



State of Idaho  
Division of Occupational and Professional Licenses  
Idaho Contractors Board

**BRAD LITTLE**  
Governor  
**RUSSELL BARRON**  
Administrator

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**Minutes of 01/29/2024**

<b>Board Members</b>	Michael Arrington, Chair	<b>Division</b>	MiChell Bird, Executive Officer
<b>Present:</b>	Gary Hall	<b>Staff:</b>	Lea Kear, Legal Counsel
	Brett Skidmore		Don Morse, Investigative Pgm. Supv.
	Becky Enrico-Crum		Zack Trujillo, Board Support Specialist
	Jeremy Schalk		Renee Bryant, Board Support Supv.

**Prosecuting**  
**Attorney:** Andrea Rosholt

The meeting was called to order at 9:02 AM MT by Chair Michael Arrington.

**APPROVAL OF 10/18/2023 AND 11/28/2023 MINUTES**

In the 10/18/2023 draft minutes there was a note stating, “I cannot find a decision on case 2020-124”. The Board asked this case to be addressed at today’s meeting. Investigation Supervisor Don Morse will research and get back to the Board.

A motion was made and second to approve the 10/18/2023 and 11/28/2023 meeting minutes. The motion carried unanimously.

**DIVISION BUSINESS**

**DOPL Legislation:** A summary of draft proposals by DOPL was provided and will go before the 2024 legislature. Two proposals that may affect the Board are Licensure Renewals, and Public Works License Exemption.

**Financial Update:** The Contractors Board Cash Balance Report was provided and the following topics were discussed: 1) Idaho Code § 54-5210. APPLICATION FOR REGISTRATION; 2) IDAPA 24.21.01.175. FEES; 3) 5-Year Projection; and 4) Trending Direction.

**BOARD BUSINESS**

**Zero Based Regulation (ZBR) Introduction:** Legal Counsel Lea Kear provided a PowerPoint Presentation titled *Zero-Based Regulations-History and Application*. Topics were Licensing Freedom Act 2017-2019, Executive Order (EO) 2017-06 and 2019-01; Red Tape Reduction Act EO 2019-02; Zero-Based Regulations (ZBR) EO 2020-01; ZBR-The Process; and Objective of ZBR.

**Public Comments:** Joe Prin, KBOI radio host, addressed concerns that contractors, registered with DOPL but not eligible for licensure, are representing themselves as licensed and insured. It

was suggested contractors, new and renewed, be advised by DOPL of their rights based on the Idaho Contractor Board's statute and rules. The Board agreed, and staff will move forward on this issue. Mr. Prin offered "free" airtime to discuss this issue, as well as his services.

Tracy Henry, Henry's Treasure Valley Fence, addressed the topic of consumer education for contractors; proposing contractors receive updates on the law. Ms. Henry is in support of a registration fee increase, and recommended consumers be advised of the Idaho Contractor Board's laws and rules as well. Ms. Henry offered her services.

#### **EXECUTIVE SESSION – DISCIPLINE**

A motion was made and seconded that the board enter Executive Session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Public Records Act, Idaho Code § 74-106(9). The purpose of the executive session is to discuss documents relating to the fitness of a licensee to retain a license or registration. Roll call: Chairman Arrington-aye; Board Member Skidmore-aye; Board Member Hall-aye; Board Member Schalk-aye; and Board Member Enrico-Crum-aye. The motion carried unanimously.

A motion was made and seconded to leave Executive Session. The motion carried unanimously.

**Discipline:** The Board reviewed the following disciplinary cases:

**Close with Advisory Letter:** 2022-195; 2023-219; 2023-224; 2023-226; 2024-3; 2024-7; and 2024-9.

**Close with No Action:** 2022-128; 2023-37; 2023-45; 2023-107; 2023-158; 2024-4; 2024-15; 2024-41; 2024-68; and 2024-125.

**Stipulated Order:** 2023-66; 2023-205; 2023-217; 2023-221; 2023-222; 2023-228; 2023-230; 2024-6; 2024-13; 2024-16; 2024-25; 2024-26; 2023-213, 2024-27, 30, 77; 2024-29; 2024-33; 2024-37; 2024-38; 2024-49; 2024-55; 2024-69; 2024-71; 2024-75; 2024-81; 2024-109; and 2024-115.

**Stipulated Order and Advisory Letter:** 2023-229.

**Table:** 2024-72 (Next Meeting).

**Duplicative Cases:** Several cases were reviewed at the October 18, 2023 and November 28, 2023 Board meetings in which two different actions were issued by the Board. For clarity, the Board was asked to identify the meeting and action required for the following cases: 2023-49, 176, 185 – November 28, \$5,000 and Revoke (Display & Dishonest Conduct), (Attorney & Investigative Costs); 2023-68 – October 18, \$500 (Attorney & Investigative Costs); 2023-143 – October 18, \$250 Display and \$750 for using unregistered subcontractors (Attorney & Investigative Costs); and 2023-206 – November 28, \$1,000 (Attorney & Investigative Costs).

**Motion(s) re: Discipline:** A motion was made and seconded for staff to take action as identified in the Chairman's summary as scribed. The motion carried unanimously.

**Next Meeting:** The February 13, 2023 meeting is being cancelled; therefore, the next regularly scheduled meeting will be March 26, 2024 at 9:00 a.m.

**ADJOURNMENT**

A motion was made and seconded to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 12:57 PM 01/29/2024/krb