

**SKILLED TRADES REVIEW BOARD
MEETING MINUTES
JANUARY 17, 2018**

The Skilled Trades Review Board had their first meeting at 757 Carolyn Avenue at 1:30 p.m. on Wednesday, January 17, 2018.

The following duly appointed members were present:

Dennis Hartz
Jay Hill
Tim Hoover
Ralph Landers, Jr.
Michael Watkins
George Wenger
Patty Spangler, Chairperson

Also present:

Jim Richardson, Board Secretary
Allie Pickerill, City Attorney
Hal Richard, Representative Department of Public Utilities-Sewerage & Drainage Division

The meeting was called to order at 1:36 p.m. by **Chairperson Patty Spangler**

The Board voted to approve the minutes of the December 20, 2017 meeting on a motion by **Mr. Landers** and a second by **Mr. Hill**.

MOTION CARRIED 7-0

OLD BUSINESS:

Penalty/Disciplinary Action for Nuway Services' violations to the following sections:

The Board tabled the penalty portion of the complaints filed against **Nuway, Inc.** They were found **GUILTY** of violating *City of Columbus Construction and Material Specifications section 901.13, ASTM D3212* And in regard to the second complaint; Nuway, Inc. was found guilty of violating City of Columbus Code Sections 1133.07 and 1133.10. The Board then voted to table the Penalty determinations to the next meeting in anticipation of you preparing a remedial action plan explaining the steps you have taken, or will take, to ensure that Nuway, Inc. does not have these types of problems in the future. Please be prepared to attend this meeting on Wednesday, February 21, 2018 at 1:30 p.m. in the Hearing Room at 757 Carolyn Avenue. At this time, the Board will be open to reviewing the RAP for your company. You are not required to prepare one but if you do, the quality of this RAP may factor into the Board's decision as to what penalty will be awarded to you. If you choose to draft such a plan please bring it with you to this next meeting and be prepared to discuss it. The motion was made by **Chairperson Spangler** and seconded by **Mr. Hill**.

MOTION CARRIED 7-0

NEW BUSINESS:

DUE PROCESS HEARING FOR SUMMERS MECHANICAL

The next item on the agenda was a complaint against **Shannon Summers of Summers Mechanical Contractors**. Shannon Summers was present at the meeting. Jim Richardson filed the complaint alleging that Mr. Summers was in violation of City of Columbus Code Section 4114.721 – Transfer of an OCILB licensed specialty contractor registration. Mr. Richardson presented his complaint. He found that a permit was secured for work being done 2954 McKinley Avenue, however, the invoice for the work and the contractor on the permit are different contractors. Mr. Charles Williams of C. Williams Drain Services invoiced for the work, while Summers Mechanical acquired the permit. Mr. Richardson could not find any active State of Ohio Plumbing Contractors License for C Williams Drain Services, additionally; there is no record of Mr. Williams ever registering as a plumbing contractor with the City of Columbus Department of Building and Zoning Services. Based on the complaint that was filed and the evidence presented, by Mr. Summers, Mr. Richardson and Guy Miller, Plumbing Inspector II, Mr. Landers made a motion that an unlicensed contractor did use Mr. Summers' registration to do work in the City of Columbus. Mr. Hill seconded.

MOTION CARRIED 7-0

Due to the fact that an unlicensed contractor used Mr. Summers' registration to pull permits, **Mr. Landers** made a motion to find **Summers Mechanical GUILTY** of violating Section 4114.721 – Transfer of

an OCILB Licensed specialty contractor. **Mr. Watkins** seconded. **MOTION CARRIED.** Due to being found GUILTY of violating the City of Columbus Code, the Board discussed penalties. **Mr. Watkins** then made a motion to table the Penalty decision on the Shannon Summers' complaint to the next scheduled meeting of the STRB. **Mr. Hill** seconded the motion.

MOTION CARRIED 7-0

On a separate motion, the Board requested that the Court Reporter, Toni Gillum, send a letter suggesting that you could develop a Remedial Action Plan to bring to the next meeting. Something that will ensure Summers Mechanical Contracting can avoid this problem in the future. The Board may take this into consideration when they are discussing the penalty that may be assessed due to your violation.

DUE PROCESS HEARING FOR SEWERS & DRAINS BY DEPRIEST SALES

The next item on the agenda was a complaint filed against **Sewers & Drains by Depriest Sales**. It was alleged by **Jim Richardson, Plumbing Inspection Supervisor** that **Sewers & Drains** violated City of Columbus Code Section 4114.721 – Transfer of an OCILB licensed specialty contractor registration. Mr. Richardson's complaint stated that a representative from **McNeely Plumbing, Heating and Air Conditioning** (McNeely), **Jenny Maxwell**, came into the office for assistance in applying for a registration, at that time, Mr. Richardson noticed that Ms. Maxwell had a Plumbing Permit Application with License Number #P00240 and the contractor listed was Depriest Sales. Mr. Richardson informed her that it was against OCILB rules and City of Columbus Code to use another contractor's license to obtain a permit. She informed him that Mr. Sales was an employee of McNeely. Several weeks later requests for inspections began to come into the office, many of which Ms. Maxwell requested to amend the work description, all from **McNeely**. On October 2, 2017, Mr. Richardson went to perform several inspections on this parcel and met with Ed Rietser. Mr. Reister confirmed he was an employee of McNeely. Mr. Reister also stated that they had been performing the work, at times, using some local labor and had "paired up" with a local contractor to obtain the permits. Guy Miller, Plumbing Inspector II, was also present for this conversation. Mr. Reister also indicated that they were performing the work and that he, Mr. Reister had even contacted OCILB. The OCILB secretary, **Carol Ross**, indicated Depriest Sales still had his license listed in his name and not with McNeely. OCILB launched an investigation and according to Carol Ross, issued a violation notice to McNeely for performing work in the State of Ohio without proper licensing. **Mr. Sales** stated that he had a sub-contracting contract with McNeely. OCILB had launched an investigation and issued a violation to McNeely. Mr. Sales read a letter that was written by McNeely to OCILB in response to a *Notification of Apparent Violation* that was received on November 6, 2017. It stated that McNeely contracted with Depriest Sales to perform plumbing services at the job site listed in the citations. Ed Reister from McNeely, was on the job site as a representative of McNeely. Depriest Sales was employed for services as a plumbing contractor, not as an employee of McNeely. There were a total of 23 permits pulled under Depriest Sales' registration number. Mr. Richardson stated that they were all signed by Mr. Sales. Mr. Sales disagreed and when Mr. Richardson presented them to Mr. Sales, it was discovered that the signatures were signed by someone else. Mr. Richardson explained how the situation is in violation.

Although, Mr. Sales was misled by McNeely Plumbing Heating and Air Conditioning, the Board voted that Mr. Sales did allow an unlicensed contractor use his license to pull permits; the motion was made by **Mr. Hill** and seconded by **Mr. Wenger**.

MOTION CARRIED 7-0

Due to the fact that Mr. Sales did allow McNeely to pull permits and perform work in the City of Columbus, **Mr. Hoover** made to find him **GUILTY** of violating City of Columbus Building Code Section 4114.721 – Transfer of an OCILB Licensed Specialty Contractor Registration. **Mr. Hill** seconded.

MOTION CARRIED 7-0

Due to the fact that the Board found no malicious intent on behalf of Mr. Sales and that Mr. Sales was misled by McNeely, **Mr. Hoover** made a motion that based on the circumstances, despite being found guilty of these code sections, there be **NO ACTION** against Sewers & Drains by Depriest Sales. **Mr. Watkins** seconded the motion.

MOTION CARRIED 7-0

ADJOURNMENT:

There being no further business to come before the Board, **Mr. Landers** made a motion to adjourn at 3:45 p.m. **Mr. Hoover** seconded.

MOTION CARRIED 7-0

Patty Spangler, Chairperson

Jim Richardson, Acting-Secretary