

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD MEETING

Tuesday – February 17, 2009 – 9:00 A.M.
Division of Building Safety
Board Conference Room
1090 East Watertower Street
Meridian, ID 83642

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.

The meeting was called to order by Chairman Pat Minegar at 9:03 a.m. on Tuesday, February 17, 2009.

Board Members Present:

Pat Minegar, Chairman
Dan Brizee, Vice Chairman
Mike Wisdom
Steve Brown (Teleconference)
Ted Sermon (Teleconference)
Tom Daniels (Teleconference)
Carol Alexander (Teleconference)

DBS Staff Members:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Janice Foster, Deputy Administrator, Administration
Patrick Grace, Deputy Attorney General
Carl Lohrengel, HVAC & Plumbing Bureau Chief
Kirk Weiskircher, Financial Specialist, Principal
Bill Hatch, Public Information Officer
Ron Crouch, OSG Program Supervisor
Renee Bryant, Administrative Assistant 2
Brandee Pasborg, Office Specialist 2

◆ **Open Forum**

Uniform Mechanical Code (UMC) – Ron Lord, IAPMO, gave a PowerPoint presentation on the upcoming updates to the UMC. Brochures were shared, promoting IAPMO's commitment to the plumbing and mechanical trade.

◆ **Approval of the February 17, 2009 Agenda**

Patrick Grace asked the "CAS System Update" be added to the agenda as the first informational item. Dan Brizee requested the "Inspection Process" be added as well.

MOTION: Carol Alexander made a motion to accept the Agenda as amended. Ted Sermon seconded. All in favor, motion carried.

◆ **Approval of the October 7, 2008 Board Meeting Minutes**

MOTION: Dan Brizee made a motion to approve the October 7, 2008 Board Meeting Minutes. Mike Wisdom seconded. All in favor, motion carried.

◆ **Gas Piping Stub-Out (Installation Standards)**

Carl Lohrengel presented a proposed administrative rule which would establish the requirements for the proper placement and protection of the secondary regulator and gas pipe stub-out in residences.

MOTION: Dan Brizee made a motion to continue to review this topic at the May 13, 2009 Board meeting. Mike Wisdom seconded. All in favor, motion carried.

ACTION: Tom Daniels will address this topic with the propane industry; bringing their thoughts/concerns to the May meeting.

◆ **Hearth/Solid Fuel**

A discussion ensued as to whether a distinction should be made between mechanical installations related to solid fuel/hearth heating and ventilation devices and other commonly accepted HVAC systems, and whether to exclude the former from HVAC regulation.

MOTION: Carol Alexander made a motion that a subcommittee not be appointed to further discuss this topic, and the Board vote to cease this discussion and accept the current broad scope. Motion died for lack of a second.

MOTION: Dan Brizee made a motion that the Board continues the process of establishing the parameters for these inspections; giving them to DBS and having them bring the implementation recommendations to the next Board meeting. Motion died for lack of a second.

MOTION: Carol Alexander made a motion for the HVAC Board to set a policy to continue inspecting solid fuel appliances, not exclusively, and to exclude DBS from having to implement recommendations. Steve Brown seconded. Roll call: Carol Alexander-Aye, Steve Brown-Aye, Ted Sermon-Nay, Mike Wisdom-Nay, Tom Daniels-Nay, and Dan Brizee-Abstain. Two ayes, three nays, and one abstention, motion died.

MOTION: Ted Sermon made a motion that the Board could include those items or appliances that have a listing or a direction on how to inspect. Motion died for lack of a second.

MOTION: Dan Brizee made a motion that the Board continue to move forward with the current inspection process, and have the Division notify the businesses, as well as explore whether formal legislation is required. Motion died for lack of a second.

MOTION: Carol Alexander made a motion that inspectors continue to inspect, as they have been doing, and request DBS provide a concise description of any gray areas that need clarification from this policy-making Board. Steve Brown seconded. Roll call: Steve Brown-Aye, Ted Sermon-Aye, Mike Wisdom-Aye, Carol Alexander-Aye, Tom Daniels-Aye, Dan Brizee-Aye. All in favor, motion carried.

◆ **New NOV Category**

At the Board's request, the Division brought forward a proposed administrative rule creating a new civil penalty category for failure to request an inspection.

MOTION: Carol Alexander made a motion to adopt the rule as proposed. Mike Wisdom seconded. All in favor, motion carried.

◆ **CAS System Update**

As of February 3, 2009, the Division's Customer Access System (CAS) is "live" and available to contractors and homeowners to purchase permits, renew licenses, and request inspections on-line.

The program is being implemented in stages to allow DBS to work through issues as they arise. Within the next month, DBS will begin to notify contractors in their system; starting with HVAC, followed by plumbers, and then electricians.

◆ **Inspector/Contractor Communication**

A letter from the Eastern Idaho HVAC Contractor's Association was brought forward by Ted Sermon. The letter voices the Association's concerns that inspectors are notifying the HVAC Contractor's clients, rather than themselves, of corrections required from failed inspections.

It is the Division's policy to send formal correspondence to the HVAC contractor, not their clients. However, as DBS is a public agency in Idaho and inspections are public records; it is the Division's responsibility to release public information to anyone requesting it.

◆ **Board Orientation CD**

A Board Orientation/Guidance CD packet, created by Patrick Grace, was distributed and presented at the meeting to the board members. The packet is a way to inform them of the processes and procedures required for open/public meetings.

◆ **Inspection Process**

Dan Brizee broached the question of the Division's methods of receiving payment. Currently, customers wanting to make a payment other than a credit card must pay in person at the Meridian office. Credit cards are accepted via on-line or telephone. (As clarified after the meeting, Visa and MasterCard are the only accepted credit cards.) If you enter a debit as a Visa or MasterCard, those are accepted as well.

◆ **Enhanced Contractor Exam**

Pat Minegar stated since October 2008 the Enhanced Contractor Exam Subcommittee has met twice to discuss expanding the HVAC contractor exam by 25 questions.

◆ **Bureau Chief's Report**

Carl Lohrengel addressed the following reports: HVAC's 2007 and 2008 Apprentice Enrollment from Burton Waite, President of Eastern Idaho College, and the Division's ICC HVAC Exam Summary, HVAC Journeyman First Exam Attempts, and HVAC Notice of Violations/Civil Penalties.

Two rules, Multi-Colored Inspection Tags (docket #07-0701-0802), and HVAC Permit Fees for Larger Homes (docket #07-0701-0801), have gone through the House and Senate and are ready for publication.

House Bill 112, Multi-Year Apprentice and Trainee Registration, has been printed and will be up for a hearing in the House Business Committee.

◆ **Administrator's Report**

Financial Report - Kirk Weiskircher reviewed the HVAC Board's Financial Statement as of December 31, 2008. Graphs depicting the Bureau's month-end cash balance, FY 09 revenue vs. expenditures, FY 06-09 expenditures, and FY 06-09 revenue, were included in the packet.

Personnel – The Division is in compliance with a directive from the Governor to make further cutbacks. During FY 2009, approximately ten to 14 vacant positions have been left unfilled.

Travel vs. Teleconference - Upon comparing travel versus teleconference costs from the 2008 board meetings, it was reported teleconference meetings significantly saved the Board and Division time and money.

Video-Conferencing - The Division is exploring video-conferencing. By going to specific locations, geographically scattered throughout the state, board members would be able to limit their travel while continuing to visually participate in the meetings.

FY 2010 JFAC Budget Presentation – Via PowerPoint presentation, C. Kelly Pearce reviewed the Division’s FY 2010 Budget. It is projected the fiscal year to close in excess of 15 percent under the appropriated budget by the Legislature, and more than doubling the 6.6 percent roll-back the Governor has called for from the general fund agencies within the state.

Fuel-Efficient Vehicles – Four-wheel-drive trucks have been replaced with Ford Focus, Subaru Forester, and Ford Escape Hybrid vehicles. No new vehicles will be purchased this fiscal year.

Fuel Consumption - In calendar year 2008, the Division reduced its overall fuel consumption by 14 percent.

Rent Reduction – The Division is in negotiations with the landlords of the Coeur d’Alene and Meridian facilities to reduce rents and extend leases.

Carol Alexander suggested utilizing the vacant space at the Meridian office by DBS partnering with another agency and offering code classes/seminars to contractors.

Board Compensation – Carol Alexander proposed HVAC board members decline their meeting wages; assisting the Division during these hard economic times. Interested members were encouraged to write or e-mail their requests to the board support staff.

ACTION: Upon Legal Counsel researching the legality of board members declining/refunding their wages; the Division will send a letter to the Boards explaining the procedure.

IVR - The new IVR system will coincide with CAS. IVR is a telephonic device which makes roto-calls to programmed phone numbers. The Division has utilized this system several times to alert contractors as to the availability of CAS.

CAS - Demonstrations have been and will continue to be held throughout the state. This gives contractors an idea of how the system works, as well as the benefits to their businesses.

Project Dox – Project Dox is a plan review software program. This system allows architectural firms, state and local government agencies to communicate electronically with the Division in the submittal of new and revised plans.

Economy – C. Kelly Pearce reiterated his recent experience traveling through 22 Northern and Eastern Idaho jurisdictions to discuss Idaho’s economic condition. The construction industry continues to grow in Eastern Idaho with the development of several large projects.

◆ **Old/New Business**

Mandatory Schooling – Jerry Peterson, Idaho Building Trades, inquired as to the status of a subcommittee which would gather information on the mandatory HVAC apprentice registration requirements.

Recently Chairman Pat Minegar signed an order creating the subcommittee; therefore, they are now able to move forward on this topic.

◆ **Executive Session**

MOTION: Dan Brizee made a motion that the Board hold an Executive Session to discuss the evaluation, dismissal or disciplining of a public officer or employee as described in Idaho Code 67-2345(1)(b). C. Kelly Pearce, Steve Keys, and Patrick Grace are invited to attend. Mike Wisdom seconded. Roll call: Pat Minegar-Aye, Tom Daniels-Aye, Steve Brown-Aye, Ted Sermon-Aye, Dan Brizee-Aye, Mike Wisdom-Aye, and Carol Alexander-Aye.

An Executive Session was held during which the evaluation, dismissal, disciplining of a public employee was discussed by the Board. There was no vote taken, nor any action taken by the Board regarding the matter. Upon completion of the discussion of the matter during the Executive Session, the Chairman indicated that the Board would return to the regular public meeting on the record and take up any remaining matters.

MOTION: Carol Alexander made a motion to end the Executive Session and go back into the regular session. Ted Sermon seconded. All in favor, motion carried.

MOTION: Ted Sermon made a motion to adjourn the meeting. Carol Alexander seconded. All in favor, motion carried. The meeting adjourned at 12:55 p.m.

PAT MINEGAR, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE