**PUBLIC WORKS CONTRACTORS LICENSE BOARD**

<table>
<thead>
<tr>
<th>Agenda Item No. 01</th>
<th>Agenda</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRESENTER:</td>
<td>Torry McAlvain, Chairman</td>
</tr>
<tr>
<td>OBJECTIVE:</td>
<td>Approve the agenda for the July 16, 2012 PWCL Board videoconference meeting.</td>
</tr>
<tr>
<td>ACTION:</td>
<td>Consent</td>
</tr>
<tr>
<td>BACKGROUND:</td>
<td></td>
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<tr>
<td>PROCEDURAL HISTORY:</td>
<td></td>
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<tr>
<td>ATTACHMENTS:</td>
<td>July 16, 2012 PWCL Board tentative agenda</td>
</tr>
</tbody>
</table>
TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

PUBLIC WORKS CONTRACTORS LICENSE BOARD VIDEOCONFERENCE MEETING

Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho
2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho
dbs.idaho.gov – (208) 332-7137

Monday, July 16, 2012
9:30 a.m. – 12:30 p.m. (MT)
(Note: Meeting Time is 8:30 a.m. PT)

9:30 a.m.  CALL TO ORDER – Torry McAlvain, Chairman
- Roll Call & Introductions
- Open Forum

CONSENT AGENDA
1. Approval of the July 16, 2012 Agenda
2. Approval of the April 2, 2012 Board Meeting Minutes
3. Approval of the May 17, 2012 Special Board Meeting Minutes

ACTION AGENDA
4. Financial Statement Dates – Steve Keys

INFORMATIONAL AGENDA
5. Clarification on Specialty Licenses – Steve Keys
6. Deputy Administrator Report – Steve Keys
7. Administrator Report
   b. Administrator – C. Kelly Pearce

12:30 p.m.  ADJOURN

All times, other than beginning, are approximate and are scheduled according to Mountain Time (MT), unless otherwise noted. Agenda items may shift depending on the PWCL Board preference. 06/22/2012
PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 02

PRESENTER: Torry McAlvain, Chairman

OBJECTIVE: Approve the minutes from the April 2, 2012 PWCL Board videoconference meeting.

ACTION: Consent

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS: April 2, 2012 PWCL Board meeting draft minutes
PUBLIC WORKS CONTRACTORS LICENSE BOARD
VIDEOCONFERENCE MEETING

Monday – April 2, 2012 – 9:30 a.m. (MT)

Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho
2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho

*DRAFT MINUTES OF THE APRIL 2, 2012 MEETING

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

Chairman Torry McAlvain called the meeting to order at 9:32 a.m. (MT)

Board Members Present:        DBS Staff Present:
Torry McAlvain, Chairman       C. Kelly Pearce, Administrator
John Sheldon, Vice-Chairman    Steve Keys, Deputy Administrator, Operations
Jerry A. Peterson             Janice Foster, Deputy Administrator, Administration
Ken Worst                     Patrick Grace, Deputy Attorney General
Brian Bailey                  Rod Freligh, Regional Manager, Region 1
                              Chris Jensen, Regional Manager, Region 3

Board Members Absent:
Garry Tolley

Lisa Hatch and Steffani Lippert were recognized for their many years of service on the PWCL Board with commemorative plaques.

Chairman McAlvain welcomed Brian Bailey to the Board. Mr. Bailey assumes the position of specialty sub-contractor representative.

♦ Open Forum
No items or concerns were brought forth.

♦ Approval of the April 2, 2012 Agenda
To consider moving forward with a temporary and pending rule, Steve Keys requested item six “Set License Fee for ‘CC’ License” be moved from informational to action agenda.

*MOTION:* John Sheldon made a motion to approve the agenda with the change. Jerry Peterson seconded. All in favor, motion carried.

♦ Approval of the January 9, 2012 Board Meeting Minutes
*MOTION:* Jerry Peterson made a motion to approve the minutes as written. John Sheldon seconded. All in favor, motion carried.
- Administrative Hearing--Monsey Construction Consulting Services
  Kevin Monsey, Monsey Construction Consulting Services, was not present when the administrative hearing was originally introduced. Chairman McAlvain moved the topic to the last item of the action agenda.

- Clarification of Specialty Licenses
  Randell Hodgkinson, Randell Concrete Inc., discussed his confusion with regard to the following PWCL license categories and the knowledge/experience needed to legally install concrete for a bridge structure in the public right-of-way:

  - 02850 “Bridges and Structures” – A specialty contractor whose primary business includes the installation, alteration and repair of bridges and related structures, including culverts.
  - 02855 “Bridge Crossings and Box Culverts” – A specialty contractor whose primary business is the installation or construction, or both, of any bridge or crossing structure shorter than twenty (20) feet measured on the centerline of the roadway or trail.
  - 03300 “Concrete” – A specialty contractor whose primary business includes the ability and expertise to process, proportion, batch and mix aggregates consisting of sand, gravel, crushed rock or other inert materials having clean uncoated grains of strong and durable minerals, cement and water or to do any part or any combination of any thereof, in such a manner that acceptable mass, pavement, flat and other cement and concrete work can be poured, placed, finished and installed, including the placing, forming and setting of screeds for pavement or flat work. Also includes concrete sidewalks, driveways, curbs and gutters.
  - 03370 “Specially Placed Concrete, Concrete Pumping and Shotcreting” – A specialty contractor whose primary business includes the ability and equipment necessary to deliver and install concrete, and similar materials to their final destination in buildings and structures.

  Torry McAlvain asked the Division to look into redefining the license categories with regard to concrete and bridges; presenting the changes at the July 16th Board meeting.

  **ACTION:** For the July 2012 Board meeting, the DBS will redefine license categories 02850 “Bridges and Structures”, 02855 “Bridge Crossings and Box Culverts”, 03300 “Concrete”, and 03370 “Specially Placed Concrete, Concrete Pumping and Shotcreting”.

- Set License Fee for ‘CC’ License
  House Bill 465, to establish a new “CC” license between the “B” and “C” licenses, passed the 2012 legislature and becomes effective July 1, 2012.

  In order to issue licenses when the legislation takes effect in July, the DBS would like to promulgate a temporary and pending rule. The rule would include the following requirements: $125 license fee, compiled financial statements, $75,000 minimum net worth, and $25,000 minimum working capital.

  **MOTION:** Jerry Peterson made a motion to accept the proposal as presented. John Sheldon seconded. All in favor, motion carried.
Financial Statement Dates
In some cases, the Division has noticed almost a year lag between the date covered by the financial statement and the date the accountant signs the statement. The DBS recommended, and the Board supported, the following change to IDAPA 07.05.01.110.01.d: “An annual financial statement, as herein defined, that was issued covers a period of time ending no more than twelve (12) months prior to the date of submission of the application, …”.

ACTION: The Division will bring to the July 16th Board meeting a rulemaking proposal to change the requirement for financial statement dates.

Deputy Administrator Report
Quarterly PWCL Board Report – There have been approximately 630 public works licenses (originals, renewals, upgrades and downgrades) issued from January through March 2012.

The program has collected $25,855 in assessments for the fiscal year and $2,050 for the calendar year.

Docushare – Steve Keys provided an overview of the Division’s recently purchased software “Docushare”. This automated system will allow the DBS staff to manage PWCL files/records; moving away from paper files.

Administrator Report

PWCL Exams – Janice Foster provided an overview of the Division’s new exam program. Testing will be available in the Division’s three offices. Caria Nakano-Jensen explained the process and deadlines specific to the PWCL Board.

The Board accepted Ms. Nakano-Jensen’s offer to provide each board member with a copy of the contractors’ manual.

ACTION: Upon completion, Caria Nakano-Jensen will provide an electronic copy of the newly created contractors’ manual to each PWCL board member.

Pocatello Office Relocated – The Pocatello office has moved. It is in the same complex; however, is larger, more convenient, and has a testing area. The new address is: 2055 Garrett Way, Building 1, Suite 4, Pocatello, ID 83201.

State Employee Raises – The 2012 legislature passed a 2% across-the-board salary increase for all state employees.

BSU Expansion – The Division has completed the plan review on the expansion of the BSU stadium.
♦ Administrative Hearing—Monsey Construction Consulting Services
Kevin Monsey represented Monsey Construction Consulting Services, Deputy Administrator-Operations Steve Keys represented the Division of Building Safety, and Deputy Attorney General Patrick Grace was the facilitator. PWCL Board Member Brian Bailey recused himself from the hearing. The complaint is as follows: “Idaho Code § 54-4508(1)(c) provides that it is unlawful to hold oneself or one’s firm out as a construction manager by engaging in any act meeting the definition or character of a construction manager within the state of Idaho without first obtaining and having a license issued by the Division of Building Safety.” All parties presented testimony and argument on the complaint.

At the request of Mr. Monsey, Patrick Grace to research whether he can legally provide the name of the individual who informed the Division of Mr. Monsey’s agreement with Bonner County to provide CM services.

**ACTION**: Patrick Grace will contact Mr. Monsey with an answer to his request of who complained to the DBS with regard to his agreement with Bonner County to provide CM services.

**MOTION**: Jerry Peterson made a motion to uphold the fine of $2,000, and include an additional administrative cost not to exceed $1,200. John Sheldon seconded. Vote taken, three ayes and one nay, motion passed.

**ACTION**: Patrick Grace will create a Final Written Order for Chairman McAlvain’s signature and provide a signed copy to Mr. Monsey.

♦ Old/New Business
There was no old/new business to discuss.

♦ Executive Session
An Executive Session was not required.

**MOTION**: John Sheldon made a motion to adjourn the meeting. Jerry Peterson seconded. All in favor, motion carried. The meeting adjourned at 11:45 a.m.

Torry McAlvain, Chairman
Public Works Contractors License Board

C. Kelly Pearce, Administrator
Division of Building Safety

*These DRAFT minutes are subject to possible correction and final approval by the PWCL Board. 06/13/12rb*
Agenda Item No. 03

PRESENTER: Torry McAlvain, Chairman

OBJECTIVE: Approve the minutes from the May 17, 2012 PWCL Board special videoconference meeting.

ACTION: Consent

BACKGROUND:

PROCEDURAL HISTORY:

ATTACHMENTS: May 17, 2012 PWCL Board meeting draft minutes
Chairman Torry McAlvain called the meeting to order at 9:32 a.m. (MT).

**Board Members Present:**
- Torry McAlvain, Chairman
- John Sheldon, Vice-Chairman
- Brian Bailey
- Garry Tolley
- Robbie Austin

**DBS Staff Present:**
- C. Kelly Pearce, Administrator
- Steve Keys, Deputy Administrator - Operations
- Patrick Grace, Deputy Attorney General
- Chris Jensen, Regional Manager, Region 3
- Renee Bryant, Administrative Assistant 2/Board Secretary

**Board Members Absent:**
- Jerry A. Peterson
- Ken Worst

**Proposed Rule for New ‘CC’ License (Fees and Financial Requirements)**

At the 2012 legislature, legislation to establish a class ‘CC’ license between the ‘B’ and ‘C’ licenses was approved and becomes effective July 1, 2012. In order for individuals to apply for and the Division to issue the new ‘CC’ licenses by the effective date of July 1st, a license fee and financial qualifications need to be created in rule.

A temporary and pending rule was presented to the Board with the following requirements: $125 license fee; minimum net worth of $75,000; and $25,000 in working capital.

**MOTION:** Garry Tolley made a motion to accept the language of the temporary and proposed rule as written. John Sheldon seconded. All in favor, motion carried.

**MOTION:** John Sheldon made a motion to adjourn the meeting. Garry Tolley seconded. Chairman McAlvain adjourned the meeting at 9:34 a.m.
## PUBLIC WORKS CONTRACTORS LICENSE BOARD

### Agenda Item No. 04

**Financial Statement Dates**

**PRESENTER:** Steve Key, Deputy Administrator-Operations

**OBJECTIVE:** Assure the financial data required for licensure is timely and reflects the current status of the applicant.

**ACTION:** Informational

**BACKGROUND:** Currently, the law states an annual financial statement must be issued no more than 12 months prior to the date of submission of the application. In some cases, a contractor’s license is out 18 months or more from the actual date reflected in the statement.

At the January 2012 meeting, the Board agreed to consider the period of time covered by the financial statement be changed to no more than 12 months from the current date rather than the date on the financial statement. The Division will provide a draft proposal of the recommended changes to the April 2012 meeting.

**PROCEDURAL HISTORY:**

**ATTACHMENTS:** Proposed Rule Change – IDAPA 07.05.01.110.01.d
An annual financial statement, as herein defined, that was issued covers a period of time ending no more than twelve (12) months prior to the date of submission of the application, indicating compliance with such financial requirements as the Board may prescribe by rule. The applicant’s financial statement may be supplemented with:
PUBLIC WORKS CONTRACTORS LICENSE BOARD

Agenda Item No. 05               Clarification on Specialty Licenses

PRESENTER:                      Steve Keys, Deputy Administrator-Operations

OBJECTIVE:                      Clarify which PWCL license(s) can legally install concrete for a bridge structure in the public right-of-way.

ACTION:                         Informational

BACKGROUND:                     At the April 2, 2012 meeting, Randell Hodgkinson, Randell Concrete Inc., discussed confusion with regard to the following PWCL license categories and the knowledge/experience needed to legally install concrete for a bridge structure in the public right-of-way:

- **02850 “Bridges and Structures”** – A specialty contractor whose primary business includes the installation, alteration and repair of bridges and related structures, including culverts.
- **02855 “Bridge Crossings and Box Culverts”** – A specialty contractor whose primary business is the installation or construction, or both, of any bridge or crossing structure shorter than twenty (20) feet measured on the centerline of the roadway or trail.
- **03300 “Concrete”** – A specialty contractor whose primary business includes the ability and expertise to process, proportion, batch and mix aggregates consisting of sand, gravel, crushed rock or other inert materials having clean uncoated grains of strong and durable minerals, cement and water or to do any part or any combination of any thereof, in such a manner that acceptable mass, pavement, flat and other cement and concrete work can be poured, placed, finished and installed, including the placing, forming and setting of screeds for pavement or flat work. Also includes concrete sidewalks, driveways, curbs and gutters.
- **03370 “Specially Placed Concrete, Concrete Pumping and Shotcreting”** – A specialty contractor whose primary business includes the ability and equipment necessary to deliver and install concrete, and similar materials to their final destination in buildings and structures.

The Division was asked to look into redefining the license categories with regard to concrete and bridges; presenting the changes at the July 16th Board meeting.

ATTACHMENTS:                   Supporting documentation will be distributed at meeting.
## PUBLIC WORKS CONTRACTORS LICENSE BOARD

**Agenda Item No. 06**  
**Deputy Administrator Report**

<table>
<thead>
<tr>
<th><strong>PRESENTER:</strong></th>
<th>Steve Keys, Deputy Administrator-Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OBJECTIVE:</strong></td>
<td>Report the recent activities within the PWCL program.</td>
</tr>
<tr>
<td><strong>ACTION:</strong></td>
<td>Informational</td>
</tr>
<tr>
<td><strong>BACKGROUND:</strong></td>
<td>This topic is addressed at all regularly scheduled PWCL Board meetings.</td>
</tr>
<tr>
<td><strong>PROCEDURAL HISTORY:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>ATTACHMENTS:</strong></td>
<td>No documentation</td>
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**DBS**  
**DIVISION OF BUILDING SAFETY**
Agenda Item No. 07a  Financial Report

PRESENTER:  C. Kelly Pearce, Administrator and Kathleen Watkins, Financial Manager

OBJECTIVE:  Review the financial report for the PWCL fund.

ACTION:  Informational

BACKGROUND:  This topic is addressed at all regularly scheduled PWCL Board meetings.

PROCEDURAL HISTORY:

ATTACHMENTS:  PWCL Board financial report
# Division of Building Safety

PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07

Fiscal Year 2012 Financial Statements

As of 05/31/2012

## Statement of Revenues and Expenditures

<table>
<thead>
<tr>
<th>Class</th>
<th>Budget</th>
<th>Fiscal Year To Date</th>
<th>YTD as a % of Budget</th>
<th>Remaining Budget</th>
<th>Projected for Remainder of Year</th>
<th>Projected Year End Totals</th>
<th>Projected Total as a % of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues:</td>
<td>738,000</td>
<td>657,745</td>
<td>89.1%</td>
<td>80,255</td>
<td>60,000</td>
<td>717,745</td>
<td>97.3%</td>
</tr>
<tr>
<td>Expenditures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel:</td>
<td>600,000</td>
<td>534,168</td>
<td>89.0%</td>
<td>65,832</td>
<td>45,000</td>
<td>579,168</td>
<td>96.5%</td>
</tr>
<tr>
<td>Operating:</td>
<td>157,400</td>
<td>130,099</td>
<td>82.7%</td>
<td>27,301</td>
<td>13,000</td>
<td>143,099</td>
<td>90.9%</td>
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<tr>
<td>Capital:</td>
<td>26,400</td>
<td>803</td>
<td>3.0%</td>
<td>25,597</td>
<td>25,000</td>
<td>25,803</td>
<td>97.7%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>783,800</td>
<td>665,070</td>
<td>84.9%</td>
<td>118,730</td>
<td>83,000</td>
<td>748,070</td>
<td>95.4%</td>
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</table>

Net for FY 2012  
(45,800)  
(7,325)  
(23,000)  
(30,325)

## Statement of Cash Balance

<table>
<thead>
<tr>
<th>July 1, 2011</th>
<th>Beginning Cash Available</th>
<th>Revenues</th>
<th>Expenditures and Encumbrances</th>
<th>Other Changes in Cash</th>
<th>Available Cash</th>
<th>Projected Change in Cash for Remainder of Year</th>
<th>Projected Year End Available Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,602,133</td>
<td>657,745</td>
<td>(665,070)</td>
<td>(2,900)</td>
<td>1,591,908</td>
<td>(23,000)</td>
<td>1,568,908</td>
<td></td>
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</table>
Agenda Item No. 07b  Administrator Report

PRESENTER:  C. Kelly Pearce, Administrator

OBJECTIVE:  Provide an overview of the Division’s current activities.

ACTION:  Informational

BACKGROUND:  This topic is addressed at all regularly scheduled PWCL Board meetings.

PROCEDURAL HISTORY:

ATTACHMENTS:  No documentation