

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

Thursday – February 1, 2018 – 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 FEBRUARY 1, 2018 MEETING

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

Chairman Ted Sermon called the meeting to order at 9:30 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:

Patrick J. Grace, Regional Manager, Region 2
John Nielsen, HVAC Program Manager
Spencer Holm, Deputy Attorney General
Jeff Egan, Regional Manager, Region 3
Chuck Knapp, Regional Supervisor, Region 1
Adam Bowcutt, Regional Supervisor, Region 3
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Associations – Kenny Calkins, Treasure Valley Master Plumbers Association Representative, explained the need for associations. HVAC contractors were encouraged to establish an HVAC Contractors Association “Association” in their areas. Eastern Idaho still has an active Association.

◆ **Approval of the February 1, 2018 Agenda**

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

◆ **Approval of the November 8, 2017 Meeting Minutes**

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

◆ **Testing Upon Completion of Apprenticeship Program**

DBS presented a draft rule to allow HVAC apprentices to take the written journeyman exam upon completion of an Idaho HVAC Board approved training course. As stated by Chairman Sermon, the Board will no longer pursue the issue of constant on-the-job supervision. Therefore, the verbiage “constant on-the-job” will be removed from the proposal.

ACTION: The Division will remove the verbiage “constant on-the-job” from subsection b of the proposed rule change.

MOTION: Bill Hatch made a motion to accept the proposed rule with the recommended correction. Randy Hart seconded. All in favor, motion carried.

◆ **Licensing Freedom Executive Order**

In May 2017, the Lt. Governor signed Executive Order 2017-06. The Order requires state agencies issuing professional and occupational licenses to assess their license requirements and procedures and provide a report to the Governor’s office by July 1, 2018. To obtain more information or submit comments, a link is available on the Division’s website. For the March meeting, Regional Manager Patrick J. Grace offered to provide the Division’s report.

ACTION: Regional Manager Grace will present the Division’s report at the March 2018 Board meeting.

ACTION: The topic *Licensing Freedom Executive Order* will be placed on the March 2018 agenda as an informational item.

◆ **Direct Supervision**

A collaborative group met in January 2018 to discuss direct supervision. The Chairman stated the industry strongly opposes it, and as representatives of the HVAC industry, the Board will no longer consider, nor further discuss this issue.

◆ **Apprenticeship--2,000 Hour Requirement**

At the January 2006 meeting, the Board approved a list of training providers offering a nine-month full-time apprenticeship program. The program was equivalent to four years or 576 hours of apprenticeship training, and upon completion, the apprentices would receive one year of credit or 2,000 hours toward their apprenticeship.

Deputy Attorney General Spencer Holm read IDAPA 07.07.01.023.01; explaining the Board cannot override a rule. However, should the Board want to change the rule to meet the requirements from 2006, it would need to go through the negotiated rulemaking process.

Mike LaPray, HVAC Assistant Professor, College of Southern Idaho, teaches an 11-month/800 hour night program. Concerned, Mr. LaPray offered to invite the college’s advisory board to attend the March HVAC Board meeting.

Tena Risley, Executive Director of Northwest HVAC/R Association & Training Center, stated her facility offers a one-year full-time program as well.

Chris Miller, HVAC Program Coordinator, College of Western Idaho (CWI), suggested the rule be changed to 2,000 hours for one year; creating a path for individuals to enter into the trade.

The Chairman asked if Northwest HVAC/R Association & Training Center has accredited their full-time apprentices the one year of credit or 2,000 hours toward their apprenticeship over the last four years. Ms. Risley will research and inform the Board of her findings.

DBS will begin the negotiated rulemaking process to allow apprentices in a full-time one-year program with lab to earn one year of on-the-job training.

ACTION: The Division will bring to the March 2018 meeting a proposed rule change.

ACTION: The topic *Apprenticeship--2,000 Hour Requirement* will be placed on the March 2018 agenda as an informational item.

At the request of the Chairman, the topic *Continuing Education Units (CEU)* to be added as an informational item to the agenda for the March meeting as well.

ACTION: The topic *Continuing Education Units (CEU)* will be placed on the March 2018 agenda as an informational item.

◆ **Air Balancing--Specialty License**

The Idaho Association of Building Officials (IDABO) certify air balancers in the state of Idaho; however, Board Member Geoff Oldenkamp expressed the Board/DBS should be responsible for the certifications. In addition, Mr. Oldenkamp suggested a specialty license be required for heat load calculations since there is no training requirements for non-licensed individuals to ensure their work is done correctly.

CWI teaches manuals J and D through its HVAC apprenticeship program. There are also online and classroom courses for Manual J, which incorporates manuals D and S.

Rather than create a new license, a suggestion was to have the contractor take a simple “endorsement” test. Deputy Attorney General Holm read Idaho Code § 54-5015(2), explaining local jurisdictions cannot require certifications or registrations in addition to what DBS issues to engage in the HVAC trade.

In statute, “design” is part of the HVAC definition, and manuals J, D and S are all part of the design for residential. Therefore, unlicensed individuals providing heat load calculations and air balancing are technically working illegally; however, the Division does not have a clear path to verify/require a license.

When asked if an individual is required to have an HVAC license, Deputy Attorney General Holm explained in statute, the purpose of the *Declaration of Policy* is to ensure the installation of HVAC systems are in accordance with code. It is up to the Board to decide whether the two items are part of the HVAC trade and require testing. If not, then local jurisdictions have the ability to require a certification.

Upon further discussion, it was determined licenses, to perform air balancing and heat load calculations, are not needed as it is the contractor's responsibility to ensure employees/sub-contractors are proficient in the trade.

◆ **Natural Ventilation**

At the October 2017 Board meeting, Board Member Oldenkamp brought up natural ventilation as an option for providing fresh air into homes. Mr. Oldenkamp stated that with the continuance of high power bills, especially with heat pumps, individuals need other options beside hooking up a duct to the turning point and running it outside.

Energy Program Manager Jerry Peterson explained the minimum ventilation rate as it pertains to carbon dioxide (CO₂) gas, as well as addressed air handler, balance system, and the American Society of Heating, Refrigerating and Air-Conditioning Engineers 2010 standards. Upon speaking with DBS staff, Mr. Peterson does not see a need to change the codes.

◆ **Apprentice Age Requirement**

Upon further research, Deputy Attorney General Holm explained the minimum age to become an HVAC apprentice or HVAC specialty apprentice is eighteen. If registered in a Bureau of Apprenticeship Training certified HVAC training program, the age is sixteen. The age requirement is currently in IDAPA 07.07.01.025 and 026.

Contractors were encourage to partner with the Department of Labor's Office of Apprenticeship for recruitment and training of the next generation of HVAC trades people.

◆ **High School Educational Program**

Representative Wendy Horman is the sponsor of a bill that will allow high school students, supervised by a journeyman, perform HVAC, plumbing and electrical without the required apprentice registration. The bill will go before the 2018 legislative session.

◆ **Program Manager Report**

Legislative Update – Both the House and Senate committees approved the Board's two draft rules to delete subsection (k) Section M1507.3.1 *System Design* from IDAPA 07.07.01.006.01, and define inspector qualifications.

On January 31, 2018, the HVAC Program Manager presented the routing slip (RS) for exemptions from HVAC licensure for homeowners and certain maintenance HVAC work.

Legislators questioned the proposed statute change to allow Career-Technical Education, along with the Board, to work with training facilities to standardize the apprenticeship programs in Idaho.

◆ **Compliance Program Report**

Compliance and Local Jurisdictions – In the near future, the Compliance Program Specialist will contact local jurisdictions doing their own inspections and offer to work with them to

issue warnings and/or notice of violations to unlicensed individuals. The goal is to be consistent with compliance throughout the state, not just within the Division’s jurisdiction.

◆ **Administrator Report**

Potential Legislation – Recently, cities have been adopting the 2015 International Residential Code; however, the Idaho Building Code Board has only approved the 2012 code. There is expectation of dueling legislation by opposing industry-related groups to identify whether or not cities have the ability to adopt building and/or residential codes other than what the Building Code Board has already adopted.

Backflow Prevention/Cross Connection Control – Representative Lance Clow is endorsing the removal of annual testing in the plumbing code book and Idaho Department of Environmental Quality rules.

Budget – Upon a hearing with Administrator Chris L. Jensen, the Joint Finance-Appropriations Committee approved the Division’s budget.

◆ **Adjournment**

MOTION: Bill Hatch made a motion to adjourn the meeting. John Smith seconded.

The meeting adjourned at 12:25 p.m. (MST).

TED SERMON, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

02/28/2018rb

DATE