

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

Wednesday – May 10, 2017 – 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 10, 2017 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 Dan Brizee called the meeting to order at 9:34 a.m. (MDT)

Board Members Present:

Dan Brizee, Chairman
Ted Sermon, Vice-Chairman
Bill Carter
John Smith
Bill Vandegrift
Tim LaMott
Bruce Graham

DBS Staff Members Present:

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

◆ **Acknowledgement**

Board Member Tim LaMott has chosen not to be reappointed to the Board as the HVAC Contractor Representative; therefore, this is his last “official” meeting.

◆ **Open Forum**

HVAC Trainee – The Idaho Electrical Board directed Electrical Program Manager Warren Wing to address with the HVAC Board inconsistencies in the rules and interpretations of HVAC trainees/apprentices performing electrical installations unsupervised.

When the Memorandum of Understanding (MOU) was established between the HVAC, Electrical and Plumbing Boards, it was not the intent of the Electrical Board for trainees/apprentices to work unsupervised.

Following are suggestions to assist in eliminating the situation: 1) Have a three-way conversation with the boards, 2) Add a limited scope of electrical work under the HVAC journeyman license; i.e., replacement of condensers, furnaces, etc., and 3) The Electrical Board require an electrical specialty license across the trades.

HVAC Program Manager John Nielsen offered to meet with Chris Miller, College of Western Idaho, to provide additional electrical training to the Division’s HVAC and plumbing inspectors.

Test Pressure – Randy Hastings, R & R Heating, asked for the history behind test pressure changing from 10 lbs. to 20 lbs. in IDAPA 07.07.01.005(f) Adoption And Incorporation By Reference Of The International Fuel Gas Code, 2012 Edition.

The gas supplier in northern Idaho is Avista and Intermountain Gas Company is the supplier for southern Idaho. In the past, each supplier had its own requirements for test pressure; however, in April 2006, the rule changed to 20 lbs.

◆ **Approval of the May 10, 2017 Agenda and February 8, 2017 Meeting Minutes**

Chairman Brizee called for a motion to approve the May 10, 2017 tentative agenda and February 8, 2017 draft minutes.

Board Member LaMott stated there needed clarification in the minutes. On page two under *Title 54 Chapter 50 Idaho Code*, there were several areas where the minutes reflected the next HVAC Board meeting was in April or on April 26, 2017. The actual meeting date is May 10, 2017.

MOTION: Ted Sermon made a motion to approve the tentative agenda as presented and the draft minutes with the corrections. John Smith seconded. Vote called. All in favor, motion carried.

◆ **Election of Officers**

Idaho Code § 54-5004 (4) “Idaho heating, ventilation and air conditioning board” states in part, “...At the board's first meeting, and every two (2) years thereafter, the members shall elect one (1) of their number to be chairman and one (1) of their number to be vice-chairman.”

Chairman

NOMINATION: Ted Sermon nominated Dan Brizee for reappointment of chairman. Mr. Brizee declined and Mr. Sermon withdrew his nomination.

NOMINATION: Bruce Graham nominated Ted Sermon for chairman. Bill Carter seconded. Vote called. Six ayes and one nay, motion carried.

Vice-Chairman

NOMINATION: Ted Sermon nominated Dan Brizee for vice-chairman.

NOMINATION: Tim LaMott nominated John Smith for vice-chairman. Bill Vandegrift seconded. Vote called. Six ayes and one nay, motion carried.

As the newly appointed chairman, Ted Sermon oversaw the remainder of the meeting.

◆ **Adoption of the Uniform Mechanical Code (UMC)**

Agenda item ten *Adoption of the Uniform Mechanical Code (UMC)* was moved in front of agenda item four *School to Registered Apprenticeship Program* due to a scheduling conflict with an audience member.

HVAC Program Manager Nielsen is working with Kraig Stevenson, International Code Council (ICC) to assemble a subcommittee to discuss whether to adopt the UMC.

Richard Bigelow, Nez Perce County, and Randy Hastings, R & R Heating, stated their opposition with going back to the UMC.

Chairman Sermon asked Mr. Bigelow to provide to the HVAC Program Manager information on why the state of Idaho should stay with the International Mechanical Code (IMC). Mr. Bigelow would like to be on the subcommittee and will provide his information to the Chairman.

Tena Risley, Northwest HVAC Association, Washington State, stated the association's Board of Directors endorse and support keeping the international codes (I-Codes) in Idaho. Should there be further discussion, or a committee created, the association would ask for reasons, other than the cost of books, to adopt the UMC.

Kraig Stevenson, ICC, provided the history behind stand-alone and correlated codes. Code books can be purchased individually or as a set, and if Idaho wants everything in one book, ICC will explore and provide the product. Mr. Stevenson suggested several ways ICC can work with the Board to ensure the I-Codes continue to be the standard in Idaho.

Jed Scheuermann, International Association of Plumbing and Mechanical Officials (IAPMO®), offered IAPMO's assistance. IAPMO publishes custom codes; collaborating with the state of Idaho to create the Idaho State Plumbing Code. IAPMO will continue to provide training and code books, at no extra cost, to jurisdictions that change to the UMC.

◆ **School to Registered Apprenticeship Program**

Wendi Secrist, Career & Technical Education, updated the Board on the Apprenticeship Idaho Initiative and the opportunities it creates that CTE is working with to develop School to Registered Apprenticeship Program (STRAP) throughout the state of Idaho.

Irene Westrick, Boise School District, stated the STRAP program for the electrical trade is ready for the Boise School District and will begin in the 2017-2018 school year. The first year is a foundational class exploring all construction trades. In the second year, students choose which pathway they want to go, and the third year students continue in the pathway of their chosen trade. The goal is by the time student's graduate from high school they will have completed the first year of their related training.

Currently, the HVAC Board is the only regulatory body that has statutory authority to oversee Idaho's HVAC apprenticeship schooling. Adding CTE as a partner with the Board would give better oversight and standardize the materials taught throughout Idaho.

To move forward with the STRAP program for HVAC the following is required: 1) Statute change designating authority to the Idaho CTE over related training, 2) Update/develop industry standards, 3) Conduct criticality survey, 4) Approval of the HVAC Board, 5) Approval of the State Board of Education, and 6) Develop end of course assessments.

The Chairman asked, and Wendi Secrist offered, to provide labor law clarifications for STRAP, and U.S. Department of Labor (DOL) checklist for registering an apprenticeship program.

There was confusion whether a contractor who has his/her apprenticeship program registered with the U.S. DOL has to register ALL apprentices working for the company. Ms. Secrist offered to follow-up with the Board on this issue.

The Division will provide draft language, in statute, authorizing CTE to provide professional oversight on HVAC related training.

The Chairman requested the topic *School to Registered Apprenticeship Program* be an action item on the agenda for the July Board meeting.

ACTION: At the July 12th meeting, HVAC Program Manager will provide draft language to the statute designating authority to the Idaho CTE over related training.

ACTION: The topic *School to Registered Apprenticeship Program* will be placed on the July 12, 2017 agenda as an action item.

◆ **Inspection and Start-Up Checklist**

Board Member Graham explained a situation where a non-licensed contractor worked on a school without pulling a permit nor requesting an inspection. Frustrated with the situation, Mr. Graham suggested inspectors use a start-up checklist when performing inspections; stating this would put the onerous back on the contractor and ensure the health and safety needs of the citizens of Idaho.

The HVAC Program Manager, as well as several city and county officials, were asked if they use a start-up checklist. The answer was no; however, each jurisdiction has its own process/system to keep track of when, where and what has been inspected.

Board Member Graham stressed with no start-up checklist, there is no accountability on the part of the cities, counties and state. Mr. Graham was unable to answer the question of what he would like on a checklist. Richard Bigelow, Nez Perce County, cited the ICC has a 2012 IMC Design, Installation and Inspection Principles book.

Upon further discussion, it was determined there is: 1) Lack of education/training for inspectors and installers, 2) Inspector's jobs are to ensure permits are pulled and jobs are in code compliance, not quality assurance or control, and 3) Primary responsibility for jobs are the licensed contractors.

◆ **Apprentice Supervision**

For many years, the Board has discussed apprentice supervision; however, has never acted on it. Chairman Sermon suggested moving forward with the negotiated rulemaking process; requiring apprentices to be under constant supervision effective January 1, 2020.

Board Member LaMott suggested rather than one type of supervision, have different levels/categories based on the work an apprentice performs. Mr. LaMott stated compliance is a bigger issue than supervision in terms of life safety and the potential of extra costs to a project.

Administrator Chris L. Jensen stated the Division is in the process of making significant changes to its compliance program.

Board Member Graham believes the following is needed: 1) Journeymen perform start-ups, not run flex-duct, 2) More continued education, and 3) Jobs be permitted.

After a lengthy discussion, Chairman Sermon asked the Division to provide proposed legislation, as well as place the topic *Apprentice Supervision* as an action item on the agenda for the July Board meeting.

ACTION: The Division will provide draft legislation at the July 2017 Board meeting.

ACTION: The topic *Apprentice Supervision* will be placed on the July 12, 2017 agenda as an action item.

◆ **Title 54 Chapter 50, Idaho Code**

At a previous meeting, the Board decided to make changes to the Idaho Code a few sections at a time rather than undertake the whole statute at once. Therefore, the Program Manager presented changes to Idaho Code § 54-5002 Exceptions (1) and (4) AND § 54-5017 Permits-Application-Fee.

Idaho Code § 54-5002 Exceptions (1) and (4) – Paragraph one (1) pertains to property owners working on their primary and secondary residences, and paragraph four (4) is on maintenance work. The proposed changes clarify both paragraphs; providing more detail and making enforcement much easier.

Idaho Code § 54-5017 -- Application -- Fees – This is a housekeeping item; changing from “board” to “division of building safety” for permit applications and expiration of permits, as well as approval of forms from the “board” to the “administrator”.

The Board agreed both sections should move forward to the July Board meeting as action items.

ACTION: The topic *Title 54 Chapter 50, Idaho Code* will be placed on the July 12, 2017 agenda as an action item.

◆ **HVAC Inspector Certification**

The proposed rule creates a new subsection in IDAPA 07.07.01 and will require all HVAC inspectors to be certified through the International Association of Plumbing and Mechanical Officials (IAPMO), International Code Council (ICC), or any other professional certifying body approved by the Board.

At the July Board meeting, the topic *HVAC Inspector Certification* will be an action item on the agenda for the July 2017 Board meeting.

ACTION: The topic *HVAC Inspector Certification* will be placed on the July 12, 2017 agenda as an action item.

◆ **IDAPA Rule 07.07.01.006.01(k) System Design**

In rule, the calculation for outdoor air ducts is in square inches; however, the code requires cubic feet for mechanical ventilation systems. Program Manager Nielsen would like to delete subsection (k) *Section M1507.3.1 System Design* from IDAPA rule 07.07.01.006.01 and use only the code book.

The topic *IDAPA Rule 07.07.01.006.01(k) System Design* will be an action item for the July Board meeting.

ACTION: The topic *IDAPA Rule 07.07.01.006.01(k) System Design* will be placed on the July 12, 2017 agenda as an action item.

◆ **Program Manager Report**

The Program Manager asked, and the Chairman agreed, to present his report before the *Compliance Program Report*.

Legislation – The following proposed rules passed the 2017 legislature: 1) Transferring of permits, 2) 16,000 hours for out-of-state plumbers to apply for the journeyman exam, and 3) Light and medium duty definitions for conveyor ovens.

Testing Upon Completion of Apprenticeship Program – Board Member Brizee brought up an issue where HVAC apprentices should be able to test upon completion of the four-year apprenticeship program regardless of work hours.

Currently, electrical apprentices can test once they have 6,000 hours of on-the-job training, and plumbing apprentices can test right out of school.

Chairman Sermon and Board Member Brizee asked the topic *Testing Upon Completion of Apprenticeship Program* be addressed at the July Board meeting.

ACTION: The topic *Testing Upon Completion of Apprenticeship Program* will be placed on the July 12, 2017 agenda as an informational item.

◆ **Compliance Program Report**

Larry Jeffres, Regional Manager, Region 1, presented the report on behalf of Compliance Supervisor Terry Blessing. Currently, the program is a one-man show. Since receiving training from Mr. Blessing, the DBS inspectors are doing a much better job on compliance.

◆ **Administrator Report**

Financial Report – Deputy Administrator Ron Whitney stated most of the DBS boards' fund balances exceed their one year to one and a half year's annual budget and are concerned the Governor's office, Division of Financial Management (DFM) or legislature could take a portion of their funds. The HVAC Board is only half-way there, is in good shape, and does not need to worry about anyone appropriating its funds.

Of the Board's fiscal year-to-date revenues, approximately \$161,000.00 is licensing fees and \$953,000.00 permitting fees. Year-to-date revenues from the city of Meridian to the Division is

\$263,000.00 with Meridian running approximately 27% of the Board’s revenue program on permits.

Permits – The Division is issuing well over 200 permits on an average with 262 permits issued on May 9, 2017.

Change in Employee Compensation – The DFM approved a program the DBS put together to raise inspector base pay from \$18.31 to \$21.00. This becomes effective immediately and puts the Division more competitive in the field.

Legislation – Approved during the 2017 legislature was the following proposed statute and rule changes.

- Codes – 2017 National Electrical Code, 2017 Idaho State Plumbing Code, 2015 International Building Code, 2015 International Existing Building Code, and 2015 International Energy Conservation Code (commercial only).
- Logging Safety – Numerous logging safety rules; bringing the Logging Safety Program up to current standard.
- Public Works – Clearer statutory language on what constitutes “acting in the capacity of a construction manager”.
- Electrical – Homeowners’ exemption.

Plan Reviews – The Division now performs plan reviews on solar systems connected to the grid. Homeowners who install a system to the grid must have the plans reviewed prior to the commencement of the job.

Reorganization – The DBS welcomes Tanisha Townsend as the new supervisor of the Customer Resource Team.

◆ **Adjournment**

The Chairman adjourned the meeting at 2:10 p.m. (MDT).

TED SERMON, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

06/22/2017rb