

Meeting Minutes
Building Board of Appeals
August 12th, 2014

3. Rana Graham Appeal on revocation of Bolt Constructions Contractor's License

Asbridge asked Mrs. Graham to speak. Graham stated the details leading up to the Appeal. Graham stated on October 13, 2013, Bolt Construction installed a roof on her property, and the next day she noticed the shingles were rolling, so she then contacted Aaron London (contact person stated on her contract). Graham stated she spoke with Mr. London, he stated he knew what the problem was, and he would come and fix the issue. Graham stated he never fixed the problem. Graham then went on to state she made numerous attempts to contact Mr. London, and he would not respond to her phone calls. Graham stated the first time she had correspondence with owner Lyndon Bolt was in January, he was pleasant on the phone, and stated he would come and have the problem corrected, and also acknowledged there had been several complaints with his employee Aaron London. Graham stated a man by the name of Josh came out to look at the roof and he stated he was there to fix Aaron London's mistakes. Graham stated the next day she received a letter from Mr. Bolt stating there would be a lien put on her property if she did not pay. Graham stated she explained to Mr. Bolt the money was in escrow and the mortgage company would not pay for the roof until the roof was fixed. Graham stated Mr. Bolt became abusive on the phone with her. Graham then called the City to have an inspection; she stated the first day the inspector could not complete the inspection due to snow on the roof. Graham stated, the next day an inspector was able to inspect the roof, and the inspection stated there were code violations. Graham stated they passed the code violations without an affidavit or pictures. Graham then went to City Council, the allegations were founded, and they unfinalized the permit, which he did not have in the first place. Graham stated Bolt Construction completed the roof on the 13th of October and Lyndon Bolt signed for the permit on October 16th. Graham stated Bolt put a lien on her property two days before the work was supposed to be completed. Graham stated the signature did not look correct; she then went to Senator Thune's office; Senator Thune's' advisor told her to go to the police station to file a complaint because it was a fraudulent lien, she did so, it was investigated, they did not prosecute, however they did make it clear it was a second class misdemeanor, but they did not prosecute. Graham stated her lawyer did send Mr. Bolt a letter advising him this would all be done, if he would fix the roof and remove the lien. Graham stated she has a no trespassing order on Mr. Bolt.

Asbridge asked Solon to update the Board on the Appeal. Solon stated he would read from the memo he provided for the Board in their packets.

Asbridge asked Lyndon Bolt to speak. Bolt explained the details on obtaining the permit, and the course of action his company took performing the work at Grahms home.

Lyndon Bolt apologized to Mrs. Grahm for the way his employee, Aaron London treated Mrs. Grahm. Bolt stated Aaron London no longer worked for his company, because of the way he treated Mrs. Grahm. Bolt stated item #4 on his attorney's rebuttal letter, stated there was not a permit pulled on Mrs. Grahm's roof. Bolt stated that was absolutely true, he is human, and he made a mistake. Bolt stated he reroofed the house on a Sunday, and was under the impression that his secretary or Aaron London had bought the permit. Bolt stated as soon as he realized there had not been a permit pulled, he came down to Building Services, paid the fine, and apologized for the misunderstanding to Brad Solon, Rapid City Building Official. Bolt then stated he did everything he was supposed to after making the mistake and he takes full responsibility. Bolt stated they came out numerous times to take a look at Mrs. Grahm's roof, he stated she did have some ridge caps that had flown up in the air, and they fixed them. Bolt stated he had Tamco's shingle representative for western South Dakota, Jeff Richey, come look at Mrs. Grahm's roof. Grahm stated he never came to look at her roof. Bolt stated Jeff Richey and he had set up a date to come look at Mrs. Grahm's roof. Mrs. Grahm told him he was not allowed on her property. Bolt stated there was a letter in the Board's packets from Tamco Building Products, which stated Mrs. Grahm has a full warranty on her roof. Bolt stated Jeff Richey sent Mrs. Grahm a certified letter stating Mrs. Grahm has a warranty on her roof shingles. Bolt stated he has done many roofs in the City, including some people that were in attendance. Bolt asked City Council member, Charity Doyle, if he roofed her house. Mrs. Doyle replied, Mr. Bolt tore shingles off at her house. Bolt stated Grahm has not paid a dime for the job they did. Asbridge stated Bolt's time is up. Asbridge asked Solon what are the code violations. Solon stated the City Inspectors approved the work and the permit was not finalized. Marsland stated, after Grahm brought her appeal to the City Council, Council directed herself and Risk Management to perform an investigation. Marsland stated their findings were that the only code violation is the way the starter strip was used. Struble stated the City Officials did not find any discrepancies in their inspections. Asbridge stated Bolt did not get a permit until the day after the roof was completed. Seaman stated that was a non issue because he paid the penalty for it, Asbridge agreed. Solon stated they did not call for an inspection on Sunday, but Bolt was notified in January of permits that had been pulled without inspections, Mrs. Grahm's permit was on the list. Solon stated he talked to him about it, and to bring an affidavit down with pictures, and Bolt did so immediately. Solon stated Mr. Bolt did not have pictures to provide, due to Aaron London having them on his phone, who no longer was employed by Bolt Construction. Solon stated he did see the pictures on Aaron London's phone but did not have actual copies of them. Solon stated the affidavit was finalized in January. Grahm stated no, it was not finalized until April. Bolt stated they are improving their system to work with the City's system.

Asbridge asked Grahm, if she is not going to allow Bolt to make corrections, which are minor, then they will not revoke or suspend his license.

Seaman asked if the starter strip is the only code violation. Marsland stated yes, that it is the only code violation. Asbridge asked for a motion.

**Struble makes a motion to agree with the City to not revoke or suspend Bolt
Constructions Contractors license, seconded by James Rensch, motion passed 5-
0, with Seaman, Asbridge, and Malone voting yes and none voting no.**