

**Teller County Board of Review
March 2, 2011
Meeting Minutes**

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

- *Sonny Strobl
- *Jared Bischoff, Vice Chairman
- *Bert West, Chairman
- *Carl Andersen – late arrival
- *Jeff Smith – late arrival
- * Voting members

Staff: Chris Brandt
Allen Chamberlin
Lynda Morgan

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

**Review and Approve Minutes
From the January 5, 2011
Meeting**

Bert West moved to approve the January 5, 2011 meeting minutes as presented. Sonny Strobl seconded. Roll call vote and all said yes. The motion carries.

**Review and Approve Minutes
From the February 2, 2011
Meeting**

Sonny Strobl moved to approve the February 2, 2011 meeting minutes as presented. Jared Bischoff seconded. Roll call vote and all said yes. The motion carries.

**Contractor Licenses
Continued Item:
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.

**Continued Item:
H.E. Whitlock, Inc
Justin Bonham
Class A**

Mr. Bonham is not present. Staff indicated that Mr. Bonham was travelling in from Trinidad and may not arrive by the start of the meeting. Bert West moved this agenda item to the end of the meeting and moved to the next scheduled agenda item.

At 2:05 p.m. alternate member Jeff Smith arrived and Bert West appointed him as a voting member for today's meeting.

**Reactivation of License 3808C
Vayle Construction, Inc.
Frank Vayle**

Mr. Vayle present. Mr. Vayle explained that he was not aware his license had lapsed, as he did not receive this renewal notice. He indicated that he was able to pull several permits after his license had lapsed before he was informed that this license had actually lapsed. He also expressed his feelings regarding the reactivation process, asking that the Board consider a better system for reactivation rather than having to obtain 3 additional letters of reference, financial documents and re-testing. Bert West did comment that in the past there had been some problems with the computer system properly flagging licenses when they are inactivated.

At 2:06 regular member Carl Andersen arrived at the meeting.

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

Jeff Smith moved to reactivate License 3808C, Vayle Construction, Inc. with Frank Vayle as examinee. Sonny Strobl seconded. Roll call for and all said yes (Carl Anderson did not vote as he arrived part way through the matter). The motion carries.

**S&R Construction, Inc.
Daniel J. Robertson
Class B-1**

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

- Has held license in El Paso since 1993
- Most recent projects include converting commercial buildings to residential living space in Colorado Springs
- Other projects include 25, 000 office park and a college remodel
- Does both residential and commercial type work including remodeling
- A client has purchased property in Teller County for future development

Allen Chamberlin explained the differences between a Class B and Class B-1 license.

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

The Board reviewed the documents submitted by Mr. Robertson and asked building related questions regarding the scope and range of previous projects.

Jared Bischoff moved to grant S&R Construction with Daniel J. Robertson as examinee, a Class B-1 License. Jeff Smith seconded. Chris Brandt indicated that the actual company name recorded with the Secretary of State is S&R Construction, Inc. Jared Bischoff amended his motion to reflect the correct company name and Jeff Smith seconded the amended motion. Roll call vote and all said yes (Carl Andersen did not vote on this particular agenda item). The motion carries.

**ServiceTek Construction & Maintenance Contractors, Inc.
Martin Galindo
Class A**

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

- Background in Real Estate including apartment complexes and property management

Holds Class A Licenses in El Paso and Pueblo Counties as well as Greenwood Village
Mostly does commercial remodel with some new construction
New construction includes a small retail shopping center in Colorado Springs
Has job at the hospital adding some bathrooms to the current facility
Held a License in Teller County many years ago

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

The Board reviewed the documents submitted by Mr. Galindo. It was noted that a Description of Operations was needed on the Worker's Compensation Insurance Certificate. Chris Brandt indicated everything was in order with the State.

Sonny Strobl moved to grant ServiceTek Construction & Maintenance Contractors, Inc. with Martin Galindo as examinee, a Class A License upon receipt of an updated Worker's Compensation Insurance Certificate with a completed Description of Operations. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

Continued Item:
Complaint Against Contractor

H B Construction, Inc. License 601A / Lynn Colligan, examinee/ Curtis Colligan, registered agent: Teller County Building Department

Jared Bischoff recused himself from the agenda item and left the room.

Sonny Strobl and Bert West both disclosed that they had in the past done work with H.B. Construction, Inc. and Curt Colligan and believed that it will not affect any decision made on this matter.

It was noted that since the February 2, 2011 meeting H.B. Construction, Inc. has had a name change to Shell Homes, Inc. and that the parties associated with the business have not changed. It was also noted that the record of the portion of the hearing at the February 2, 2011 meeting is part of the record for today's hearing, this being a continued hearing and it was also noted that at the February 2, 2011 meeting there was a brief discussion, mostly about continuing the matter.

Al Chamberlin presented the staff report (with some noted revisions from the prior staff report) indicating a chronology of events, which included the planning department receiving a complaint regarding signs displayed at 15877 Highway 24; contacting Mr. Colligan regarding the display and, advising him that the display required a building permit. After meeting Mr. Colligan on the site of where the display was erected and providing a building permit application form to him, and after several requests to apply for the permit, a 10 day Code Violation Letter was sent to Mr. Colligan regarding the matter. As there was no response to the 10-day letter from Mr. Colligan, the Building Department proceeded with filing a complaint against contractor with the Board of Review citing Article II, sections 107.b #4 & 6 of the Teller County Building Code.

On January 24, 2011 Mr. Colligan submitted a building permit application for the display. However it was determined the application was not complete so the building department was unable to issue a permit. A plan review correction letter was mailed to Mr. Colligan on January 27, 2011 indicating what items would need to be provided in order to complete the permit process.

Mr. Chamberlin stated that it is the recommendation of the building department that a letter of reprimand be issued to H B Construction / Shell Homes, Inc. in which Curtis Colligan is a registered agent, in a form 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 Mr. Colligan and the possibility of stricter actions if there are future occurrences with the lack of regard to the building code requirements or compliance with Teller County regulations, as well as other items listed in section 107.b

Mr. Colligan distributed some materials, being the same materials distributed on February 2, 2011. Mr. Colligan's comments included but were not limited to the following:

- Everything regarding the displays was done as a private citizen
- Spoke with both planning and building staff members regarding the project. Described his conversations.
- Did not respond to letters in a timely manner as he conducts the majority of his business via the Internet and only goes to his post office box every 4- 6 weeks
- Has applied for a building permit as requested
- Display was temporary for only a few days prior to the national election

Bert West opened this matter up for public comment and Tracy Colligan was recognized and stated that the display was an expression from a personal point of view prior to the national election. Close public comment.

Mr. Colligan had a sample banner available so the Board could see the size of banners that were displayed on the structure that was erected.

Board discussion included but was not limited to:

- The board is concerned with the structure, under the building code, and not the content of the banners
- Explained the differences in the processes and permitting between the building department and the planning department regarding sign codes
- If Code Enforcement letter had been responded to the matter could have been resolved
- Mr. Colligan is a registered agent and affiliated with H B Construction / Shell Homes, Inc.
- Mr. Colligan has previously held a contractor's license in Teller County
- Permit process needs to be completed with appropriate documentation and a permit issued in order to close the matter
- Mr. Colligan needs to follow applicable building codes in all projects he's involved with in the future
- Any construction on commercial property requires an appropriately licensed contractor

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

- In order to resolve the matter two things would need to happen:
 - Get the permit issued and "final " the permit
 - A letter from Curt Colligan to the building department stating that in the future all applicable building codes and proper permitting process' will be followed on jobs he is involved with
 - Continue the agenda item for a designated period of time to get the needed engineering for the issuance and closure of the permit, and for Curt to prepare the requested letter

Bert West moved to continue this agenda item to the June 1st, 2011 regularly scheduled meeting. Jeff Smith seconded. Roll call vote and all said yes. The motion carries.

Board Discussion

A. Consider and recommend to the Teller County Board of County Commissioners term renewal request letter from regular member Jared Bischoff (the agenda misidentified the member as Sonny Strobl)

Bert West moved to recommend the renewal request from regular member Jared Bischoff to the Teller County Board of County Commissioners for consideration. Sonny Strobl seconded. Roll call vote and all said yes. The motion carries

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

Mr. Hanson is still not present. Bert West stated that this was the third continuance for the license request. Sonny Strobl moved to deny the request for a Class A License and to stop inspections on any open permits and if the applicant were still interested in obtaining the license in Teller County he would need to reapply. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

At 3:40 p.m. Bert West called for a recess until the examinee for H.E. Whitlock, Inc. arrived (who had called staff to say he was on his way). The meeting reconvened at 3:57p.m.

**Continued Item:
H.E. Whitlock, Inc.
Justin Bonham
Class A / B**

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

Started in the industry as a laborer doing carpentry type work, then moved to steel work Been with H.E. Whitlock, Inc. for 17 years and is currently project manager / job superintendent
Previous projects include the Pueblo Bull Riding Arena, which is a 45, 000 square foot building, a Distribution Center, a 7 million dollar renovation, and an addition to Canon City High School, West Cliff physical education facility, Colorado State Patrol facility in Alamosa, and renovation and reconstruction of a structure registered with the Historical Society

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

The Board reviewed documents submitted by Mr. Bonham. Mr. Bonham also presented the Board with a current resume along with a Company Brochure. It was noted the Description of Operations would need to reflect Commercial Contractor on the Insurance Certificate. There was further Board discussion on the scope and range of the previous projects and it was determined that the Class B License would be most appropriate. Mr. Bonham agreed with the change to a Class B License and changed the application submitted to reflect the change in Class License.

Jeff Smith moved to grant H. E. Whitlock, Inc. with Justin Bonham as examinee, a Class B License upon receipt of an Insurance Certificate with a completed Description of Operations. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

There being no further business the meeting was adjourned at 4:15 p.m.