

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

Wednesday – July 20, 2011 – 9:30 a.m. (MT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho
2055 Garrett Way, Building 2, Suite 7, Pocatello, Idaho**

**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.**

Acting Chairman Ted Sermon called the meeting to order at 9:30 a.m. (MT).

Board Members Present:
Ted Sermon, Vice Chairman
Bruce Graham
Tim LaMott
Bill Carter
Russ Goyen

DBS Staff Members Present:
C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Patrick Grace, Deputy Attorney General
Jerry Peterson, HVAC Program Manager
Kirk Weiskircher, Financial Specialist, Principal
Rod Freligh, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Renee Bryant, Administrative Assistant 2/Board Secretary

Board Members Absent:
Dan Brizee, Chairman
Jon Laux

In the absence of Chairman Dan Brizee, Vice Chairman Ted Sermon served as Acting Chairman at this meeting.

Ron Whitney was introduced as the newly appointed Regional Manager, Region 2, for the Division of Building Safety.

◆ **Open Forum**

HVAC Testing Requirements – Ben Seitz, Northwest Service Technologies, briefly explained the current requirements to become an HVAC journeyman and contractor versus an Electrical journeyman and contractor. To bring cohesiveness to the HVAC and electrical trades as it pertains to licenses, Mr. Seitz asked the Board to consider reviewing the prerequisites of the HVAC journeyman and contractor exams.

The Division is in the process of restructuring the HVAC license qualifications and will bring recommendations to the Board at a future Board meeting.

◆ **Approval of July 20, 2011 Agenda**

MOTION: Tim LaMott made a motion to approve the July 20, 2011 Agenda as presented. Bill Carter seconded. All in favor, motion carried.

◆ **Approval of May 18, 2011 Board Meeting Minutes**

Jerry Peterson noted a correction on page four under “Energy Code Requirements and Implementation Dates”. The second paragraph should read in part, “...six inspectors from local jurisdictions.” rather than “...representatives from six local jurisdictions.”

MOTION: Tim LaMott made a motion to approve the May 18, 2011 Board Meeting Minutes as amended. Bill Carter seconded. All in favor, motion carried.

◆ **Notice of Violation**

Brady Rowser – NOV HVC1104-0006 – Prior to the meeting, Brady Rowser was in contact with Renee Bryant, via telephone, and withdrew his appeal.

Rod Law – NOV HVC1104-0004 – Rod Law represented himself, HVAC Program Manager Jerry Peterson represented the Division of Building Safety, Bill Fletcher was a witness for Rod Law, and Deputy Attorney General Patrick Grace was the facilitator.

The original NOV was based upon three violations; HVC .01 “Unlicensed Contractor”, HVC .03 “Unlicensed Individual”, and HVC .06 “Failure to Permit or Pay Fees”. A permit cannot be issued to a non-licensed contractor. Therefore, prior to the appeal hearing, HVC .06 “Failure to Permit or Pay Fees” was dismissed and a request was made to refund \$100 to Rod Law.

Patrick Grace explained the ground rules, instructions, and entered the exhibits into record. All parties provided testimony and argument on NOV HVC1104-0004. The Board unanimously voted to uphold NOV HVC1104-0004 and the charges for HVC .01 “Unlicensed Contractor”, and HVC .03 “Unlicensed Individual”.

MOTION: Russ Goyen made a motion to allow the NOV to stand in regard to HVC .01 “Unlicensed Contractor”, and HVC .03 “Unlicensed Individual”. Tim LaMott seconded. All in favor, motion carried.

ACTION: Deputy Attorney General Patrick Grace will draft a Final Order for Acting Chairman Ted Sermon’s signature, and provide a copy to Rod Law.

ACTION: The Division will refund the \$100 civil penalty fee on HVC .06 “Failure to Permit or Pay Fees” to Rod Law.

◆ **Wood Stove Installation-Statute Change**

For clarification of Idaho Code § 54-5003 “Definitions”, it was the recommendation to the Board to change the verbiage from “solid-fuel burning furnaces” to “solid-fuel burning appliances”. Appliances would include a wood burning furnace and provide a clear enforcement tool for installations.

MOTION: Russ Goyen made a motion to accept the proposed statute change as presented. Bill Carter seconded. All in favor, motion carried.

◆ **Gas Meters-Rule Changes**

1 Inch Minimum Stub Outs – 07.07.01.005.01(f) – This topic has been discussed at previous Board meetings. There is no reference to “termination” in the International Fuel Gas Code (IFGC). Therefore, IDAPA 07.07.01.005.01(f) “405.2. Point of Termination” is an improper reference and should be removed in its entirety. Any concerns or changes in regard to the point of termination should be brought before the Board by the utility companies.

MOTION: Russ Goyen made a motion to accept the deletion as proposed and written. Bill Carter seconded. All in favor, motion carried.

Snow and Ice Protection – 07.07.01.005.01(e) – This issue has been covered in detail at prior Board meetings. Meter and meter protection is under the jurisdiction of the utility companies. IDAPA 07.07.01.005.01(e) “405.1. Installation in Areas of Heavy Snowfall” is an improper reference; lacking in clarity and definition of snow and ice protection. The recommendation to the Board is to remove the rule in its entirety.

MOTION: Tim LaMott made a motion to approve the deletion as proposed and written. Bruce Graham seconded. All in favor, motion carried.

◆ **Housekeeping – Rule Changes**

Colored Inspection Tags – All required inspection tags are non-color specific, except inspection tags for unacceptable HVAC installations, which are red. For consistency across the trades, and to eliminate the sheer number of different tags, the recommendation to the Board is to remove the color reference, and change the tag type from “unacceptable” to “Notice of Correction”.

Bonding – A bond is required for the length of a license. Current IDAPA rules 07.07.01.021.01 and 07.07.01.022.01 do not expressly provide for such. The recommendation is to change the type of bond from “performance” to “compliance” and to specify that the bond be effective for the duration of the licensing period.

DBS was asked to provide adequate notification to HVAC contractors of the changes to the bond requirements. Suggested procedures for notification were post notification alert on the Division’s website, use DBS voice mail/e-mail batch systems, and/or add to renewal letters.

ACTION: When effective, the Division will notify HVAC contractors of the changes to the bond requirements by using any and/or all of the above suggestions.

MOTION: Bill Carter made a motion to approve the proposed rule changes on inspection tags and bonding. Bruce Graham seconded. All in favor, motion carried.

◆ **HVAC Curriculum Review**

Chris Miller, College of Western Idaho (CWI), stated the Apprenticeship Curriculum Review project was given to CWI to manage. The HVAC apprenticeship curriculum has been updated. The Board was asked to review the curriculum; providing recommendations to CWI prior to the October Board meeting.

ACTION: The topic “HVAC Apprenticeship Curriculum” will be placed on the October 2011 Agenda as an action item.

◆ **Dual Apprenticeship Required Schooling**

There are many common topics taught the first year of the HVAC, Electrical, and Plumbing Apprenticeship programs. Ted Sermon stated apprentices who become multi-licensed journeymen should only be required to take the commonly taught topics in the apprenticeship training once.

The topic needs to be addressed among the HVAC, Electrical, and Plumbing Boards; however, anyone with comments/opinions is asked to contact Ted Sermon.

◆ **International Green Construction Code (IGCC)**

Shawn Martin with the International Code Council provided an overview, via PowerPoint, of the scope of the IGCC.

◆ **Manual J and D Requirements**

Every DBS HVAC/Plumbing inspector has been through Manual J and D training. There are many jurisdictions throughout Idaho that do not have building departments, nor require building plans. Currently, DBS is not in a position to fully enforce the Manual J and D requirements on a statewide basis. Therefore, Jerry Peterson suggested, and the Board agreed, a “soft start process” would begin January 1, 2012. Local jurisdictions will be able to enter into an agreement with DBS to have their Manual J, S, and D submittals reviewed and included in the HVAC inspections.

ACTION: The Division will communicate to all involved parties its ability to inspect/ calculate plan review submittals by local jurisdictions that require building plans.

◆ **Continuing Education**

The Division will begin the process of outlining HVAC contractor continuing education requirements, i.e., how many hours per year, topics, places to obtain qualified education, etc. Chris Miller, CWI, requested to be included in the process; bringing forth several suggestions for courses. Ted Sermon asked Jim Conan, Vice President of Eastern Idaho HVAC Contractors Association, to contact Mr. Peterson with ideas before the October Board meeting.

ACTION: The topic “Continuing Education” will be placed on the October 2011 Agenda as an informational item.

◆ **Energy Code Update**

DBS is charged with the development of an energy compliance database. Although the Division is in full support of the energy code adoption, there are statutory limitations on its ability to enforce the code.

As requested at the February 2011 HVAC Board meeting, and until further notice, the topic “Energy Code Requirements & Implementation Dates” will be an informational item on all regularly scheduled HVAC Board Meeting Agendas.

ACTION: The topic “Energy Code Update” will be placed on the October 2011 Agenda as an informational item.

◆ **HVAC Program Manager Report**

Home Energy Audits – An association has been created among individuals providing home energy audits. Jerry Peterson continues to work with the association.

National Energy Code Conference – Jerry Peterson will attend the National Energy Code Conference in Salt Lake City, Utah, the week of July 25th.

◆ **Operational Report**

Operational Structure – DBS is moving from a centralized to regional structure. With the continuation of staff reduction, the Division will be required to restrict inspections to certain areas on given days, especially the outlying areas. Management will work with the regional managers to define those days.

HVAC Program Manager – Steve Keys congratulated Jerry Peterson for bridging the gap on the energy and HVAC code issues.

◆ **Administrator Report**

Personnel – When Administrator Pearce was appointed to DBS in 2007, there were 152 authorized full-time positions. Upon the completion of the layoff process, the Division will have fewer than 100 employees.

Statewide Layoff Policy – The Division’s layoff policy has changed from geographical regions to statewide. The new policy offers DBS the ability to identify the areas of need for inspectors to fulfill the inspection responsibilities across the state of Idaho.

Assigned Work Stations – In the past, inspectors have worked from their residences. DBS has contracted with IDOL to rent work stations at 12 of their facilities throughout Idaho. The Division’s three locations will provide accommodations to inspectors as well. The majority of inspectors will commute, by personal transportation, to their assigned facilities. Work hours will be 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. During non-business hours, state vehicles will be parked at the designated facilities.

Inspections by Zip Code – With the use of electronic systems, staff can now search inspections by zip code; calculating the areas of need for inspectors.

Chairmen Meeting – In June, a meeting was held with the chairmen of each board housed under DBS to explain the Agency’s statewide layoff process and vision.

Chinese Government and U.S. Projects – The Chinese government has stock in the following Idaho-based projects: Hoku, solar cell plant in Pocatello; Southeast Idaho Energy Corp., fertilizer plant outside American Falls; electric bus manufacturer plant, Treasure Valley area; and industrial park, south of Boise airport.

To report back to the Governor, Kelly Pearce asked the board members for their thoughts to potential Chinese investments in the United States. The majority of members had no negative opinion on the issue.

Public Works Projects -- Permits and Building Inspections – Statutorily, DBS is responsible for the issuance of permits and building inspections on state public works projects in Idaho.

The first of July, the Division sent letters on the statutory requirements to state agencies involved in public works defined buildings and state agencies that independently generate their own buildings outside the public works activity. The changes will apply to projects beginning after July 1, 2011.

Project DOX – It is under consideration by the Division of Public Works to use Project DOX for their plan reviews. Boise State University has been trained on DOX and has begun to use the system on their plans.

Public Service Announcement (PSA) – DBS Public Information Officer Bill Hatch created a PSA for the HVAC Board. The PSA has been distributed to radio stations statewide, and is available on the Division’s website.

- ◆ **New/Old Business**
There was no new/old business to discuss.

- ◆ **Executive Session**
An Executive Session was not required.

MOTION: Tim LaMott made a motion to adjourn the meeting. Russ Goyen seconded. All in favor, the meeting adjourned at 12:50 p.m. (MT).

TED SERMON, ACTING CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

09/16/11rb