

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

Tuesday – November 12, 2019 – 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 12, 2019 HVAC BOARD MEETING

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

Chairman Ted Sermon called the meeting to order at 9:32 a.m. (MST)

Board Members Present:

Ted Sermon, Chairman
Bill Carter, Vice-Chairman
Judy Van Cleave
Mark Ferm
Bill Hatch
Garret Christoffersen

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 J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

College of Western Idaho (CWI) Updates – Chris Miller, CWI HVAC Program Coordinator, will retire on December 16, 2019. A celebration of his career will be held December 13, 2019, noon to 3:00 p.m., at CWI’s Canyon County Center in Nampa.

There are 450 students enrolled in the HVAC program. In January 2020, the college will start a distance only type program. Enrollment is now open. With the new state standardized test, all educational institutions in Idaho will offer apprentices the opportunity to test up in years one, two and three beginning in the spring of 2020.

The law has changed where colleges can now host apprentices that were federally registered. Currently, the application is in the system for final review and signatures. Contractors do not have to keep a relationship with the U.S. Department of Labor Apprenticeship Bureau as it is now the responsibility of the colleges. Also, if a contractor bids on any federal projects, the Davis Bacon wages will not apply if they have this in place.

Consumer Protection – Homeowner Kim Yanecko came to the Board with questions and possible direction on how to proceed with a health and safety issue regarding an HVAC contractor not pulling permits nor properly installing heating systems. Mrs. Yanecko suggested continuing education units (CEU) be required as a form of training. The Board is working on

CEUs requirements with the hope of them becoming effective by 2021 or 2022. The work in question is not in the state's jurisdiction; therefore, it becomes the responsibility of the county in question to enforce proper maintenance code. Mrs. Yanecko questioned why there is not a repository of all HVAC permits. The state does not have the authority to regulate jurisdictions, only licensing. Upon further discussion, the Division will meet with Mrs. Yanecko to discuss and come up with a possible solution to her concerns.

For the record, Kenny Calkins, Cloverdale Plumbing, suggested DBS send a letter to the county, stating their inspections and codes must be as stringent as the state of Idaho's statute and rules. In addition, Mr. Calkins will contact the local Carrier distributor on this issue.

Dual Registration/Enrollment in Apprenticeship Programs – Bill Kurta, Rocky Mountain Mechanical, Inc., stated his apprentices are dual registered with the Division, and enrolled simultaneously in the HVAC and plumbing apprenticeship programs at CWI. When looking at the two programs, there is a lot of doubling in categories. Mr. Kurta asked for his apprentices to be able to take the tests and receive their HVAC and plumbing journeyman licenses at the end of the four years of schooling. The rules would need to be changed; therefore, Chairman Sermon suggested, and Mr. Kurta agreed, to draft language on the requirements an apprentice would need to receive multiple journeyman licenses at the same time. Upon receiving the documentation, the Board will make the proposal public.

Out-of-State Requirements for HVAC Journeyman License – Colton Pack has been in the HVAC trade for approximately nine years; however, the state he is coming from does not require an HVAC journeyman license. In the rules, an individual from out-of-state wanting to test for the journeyman exam must either provide 8,000 hours of HVAC work experience, as well as four years of schooling, equivalent to Idaho standards OR 16,000 hours of HVAC work experience. Currently, the rules do not allow the combination of both requirements to test. Mr. Pack has the 8,000 hour of work experience and two years of schooling; therefore, it was recommended Mr. Pack contact CWI to take a placement test for possible placement in the fourth-year apprenticeship program as fuel gas code and mechanical code training would prepare him for the journeyman test.

◆ **Approval of the November 12, 2019 Agenda and July 19, 2019 Meeting Minutes**

To accommodate a speaker's schedule who has traveled from eastern Idaho, informational agenda item 06, *Apprenticeship--Credit for Working Hours*, was moved in front of action agenda item 02, *Schedule 2020 Board Meetings*.

MOTION: Bill Carter made a motion to approve the agenda with the change, as well as approve the minutes as presented. Judy Van Cleave seconded. All in favor, motion carried.

◆ **Apprenticeship--Credit for Work Hours**

IDAPA 07.07.01.023.01 states in part, "...any HVAC apprentice who successfully completes a Board-approved, full-time, one (1)-academic-year HVAC training course may receive credit for up to one (1) year of on-the-job work experience." Mike LaPray, College of Southern Idaho (CSI) questioned if an apprentice is working full-time, as well as in a full-time apprenticeship program, can they be credited for time worked as well.

When the rule was created, it was the impression apprentices would not work while going to school full-time; therefore, receiving 2,000 hours of on-the-job work experience. After a lengthy discussion, the Board agreed if an apprentice wants to work and go to school full-time, they should be awarded for both.

The following schools have been approved by the Board to offer a full-time accredited HVAC apprenticeship program: North Idaho College, Lewis Clark State College, Northwest HVAC/R Association & Training Center and College of Southern Idaho.

When asked, a graduate from a one-year program with one-year work experience in the trade and the 60-hour fuel gas piping class can apply to test for the HVAC Fuel Gas Piping Specialty Journeyman license.

◆ **Schedule 2020 Board Meetings**

The proposed 2020 board meeting dates are: January 8, March 11, May 13, and November 5.

MOTION: Bill Hatch made a motion to accept the tentatively scheduled meeting dates for the year 2020 as presented. Judy Van Cleave seconded. All in favor, motion carried.

◆ **Licensing Freedom Act Proposals**

At the Governor's request a couple of years ago, DBS presented recommendations from the Board to eliminate barriers to licensing, overregulation, outdated or unnecessary items that have prevented individuals from practicing professionally in Idaho. The following suggestions were never resolved; therefore, the Board was asked whether to move forward with them: 1) Extend from one to two years the time in which an expired license may be revived without the licensee having to take another exam, and 2) Contractor be able to put his/her license in an inactive status. The Board agreed to move forward with both recommendations.

MOTION: Bill Carter made a motion to accept the extension from one to two years to renew a license and establish the ability for a contractor to place his/her license in an inactive status. Judy Van Cleave seconded. All in favor, motion carried.

◆ **Vote on the Pending Rules for Docket Number 07-0701-1901, which Adopts the 2018 Codes and Provides for Out-of-State Contractor Applications, and Docket Number 07-0701-1902, which Amends Registration Renewal Requirements and the Permit Fee Schedule**

In July 2019, the Board approved proposed rules to adopt the 2018 codes, provide for out-of-state contractor applications, amend registration renewal requirements, and permit fee schedule for review and approval at the 2020 legislature. A 21-day public comment period was required before the rules could become "pending". There were no comments on Docket Number 07-0701-1901; however, there was one comment on Docket Number 07-0701-1902. To comply with red tape reductions, the word "HVAC" was removed from several areas in the rule. At the public hearing, it was expressed if the apprentice is not clarified by the word "HVAC", it could be interpreted as any apprentice from other trades. Upon further discussion, the Board agreed to accept the proposal as presented since the changes are specifically in the HVAC chapter.

MOTION: Bill Carter made a motion to accept the pending rules in Docket Numbers 07-0701-1901 and 07-0701-1902. Judy Van Cleave seconded. All in favor, motion carried.

◆ **HVAC Contractor License**

Kostadin Krastev, HVAC Journeyman, would like to become an HVAC contractor in Idaho. IDAPA 07.07.01.021.02 reads, “Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC journeyman for a period of not less than twenty-four (24) months.” Although Mr. Krastev applied in 2010, he did not receive his HVAC journeyman license until September 2019. Mr. Krastev stated he has a business and worked as a journeyman for an HVAC company in another state for many years. There is proposed legislation going to the 2020 legislature regarding out-of-state contractor applications; however, there is nothing in rule at this time. Should the rule pass, Mr. Krastev will need to apply and show two years as an out-of-state journeyman before he can sit for the contractor exam.

◆ **Program Manager Report**

Inspector – a new HVAC inspector has been hired for the southeast region of the state of Idaho.

Proposed Legislation – At the Board’s January 2020 meeting, the HVAC Program Manager will present draft language to extend the time to renew a license without having to retest from one to two years, as well as establish a contractor can put his/her license in an inactive status.

ACTION: The HVAC Program Manager will provide draft language at the January 2020 board meeting to extend the length of time to renew a license without retesting from one to two years and establish that a contractor can put his/her license in an inactive status.

Classes – In spring 2020, code update classes will be provided throughout the state of Idaho.

◆ **Compliance Program Report**

Compliance Officer – Jeff Boyd is the new compliance officer for Region 2. The goal is to educate by bringing awareness to the licensing rules.

Boise Fall Home Show – In October 2019, Compliance Program Specialist Amy Kohler and Compliance Officer Boyd spoke to vendors at the Boise Fall Home Show; following up on one or two of the vendors. It is the hope of the Division to have a booth at the March 2020 Boise Spring Home Show; informing homeowners on how to research for a reliable contractors.

◆ **Administrator Report**

Financial Report – Financially, the program is holding its own; however, is substantially below the one-year cash reserve.

General Funds – The Governor has asked for a reset in general fund spending. Acknowledging that none of the HVAC funds are general funds but dedicated funds, any work DBS does on resetting general funds should not impact the HVAC program.

New Office Location – DBS has purchased a building in Blackfoot, once owned by the Department of Labor. Consolidation of the Division’s Idaho Falls and Pocatello offices will be completed by the first of December 2019.

Inspections – Typically when there is a three-day weekend the Division sees a surge in inspections, between 400 to 550, the Tuesday following the weekend. Today, there are 835 inspections scheduled among the Division’s 60 inspectors.

Consumer Protection (Cont’d) – DBS will research and solidify its knowledge in Kim Yanecko’s situation, then schedule a meeting with Mrs. Yanecko, a representative from the Governor’s office and possibly a representative from the county to further discuss her concerns.

◆ **Adjournment**

MOTION: Bill Hatch made a motion to adjourn. Judy Van Cleave seconded.

The meeting adjourned at 1:02 p.m. (MST).

TED SERMON, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

12/18/2019rb

DATE