

**Teller County Board of Review
August 3, 2011
Meeting Minutes**

The Secretary of the Board of Review called the meeting to order at 2:09 p.m. Those answering roll call were:

*Sonny Strobl

Staff: Chris Brandt

*Carl Andersen

Allen Chamberlin

*Dave Dernbach

Lynda Morgan

* Voting members

The Secretary stated that both Chairman, Bert West, and Vice Chairman, Jared Bischoff, are unable to attend today's meeting and that we need a motion to appoint a regular member to act as Chairman to conduct today's meeting.

Carl Andersen moved to elect Sonny Strobl to act as Chairman for today's. Dave Dernbach seconded. Roll call vote, two yes votes and Sonny Strobl abstained. The motion carries.

Sonny Strobl 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 July 6, 2011
Meeting**

Sonny Strobl moved to approve the July 7, 2011 minutes with one change under the Complaint Against Contractor to reflect that Mr. Colligan was not present. Dave Dernbach seconded. Roll call vote, two yes votes and Carl Andersen abstained. The motion carries

**Contractor Licenses
Reactivation of License 3411C
Turnkey Construction, LLC
Robby Houseman**

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

Company is family owned and operated
Been building homes with his parents in Teller County for 10 years
30-40 homes built in various counties including Douglas, Park, El Paso and Teller
Recently underwent a restructure / transition of the company which resulted in an oversight in the renewal the license. Robby will be taking over more responsibility of the company as his father moves into retirement and replace him as examinee on the license
Currently hold license in Park County
Will provide an updated Insurance Certificate with updated expiration date

The Board reviewed the Letters of References submitted and discussed the scope and range of the work referenced in the letters. Robby indicated that he is the Project Superintendent for the Company with hands on work overseeing each project, doing all estimating and coordination of sub contractors. This matter is for both reactivation of the license, and a change of examinee.

Sonny Strobl opened this matter up for public comment. No public comment. Close public comment.

Dave Dernbach moved to reactivate License 3411C Turnkey Construction, LLC with Robby Houseman as the new examinee upon receipt of an updated Insurance Certificate with a corrected expiration date. Carl Andersen seconded. Roll call vote and all said yes. The motion carries.

**EMC Associates – Ed Smith
J. Edward Smith
Class C**

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

- Owner of the Company started in the industry 30 years ago with his father
- Licensed in both El Paso and Douglas Counties in all phases of both residential and commercial type projects
- Specializes in remodeling
- Hands on builder
- Presented the Board with an additional Letter of Reference for a 1,200 square foot addition with ICF foundation
- Currently has a project in Teller County to add a gable roof system to a flat roof stucco structure

Sonny Strobl opened this matter up for public comment. No public comment. Close public comment.

The Board reviewed the Letters of Reference submitted and discussed the scope and range of past projects completed by the examinee. The differences between the Class C and Class C-1 License were discussed to determine which Class License would be most appropriate. It was noted that an updated Insurance Certificate was needed with the Description of Operations completed.

Carl Andersen moved to grant EMC Associates – Ed Smith with J. Edward Smith as examinee a Class C License upon receipt of an updated Insurance Certificate with a completed Description of Operations. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

**Mark Jones Construction, LLC
Mark Jones
Class C**

Mr. Jones present and gave a brief overview of his previous work history and experience, which included but not limited to the following:

- Started in the industry in the Denver area working with his father
- Started as a brick layer for both commercial and residential type work
- Was licensed in El Paso in the 1960's doing mostly foundation type work
- Built homes in Fremont County
- Retired from the State as an inspector for manufactured homes
- Has experience with custom built on-site construction including masonry and concrete work as well as coordinating the scheduling of sub contractors
- Most work is with manufactured and IRC built homes
- Was a Building Inspector in Rockville for 5 years

The Board reviewed the documents submitted and discussed the scope and range of the projects mentioned in the Letters of Reference. Mr. Jones indicated that he constructed a 2,800 square foot

stick built home recently in Fremont County. It was noted that the Insurance Certificate needs Home Builder or Residential Builder to be added in the Description of Operations.

Sonny Strobl opened this matter up for public comment. No public comment. Close public comment.

Carl Andersen moved to grant Mark Jones Construction, LLC with Mark Jones as examinee a Class C License upon receipt of an updated Insurance Certification reflecting both Pre-Fabrication homes and Home or Residential Builder in the Description of Operations. Sonny Strobl seconded. Roll call vote and all said yes. The motion carries.

At 2:47 p.m. alternate member Jeff Smith arrived, he did not participate in the voting of the prior matter, and Sonny Strobl appointed him as a voting member for the remainder of today's meeting.

Complaint Against Contractor

Continued item:

**Shell Homes, Inc. Licensed 601A / Lynn Colligan, examinee / Curtis Colligan, registered agent:
Teller County Building Department**

Mr. Curtis Colligan is not present.

It was noted that this agenda item has been continued from the February, March, June and July meetings, and that this matter has taken up considerable time of the Board and Building Department. The current status of the complaint was that in order to resolve the matter Mr. Colligan was to complete the permit process by completing the appropriate building permit application form and have the permit closed, submit a building diagram stamped by an engineer, and to provide the Building Department with a letter indicating that he understood what the proper process is for obtaining permits and that it will not happen in the future.

It was noted that as Jeff Smith and Dave Dernbach had not been in attendance at all of the previous meetings that they could participate in Board discussion however, it would be best if they abstained from voting, leaving Carl Andersen and Sonny Strobl as voting members on this matter.

Allen Chamberlin stated that though Mr. Colligan has submitted some documents they do not meet the criteria of the items requested by the Board in order to resolve this matter.

The Board stated they were very clear with Mr. Colligan the last time he appeared before the Board regarding the actions needed to resolve the matter and the time has come to put closure to it. It was noted that Mr. Colligan is not present nor is anyone from the Company.

There was Board discussion on the appropriate parameters that should be considered on a possible suspension of the License regarding examinee or registered agent.

Sonny Strobl opened this matter up for public comment. No public comment. Close public comment.

The Board reviewed what had been discussed and what actions had been requested from the previous meetings to determine the appropriate and consistent action to take concerning the License.

At 3:17 p.m. Sonny Strobl called for a recess and at 3:26 p.m. the meeting was reconvened

Carl Andersen moved to suspend for six months the contractor's license of Shell Homes Inc. with Lynn Colligan as examinee, license number 601A and suspend for six months the right of the examinee to be an examinee for any other partnership, joint venture, corporation, or other entity

under Section 107.b of the Teller County Building Code, based on the following numbered acts or omissions listed in Section 107.b: (#3) – Violation(s) of the Teller County Building Code including any building-related codes which are adopted by reference, and with the finding that such violations(s) are not trivial imperfections in or omissions from the structure or work to which the code applies and, (#4) – Failure to comply with any lawful order of the building official or of any other authorized representative of the building department pertaining to the administration of the building code and those codes adopted by reference, and (#6) – Failure to obtain a proper permit for any work which a permit is required by virtue of this code, and (#9) – Failure to answer any question, or provide any documentation or information requested, by the Board concerning the charges against the contractor, and with the finding that the commission of such violations was willful, substantial, reckless, or repeated (of either the same or different violations) and that the commission of such violations has caused, or could cause, personal injury, substantial damage to property, or substantial economic harm. The stated suspension is imposed based on such violations together, but would also be imposed for each violation individually, or for any combination of such violation(s). Sonny Strobl seconded. Roll call vote, two yes votes and Jeff Smith and Dave Dernbach abstained. The motion carries. *{See further action on this matter later in the meeting}.

Board Discussion

A. Consider and recommend to the Teller County Board of County Commissioners term renewal request letters from regular member Sonny Strobl and Dave Dernbach

The letters submitted were reviewed.

Sonny Strobl opened this matter up for public comment. Sally Riley, Planning Director for Woodland Park expressed her affirmation to the requests. Close public comment.

Jeff Smith moved to recommend to the Teller County Board of County Commissioners to consider the renewal request received from Sonny Strobl to serve another term. Carl Andersen seconded. Roll call vote and all said yes.

Jeff Smith moved to recommend to the Teller County Board of County Commissioners to consider the renewal request received from Dave Dernbach to serve another term. Carl Andersen seconded. Roll call vote and all said yes.

B. Consider and recommend to the Teller County Board of Count Commissioners to amend the following sections of the Teller County Building Codes:

Article III, Section R105.2 – Work Exempt form permit to add #11 as it relates to temporary structures

Article III, Section R107 – Temporary Structures and Uses:

R107.1 General – Delete R107.2 Conformance – add conformance to manufacturer's specifications; R107.3 – Temporary power as it relates to electrical permits; R107.4 – Termination of approval – Delete

Article III, Section R108.2 Schedule of permit fees – Delete #9 as it relates to waiver of permit fees

Article IV, Section 105.2 – Work exempt from permit – add # 14 as it relates to temporary structures

Article IV, Section 107 – Temporary structures and uses:

107.1 General – Delete; 107.2 – Conformance – add conformance to manufacturer's specifications; 107.3 – Temporary power as it relates to electrical permits; 107.4 – Termination of approval – Delete

Article IV, Section 3103.1 – Special Construction General – deleted the first and third sentences

Article IV, Section 3105 – Awnings and canopies as it relates to temporary canopies

Allen Chamberlin explained the purpose and intent of the proposed code changes as it relates to the many events and festivals held in the County throughout the year and how these code changes will assist the event planners and still provide consistency and safety measures through the Fire Departments and the compliance with the International Fire Code (I.F.C.) regarding the erection of the temporary structures and electrical permits (Chapter 34 I.F.C.) Allen Chamberlin went on to further clarify why some sections of the proposed changes are necessary by referencing these codes and their intent through the International Building Code Commentary.

At this time, the Chairman recognized Sally Riley, Planning Director for Woodland Park who commented that the City of Woodland Park has adopted the Teller County Building Code and it's amendments.

As each section was discussed it was noted that some clean up on the wording and clarification on intent would be needed in order to make a recommendation to the Board of County Commissioners. Some section noted in the agenda were discussed.

*{At this time Sonny Strobl re-opened the prior agenda item: Complaint Against Contractor: Shell Homes, Inc. in order to amend the motion made when the agenda item was heard earlier in the meeting.

Carl Andersen moved to add the following wording to the motion on Shell Homes, Inc:

This suspension shall automatically end at such time as the Contractor complies, to the satisfaction of the Building Official, with the following:

- 1) Complete and submit the appropriate building permit application form.
- 2) Have the building diagram of the structure stamped by an engineer.
- 3) Provide a clear and concise letter regarding the admission of error regarding this matter and that it will not happen in the future, which is to be placed in the contractor's file.

Sonny Strobl seconded. Roll call vote, two yes votes and Jeff Smith and Dave Dernbach abstained. The motion carries.}

Sonny Strobl again closed that agenda item and returned to the agenda item regarding proposed code changes to the Teller County Building Code – Board discussion item B.

Allen Chamberlin further explained that the proposed code changes would essentially free up staff time, provide a smoother process for events held in the County. Mr. Chamberlin indicated he would still be available to answer questions and assist with any clarification of codes from event coordinators, if needed.

The Board suggested that further review and understanding of Chapter 34 of the I.F.C. and how it relates to the proposed codes is needed and asked that staff bring back a revised proposal for most of these code sections when ready.

At 3:57 p.m. Carl Andersen left the meeting.

Sonny Strobl opened this matter up for public comment and recognized Sally Riley, Planning Director for Woodland Park. Sally appreciates the Board's position of wanting to research the proposed changes further before moving the matter to the Board of County Commissioners. She will look

forward to re-wording and further clarification on sections R105.2 and R107.2 and a clearer definition of trailers as it relates to the code. Close public comment.

Discussion occurred on recommending a change to Section R108.2 of the Building Code.

Jeff Smith moved to recommend to the Board of County Commissioners to delete #9 from Section R108.2 - Work exempt from permit of Article III of the Teller County Building Code. Dave Dernbach seconded. Roll call vote and all said yes. The motion carries.

C. Discuss the proposed adoption of the 2011 National Electric Code

Allen Chamberlin indicated that he and the electrical inspector have been reviewing the 2011 code and at this time do not plan on making any Teller County changes to the code when it is brought forward for adoption. There may be new procedures or policy that come into effect with the adoption of the new code.

There being no further business the meeting was adjourned at 4:54 p.m.