

IDAHO CONTRACTORS BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 2/26/2013

BOARD MEMBERS PRESENT: Steve Pinther - Chair
John Robert Pilote
Pamela Prather
Scott Schriber

BOARD MEMBERS ABSENT: Larren D Novak

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Eric Nelson, Board Prosecutor
Maria Brown, Technical Records Specialist II
Erin Anderson, Technical Records Specialist I

OTHERS PRESENT: Elvis Mahurin, A+ Door Doctor LLC
Stephen Kramer
Harry Tucker

The meeting was called to order at 8:30 AM MST by Steve Pinther.

A motion was made by Mr. Pilote to amend the agenda to add the Board's To Do List to the agenda. The purpose of the addition was because it was inadvertently left off the original agenda. It was seconded by Mr. Schriber. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the budget hearing had been held and the Bureau requested additional spending authority of \$100,000.00. This additional funding will be used for catching up on the back log of cases pending legal review.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$306,164.38 as of 3/26/2013.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number CON-2012-4. Mr. Schriber made a motion to close with a warning letter and refer the matter to the Division of Building Safety. It was seconded by Mr. Pilote. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2011-32. Ms. Prather made a motion to authorize closure. It was seconded by Mr. Schriber. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2011-28. Ms. Schriber made a motion to authorize closure. It was seconded by Ms. Prather. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2011-82. Mr. Pilote made a motion to authorize closure. It was seconded by Mr. Schriber. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2012-67. Mr. Schriber made a motion to authorize closure. It was seconded by Ms. Prather. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2012-44. Ms. Prather made a motion to authorize closure. It was seconded by Mr. Schriber. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2011-41. Ms. Prather made a motion to authorize closure. It was seconded by Mr. Pilote. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2010-54. Mr. Schriber made a motion to authorize closure. Mr. Pilote seconded the motion for discussion. After discussion, a motion was made by Mr. Schriber to close the matter with a warning letter. It was seconded by Mr. Pilote. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2011-87 and CON-2011-88. Mr. Pilote made a motion to authorize closure. It was seconded by Mr. Schriber. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case CON-2012-32. Mr. Schriber made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Prather. Motion carried.

Mr. Nelson presented a Findings of Fact, Conclusions of Law and Final Order for case number CON-2012-13. Ms. Prather made a motion to approve the Findings

of Fact and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Schriber. Motion carried.

Mr. Nelson presented an Order of Emergency Suspension of Registration for CON-2013-44, CON-2013-45, CON-2013-46, CON-2013-48 and CON-2013-49. A motion was made by Ms. Prather to suspend the registrations and to file formal complaints against each registration. It was seconded by Mr. Pilote. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Pilote made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2013-20, I-CON-2013-34, I-CON-2013-52, I-CON-2013-57, I-CON-2013-62, I-CON-2013-21, I-CON-2013-56, I-CON-2013-61, I-CON-2013-31, I-CON-2013-33, I-CON-2013-65 and I-CON-2013-67. It was seconded by Ms. Prather. Motion carried.

Ms. Prather made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2013-31, I-CON-2013-50, I-CON-2013-51, and I-CON-2013-63. It was seconded by Mr. Pilote. Motion carried.

Ms. Prather made a motion to close case I-CON-2011-127 with a warning letter. It was seconded by Mr. Pilote. Motion carried.

Mr. Pilote made a motion to approve the Bureau's recommendation and authorize closure in case I-CON-2011-154. It was seconded by Mr. Schriber. Motion carried.

Mr. Pilote made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2011-215, I-CON-2011-267 and I-CON-2012-23. It was seconded by Ms. Prather. Motion carried.

Mr. Schriber made a motion to approve the Bureau's recommendation and authorize closure with a warning letter to I-CON-2012-44. It was seconded by Ms. Prather. Motion carried.

FINAL ORDER APPEAL

Mr. Ellsworth presented to the Board an appeal of a final order for CON-2010-79. The Board directed Mr. Ellsworth to inform the Respondent of his untimely filing of an answer, his failure to notify the Board in writing of his address change, and to offer a payment arrangement to the Respondent.

EXECUTIVE SESSION

Ms. Prather made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Pilote. The vote was: Ms. Prather, aye; Mr. Pilote, aye; Mr. Schriber, aye; and Mr. Pinther, aye. Motion carried.

Ms. Prather made a motion to come out of executive session. It was seconded by Mr. Pilote. The vote was: Ms. Prather, aye; Mr. Pilote, aye; Mr. Schriber, aye; and Mr. Pinther, aye. Motion carried. Motion carried.

APPLICATIONS

A motion to approve the following applications for registration was made by Mr. Pilote. It was seconded by Ms. Prather. Motion approved.

RCT-34363 Troy Mattson
RCT-34705 Greg Marson
RCT-34801 David Trejo
RCT-34248 Miguel Pastor
RCE-34662 The MDA LLC
RCE-34791 A+ Door Doctor LLC

A motion to approve the following application for registration once receipt of accurate general liability insurance is received was made by Mr. Pilote. It was seconded by Ms. Prather. Motion carried.

901124816

CORRESPONDENCE

Mr. Steve Alton submitted to the Board correspondence regarding registration. After Board review, the Board directed Mr. Ellsworth to respond to Mr. Alton that the Board is unable to offer legal.

OLD BUSINESS

The Board reviewed the To Do List. Discussion was held on the transfer of registration numbers for existing registrants when they are required to reapply. After discussion, it was determined that the current process would remain in place and the number would not be transferred and a new registration number would be issued.

OTHER

The Board agreed to the following meeting dates:

5/30/2013 10:00 AM Conference Call
6/18/2013 8:30 AM Face-to-Face meeting
7/23/2013 10:00 AM Conference Call
8/20/2013 10:00 AM Conference Call
9/17/2013 8:30 AM Face-to-Face meeting

NEXT MEETING was scheduled for 3/26/2013 at 10:00 AM.

ADJOURNMENT

Mr. Pilote made a motion to adjourn the meeting at 12:45 PM. It was seconded by Ms. Prather. Motion carried.

Steve Pinther, Chair

Scott Schriber

John Robert Pilote

Pamela Prather

Tana Cory, Bureau Chief