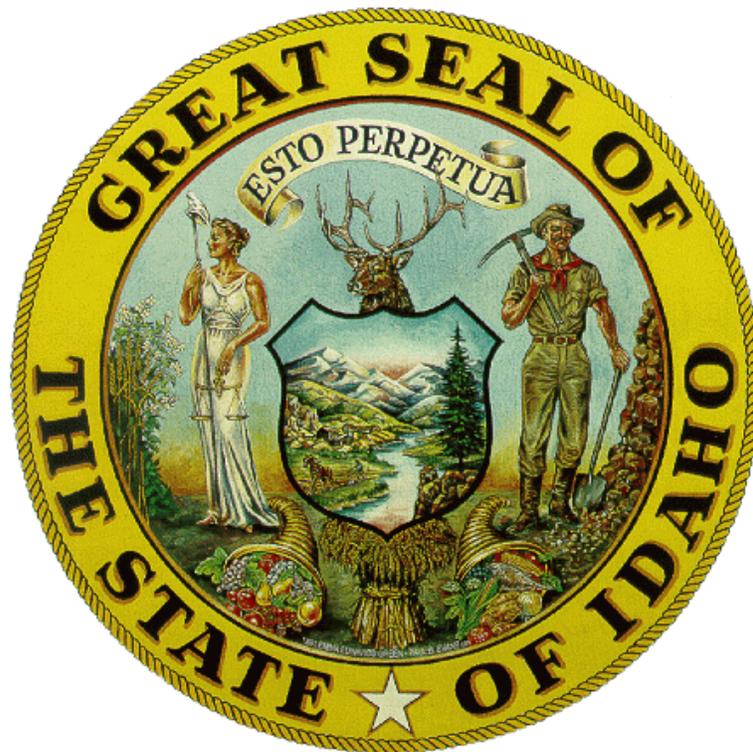


DIVISION OF BUILDING SAFETY

IDAHO HEATING, VENTILATION AND  
AIR CONDITIONING BOARD  
VIDEOCONFERENCE MEETING

FEBRUARY 13, 2013



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

## Agenda Item No. 01

## Agenda

**PRESENTER:** Dan Brizee, Chairman

---

**OBJECTIVE:** Approve agenda for the February 13, 2013 Idaho HVAC Board videoconference meeting.

---

**ACTION:** Consent

---

**BACKGROUND:**

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** February 13, 2013 Idaho HVAC Board meeting tentative agenda

---



## **TENTATIVE AGENDA**

### **NOTICE OF PUBLIC MEETING**

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

**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  
dbs.idaho.gov – (208) 332-7137**

**Wednesday, February 13, 2013  
9:30 a.m. – 3:30 p.m. (MT)**

*(Note: Meeting Time is 8:30 a.m. PT)*

---

**9:30 a.m.**      **CALL TO ORDER** – Dan Brizee, Chairman  
                    ○ Roll Call & Introductions  
                    ○ Open Forum

#### **CONSENT AGENDA**

1. Approval of the February 13, 2013 Agenda
2. Approval of the November 7, 2012 Board Meeting Minutes

#### **ACTION AGENDA**

3. Election of Officers – Dan Brizee

#### **INFORMATIONAL AGENDA**

4. Contractor Licensing Requirement for “Big Box” Vendors – Patrick Grace
5. Prohibited Locations for Natural Draft Appliances – Jerry Peterson

**Noon -  
1:00 p.m.**      **LUNCH BREAK** *(If needed)*

6. HVAC Program Manager Report – Jerry Peterson
7. Operational Report – Steve Keys

8. Administrator Report
  - a. Financial Report – C. Kelly Pearce and Kathleen Watkins
  - b. Administrator – C. Kelly Pearce

**3:30 p.m.      ADJOURN**

*All times, other than beginning, are approximate and are scheduled according to Mountain Time (MT), unless otherwise noted. Agenda items may shift depending on Board preference. 01/17/2013*

# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 02**

**Minutes**

**PRESENTER:** Dan Brizee, Chairman

---

**OBJECTIVE:** Approve minutes from the November 7, 2012 Idaho HVAC Board meeting.

---

**ACTION:** Consent

---

**BACKGROUND:**

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** November 7, 2012 Idaho HVAC Board meeting draft minutes

---



**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**

**\*DRAFT MINUTES OF THE NOVEMBER 7, 2012 MEETING**

**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).

\_\_\_\_\_  
DAN BRIZEE, CHAIRMAN  
HEATING, VENTILATION AND  
AIR CONDITIONING BOARD

\_\_\_\_\_  
C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

\*These DRAFT minutes are subject to possible correction and final approval by the Idaho HVAC Board. 12/13/12rb

# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 03**

**Election of Officers**

**PRESENTER:** Dan Brizee, Chairman

---

**OBJECTIVE:** Elect active board members to the positions of chairman and vice-chairman.

---

**ACTION:** Vote for a chairman and vice-chairman

---

**BACKGROUND:** Idaho Code § 54-5004 “Idaho heating, ventilation and air condition board” states the Board shall hold an election for a chairman and vice-chairman every two years. The last election was held on October 14, 2009. At that time, Dan Brizee was appointed chairman and Ted Sermon vice-chairman.

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** No documentation

---



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

## Agenda Item No. 04 Contractor Licensing Requirement for “Big Box” Vendors

**PRESENTER:** Patrick Grace, Deputy Attorney General

---

**OBJECTIVE:** Endorsement by Board on letter to “big box” vendor.

---

**ACTION:** Approve or disapprove letter to retailer.

---

**BACKGROUND:** 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.

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*.

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.

---

**ATTACHMENTS:** Documentation to be presented at meeting.

---



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

## Agenda Item No. 05      Prohibited Locations for Natural Draft Appliances

**PRESENTER:**      Jerry Peterson, HVAC Program Manager

---

**OBJECTIVE:**      To address known safety issues.

---

**ACTION:**      Informational

---

**BACKGROUND:**      Results of field testing and changes in the city of Meridian.

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:**      Documentation to be presented at meeting.

---



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 06**

**HVAC Program Manager Report**

**PRESENTER:** Jerry Peterson, HVAC Program Manager

---

**OBJECTIVE:** Report the recent activities of the HVAC program.

---

**ACTION:** Informational

---

**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** No documentation

---



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 07**

**Operational Report**

**PRESENTER:** Steve Keys, Deputy Administrator-Operations

---

**OBJECTIVE:** Provide an overview of the daily operations of the HVAC program and DBS.

---

**ACTION:** Informational

---

**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** No documentation

---



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 08a**

**Financial Report**

**PRESENTER:** C. Kelly Pearce, Administrator and Kathleen Watkins, Financial Manager

---

**OBJECTIVE:** Review the Idaho HVAC Board's financial report.

---

**ACTION:** Informational

---

**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** Financial report

---





**Division of Building Safety**  
 IDAHO HVAC BOARD FUND 0229-08  
 Fiscal Year 2013 Financial Statements  
 As of 12/31/2012

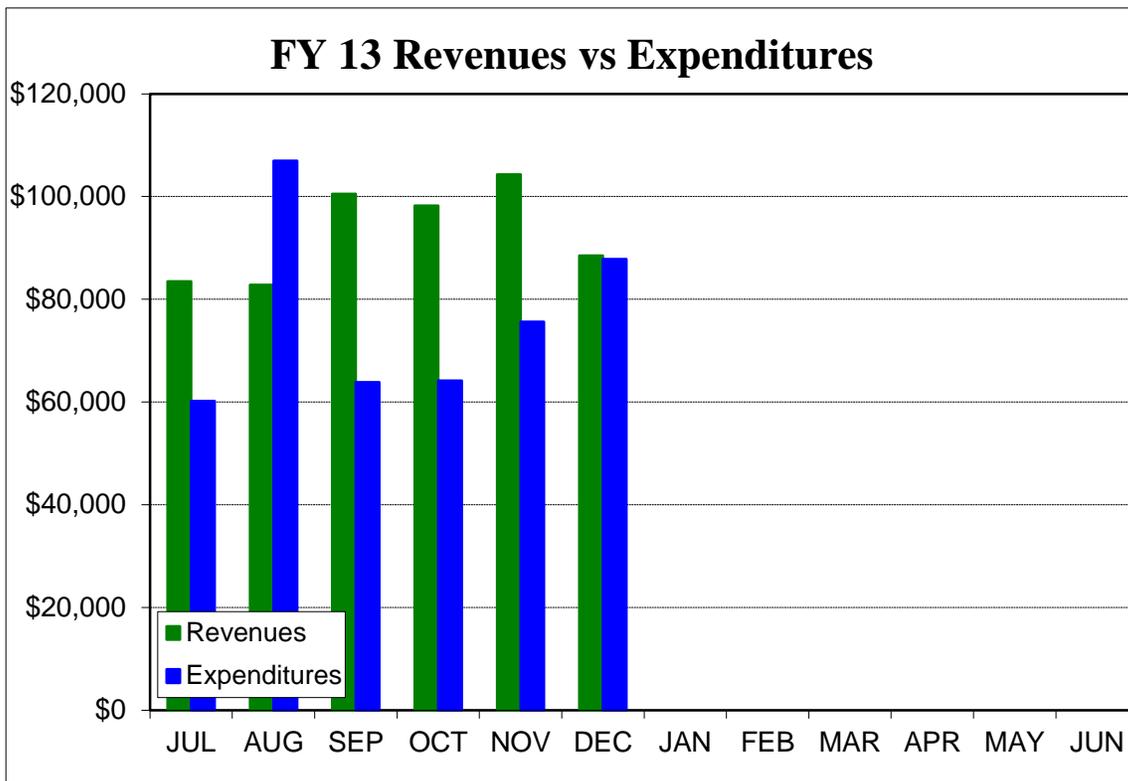
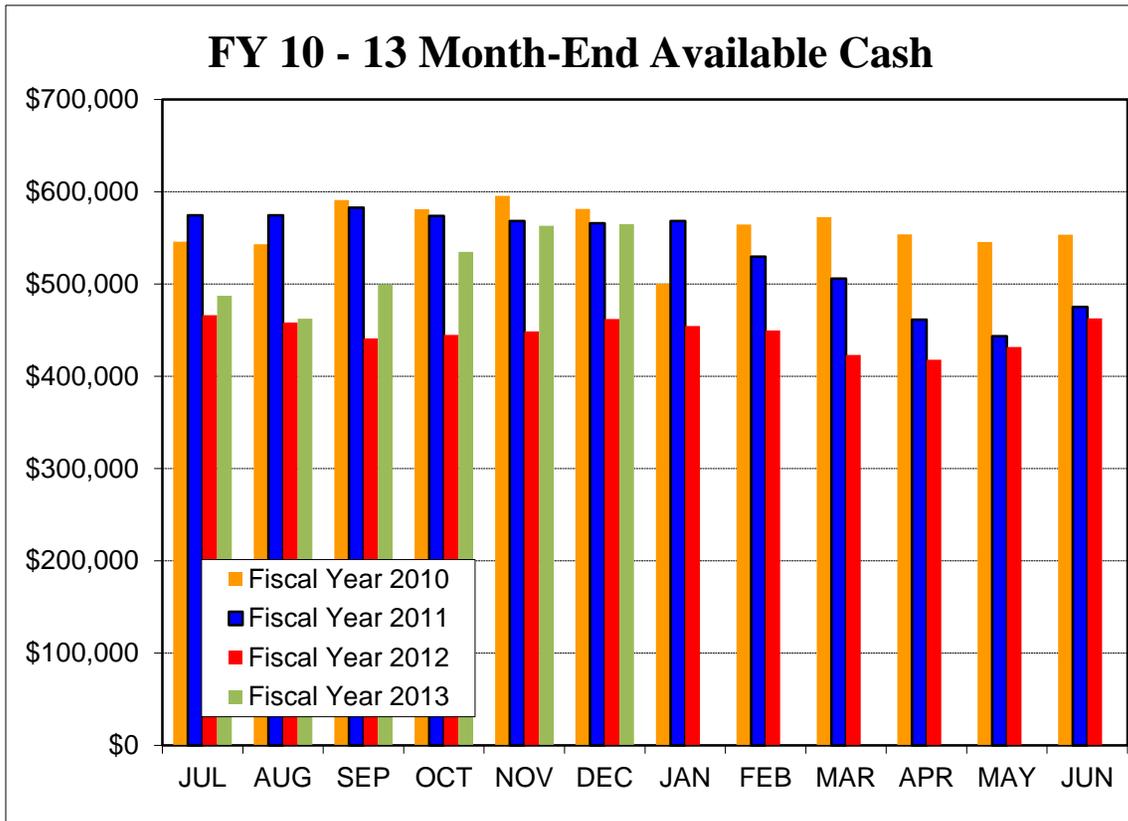
Statement of Revenues and Expenditures

Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	831,000	557,900	67.1%	273,100	418,944	976,844	117.6%
Expenditures							
Personnel:	618,000	333,125	53.9%	284,875	327,297	660,422	106.9%
Operating:	218,000	100,510	46.1%	117,490	99,058	199,568	91.5%
Capital:	45,000	24,900	55.3%	20,100	20,100	45,000	100.0%
Total Expenditures	881,000	458,535	52.0%	422,465	446,455	904,990	102.7%
Net for FY 2013	(50,000)	99,365			(27,511)	71,854	

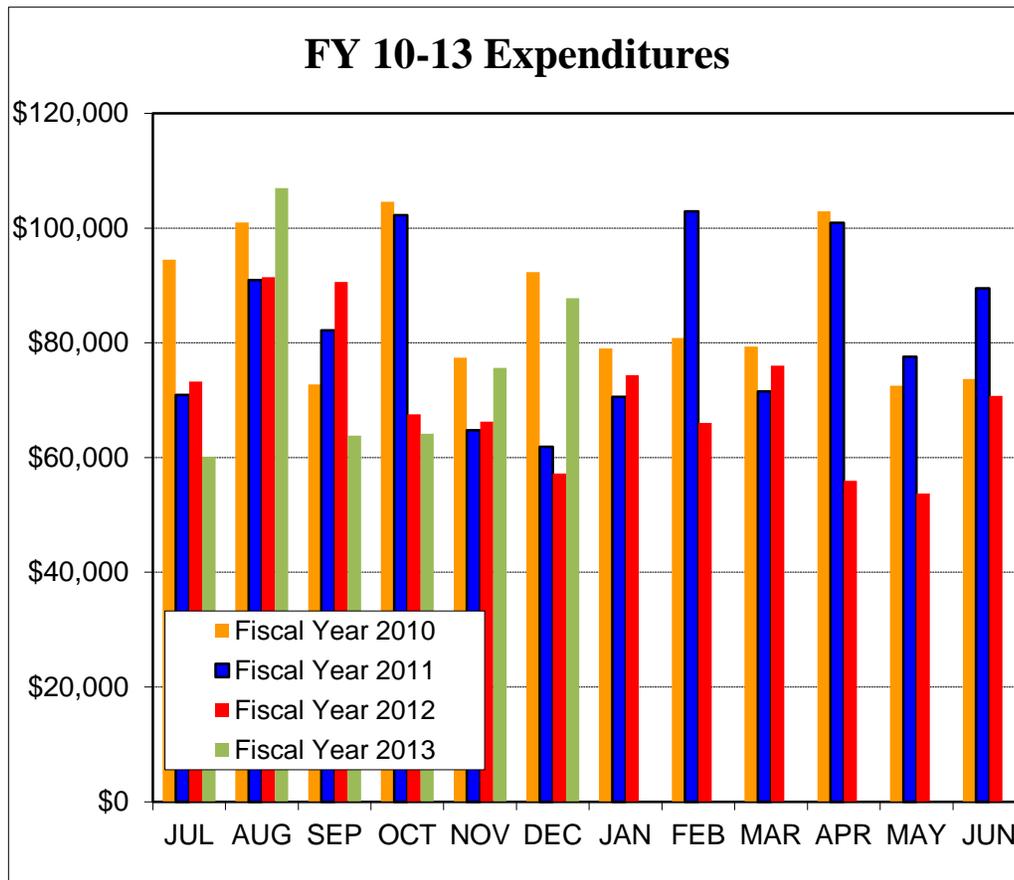
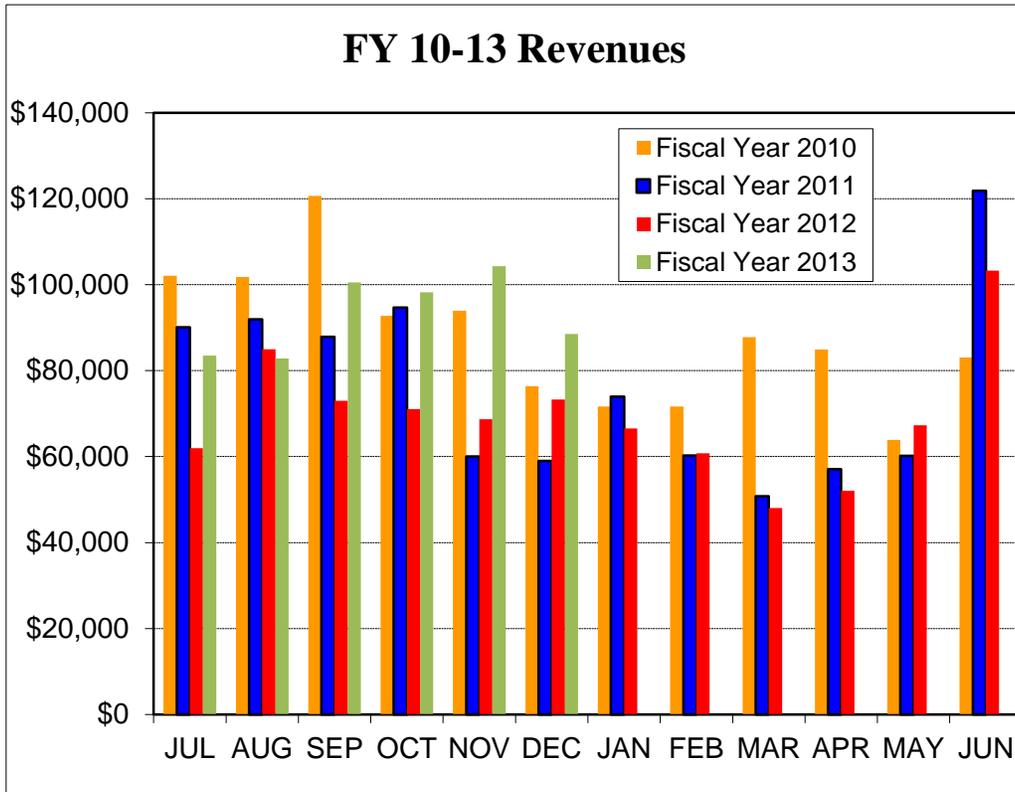
Statement of Cash Balance

July 1, 2012 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of December 31, 2012	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
462,917	557,900	(458,535)	2,700	564,982	(27,511)	537,471

## IDAHO HVAC BOARD FUND 0229-08



# IDAHO HVAC BOARD FUND 0229-08



# IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 08b**

**Administrator**

**PRESENTER:** C. Kelly Pearce, Administrator

---

**OBJECTIVE:** Provide an overview of the Division's current activities.

---

**ACTION:** Informational

---

**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

---

**PROCEDURAL  
HISTORY:**

---

**ATTACHMENTS:** No documentation

---

