

**PUBLIC WORKS CONTRACTORS LICENSE BOARD  
VIDEOCONFERENCE MEETING**

**Monday – January 8, 2018 – 9:30 a.m. (MST)**

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

**MINUTES OF THE JANUARY 8, 2018 MEETING**

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

Chairman Jim Roletto called the meeting to order at 9:30 a.m. (MST)

**Board Members Present:**

Jim Roletto, Chairman  
Joe Jackson, Vice-Chairman  
Chuck Graves  
Garry Tolley  
Brian Bailey  
Robbie Austin

**DBS Staff Present:**

Chris L. Jensen, Administrator  
Spencer Holm, Deputy Attorney General  
Patrick Grace, Regional Manager, Region 2  
Larry Jeffres, Regional Manager, Region 1  
Jeff Egan, Regional Manager, Region 3  
Amy Kohler, Compliance Program Specialist  
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

There were no new issues to address during open forum.

◆ **Approval of January 8, 2018 Agenda**

**MOTION:** Chuck Graves made a motion to approve the agenda as presented. Joe Jackson seconded. All in favor, motion carried.

◆ **Approval of October 2, 2017 Board Meeting Minutes**

**MOTION:** Joe Jackson made a motion to approve the minutes as written. Garry Tolley seconded. All in favor, motion carried.

◆ **Licensing Freedom Executive Order**

In May 2017, Lt. Governor Brad Little signed Executive Order 2017-06. The Order requires all state agencies that issue professional and occupational licenses to assess their license requirements and procedures and provide a report to the Governor's office by July 1, 2018.

To obtain more information or submit comments, a link is available on the Division's website <https://dbs.idaho.gov/>.

Regional Manager Patrick Grace will provide the Division's report at the April 2018 Board meeting for the Board's review.

**ACTION:** For the April 2018 Board meeting, Regional Manager Grace will bring the Division's report.

**ACTION:** The topic *Licensing Freedom Executive Order* will be placed on the April 2018 agenda as an informational item.

At one time, the Board discussed consolidating/modernizing subcontractor categories. With new processes and products not fitting into any of the categories, Administrator Chris L. Jensen suggested, and the Board agreed, to review the categories and provide ideas to Regional Manager Jeff Egan, [jeff.egan@dbs.idaho.gov](mailto:jeff.egan@dbs.idaho.gov), for consideration of a proposed rule change.

**ACTION:** The topic *Consolidation/Modernization of Subcontractor Categories* will be placed on the April 2018 agenda as an informational item.

◆ **Implementation of Idaho Code § 54-1910(a)--Examinations, Qualifications and Applications**

Idaho Code § 54-1910(a) provides for the automatic suspension of a PWCL contractor license if the licensee does not notify DBS within ten days of when the qualified individual is no longer connected to the license. The statute states in part, "... If such notice is given, the license shall remain in force for a reasonable length of time, to be determined by rules of the board." Currently, there is no rule; however, the Division's internal policy has been 60 days.

Board Member Brian Bailey suggested 90 rather than 60-days. In addition, when the contractor reapplies for his license, a fine or double fee should be applied so the contractor acts within the 90 days.

The Division will draft a rule with the 90-day requirement for the Board's review and possible submittal to the 2019 legislature.

Another issue is if the contractor does not list the qualified individual or new qualified individual on the renewal form, the Division does not know when to begin the ten-day notification period. Suggestions were: 1) Add a question to the application on when cessation occurred with the qualified individual, 2) Clarify, in rule, what the notice should look like, and 3) Include a form with the renewal notice or license.

**ACTION:** For the April 2018 Board meeting, DBS will bring a draft rule.

**ACTION:** The topic *Automatic Suspension-Draft Rule* will be placed on the April 2018 agenda as an informational item.

◆ **Meeting and Quorum Requirements**

In Idaho Code § 54-1908 *Meetings -- Quorum*, four members of the board constitutes a quorum. There are eight members on the Board; therefore, the requirement in statute does not qualify as a majority.

In addition, statute requires four regular meetings each year, no later than the 15<sup>th</sup> of January, April, July, and October. Most Boards require two regular meetings; holding additional meetings as needed. The Administrator offered to put together a statute change; bringing it to the April 2018 Board meeting for possible submittal to the 2019 legislature.

**ACTION:** For the April 2018 Board meeting, DBS will bring a proposed statute change.

**ACTION:** The topic *Meeting and Quorum Requirements* will be placed on the April 2018 agenda as an informational item.

◆ **Administrator Report**

Financial Report – Financially, the Board is in good shape.

Legislature – Legislators are back at the Capitol for the 2018 legislative session.

Budget – The Governor approved six more trade inspectors; however, denied five investigators for the Damage Prevention program.

McCain Foods – McCain Foods USA will invest more than \$100 million to expand the Burley manufacturing plant with the addition of a third production line. The Division is inspecting all the plumbing, electrical and HVAC.

◆ **Compliance Program Report**

Compliance – Regional managers continue to visit local jurisdictions and job sites, as well as train inspectors. The Compliance Program Manager continues to formalize forms and internal processes.

Damage Prevention Board – The Division is taking every opportunity to meet with the boards, members of industry and contractors to inform them of the role of the Damage Prevention Board and its program.

Granite Excavation, Inc. – The Division hired a hearing officer to facilitate an appeal for Granite Excavation, Inc. on January 10, 2018. A recommendation is required by January 15, 2018, and the Board will meet prior to January 18, 2018, to make a final decision.

◆ **Adjournment**

**MOTION:** Chuck Graves made a motion to adjourn the meeting. Garry Tolley seconded. All in favor, motion carried.

The meeting adjourned at 10:15 a.m. (MST).

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JIM ROLETTO, CHAIRMAN  
PUBLIC WORKS CONTRACTORS  
LICENSE BOARD

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CHRIS L. JENSEN, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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DATE

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