

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

Wednesday – November 7, 2012 – 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 1, Suite 4, 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.**

Chairman Dan Brizee called the meeting to order at 9:32 a.m. (MT).

Board Members Present:

Dan Brizee, Chairman
Ted Sermon, Vice-Chairman
Bruce Graham
Tim LaMott
Russ Goyen
Bill Carter

DBS Staff Members Present:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator-Operations
Ron Whitney, Deputy Administrator-Administration
Patrick Grace, Deputy Attorney General
Rod Freligh, Regional Manager, Region 1
Adam Bowcutt, Regional Supervisor, Region 3
Kathleen Watkins, Financial Manager
Bill Hatch, Public Information Officer
Renee Bryant, Administrative Assistant 2/Board Secretary

DBS Staff Members Absent:

Jerry Peterson, HVAC Program Manager

◆ **Open Forum**

No items or concerns were brought forth.

◆ **Approval of November 7, 2012 Agenda**

Dan Brizee stated the Board would go into an executive session at the conclusion of the meeting.

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

◆ **Approval of July 18, 2012 Board Meeting Minutes**

Bruce Graham requested the word “Tin” be corrected to “Tim” on page three of the minutes.

MOTION: Ted Sermon made a motion to approve the minutes with the correction. Bruce Graham seconded. All in favor, motion carried.

◆ **Administrative Appeals Hearing**

Blake Tillotson/Blake's Hearing – NOV HVC1205-0001 – The appeal was settled prior to the meeting.

◆ **Schedule 2013 Meeting Dates**

The 2013 Idaho HVAC Board meeting dates are as follows: February 13th, May 22nd, July 10th, and November 13th. The meetings will commence at 9:30 a.m. (MT)/8:30 a.m. (PT).

MOTION: Ted Sermon made a motion to accept the 2013 Idaho HVAC Board meeting dates as presented. Tim LaMott seconded. All in favor, motion carried.

◆ **Contractor Licensing Requirement for “Big Box” Vendors**

A local “big box” vendor has asked the state to provide a letter consenting to its business practice of contracting with licensed HVAC contractors to install equipment sold in its store.

Dan Brizee disclosed his business relationship with several “big box” vendors, and Patrick Grace provided his legal opinion on this issue.

Mr. Grace will draft a letter to the vendor; presenting it to the Board for approval at the February 2013 Board meeting. The letter will incorporate the following: 1) Register with the Idaho Bureau of Occupational Licenses as a contractor, 2) Clearly differentiate a state licensed subcontractor, not the vendor, will provide the work and pull a permit; and, 3) The Board will continue to study the topic *Contractor Licensing Requirement for “Big Box” Vendors*. Should the policy change, the vendor will be given sufficient time to comply with the law.

ACTION: For the February 13, 2013 meeting, Patrick Grace will provide a draft letter to a specific retail store explaining the Board's decision with regard to the topic *Contractor Licensing Requirement for “Big Box” Vendors*.

◆ **Code Review**

The Idaho Building Code Board has chosen to move forward with the 2012 International Building Code and 2012 International Existing Building Code at the 2013 legislature. It will however, stay with the 2009 International Residential Code and 2009 International Energy Conservation Code. A collaborative group has been formed to review the 2012 codes; making recommendations for amendments.

At the July 2012 HVAC Board meeting, Bruce Graham volunteered to chair a subcommittee on code review. Due to unforeseen circumstances, Mr. Graham has relinquished that position.

Bill Carter will represent the HVAC Board on the Collaborative Committee. Ron Whitney will ensure Mr. Carter receives the proper documentation and notification of future meetings.

ACTION: Ron Whitney will provide Bill Carter with the proper documentation and notification of future collaborative meetings.

◆ **HVAC Program Manager Report**

Fireplaces, Makeup Air, and Ventilation Standards – In the absence of Jerry Peterson, Dan Brizee addressed the topic *Fireplaces, Makeup Air, and Ventilation Standards*. All wood burning fireplaces and pellet stoves are now required to have fresh air brought in from the outside.

Mr. Peterson has developed a one-hour class to help understand the current code requirements. The curriculum development and training is funded, as part of a grant, through the Northwest Energy Efficiency Alliance. Makeup air for commercial style range homes, in residences, is becoming more frequent.

◆ **Operational Report**

Issuance of Permits – The HVAC and electrical programs are up 11% year-to-date on the issuance of permits. The plumbing program is up by 5.5% year-to-date. One year ago approximately 58% of permits were issued via internet. This year permits taken out using the web are 62%.

Cross-Referencing Permits – The Division has allowed permit holders to cross-reference permits under certain circumstances. The practice is not required under state statute. Effective November 12, 2012, DBS will only process cross-reference permits under the following conditions: 1) Multi-family projects where there is a parent permit for the project and individual units cross-referenced to allow finals on those units, or 2) Death of a licensed plumbing or HVAC contractor.

Refunding Permits – Effective November 12, 2012, DBS will no longer refund a permit fee should a contractor decide not to do a job. The Division will continue to refund if: 1) Overpayment, 2) Duplicate permit, or 3) Job not in the state's jurisdiction.

City of Meridian – DBS has entered into a contract with the city of Meridian to provide HVAC mechanical inspection services.

◆ **Administrator Report**

Financial Report – Kathleen Watkins reviewed the Idaho HVAC Board fund FY 2012 financial statement as of June 30, 2012 and FY 2013 financial statement as of September 30, 2012.

City of Meridian Contract – Ron Whitney provided a detailed description of the HVAC responsibilities the Division will furnish to the city of Meridian and its jurisdiction.

Changes in Workforce – A PowerPoint presentation titled *Changes in Workforce* was presented by Kelly Pearce. The presentation consisted of charts comparing the average number of employees working in residential and commercial construction, as registered with the Idaho Department of Labor (2007-2012); DBS budget-personnel reduction (2007-2012); and expenditures to appropriations (2005-2012).

Creative Revenue Enhancement FY 2012 – Kelly Pearce provided a PowerPoint presentation titled *Creative Revenue Enhancement FY 2012*. The presentation consisted of: Energy training, HVAC; energy efficiency compliance database, Governor’s Office of Energy Resources; energy efficiency study, Penn State University; building and plan review fees/inspections, cities of Ketchum and Hailey; electrical and mechanical inspections, city of Meridian; electrical inspections, as needed, city of Twin Falls; inspections, Coeur d’Alene, Nez Perce, Shoban, and Kootenai Tribes; and permit/inspection revenue, state buildings.

◆ **Executive Session**

MOTION: Ted Sermon made a motion for the Board to go into Executive Session to communicate with legal counsel to discuss the legal ramifications and legal options of pending litigation, or controversies not yet in litigation but imminently likely to be litigated pursuant to section 67-2345 Idaho Code. Bruce Graham seconded. Roll call: Dan Brizee-aye, Ted Sermon-aye, Bruce Graham-aye, Tim LaMott-aye, Bill Carter-aye; and Russ Goyen-aye.

◆ **Adjournment**

MOTION: Ted Sermon made a motion to adjourn the meeting. Bruce Graham seconded. The meeting adjourned at 12:00 p.m. (MT).

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

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

02/12/13rb

DATE