CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

OFFICE OF THE CITY ATTORNEY

300 Sixth Street

Wade E. Nyberg, Assistant City Attorney
City web: www.rcgov.org

Phone: 605-394-4140
Fax: 605-394-6633
e-mail: wade.nyberg@rcgov.org

MEMORANDUM

TO: Mayor Kooiker and Common Council

FROM: Wade Nyberg WEN

DATE: July 12, 2012

RE: Residential Contractor License Appeal -- Jason Barnum Home Improvements LLC

This memo is to inform you that Jason Barnum, on behalf of Jason Barnum Home Improvements LLC, has withdrawn the appeal of the Residential Contractors Board's action to revoke its license. As you may recall, the appeal was initially in front of the Council at its June 4, 2012, meeting. The Council sent the appeal back to the Residential Contractors Board with instructions to hear and decide the complaints of several citizens. (The revocation was based upon the contractor's failure to show proof of insurance as required by ordinance.)

The matter was set for the July 12, 2012, Residential Contractors Board meeting. Our office received the faxed notice of withdrawal from Jason Barnum on Sunday, July 1, 2012. Additionally, Building Official Brad Solon received an email from Barnum's attorney (Pete Fuller) later that week. I also confirmed the withdrawal with Attorney Fuller via telephone call on July 6, 2012.

The Residential Contractors Board acknowledged the withdrawal at its July 12, 2012, meeting. I ask that the Council acknowledge the withdrawal as well, as the final authority on the appeal rests with the Council.