

**PUBLIC WORKS CONTRACTORS LICENSE BOARD  
VIDEOCONFERENCE MEETING**

**Monday – January 10, 2011 – 9:30 a.m. (MT)**

**Division of Building Safety  
1090 East Watertower Street, Meridian, Idaho  
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho  
2055 Garrett Way, Building 2, Suite 7, Pocatello, Idaho**

*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 9:30 a.m. (MT)

**Board Members Present:**

Torry McAlvain, Chairman  
John Sheldon, Vice Chairman  
Jerry A. Peterson  
Lisa Hatch  
Steffani Lippert  
Ken Worst

**DBS Staff Present:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Janice Foster, Deputy Administrator, Administration  
Patrick Grace, Deputy Attorney General  
Kirk Weiskircher, Financial Specialist, Principal  
Terry Blessing, Inspector/Advisor  
Renee Bryant, Administrative Assistant 2/Board Secretary

**Board Members Absent:**

Alan Smith

◆ **Open Forum**

No items or concerns were brought forth.

◆ **Approval of the January 10, 2011 Agenda**

**MOTION:** John Sheldon made a motion to approve the January 10, 2011 Agenda as presented. Jerry Peterson seconded. All in favor, motion carried.

◆ **Approval of the October 4, 2010 Board Meeting Minutes**

**MOTION:** Lisa Hatch made a motion to approve the October 4, 2010 Meeting Minutes as written. Jerry Peterson seconded. All in favor, motion carried.

◆ **Idaho Code Title 44 “Labor” Chapter 10 “Public Works”**

At the request of the Board, Patrick Grace presented a brief overview of Idaho Code (I.C.) § 44-1001, “Employment of Residents of Idaho – Wage Scale – Federal Funds”, and I.C. § 44-1003, “Definition of Terms Used”.

The statute in question pertains to labor laws; however, the PWCL Board is a “licensing” Board only. Therefore, if a member of the public or industry has a question about the enforcement of the statute it ultimately goes back to the jurisdiction sponsoring the project.

Chairman McAlvain requested Patrick Grace contact Brian Bailey and inform him of his findings, and that the Board will take no action at this time.

**ACTION:** Patrick Grace to notify Brian Bailey that the Board has reviewed his concerns in regards to Idaho Code Chapter 44 “Labor” Title 10 “Public Works” and will take no action at this time.

◆ **Deputy Administrator Report**

PWCL Staff – Upon introducing the PWCL staff, Steve Keys explained the many staff changes that have taken place within the PWCL program since the October 4, 2010 PWCL Board meeting.

Training – To enhance the strengths, as well as maximize the performance of the PWCL office staff and field outreach personnel, training will be provided in the following areas: interpretation and application of the financial requirements for licensure and interpretation of experience requirements.

Exams – Exams are currently administered through Gainesville Independent Testing Services (GITS) out of Florida. The Division has received many complaints. The most common is test information not provided in the study guides and questions pertain to Florida laws rather than Idaho laws. There has been discussion of putting in place an interim exam until the DBS staff can go through the full exam development process and create an exam that would be administered internally.

TRAKiT – It is under consideration to expand the use of the Division’s TRAKiT software to facilitate the handling of investigations.

Licensure – There are numerous open cases, to include several related to the recent BSU housing project bids, under investigation. The Division is working with the non-licensed, out-of-state subcontractors/contractors to resolve the cases administratively, through an assessment process rather than a formal hearing process.

Several remote school districts in Idaho recently had disastrous events and used contractors that specialize in disaster clean-up. The question arose as to whether the job would be considered “clean-up” or “actual” construction, and who/what would be required for licensure, if any.

Torry McAlvain explained that the Idaho Transportation Department (ITD) has a protocol which allows a non-licensed individual and/or company to remove/clean-up debris from a building succumbed by a catastrophe. However, once the actual construction commences, individuals and/or companies must be licensed.

Outreach – The Division continues to discuss the implementation of a division-wide compliance program and whether it is best to maintain a separate dedicated staff/program or move to an integrated effort with a larger statewide presence, leveraging the experience and training of all personnel.

At the present time, the PWCL Outreach team has by far made the most effective outreach and compliance efforts within the Division.

Quarterly PWCL Report – A handout was distributed to the Board. The licensure program has been relatively stable for the 2010 calendar year. Applications for the last quarter, October through December 2010, are as follows: Original licenses down approximately 20%, upgrades

down about 30%, and down-grades up nearly 60%. With the continuation of the down-turn of the economy, the Division forecasts a negative effect on the PWCL revenue in the near future.

In 2010, the Division collected over \$42,000.00 in assessments. As of fiscal year 2011, through December 31, 2010, approximately \$19,000.00 assessments have been collected.

◆ **Administrator Report**

Website – A new website has been developed for the Division. It provides clearer links to the services the Division provides online. Janice Foster provided a brief overview of its functions.

CAS – In October 2010, the software was upgraded and training was provided by the vendor. With the new capabilities available, it is not nearly as labor intensive. Approximately 55% of permits are currently being purchased online. The majority of the balance is faxed in.

Customer Resource Team (CRT) – In April 2008, the CRT team had 25 full-time and two temporary full-time employees. As of today, there are 15.5 employees, for a reduction of 40%. Staff has been cross-trained over the last six months and can now efficiently provide the following services: telephones, inspector support, licensing, and permitting.

Electronic Telephone System – The Division has upgraded its telephone system to an automatic call distribution center. The three Division offices are connected to this system and are able to work amongst themselves.

Compliance – The efforts in the compliance area of Public Works has set a mark within the agency. Terry Blessing, Rod Samuelson, and Heather Carr have done an outstanding job and have the capability to give the agency something to look at in terms of how to address the compliance issue. The Division will use the model established within Public Works as the format by which to address the issue.

Stimulus Money – The Office of Energy Resources (OER) continues to receive substantial amounts of money for Idaho on energy projects. The Division's HVAC Program Manager has been given additional responsibilities in which to seek areas where the Division can be involved in securing stimulus package grants from OER. Currently, the Division has one major program that records and retains information in regard to energy programs throughout Idaho. Training has been, and continues to be provided to the DBS staff and industry.

Budget – Kelly Pearce explained the two budgets the Division operates within. Upon comparison of the FY 2010 appropriation to the estimated expenditure, there is a decrease of 21.7%.

Personnel – Until the economy turns around, the Division will continue to reduce costs and personnel.

AREVA – It is projected the AREVA project will commence construction in the spring of 2012. There will be approximately 1,500 workers on the construction project. Upon completion, 120 to 150 employees, primarily security guards and technicians, will operate the plant.

Fertilizer Plant – The Chinese have expressed interest in financing the construction activity of the fertilizer plant in American Falls, Idaho. This plant will ultimately produce 150 train carloads of fertilizer per week.

City of Ketchum Contract – With the anticipation of substantial growth in Ketchum, the Division has contracted to provide building support services to the city of Ketchum.

Indian Reservations – On a per-cost basis, the Division reviews the plans and inspects many of the Coeur d’Alene Tribe projects. There is discussion with other tribes to provide the same services to them. The DBS has no jurisdiction on the reservations; therefore, upon completion of services, the results are presented to the tribal building authorities for its enforcement.

Financial Report – Kirk Weiskircher reviewed, the Public Works Contractors Licensing Fund Fiscal Year 2011 Financial Statement as of November 30, 2010.

Building Rental – The Department of Labor will rent 47% of the space in the Division’s Meridian office. Kelly Pearce provided a brief description of the changes within the building.

State of the State Address – Governor Otter will present his annual State of the State Address today, January 10, 2011, at 1:00 p.m. It will be televised on KTVB Channel 7 and Public Television Channel 4.

◆ **New/Old Business**

There was no new/old business to discuss.

◆ **Executive Session**

An Executive Session was not required.

**MOTION:** Lisa Hatch made a motion to adjourn the meeting. John Sheldon seconded. All in favor, motion carried. The meeting adjourned at 10:58 a.m.

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JOHN SHELDON, VICE CHAIRMAN  
PUBLIC WORKS CONTRACTORS  
LICENSE BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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DATE

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DATE