

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

**Wednesday – August 12, 2020 – 9:30 a.m. (MDT)**

**Division of Building Safety  
1090 East Watertower Street, Suite 150, Meridian  
1250 Ironwood Drive, Suite 220, Coeur d’Alene  
155 North Maple Street, Blackfoot**

**MINUTES OF THE AUGUST 12, 2020 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 9:34 a.m. (MDT)

**Board Members Present:**

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

**DBS Staff Members Present:**

Ron Whitney, Administrator  
Patrick J. Grace, Deputy Administrator  
Spencer Holm, Deputy Attorney General  
Mike Hyde, HVAC Program Manager  
John Nielsen, Plumbing Program Manager  
Jeff Egan, Building Program Manager  
Adam Bowcutt, Regional Manager, Region 3  
Mike Paschall, Building Safety Inspector/Advisor  
Renee Bryant, Administrative Assistant 2

◆ **Recognition**

Bill Hatch was recognized for his service on the Board with a commemorative plaque, and Mike LaPray was welcomed as the new public member representative.

◆ **Open Forum**

Testing Requirements for Out-of-State HVAC Contractors – Dennis Kuzmenko, Oregon HVAC Contractor, brought forth his concerns that an HVAC contractor from a state that does not have licensing regulations must provide proof of 12 years working in the trade to qualify to take the Idaho HVAC contractor license exam. The requirements on how to obtain an IDAHO HVAC journeyman and/or contractor license were explained in detail. For review, Chairman Sermon suggested Mr. Kuzmenko submit documentation to HVAC Program Manager Michael Hyde and Deputy Attorney General Spencer Holm on how he reached the status of HVAC contractor in the state of Oregon. In addition, Chairman Sermon welcomed feedback from Mr. Kuzmenko on Idaho rules he finds are unclear.

◆ **Approval of the August 12, 2020 Agenda and March 11, 2020 Meeting Minutes**

**MOTION:** Bill Carter made a motion to approve the agenda and meeting minutes as presented. Mark Ferm seconded. All in favor, motion carried.

◆ **Vote to Authorize Notice of Omnibus Rulemaking – Adoption of Proposed Rule and Notice of Omnibus Fee Rulemaking – Adoption of Proposed Fee Rule with regard to IDAPA 24.39.70 (Formerly 07.07.01) in Docket Number 24-0000-2000F**

This year, similar to last year, the 2020 legislature did not reauthorize rules that had fees in them. To ensure the fee rules remain in place, the Governor's office sanctioned them on a temporary basis. The Board has the authority to promulgate rules; therefore, DBS asked for its approval to place them into a proposed state, which gets them further along in the rulemaking process for possible reauthorization at the 2021 legislature.

The rules have not changed since presented to the legislature in 2020. DBS is now under the Division of Occupational and Professional Licensing; therefore, the IDAPA rules under the Idaho HVAC Board have been recodified from 07.07.01 to 24.39.70.

**MOTION:** Mark Ferm made a motion to authorize Notice of Omnibus Rulemaking – Adoption of Proposed Rule and Notice of Omnibus Fee Rulemaking – Adoption of Proposed Fee Rule with regard to IDAPA 24.39.70 (formerly 07.07.01) in Docket Number 24-0000-2000F. Bill Carter seconded. All in favor, motion carried.

Michael Hyde was introduced as the new HVAC Program Manager for the Division.

◆ **Two Year Renewal Grace Period & Inactive Contractor Renewals**

The proposal amends Idaho Code § 54-5013 *Certificate Expiration -- Renewal -- Reinstatement*; allowing a journeyman and/or contractor license to be revived up to two years after it expires without having to test. In addition, the statute allows for the renewal of inactive contractor licenses on a yearly basis. As a side note, to renew an active contractor license is \$50 per year, whereas the renewal fee for an inactive contractor is \$36 per year.

**MOTION:** Bill Carter made a motion to accept the two year rather than one-year statute change. Judy Van Cleave seconded. All in favor, motion carried.

◆ **Continuing Education Units (CEU)**

CE Broker, DBS's CEU vendor, gets applications from third party instructors. HVAC Program Manager Hyde requested the Board give him permission to approve or deny CEU providers and their courses in lieu of having to present them to the Board on a regular basis. The Board was asked how it would like the eight hours of CEU classes; code related, industry related or a combination of the two. After July 2021, apprentices will renew their licenses on a yearly basis, rather than every five years. This is another path for an apprentice not in school to show at least eight hours of CEU to renew their registration. This does not advance them in an HVAC apprenticeship program.

Board Member Van Cleave asked to be included in the initial review process to offer suggestions and to assist in possibly streamlining the new program.

The Chairman requested the topic *Discuss Content of CEUs* be added as an action item to the next board meeting agenda; as well as approve Board Member Judy Van Cleave as the liaison for the Board, working with the HVAC Program Manager on CEUs.

**MOTION:** Bill Carter made a motion to approve the CEU standards as presented in the packet. Garret Christoffersen seconded. All in favor, motion carried.

**ACTION:** The topic *Discuss Content of CEUs* to be added to the next board meeting agenda as an action item.

◆ **Red Tape Reduction--HVAC Permit Fees**

The permit fee schedule is in both statute and rules. As part of the red tape reduction, it was proposed to remove the schedule from the statute as it is redundant and no longer necessary.

**MOTION:** Bill Carter made a motion to accept the reduction of rulemaking language as presented. Mark Ferm seconded. All in favor, motion carried.

◆ **Program Manager Report**

Recently accepting the position of HVAC Program Manager, Mike Hyde did not have much to report. However, over the past few years, he has worked with former HVAC Program Manager John Nielsen on the HVAC program. During the Covid pandemic, inspectors have stayed busy with inspections. At future meetings, Mr. Hyde will present new ideas to better improve the program; i.e., how the inspection group works and operates, how DBS delineates areas, numbers, etc. One specific idea is a state mechanical inspector certification.

◆ **Compliance Program Report**

On behalf of the Compliance Program Specialist, the Compliance report was presented by the HVAC Program Manager. Since the last board meeting, there has been no Notice of Violations (NOVs) issued regarding licensure but rather warning letters to contractors for permits expiring without a final inspection. Internally, changes have been made to compliance, with the level of enforcement/compliance continuing to go through the Division's HVAC, plumbing and electrical inspectors statewide. In addition, there has been discussion to hire a new compliance officer.

◆ **Administrator Report**

Administrator – With the retirement of Chris Jensen in August 2020, the Governor appointed Ron Whitney as Administrator of the Division of Building Safety.

Financial Report – As Covid-19 set-in, the Governor determined construction an essential activity. The Division has been tracking permits/inspection activity on a daily basis; providing the information to the Governor's office. The actual dollar volume on permits has gone down a bit; however, the volume of activity has risen. The Division's permit activity, issued on a daily/weekly/monthly basis, for 2020 has exceeded 2019 for the months of March, April, June and July.

Governmental Structural Change – Administrator Whitney explained the processes in which the Division, and its boards, are now under the Division of Occupational and Professional Licensing (IDOPL). As part of the reorganization, the Division will be moving to the Idaho Chinden Campus in 2021.

Acknowledgement – Congratulations went to Mike Hyde on his new position, and to John Nielsen for his many years of support and service to the Board.

Web-Ex – Dealing with Coronavirus requirements, as well as limited space at the Division’s three office locations, DBS is looking into Cisco WebEx, an online meetings program that is compatible with its current videoconferencing system. The objective is to use WebEx at the Board’s next meeting in November.

**Adjournment**

**MOTION:** Judy Van Cleave made a motion to adjourn the meeting. Bill Carter seconded. All in favor. Motion carried.

The meeting adjourned at 11:05 a.m. (MDT).

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TED SERMON, CHAIRMAN  
HEATING, VENTILATION AND  
AIR CONDITIONING BOARD

\_\_\_\_\_  
RON WHITNEY, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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