

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

Board Meeting Minutes of 4/15/2014

BOARD MEMBERS PRESENT: John Robert Pilote - Chair
Deborah Ann Karren
Scott Schriber
Gary Robert Bond
Charles Roy Ellis

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Erin Anderson, Technical Records Specialist I

OTHERS PRESENT: Stanley Wallace
Eric Zuschlag

The meeting was called to order at 8:30 AM MDT by John Robert Pilote.

APPROVAL OF MINUTES

Mr. Ellis made a motion to approve the minutes of 1/22/2014. It was seconded by Ms. Karren. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the bill to create an inactive status by a legislature on behalf of a registrant was held in committee. She also stated that Dig Line Inc. was working on changes/proposals and would update us if they were going to propose something in the next legislative session. Ms. Cory also stated that if the Board has any changes to its law proposals must be submitted by August 1st and changes to Rules by the third week of August.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$228,961.48 as of 3/31/2014.

EXECUTIVE SESSION

Mr. Ellis 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 Ms. Karren. The vote was: Mr. Ellis, aye; Ms. Karren, aye; Mr. Schriber, aye; Mr. Bond, aye; and Mr. Pilote, aye. Motion carried.

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

DISCUSSION

Mr. Wallace discussed with the Board the requirement to pay previous year's renewal fees when reactivating an expired registration. This is found in Idaho Code 67-2614. The Board stated that this is in Bureau code, but that the Bureau is reviewing that code section.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number CON-2012-74. A motion was made by Mr. Ellis to close this file. It was seconded by Mr. Schriber. Motion carried.

Mr. Nelson presented a memorandum regarding case number CON-2012-60. A motion was made by Ms. Karren to close this file. It was seconded by Mr. Ellis. Motion carried.

Mr. Nelson presented a memorandum regarding case numbers CON-2013-52, CON-2012-69, CON-2013-76, CON-2013-35, CON-2013-83, CON-2013-80, and CON-2012-73. After discussion the Board gave direction for discipline.

Mr. Nelson presented Stipulation and Consent Orders in case numbers CON-2012-59, CON-2012-83, CON-2014-63, and CON-2014-65. Ms. Karren made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Ellis. Motion carried.

Mr. Nelson presented a Findings of Fact, Conclusions of Law and Final Order in case numbers CON-2012-29 and CON-2013-13. Mr. Ellis made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Karren. Motion carried.

Mr. Nelson presented an Order of Emergency Suspension of Registration in case numbers CON-2014-41 and CON-2014-61. Ms. Karren made a motion to

approve the Order of Suspension and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Ellis. Motion carried.

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Ms. Karren made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-CON-2014-78, I-CON-2014-82, I-CON-2014-127, I-CON-2014-159, I-CON-2014-80, I-CON-2014-186, I-CON-2014-122, I-CON-2014-132, I-CON-2014-158, I-CON-2014-161, I-CON-2014-162, I-CON-2014-173, I-CON-2014-175, I-CON-2014-189, I-CON-2014-125, I-CON-2014-142, I-CON-2014-144, I-CON-2014-152, I-CON-2014-153, I-CON-2014-154, I-CON-2014-156, I-CON-2014-174, I-CON-2014-176, I-CON-2014-179, I-CON-2014-180, I-CON-2014-192, I-CON-2014-197, I-CON-2014-210, I-CON-2014-213, and I-CON-2014-157. It was seconded by Mr. Ellis. Motion carried.

Mr. Ellis made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-CON-2013-156, I-CON-2014-95, I-CON-2014-105, I-CON-2014-106, I-CON-2014-147 and I-CON-2014-151. It was seconded by Ms. Karren. Motion carried.

NEW BUSINESS

It was requested that the discussion be held later on the subject of Idaho Code 67-2614 and the repayment of previous year renewal and reinstatement fees when reinstating an expired registration.

INSURANCE AUDIT

Ms. Anderson gave the Board an update on the insurance audit. There were a total of 306 files pulled: 239 have complied, 28 have been forwarded to investigations, 27 files are pending further information and 12 audits that were canceled due to reapplying or canceling their registrations.

The Board requested that a spreadsheet be created that will show them the compliance numbers from all insurance audits.

Ms. Karren made a motion for Ms. Anderson to schedule monthly insurance audits and report those findings to the Board at their face-to-face meetings. This motion was seconded by Mr. Ellis. Motion carried.

NATIONAL ASSOCIATION OF STATE CONTRACTORS LICENSING AGENCIES

The Board reviewed the annual conference information from NASCLA. They stated that no one would attend the conference this year.

Ms. Anderson also asked for updates or changes to the NASCLA State Trade Licensing information that was submitted to the Board by NASCLA for approval. The Board stated there were no changes.

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

APPLICATIONS

Mr. Ellis made a motion to approve the following for registration:

RCE-36375
RCT-37062
RCT-37096

It was seconded by Mr. Schriber. Motion carried.

Mr. Ellis made a motion to approve the following for registration:

RCE-36801
RCE-37001
RCE-37087
RCT-37192

It was seconded by Ms. Karren. Motion carried.

Mr. Ellis made a motion to approve the following for registration:

RCE-37148

It was seconded by Ms. Karren. Motion carried.

Mr. Schriber made a motion to deny the following for registration per Idaho Code 54-5215(c)(i) and Rule 165.03:

Pinnacle Builders Inc.

It was seconded by Mr. Ellis. Motion carried.

Mr. Schriber made a motion to approve the following for registration once additional information is received:

SDH Construction LLC

It was seconded by Ms. Karren. Motion carried.

Mr. Ellis made a motion to deny the following for registration per Rule 165.01 and 165.02.a.i.ii:

Heartland Siding Inc.

It was seconded by Ms. Karren. Motion carried.

OTHER

The Board agreed to the following meeting schedule:

5/13/2014	10:00 AM
6/10/2014	10:00 AM
7/08/2014	10:00 AM
8/12/2014	8:30 AM
9/16/2014	10:00 AM
10/14/2014	8:30 AM
11/18/2014	10:00 AM
12/16/2014	10:00 AM

NEXT MEETING was scheduled for 5/13/2014.

ADJOURNMENT

Ms. Karren made a motion to adjourn the meeting at 11:53 AM MDT. It was seconded by Mr. Ellis. Motion carried.

John Robert Pilote, Chair

Deborah Ann Karren

Scott Schriber

Gary Robert Bond

Charles Roy Ellis

Tana Cory, Bureau Chief