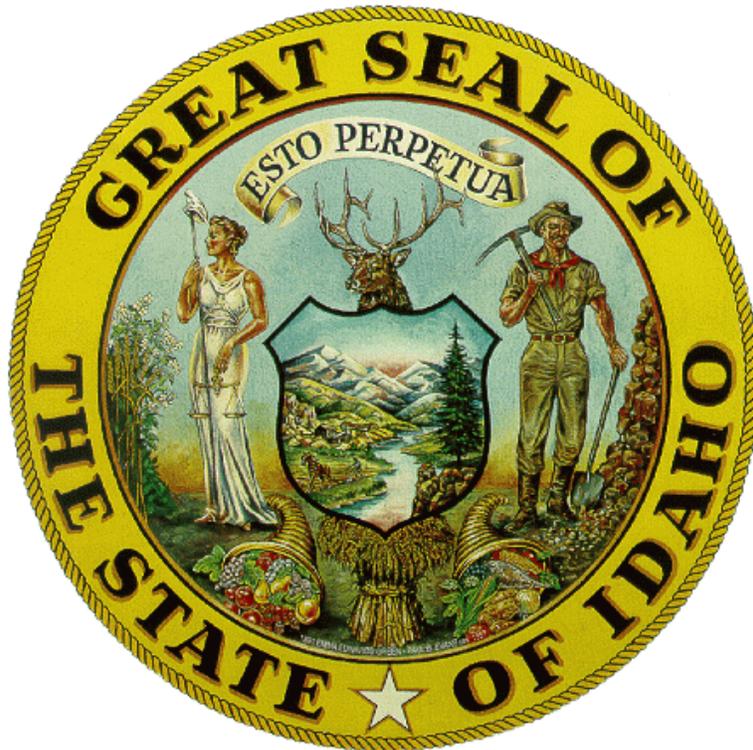


DIVISION OF BUILDING SAFETY

PUBLIC WORKS CONTRACTORS LICENSE BOARD  
VIDEOCONFERENCE MEETING

JULY 7, 2016



# PUBLIC WORKS CONTRACTORS LICENSE BOARD

## Agenda Item No. 01

## Agenda

**PRESENTER:** Jim Roletto, Chairman

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**OBJECTIVE:** Approve agenda for the July 7, 2016 PWCL Board meeting.

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**ACTION:** Consent

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**BACKGROUND:**

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** Tentative agenda

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# **TENTATIVE AGENDA**

## **NOTICE OF PUBLIC MEETING**

### ***PUBLIC WORKS CONTRACTORS LICENSE BOARD VIDEOCONFERENCE MEETING***

**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  
dbs.idaho.gov - (208) 332-7137**

***Thursday, July 7, 2016  
9:30 a.m. - 12:30 p.m. (MDT)***

*(Note: North Idaho - Meeting Commences @ 8:30 a.m. PDT)*

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**9:30 a.m. CALL TO ORDER** - Jim Roletto, Chairman

- Roll Call & Introductions
- Open Forum

#### **CONSENT AGENDA**

1. Approval of the July 7, 2016 Agenda
2. Approval of the April 11, 2016 Board Meeting Minutes

#### **ACTION AGENDA**

3. Public Works Classification 13800 - Steve Keys
4. Title 54, Chapter 45 - Steve Keys
5. Funds -- Damage Prevention Board - C. Kelly Pearce

#### **INFORMATIONAL AGENDA**

6. Compliance Program Report - Terry Blessing
7. Operational Report - Steve Keys
8. Administrator Report - C. Kelly Pearce
  - a. Financial Report - Fred Sisneros

**12:30 p.m. ADJOURN**

*All times, other than beginning, are approximate and are scheduled according to Mountain Daylight Savings Time (MDT), unless otherwise noted. Agenda items may shift depending on the PWCL Board preference. 06/13/2016*

# PUBLIC WORKS CONTRACTORS LICENSE BOARD

**Agenda Item No. 02**

**Minutes**

**PRESENTER:** Jim Roletto, Chairman

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**OBJECTIVE:** Approve minutes from the April 11, 2016 PWCL Board meeting.

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**ACTION:** Consent

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**BACKGROUND:**

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** Draft minutes

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**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**

**\*DRAFT MINUTES OF THE APRIL 11, 2016 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 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

**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

**Board Members Absent:**

Chuck Graves  
Brian Bailey

◆ **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).

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JIM ROLETTO, 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

\*These DRAFT minutes are subject to possible correction and final approval by the PWCL Board. 06/01/2016rb

# PUBLIC WORKS CONTRACTORS LICENSE BOARD

## Agenda Item No. 03

## Public Works Classification 13800

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

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**OBJECTIVE:** Provide a clearer definition to PWCL Classification 13800 “Instrumentation and Controls”.

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**ACTION:** Vote to accept or reject the proposed draft rule.

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**BACKGROUND:** April 2016 - 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.

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## **PROCEDURAL HISTORY:**

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**ATTACHMENTS:** Documentation will be distributed at meeting.

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# PUBLIC WORKS CONTRACTORS LICENSE BOARD

**Agenda Item No. 04**

**Title 54, Chapter 45**

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

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**OBJECTIVE:** Adopt revised changes to Idaho Code Title 54 *Professions, Vocations, and Businesses*, Chapter 50 *Installation of Heating, Ventilation, and Air Conditioning Systems*.

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**ACTION:** Vote to accept or reject proposed legislation to update Title 54 Chapter 50, Idaho Code.

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**BACKGROUND:** April 2016 - 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.

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** Documentation will be distributed at meeting.

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# PUBLIC WORKS CONTRACTORS LICENSE BOARD

**Agenda Item No. 05**

**Funds -- Damage Prevention Board**

**PRESENTER:** C. Kelly Pearce, Administrator

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**OBJECTIVE:** Provide funds to assist the establishment of the Damage Prevention Board.

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**ACTION:** Vote whether to loan funds to set-up the Damage Prevention Board.

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**BACKGROUND:** April 2016 - 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.

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** No documentation

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# **PUBLIC WORKS CONTRACTORS LICENSE BOARD**

**Agenda Item No. 06**

**Compliance Program Report**

**PRESENTER:** Terry Blessing, Compliance Program Supervisor

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**OBJECTIVE:** Provide an update on the statewide compliance program.

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**ACTION:** Informational

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

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** No documentation

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# PUBLIC WORKS CONTRACTORS LICENSE BOARD

**Agenda Item No. 07**

**Operational Report**

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

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**OBJECTIVE:** Provide an update on the daily operations of the PWCL Program and Division.

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**ACTION:** Informational

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

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** No documentation

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# PUBLIC WORKS CONTRACTORS LICENSE BOARD

**Agenda Item No. 08**

**Administrator Report**

**PRESENTER:** C. Kelly Pearce, Administrator

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

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**ACTION:** Informational

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

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** No documentation

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# **PUBLIC WORKS CONTRACTORS LICENSE BOARD**

**Agenda Item No. 08a**

**Financial Report**

**PRESENTER:** Fred Sisneros, Financial Manager

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**OBJECTIVE:** Review the PWCL Financial Report.

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**ACTION:** Informational

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

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** Financial report

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**Division of Building Safety**  
 PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07  
 Fiscal Year 2016 Financial Statements  
 As of 05/31/2016

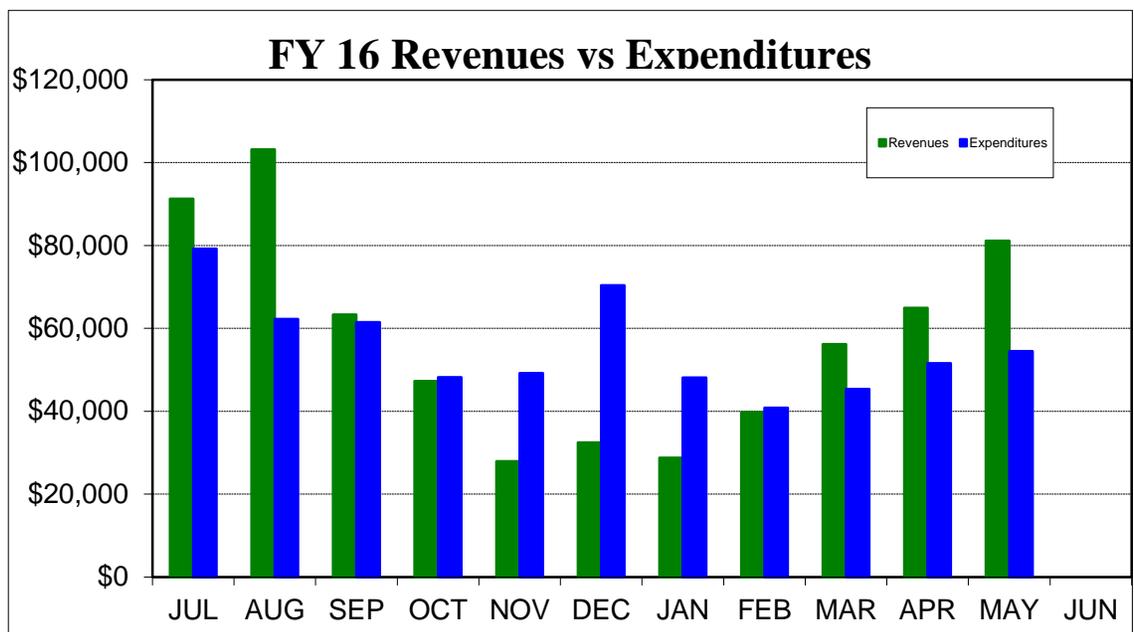
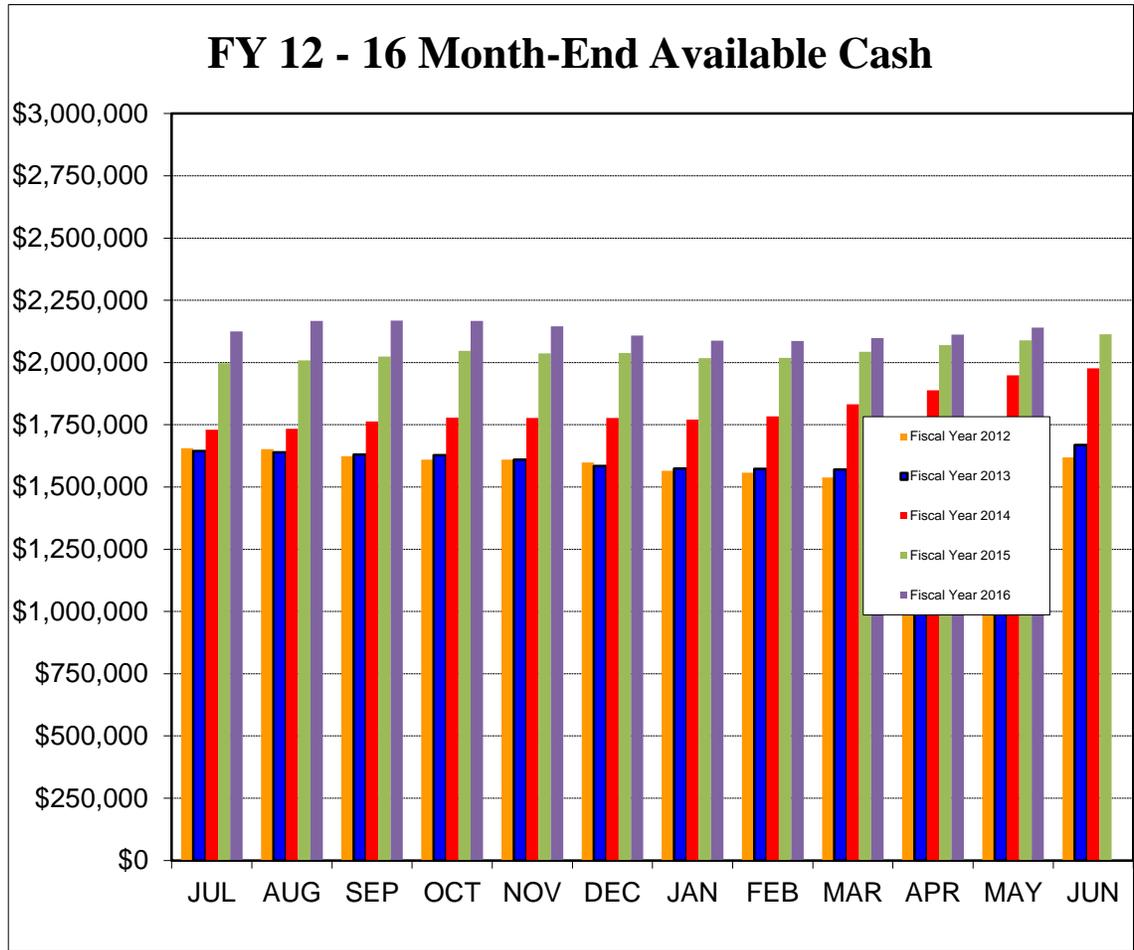
Statement of Revenues and Expenditures

Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	739,000	636,040	86.1%	102,960	84,340	720,381	97.5%
Expenditures							
Personnel:	427,000	447,513	104.8%	(20,513)	35,801	483,314	113.2%
Operating:	146,000	143,948	98.6%	2,052	15,046	158,994	108.9%
Capital:	23,800	19,690	82.7%	4,110	4,110	23,800	100.0%
Total Expenditures	596,800	611,152	102.4%	(14,352)	54,957	666,109	111.6%
Net for FY 2016	142,200	24,889			29,383	54,272	

Statement of Cash Balance

July 1, 2015 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of May 31, 2016	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
2,113,105	636,040	(611,152)	1,876	2,139,869	29,383	2,169,253

# PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07



# PUBLIC WORKS CONTRACTORS LICENSING FUND 0229-07

