

**IDAHO HEATING, VENTILATION AND  
AIR CONDITIONING BOARD  
VIDEOCONFERENCE MEETING**

**Wednesday – May 13, 2015 – 9:30 a.m. (MT)**

**Division of Building Safety  
1090 East Watertower Street, Suite 150, Meridian  
1250 Ironwood Drive, Suite 220, Coeur d’Alene  
2055 Garrett Way, Building 1, Suite 4, Pocatello  
1118 F Street, Lewiston (DEQ)  
650 Addison Avenue West, Suite 110, Twin Falls (DEQ)  
900 North Skyline, Suite B, Idaho Falls (DEQ)**

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

**Board Members Present:**

Dan Brizee, Chairman  
Bruce Graham  
Bill Carter  
Arlyn Tietz  
Bill Vandegrift

**Board Members Absent:**

Ted Sermon, Vice-Chairman  
Tim LaMott

**DBS Staff Members Present:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator-Operations  
Ron Whitney, Deputy Administrator-Administration  
Patrick Grace, Deputy Attorney General  
Fred Sisneros, Financial Manager  
Bill Hatch, Public Information Officer  
Larry Jeffres, Regional Manager, Region 1  
Chris Jensen, Regional Manager, Region 3  
Gary Sonnen, Regional Supervisor, Region 1  
Chuck Knapp, Regional Supervisor, Region 1  
Kevin Gellings, Regional Supervisor, Region 2  
Adam Bowcutt, Regional Supervisor, Region 3  
Renee Bryant, Administrative Assistant 2/Board Secretary

◆ **Introduction**

Chuck Knapp was introduced as the Division’s newly appointed Regional Supervisor for Region 1.

◆ **Informational**

Videoconferencing – With difficulties broadcasting meetings from its sister agencies in Lewiston, Twin Falls, and Idaho Falls, the Administrator asked the Board whether to continue to videoconference to those three locations. The Board is in favor; expressing the locations are great geographically, allows more individuals to attend, and saves time/money.

Personnel Change – HVAC Program Manager Jerry Peterson has changed positions within the Agency. His new title is Energy Program Manager. Mr. Peterson has been selected by the International Code Council (ICC) to represent the western United States on the 2016 Residential Energy (RECD) Code Committee.

John Nielsen, Plumbing Program Manager, will take on the responsibility of the HVAC program full-time, as well as continue to manage the Plumbing program.

◆ **Open Forum**

Building Safety Month – Kraig Stevenson, ICC Representative, stated May is Building Safety Month. Founded by the ICC, the public awareness campaign reinforces the need for adoption of modern model building codes, a strong and efficient system of code enforcement, and a well-trained, professional workforce to maintain the system.

Timeline Code Development Access – Mr. Stevenson also announced during May 14-28, 2015, any member can vote on assembly floor motions for code development through ICC's new cloud-based system cdpACCESS.

Open House – Marc Swinney, Director of Business & Manufacturing Programs, College of Western Idaho (CWI), expressed thanks to everyone that attended their first open house at the CWI's Canyon County Center in Nampa on April 23rd. Another open house, to promote the trades, will be held at the end of August. (Date and location to be determined).

Supervision – Residential Plans Examiner/Senior Mechanical Inspector Cache Olson, city of Nampa, indicated the lack of “direct” supervision to apprentices has created a significant amount of correction notices. Mr. Olson's impression is apprentices are learning from the notices on how to properly install HVAC equipment. It was suggested supervision be more stringent with a possible change in statute and/or code.

◆ **Approval of the May 13, 2015 Agenda**

MOTION: Bill Carter made a motion to approve the agenda as presented. Bruce Graham seconded. All in favor, motion carried.

◆ **Approval of the February 11, 2015 Board Meeting Minutes**

MOTION: Bruce Graham made a motion to approve the minutes as written. Bill Carter seconded. All in favor, motion carried.

◆ **Administrative Appeals Hearings**

Monte Evans – NOV HVC1501-0022 – Monte Evans represented himself, Deputy Administrator-Operations Steve Keys represented DBS and Deputy Attorney General Patrick Grace was the facilitator.

Mr. Evans did not contest NOV HVC1501-0022, violation of IDAPA 07.07.01.070.03 “Certification or Registration”. The Board upheld the NOV and Mr. Evans was advised of his rights.

MOTION: Bill Carter made a motion to uphold the NOV issued to Monte Evans. Bruce Graham seconded. A vote was called. Arlyn Tietz, aye; Bill Carter, aye; Bill Vandegriff, aye; Bruce Graham, aye; and Dan Brizee, aye. All in favor, motion carried.

**ACTION:** The Deputy Attorney General will create a Final Order for the Chairman's signature and provide a signed copy to Monte Evans.

◆ **Proposed Legislation--Title 54 Chapter 50**

Over the last several months, the Division has been working on draft legislation; primarily changing the focus of HVAC to mechanical. A handout of the revised draft was distributed. Two of the proposed changes were: 1) Create an Idaho Mechanical Code based upon the provisions of the 2012 International Codes; and 2) New two-year limited license.

The Deputy Administrator-Operations asked for the Board's feedback; stating the Division intends to bring the proposal to the July 2015 Board meeting as an action item for the Board's vote.

**ACTION:** The topic *Proposed Legislation--Title 54 Chapter 50* will be placed on the July 8, 2015 agenda as an action item.

A lengthy discussion ensued with regard to schooling, curriculums, two-year versus four-year apprentice programs, and whether apprentices should be constantly supervised.

The Chairman requested the Board review the proposal several times. Prior to the July meeting, the Chairman will contact each board member to get their opinion on the draft legislation.

◆ **Program Manager Report**

HVAC Program Manager – John Nielsen provided a brief summary of his certification and vision for the HVAC trade. Mr. Nielsen stated the Board should consider doing away with the schooling requirement to renew an apprentice license and the HVAC trade currently devalues journeymen by not requiring them on all jobs.

Employee Acknowledgement – Staff working in the HVAC Program were acknowledged by the HVAC Program Manager.

◆ **Operational Report**

HVAC Program – The Program is solid with the majority of revenue from the city of Meridian.

◆ **Administrator Report**

Anti-Trust Laws – Deputy Attorney General Patrick Grace addressed a recent decision made by the U.S. Supreme Court to uphold the Federal Trades Commission's complaint against a private board. The Court held that "a state board on which a controlling number of decision makers are active market participants in the occupation the board regulates must satisfy **Midcal's** active supervision requirement in order to invoke state-action antitrust immunity."

Financial Report – The Idaho HVAC Board fund, FY 2015 financial statement as of March 31, 2015, was reviewed.

Employee Salaries – The Idaho Legislature passed a three percent salary increase for state employees. The Division used a matrix to determine the percentage (1% to 4%) for each qualified employee; collectively not more than three percent.

Personnel Change (Cont'd) – The Administrator further expanded on the personnel changes within the HVAC program.

City of Meridian – An update was provided regarding the Division’s contract with the city of Meridian to provide mechanical and electrical inspections.

Compliance – DBS employee Terry Blessing has accepted the position of program manager with the Division’s new statewide compliance program. Currently, Mr. Blessing is traveling throughout the state meeting with inspectors, local jurisdictions and supervisors to ensure everyone is notified and on-board with the Division’s new program.

National Construction Authority – Two weeks in March/April, the DBS hosted delegates with the National Construction Authority (NCA) from Kenya. The mission of the NCA is to regulate and coordinate the construction industry for sustainable social and economic development.

◆ **Adjournment**

Chairman Brizee adjourned the meeting at 11:43 p.m. (MT).

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TED SERMON, VICE-CHAIRMAN  
HEATING, VENTILATION AND  
AIR CONDITIONING BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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DATE

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