoration with Donald L. Smith as examinee, a Class C License. Jared Bischoff seconded. Roll call vote and all said yes. The motion carries.

At 2:30 p.m. Bert West declared a 5 minute recess. At 2:52 p.m. Vice Chairman Jared Bischoff reconvened the meeting and moved to the next agenda item.

Continued item:
Complaint Against Contractor
Waters Construction Co., Inc. / Dean Waters / License 892B:
Rick & Kathleen Hobbs /Permit #04-0397 / 115 Trull Road

Sonny Strobl recused himself and left the room. Chris Brandt stated Bert West had recused himself and left during the recess. Chris Brandt stated this is a continued item from the December 2010 meeting and what was presented in December applies here today. Kathleen & Rick Hobbs as well as Dean Waters are present.

Al Chamberlin presented the staff report, which included but was not limited to the following:

The complaint received from the Hobbs indicated several items regarding: workmanship/framing, roof leakage, safety issues, and work not performed properly by subcontractors.

Some issues addressed in the complaint do not fall under the acts or omissions of section 107.b of the Teller County Building Code.

Items that can be addressed in the complaint are: not completing items listed on the temporary certificate of occupancy in the prescribed time limit and not pulling the appropriate permit for replacement of roof assembly due to leaks in the roof. These two items fall under numbers 3, 4, and 6 of Section 107.b of the Teller County Building Code.

It is the recommendation of the building department that a letter of reprimand be issued to Dean Waters of Waters Construction Company, Inc. composed by the building department and placed in the contractor's file for a period of two years. It is also the request of the building department that the Board discuss the severity of this issue with the contractor and the possibility of stricter actions if there are future occurrences with the lack of disregard to building code requirements and other items in section 107.b.

Rick Hobbs presented the Board with additional handouts for review and his comments included but were not limited to the following:

It took 3 ½ years to install a handrail and obtain a certificate of occupancy
It was negligent for Dean Waters to take so long to complete the work and to perform work that requires permit and inspections and to disregard the building department
He has a home that is not compliant with the building codes

Mr. Hobbs commented on handouts with a prepared statement specifying items that had deviated from the original plans approved. Home not built to the specifications and no change orders discussed or submitted and feels Mr. Waters abandoned the contract, and has not taken care of the items listed in the Home Specifications and Design Points handout. The Hobbs still owe Waters Construction Co. Inc. money, per the contract. As things still need to be done, Mr. Hobbs stated he had a conversation with Dean Waters stating he will finish the items himself and call it even on the money owed.

Dean Waters' comments regarding Mr. Hobbs' presentation included but were not limited to the following:

He does have regard for both the building codes and building department
Has built over 100 homes in Teller County and has never been before the Board
Did not think roof repair required a permit –now knows that is not correct
The only code item requiring completion on the temporary certificate of occupancy was the handrail - There is no excuse for taking 3 ½ years
No change orders were done or requested by anyone
The dollar figures are accurate and the agreement that Mr. Hobbs will complete the items makes the monetary terms of the contract fulfilled
The last two months of construction the Hobbs' were on site almost daily and had an opportunity to see how things would be finished and make comments at that time

Dean Waters stated that he has pulled the re-roof permit and that the building department requested to wait until after today's meeting to decide on inspections and look into the ventilation and condensation matters.

Al Chamberlin commented on concerns with performing the roof inspections as the typical method would be to pull up shingles, flashing and final roof assemblies and suggested that rather than disturb the roof assembly a combination of site inspections and pictures would be the preferred method. Inspection of the vents should take place as well. A check for condensation in the attic and recessed lighting areas would be a good idea.

The Board reviewed pictures #44-54 submitted by the Hobbs' regarding the re-roof work previously done that still requires inspections. Dean Waters suggested a coordinated effort for the inspections. Al Chamberlin explained the building department's process for removal of roof assemblies in order to inspect the installation. He also stated that once the re-roof permit was finalized, the house would be entirely in compliance with the code.

Other Board discussion included but was not limited to:

As soon as possible the snow should be cleared from the roof so the ice & water, ventilation, condensation, and flashing inspections can be performed prior to the final inspection, which could then put closure to the roof matter.

The statement made, that in lieu of final payment Mr. Hobbs agrees to finish the work, Mr. Waters would consider the contract paid in full weighs heavily on the situation.

Jared Bischoff opened this matter up for public comment. No public comment. Close public comment.

Mr. Hobbs rebuttal remarks included but were not limited to the following:

- Abandonment of contract
- Unfinished items
- Stair handrail was on original blueprints
- Should have fixed roof in a more timely manner
- The situation has had significant impact on him and his wife
- Electrical work performed after the certificate of occupancy and without a permit needs to be resolved regarding a second jetted tub electrical circuit

Mr. Waters had nothing further to say on the matter.

Further Board discussion included but was not limited to the following:

- Much time has passed since the work was completed
- It would appear some closure and resolution between the Hobbs and Waters Construction Co., Inc. did take place with calling it even when Mr. Hobbs indicated he would finish the work in lieu of final payment.
- Get the appropriate permits pulled and inspections performed on the work previously discussed
- Dean Waters had nothing more to comment on regarding timeliness of obtaining inspections or obtaining certificate of occupancy
- There have been no other complaints received against Waters Construction Co., Inc.

Under Article II, Section 107.b Action #4 of the Teller County Building Code, Jeff Smith moved to have the building department issue a letter of reprimand for failure to obtain a Certificate of Occupancy in a timely manner as ordered by the Building Official, and failure to obtain the required permits and inspections necessary for the second jetted tub circuit and replacement of a roofing assembly in excess of 100 square feet, and that a licensed electrical contractor is required to pull a permit for the jetted tub electrical circuit that was done and obtain a final approval from the Teller County Building Department under that permit, and that replacement of a roofing assembly in excess of 100 square feet at 115 Trull Road and place it in the contractor file of Waters Construction Co., Inc. with Dean Waters as examinee, for a period of two years; and that the contractor or general contractor is required to pull a permit for the work that was done on the roofing issue, and obtain a final approval from the Teller County Building Department under that permit. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

Chris Brandt explained the appeal process available to the Hobbs'.

Contractor Licenses
Mountain Wireless Construction, Inc.
Randal Hanson
Class A

Mr. Hanson is still not present. Jared Bischoff moved to continue this agenda item to the February 2, 2011 meeting. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

Board Discussion

- A. **Discussion of proposed code changes to Chapter 15 Roof Assemblies and Rooftop Structures of the 2003 International Building Code and Chapter 9 Roof Assemblies of the 2003 International Residential Code**

Staff stated they are not ready to present this item. The Board instructed staff to bring the proposed code changes back at a future date.

There being no further business the meeting was adjourned at 4:20 p.m.