

**IDAHO HVAC BOARD
SPECIAL TELECONFERENCE/
VIDEOCONFERENCE MEETING**

Wednesday – February 24, 2021 – 10:00 a.m. (MST)

**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 FEBRUARY 24, 2021 SPECIAL 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 special meeting to order at 10:08 a.m. (MST)

Board Members Present:

Ted Sermon, Chairman-Teleconference
Randy Hart
Judy Van Cleave
Mike LaPray-Teleconference
Mark Ferm-Teleconference
Garret Christoffersen-Teleconference

DBS Staff Members Present:

Ron Whitney, Administrator
Patrick Grace, Deputy Administrator
Spencer Holm, Deputy Attorney General-Teleconference
Larry Jeffres, Regional Manager, Region 1
Adam Bowcutt, Regional Manager, Region 3
Mike Paschall, Regional Supervisor, Region 1
Michael Hyde, HVAC Program Manager
Renee Bryant, Administrative Assistant 2

◆ **Authorize Notice of Adoption of Temporary Rule Regarding IDAPA 24.39.70**

At the adjournment of each legislative session, all fee rules must be approved via concurrent resolution by both the House and Senate Floors. In the past, fee rules have not been reauthorized. Therefore, in preparation of this possibly happening again, the Governor’s office has asked all boards with rulemaking authority to promulgate them on a temporary basis. The rules would then be in place until the legislature meets in 2022. The substance of the rules have not changed since being submitted to the 2021 legislature and would become effective upon sine die.

MOTION: Randy Hart made a motion that pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens. These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws. The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules. The Governor has also found that the fees or charges being imposed or increased are justified and necessary to avoid immediate danger to the agency/board/commission’s budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho’s constitutional requirement that it balance its budget. Therefore, we are adopting IDAPA 24.39.70 to be effective upon sine die of

the 2021 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including sections 67-5291 and 67-5292, Idaho Code. Judy Van Cleave seconded. All in favor, motion carried.

◆ **Board Funds**

Board Member Judy Van Cleave requested additional information on the Board’s funds be provided; specifically, as it pertains to the Division merging with DOPL. Administrator Ron Whitney offered for the Division’s Financial Officer Fred Sisneros to discuss this topic after the meeting.

◆ **Legislative Update**

Unable to get a sponsor, the Division pulled the statutory proposal from this legislative session as it relates to the Board extending from one to two years the time in which individuals could take the exam if their license lapse. It also provided for an inactive category of licensure for contractors and removed a whole section of fees from statute as they already exist in the rules.

◆ **Adjournment**

MOTION: Judy Van Cleave made a motion to adjourn the meeting. Randy Hart seconded.

The meeting adjourned at 10:20 a.m. (MST).

TED SERMON, CHAIRMAN
IDAHO HVAC BOARD

RON WHITNEY, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

03/09/2021rb