

**DAMAGE PREVENTION BOARD
SPECIAL TELE/VIDEOCONFERENCE MEETING
Monday – June 8, 2020 – 2:00 p.m. (MDT)**

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
155 North Maple Street, Blackfoot**

MINUTES OF THE JUNE 8, 2020 SPECIAL MEETING

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

Chairman Jeffrey Diehl called the special meeting to order at 2:00 p.m. (MDT)

Board Members Present:

Jeffrey Diehl, Chairman
Jerry Piper, Vice-Chairman
Julie Maki
Paul Good
Bob Chandler
Scott Spears
Nichole Rush
Roy Ellis

DBS Staff Members Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
Larry Jeffres, Regional Manager, Region 1
Patrick J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Bill Hale, Damage Prevention Program Specialist
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **City of Meridian’s Motion for Reconsideration of Final Order Denying Petition for Intervention in DAM1911-0027**

Based on the Board’s decision at its March 12, 2020 meeting, the City of Meridian has filed a Motion for Reconsideration of Final Order Denying Petition for Intervention in DAM1911-0027.

Chairman Jeffrey Diehl reminded the Board of the City’s request for intervention to become a party in the Das-Co civil penalty hearing and the Board’s deliberation and decision on the request at the March 12, 2020 meeting. Chairman Diehl stated that the City’s Motion asked the Board to reconsider that decision.

Deputy Attorney General Spencer Holm stated that there was no standard for a motion for reconsideration but based on the arguments made in the City’s brief, suggested the Board may allow the City the opportunity to address its Motion.

MOTION: Scott Spears made a motion the Board reconsider its decision concerning the Petition for Intervention. Due to a lack of a second, the motion died.

Board Member Bob Chandler asked, and Chairman Diehl confirmed, that by hearing the City's Motion, the Board would decide once again whether to allow the City intervention to become a party in the Das-Co civil penalty hearing.

Deputy Attorney General Holm stated it may be advisable to give the City every chance to make its case, and should the Board decide to hear the City's Motion, it does not mean it has to side or decide in favor of the City or reverse the Board's previous decision.

MOTION: Julie Maki made a motion to deny the City's Motion without hearing any oral arguments. Nichole Rush seconded. Seven ayes and one nay, motion carried.

In accordance to IDAPA 04.11.01.760, the Board may withdraw its earlier final order, substituting a new final order given today's proceedings. Deputy Attorney Holm suggested, and the Chairman agreed, a motion was required.

MOTION: Jerry Piper made a motion for the Board to withdraw its original final order and substitute a new order based on the proceedings of today's meeting. Julie Maki seconded. Seven ayes, motion carried.

◆ **City of Meridian's Motion for Reconsideration of Final Order Rejecting Civil Penalty in DAM1911-0027**

With the Board's decision to take no action on the City of Meridian's Motion for Reconsideration of Final Order Denying Petition for Intervention in DAM1911-0027, there was no reason to act on this issue.

◆ **Adjournment**

Chairman Diehl adjourned the meeting at 2:20 p.m.

BOB CHANDLER, VICE-CHAIRMAN
DAMAGE PREVENTION BOARD

RON WHITNEY, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

09/16/2020rb