

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

**Wednesday – May 9, 2018 – 9:30 a.m. (MDT)**

**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 MAY 9, 2018 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 9:30 a.m. (MDT)

**Board Members Present:**

Ted Sermon, Chairman  
Randy Hart  
Bill Carter  
Bill Hatch  
Bill Vandegrift

**DBS Staff Members Present:**

Chris L. Jensen, Administrator - Teleconference  
Ron Whitney, Deputy Administrator  
John Nielsen, HVAC Program Manager  
Spencer Holm, Deputy Attorney General  
Larry Jeffres, Regional Manager, Region 1  
Patrick J. Grace, Regional Manager, Region 2  
Jeff Egan, Regional Manager, Region 3  
Adam Bowcutt, Regional Supervisor, Region 3  
Renee Bryant, Administrative Assistant 2

◆ **Recognition**

Recognized for their service on the Idaho HVAC Board were John Smith and Geoff Oldenkamp.

◆ **Open Forum**

Permit Fee – In April 2018, Kootenai County chose to remove the ordinances and dispense with their HVAC Program. By law, it then falls to DBS. John Rupert, Comfy Fire, stated the current HVAC fee structure is based on square footage for new construction. The HVAC contractor installing all HVAC work and the HVAC specialty contractor installing one appliance pay the same amount for a permit. This is incredibly burdensome, prejudicial and a penalty tax to small businesses and specialty contractors. Mr. Rupert suggested changing the fee structure from square footage to per fixture.

Hearing this issue for the first time, the Chairman asked Mr. Rupert to put together a proposal and bring it to the November Board meeting for review. Regional Manager Larry Jeffres offered to work closely with Mr. Rupert.

Apprenticeship--2000 Hour Requirement – Kassi Silvas, Dean of Career Technical Education at North Idaho College (NIC), addressed the 2,000-hour on-the-job training (OJT)

requirement approved by the Board at its January 2006 meeting. In the past, DBS approved students to take the journeyman exam upon completion of the one-year full-time apprenticeship program. Recently becoming aware of a graduate denied to test for journeyman, Ms. Silvas requested the Board honor the 2006 rule by grandfathering the students graduating in 2018, as well as the graduates in 2017.

Chairman Sermon explained the history behind the topic, as well as stated there would be further discussion under agenda item 03, *PUBLIC HEARING–Negotiated Rulemaking–Apprenticeship--2000 Hour Requirement*.

◆ **Approval of the May 9, 2018 Agenda**

Agenda item 04, *Idaho Code § 54-5004(3) Idaho Ventilation and Air Conditioning Board*, was added to the agenda as an action item less than the required 48 hour notice for a regular meeting. To amend the agenda, a motion and good faith reason why the item was not included in the original agenda was required.

**MOTION:** Bill Hatch made a motion to amend the agenda to include action agenda item 04, *Idaho Code § 54-5004(3) Idaho Ventilation and Air Conditioning Board*. Bill Vandegrift seconded. All in favor, motion carried.

The good faith reason was the HVAC program did not decide there would be action required until after the 48-hour period had passed.

**MOTION:** Bill Carter made a motion to approve the agenda as amended. Bill Hatch seconded. All in favor, motion carried.

◆ **Approval of the March 14, 2018 Meeting Minutes**

**MOTION:** Bill Hatch made a motion to approve the minutes as presented in the packet. Bill Carter seconded. All in favor, motion carried.

◆ **PUBLIC HEARING–Negotiated Rulemaking–Apprenticeship--2000 Hour Requirement**

Presented was a proposed rule change to IDAPA 07.07.01.023.01 *HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY: REQUIREMENTS* that would allow an apprentice who completes a board-approved, full-time HVAC training course, which consists of a minimum of 800 hours of combined class and laboratory time, to receive up to one year of on-the-job experience toward the apprentice’s fourth year. It was determined the text did not need to specify a certain year; therefore, it was recommended removing the verbiage “toward the apprentice’s fourth year”.

To meet the requirements, Chairman Sermon requested, and Kassi Silvas, Dean of Career Technical Education at NIC agreed, to provide the school’s curriculum.

Following are suggestions to the proposal: 1) Breakdown the specific number of hours for lab time; one (1) year OR hour for hour, 2) Make it a temporary and proposed rule, 3) Add “If deadline is missed, students may appeal to the Board and be considered on an individual basis”, 4) Clarify the type of program; i.e., “one-year intensive”, “one-year academic”, etc.,

5) Add “Classroom/lab time interpreted by the Board”, and 6) Do not separate classroom/lab hours as long as the programs are approved by the Board.

After a lengthy discussion, the draft proposal will be submitted as a temporary and proposed rule and will read, “Notwithstanding the requirement that an apprentice demonstrate four (4) years of on-the-job experience, an apprentice who successfully completes a board-approved, one-year full-time HVAC training course may receive up to one (1) year of on-the-job experience.”

**MOTION:** Bill Carter made a motion to approve, with the addition of the words “successful” and “one-year”, as well as additional clarifications, the proposed rule on a temporary and permanent basis. Bill Hatch seconded. All in favor, motion carried.

◆ **Idaho Code § 54-5004(3) Idaho Ventilation and Air Conditioning Board**

The proposed statute change deals with the makeup of the HVAC Board. With only 22 individuals licensed as specialty contractors with DBS, it is practically impossible to fill the HVAC specialty contractor position on the Board. Therefore, to broaden the scope of qualified individuals, the proposal replaces “an HVAC specialty contractor” with “a representative of the HVAC industry”.

**MOTION:** Bill Carter made a motion to change the wording as written from “specialty” to “representative”. Randy Hart seconded. Four ayes, one nay, motion carried.

◆ **Licensing Freedom Executive Order--Final Draft**

Patrick J. Grace, Regional Manager, provided the Board with the final reports, with the recommended changes from the March 2018 meeting, on the HVAC Contractor and Specialty Contractor Licenses, HVAC Journeyman and Specialty Journeyman Licenses, and HVAC Apprentice and Specialty Apprentice Registration.

◆ **Continuing Education (CE)**

The HVAC Program Manager explained the CE requirements for the electrical and plumbing trades. Mimicking plumbing, HVAC journeymen would need to complete, every three years, eight hours of CE (four hours HVAC code update related and four hours industry related). HVAC contractors would need to complete 16 hours of CE every three years. Hours accrued by obtaining journeyman education would apply whenever applicable.

This topic is informational only and would not be eligible for consideration until the 2020 legislature. The Chairman requested, and the HVAC Program Manager offered, to send an e-mail to all interested parties on the potential for CE in the HVAC trade.

**ACTION:** The Division will send an e-mail to the HVAC trade and colleges of the HVAC Board’s consideration of CE.

◆ **Code Updates**

The HVAC trade is currently using the 2012 codes. Joe Barlow, DBS Mechanical Plans Examiner, is comparing the 2015 and 2018 International Residential Code (IRC) and

International Mechanical Code (IMC). The Board is unsure which code to consider for future adoption. Mr. Barlow recommended the 2018 codes; stating it seems to clarify more than the 2015 codes.

Upon further discussion, the Board agreed to consider the 2018 codes. The HVAC Program Manager will provide an overview of significant changes in the 2018 IRC and IMC at the November 2018 Board meeting.

**ACTION:** For the November meeting, the HVAC Program Manager will provide an overview on significant changes between the 2012 and 2018 codes.

**ACTION:** The topic *Code Updates* will be placed on the November agenda as an informational item.

◆ **Program Manager Report**

Legislation – DBS will present two draft rules and one proposed statute change to the 2019 legislative session. The rules are to test upon completion of apprenticeship school (no hours), and credit for full-time on-the-job experience. The statute replaces the HVAC Specialty Contractor representative with a representative of the HVAC industry.

Mechanical Program – In January 1, 2019, the Division will implement a new statewide mechanical program to require, in its jurisdiction, Manuals S, J, and D for new residential construction only.

Training – DBS staff will travel throughout the state of Idaho; providing training on submittal procedures, plan review and inspection requirements for S, J, and D Manuals in June. Additional information is available on the Division’s website.

◆ **Compliance Program Report**

Employee Appreciation Month – May is Employee Appreciation month in the state of Idaho. The Compliance Program Specialist took advantage of this opportunity to travel and meet with the Division’s inspectors; discussing the Compliance program and any specific compliance issue(s) in their regions.

Reports – Addressed was the HVAC Journeyman 1<sup>st</sup> Exam report, as well as the Notice of Violation Activity report.

◆ **Administrator Report**

Financial Report – The Division prefers the HVAC program have at least one year in reserve of operating costs. Currently, there is approximately six months’ worth.

City of Meridian – The Division has provided a 60-day notice to the city of Meridian to terminate its electrical and building programs; working through the original three-year contract which ends September 30, 2018. The Mechanical program is still intact, as the City has specifically asked for a three-year extension.

Travel for Board Meetings – The Chairman questioned the possibility of traveling throughout the state for meetings. If confined to the Coeur d’Alene, Meridian and Pocatello areas, others would still have the ability to participate via videoconference. In addition, the Board could travel; however, DBS may possibly stay in their respective regions; lowering the cost of travel. Mike LaPray, HVAC Assistant Professor, College of Southern Idaho, offered the services of the college.

For the November 2018 Board meeting, Chairman Sermon suggested adding the topic to the agenda as an informational item.

**ACTION:** The topic *Travel for Board Meetings* will be placed as an informational item on the November 2018 agenda.

◆ **Adjournment**

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

The meeting adjourned at 12:30 p.m. (MDT).

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TED SERMON, CHAIRMAN  
HEATING, VENTILATION AND  
AIR CONDITIONING BOARD

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CHRIS L. JENSEN, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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DATE

10/31/2018rb

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DATE