

**PUBLIC WORKS CONTRACTORS LICENSE BOARD
VIDEOCONFERENCE MEETING**

Monday - April 11, 2016 - 9:30 a.m. (MDT)

**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**

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 Roletto called the meeting to order at 9:32 a.m. (MDT)

Board Members Present:

Jim Roletto, Chairman
Joe Jackson, Vice-Chairman
Evan Goodwin
Robbie Austin
Garry Tolley

Board Members Absent:

Chuck Graves
Brian Bailey

DBS Staff Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator-Operations
Ron Whitney, Deputy Administrator-Administration
Patrick Grace, Deputy Attorney General
Fred Sisneros, Financial Manager
Bill Hatch, Public Information Officer
Larry Jeffres, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Gary Sonnen, Regional Supervisor, Region 1
Terry Blessing, Compliance Program Supervisor
Renee Bryant, Administrative Assistant 2/Board Support

◆ **Open Forum**

No items or concerns were brought forth.

◆ **Approval of April 11, 2016 Agenda**

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

◆ **Approval of January 11, 2016 Board Meeting Minutes**

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

◆ **Approval of February 18, 2016 Special Board Meeting Minutes**

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

◆ **Approval of March 15, 2016 Special Board Meeting Minutes**

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

◆ **Approval of March 29, 2016 Special Board Meeting Minutes**

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

◆ **Public Works Classification 13800**

Sean Roche, Control Sentries of Idaho, expressed concern the requirements for public works license category 13800 *Instrumentation and Controls*, IDAPA 07.05.01.200.104, is not clearly defined. Mr. Roche, stated contractors not necessarily experienced in the HVAC and electrical fields are designing systems to be installed in public facilities.

The Deputy Administrator-Operations suggested the title to public works classification number 13800 be changed to “Non-Instrumentation and Controls” and specify non-electrical work in the definition. Therefore, anything that pertains to electrical would revert to the specialty electrical category.

The Board agreed for the Deputy Administrator-Operations to bring a draft proposal to the July Board meeting.

ACTION: The Deputy Administrator-Operations will bring to the July Board meeting a proposed rule change to public works classification number 13800.

ACTION: The topic *Public Works Classification 13800* will be placed on the July Board meeting agenda as an action item.

◆ **Temporary Reduction of License Fees**

At the April 2015 meeting, the Board approved a temporary rule to cut renewal fees by 20 percent. The objective was to mitigate the growth in the fund balance which already exceeded, to a large degree, the day-to-day and foreseeable needs of the program. The temporary rule ended upon adjournment of the 2016 legislature.

Rather than create another temporary rule, it was suggested additional employees be hired to expand the outreach/compliance program. Although the Board has the resources, the Division does not have the available positions or spending authority.

The Administrator addressed questions with regard to the current volume of public works projects and the need for more staff. Upon further discussion, the Board agreed additional employees are needed for the Public Works program; requesting the Division bring to the July meeting a draft proposal.

ACTION: At the July 2016 Board meeting, the Deputy Administrator-Operations will bring a draft proposal; requesting the need for additional staff in the Public Works program.

ACTION: The topic *Proposed Legislation--Additional Personnel* will be placed on the July Board meeting agenda as an action item.

◆ **Board-Related Legislation**

Title 54, Chapter 45 - A copy of proposed changes to Idaho Code Title 54 *Professions, Vocations, and Businesses*, Chapter 45 *Public Works Construction Management Licensing Act* was distributed at the meeting. Changes would be: 1) New definitions on “Administrator”, “Certificate of Authority”, and “Hold oneself or one’s firm out as providing construction management services”, and 2) Change the authority from the Board to the Administrator on disciplinary matters and administration of the licensure system.

The Deputy Administrator-Operations offered, and the Board agreed, to bring a draft proposal to the July Board meeting.

ACTION: At the July 2016 Board meeting, the Deputy Administrator-Operations will bring a draft proposal with regard to changes to Title 54, Chapter, 45, Idaho Code.

ACTION: The topic *Title 54, Chapter 45* will be placed on the July Board meeting agenda as an action item.

House Bill 482 - Due to the recent ruling in North Carolina on anti-trust laws, a proposal by the Governor was presented to the 2016 legislature. The legislation amends the existing law; revising the qualifications of the various licensure boards so all members will serve at the pleasure of the Governor and each board will have at least one consumer member. Currently, the Board does not have a consumer representative; therefore, effective July 1, 2016, it will become an eight (8) member board.

◆ **Compliance Program Report**

Program - The Compliance Program is going well and the Division’s inspectors are handling compliance issues in a very professional manner.

PWCL Classes - The Compliance Program Supervisor continues to provide PWCL classes in Idaho counties. As of April, he has been to 12 counties with ten to go to this spring. Classes in the additional 22 counties will be held in the fall. An e-mail will be sent, as a reminder, to everyone that has signed-up to attend a class.

◆ **Operational Report**

Compliance Program - The Deputy Administrator-Operations further elaborated on why the Compliance Program Supervisor is teaching public works law classes in all 44 counties.

Compliance Issues - The Division has been very busy with compliance issues. School districts are not versed on the PWCL law as it pertains to bids and public buildings. The Division would like to see Administrators become knowledgeable of those requirements in the school certification process.

Quarterly PWCL License Report - The Quarterly PWCL Board report was reviewed.

◆ **Administrator Report**

Financial Report - The FY 2016 financial statements, as of February 29, 2016, for the Public Works Contractors License Fund was reviewed.

Damage Prevention Board - A “Dig Line” bill, to create a new board, passed the House and Senate committees at the 2016 Legislature. This 11-member board, titled *Damage Prevention Board*, will provide for the protection of public health and safety with regard to underground facilities and to reduce damages to those facilities. The Board becomes effective July 1, 2016, and will be under the purview of the DBS.

There are two funding sources for the Damage Prevention Board; however, until its cash flow is established, the Administrator proposed the PWCL Board lend \$25,000 for start-up. Once revenue comes in, all funds will be paid back to the PWCL Board.

The Board had no issues. The Administrator stated a representative from the group will make a formal proposal at the July PWCL Board meeting.

ACTION: At the July 2016 Board meeting, a formal proposal with regard to funds for the new Damage Prevention Board will be presented by a representative of the Dig Line group.

ACTION: The topic *Funds -- Damage Prevention Board* will be placed on the July Board meeting agenda as an action item.

◆ **Adjournment**

MOTION: Garry Tolley made a motion to adjourn the meeting. Joe Jackson seconded. All in favor, motion carried.

The meeting adjourned at 11:25 a.m. (MT).

JIM ROLETTO, CHAIRMAN
PUBLIC WORKS CONTRACTORS
LICENSE BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

06/01/2016rb

DATE