

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

Wednesday – November 8, 2017 – 9:30 a.m. (MST)

**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**

MINUTES OF THE NOVEMBER 8, 2017 MEETING

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.

Chairman Ted Sermon called the meeting to order at 9:31 a.m. (MST)

Board Members Present:

Ted Sermon, Chairman
John Smith, Vice-Chairman
Bill Vandegrift
Geoff Oldenkamp
Randy Hart
Bill Carter
Bill Hatch

DBS Staff Members Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
John Nielsen, HVAC Program Manager
Larry Jeffres, Regional Manager, Region 1
Patrick Grace, Regional Manager, Region 2
Jeff Egan, Regional Manager, Region 3
Chuck Knapp, Regional Supervisor, Region 1
Brad Myers, Regional Supervisor, Region 3
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Air Balancing--Specialty License – The Idaho Association of Building Officials (IDABO) has been issuing certifications for air balancing. Board Member Geoff Oldenkamp questioned whether air balancing is HVAC related. If so, would a specialty license or certification from IDABO be required for load calculations. In addition, Mr. Oldenkamp suggested individuals currently performing air balance be grandfathered and people coming into the trade go through a training program to get a specialty license.

The College of Western Idaho (CWI) HVAC curriculum has a course on Residential Manual J for duct design installation and Manual D on duct design and balancing.

Board Member John Smith suggested, and the Chairman agreed, to discuss the topic *Air Balancing--Specialty License* at the Board’s first meeting in 2018.

ACTION: The topic *Air Balancing--Specialty License* will be placed as an informational item on the agenda for the January 2018 Board meeting.

Apprenticeship--2000 Hour Requirement – Mike Lapray, HVAC Assistant Professor, College of Southern Idaho (CSI), brought forth the 2,000 hours of on-the-job (OTJ) requirement as written in the January 24, 2006 HVAC Board meeting minutes. In 2006, the Board approved six training providers from post-secondary schools to offer a full-time nine or 11-month program equivalent to four years of schooling or 576 hours of apprenticeship training and one year of credit or 2,000 hours of OTJ training. Approximately 30 students from CSI's program would like to use the 2,000-hour requirement to qualify to take the journeyman exam.

North Idaho College offers the nine-month certification program, and Northwest HVAC/R Association and Training Center is certified as one of the full-time schools as well. Chris Miller, HVAC Program Coordinator, CWI, supports the program and believes the Board should reinstall the schools that currently offer the program.

The HVAC Program Manager suggested, and the Chairman agreed, to review the supporting documentation and to continue to discuss the topic *Apprenticeship--2000 Hour Requirement* at the Board's first meeting in 2018.

ACTION: Prior to the first 2018 Board meeting, the Administrative Assistant will provide a copy of the January 24, 2006 HVAC Board meeting minutes to the Board.

ACTION: The topic *Apprenticeship--2000 Hour Requirement* will be placed as an informational item on the agenda for the January 2018 Board meeting.

ASHRAE – Russ Pratt, Licensed Mechanical Engineer and American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Representative, offered his assistance as a liaison between the Board and engineering society.

Apprentice to Journeyman Ratio – Hearing about a possible rule change to require a journeyman on every job, Tom Dyer, Forced Air Systems, asked the Board to consider an apprentice to journeyman ratio. This issue was discussed under agenda item nine *Apprentice Supervision*.

◆ **Approval of the November 8, 2017 Agenda**

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

◆ **Approval of the July 12, 2017 Meeting Minutes**

MOTION: John Smith made a motion to approve the minutes as written. Geoff Oldenkamp seconded. All in favor, motion carried.

◆ **Schedule 2018 Board Meetings**

The proposed 2018 board meeting dates are January 10, March 14, May 9, and November 14.

MOTION: Geoff Oldenkamp made a motion to approve the 2018 Board meeting dates as presented. John Smith seconded. All in favor, motion carried.

◆ **Career & Technical Education (CTE)--Spending Authority**

If approved by the Board, legislation to add CTE to the HVAC statutes would go to the 2018 legislative session. The \$41,000 spending authority for CTE to update standards for the HVAC apprenticeship program is in the Division's Fiscal Year 2019 budget. The budget will also go before the 2018 legislative session, and if approved, the process could begin as early as July 1, 2018.

For a second time, Wendi Secrist, Director of Business Outreach, Idaho Career & Technical Education, provided a PowerPoint presentation titled *Related Training Programs, HVAC Apprenticeship*.

School and industry representatives were all in favor of standardized training throughout the state.

MOTION: Bill Hatch made a motion to do whatever is necessary to obtain funding authority in the amount indicated, and to do so in an expeditious manner. John Smith seconded. All in favor, motion carried.

◆ **Unlicensed Contractors**

The question arose whether an individual can remain anonymous when filing a complaint or reporting illegal activity. A legal complaint is public record, and although the Division would like to keep the individual anonymous, if it comes to the appeal process DBS relies on the complainant to provide testimony. When asked, the Board nor the State have any control over the sale of goods by vendors or distributors to non-licensed individuals.

◆ **Testing Upon Completion of Apprenticeship Program**

A draft rule was brought forth to allow HVAC apprentices to take the written journeyman exam upon completion of an Idaho HVAC Board approved training course. To receive a journeyman license, the apprentices would have to complete the four years of work experience as well.

With no opposition, the Chairman asked the topic *Testing Upon Completion of Apprenticeship Program* be an action item at the Board's first meeting in 2018.

ACTION: The topic *Testing Upon Completion of Apprenticeship Program* will be placed as an action item on the agenda for the January 2018 Board meeting.

◆ **Natural Ventilation**

Board Member Oldenkamp asked if this was an opportune time to add natural ventilation to the current code as an alternative to mechanical ventilation.

Board Member Bill Carter extensively researched this topic through materials by ASHRAE, United States Environmental Protection Agency, United State Department of Housing and

Urban Development, and others. Board Member Carter did not see anything that wholeheartedly proposed mechanical ventilation is the one and only answer.

Being a controversial topic, Pat Minegar, A-1 Heating and Air Conditioning, suggested, and the Chairman agreed, for DBS to invite its energy expert, Energy Program Manager Jerry Peterson, to the January 2018 board meeting.

ACTION: The Division to invite Energy Program Manager Jerry Peterson to the January 2018 HVAC Board meeting.

ACTION: The topic *Natural Ventilation* will be placed as an informational item on the agenda for the January 2018 Board meeting.

◆ **Apprentice Age Requirement**

Upon review of the state and federal laws, as well as the HVAC rule, Deputy Attorney General Spencer Holm stated the age requirement to work in the HVAC trade is 18 unless registered with the Federal Bureau of Apprenticeship Training.

Brandon Latham, Sheet Metal Workers Union 103, read several exemptions from Child Labor Regulations § 570.50(b)(c) that might be able to justify hiring an individual 16 or 17 years old to work in the HVAC trade. The Deputy Attorney General offered to research the exceptions.

ACTION: The Deputy Attorney General will research the exemptions from the Child Labor Regulations § 570.50(b)(c).

Chris Miller, CWI, questioned if it would make a difference if an individual had an Occupational Safety and Health Administration (OSHA) card since OSHA's mission is to assure safe and healthful workplaces by setting and enforcing standards, and by providing training, outreach, education and assistance.

Board Member Smith suggested, and Mr. Miller offered, to pursue whether the Board can obtain a statewide letter for early registration in certification programs with supporting documentation; i.e., OSHA card, direct supervision, etc.

ACTION: The topic *Apprentice Age Requirement* will be placed as an informational item on the agenda for the January 2018 Board meeting.

◆ **Apprentice Supervision**

Chairman Sermon provided the history behind the start-up of the HVAC Board and Memorandum of Understanding between the HVAC, electrical and plumbing trades. Electrical Program Manager Warren Wing addressed the Electrical Board's stance on apprentice supervision.

It was determined there are two issues: 1) Apprentices performing electrical circuitry, and 2) Direct supervision of apprentices.

There was a division among audience members on the issue of apprentices and direct supervision. Suggestions on both issues were: 1) Create a committee comprised of the industry, to include unions and schools, to address direct supervision, 2) HVAC Board meet with Electrical Board and DBS on electrical circuitry installed by apprentices, and possible cross training, and 3) Mimic the electrical rules, as far as apprentice to journeyman ratio, rather than create new language.

The HVAC Program Manager stated base on Idaho Code § 54-5015(4)(a), to install electrical circuitry an individual must have an HVAC license. Therefore, anyone caught performing work without the required license will receive a civil penalty.

Administrator Chris L. Jensen explained the reason behind a code collaborative, and HVAC Program Manager Nielsen addressed the negotiated rulemaking process.

At the direction of the Chairman, the Division will provide a survey of available dates for a code collaborative meeting to discuss the topic *Direct Supervision*, invite industry/interested parties, and reserve the Division's Board Conference room in Meridian. Pat Minegar offered to attend the meetings, as well as the Deputy Attorney General, at the request of the Chairman. It was suggested a couple of board members attend the meetings as well.

ACTION: The Division will schedule a code collaborative meeting to address the topic *Direct Supervision*.

ACTION: The topic *Direct Supervision* will be placed as an informational item on the agenda for the January 2018 Board meeting.

◆ **Program Manager Report**

High School Educational Program – As part of any high school educational program, a proposed statute change would allow students to perform residential trade-related installations and not be required to register as an apprentice in the state of Idaho. Several legislators are willing to run the proposed educational exemption apprenticeship at the 2018 legislature for all three trades.

◆ **Compliance Program Report**

The Compliance Program Specialist is redefining the Division's processes for the compliance program.

◆ **Administrator Report**

Financial Report – Reviewed was the Idaho HVAC Board Fund, FY 2017 financial statement as of October 31, 2017. The Meridian contract is contributing approximately 23.4% of the HVAC program's monthly revenue.

Permits – On November 7, 2017, the Division issued 287 permits.

Tiny Homes – Currently, there are tiny homes being built with no inspections, and used as motel rooms. DBS is going to try to start inspecting the electrical in all tiny homes, and is working to put together an industry group to discuss/rectify this issue.

Idaho National Laboratory (INL) – Ground was recently broken at the INL for a new \$1.8 billion extended core facility that will handle fuel waste from the nation’s fleet of nuclear-powered warships. It is projected 1,200 electricians will be hired, and will take between six to seven years to build.

◆ **Adjournment**

MOTION: Bill Hatch made a motion to adjourn the meeting. John Smith seconded. All in favor, motion carried.

The meeting adjourned at 12:48 p.m. (MST).

TED SERMON, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE
11/28/2017rb

DATE