

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

Wednesday – July 12, 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 JULY 12, 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 Ted Sermon called the meeting to order at 9:31 a.m. (MDT)

Board Members Present:

Ted Sermon, Chairman
John Smith, Vice-Chairman
Bill Carter
Bill Vandegrift
Geoff Oldenkamp
Bill Hatch
Randy Hart

DBS Staff Members Present:

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

◆ **Recognition**

Recognized for their many years of service on the Idaho HVAC Board with commemorative plaques were Dan Brizee, Bruce Graham and Tim LaMott.

◆ **Introduction**

Welcomed as the newest board members were Randy Hart, HVAC Contractor/Specialty Representative; Geoff Oldenkamp, HVAC Contractor Representative; and Bill Hatch, Public Member Representative.

◆ **Open Forum**

There were no new items or concerns to discuss.

◆ **Approval of the July 12, 2017 Agenda**

The Chairman called for a motion.

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

◆ **Approval of the May 10, 2017 Meeting Minutes**

The Chairman called for a motion.

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

◆ **School to Registered Apprenticeship Program**

Presented was a proposed statute change to allow Career-Technical Education (CTE), along with the Board, to work with the training facilities to standardize the apprenticeship programs in Idaho.

This being the first meeting for several new board members, HVAC Program Manager John Nielsen provided background on the School to Registered Apprenticeship Program and Apprenticeship Idaho Initiative.

Concerned the proposed language would take away some of the Board's authority, Board Member John Smith asked the verbiage be reworded for clarification.

Deputy Attorney General Patrick Grace explained both the Board and CTE would have to approve the course of instruction; however, if the Board were interested in moving forward, he would make the necessary wording changes.

MOTION: John Smith made a motion to accept the proposal as written with the understanding to reword the language for clarity before presented to the 2018 legislature OR have a Memorandum of Understanding. Bill Vandegrift seconded. All in favor, motion carried.

◆ **Apprentice Supervision**

A handout of Idaho Code § 54-5009 *Classification of Competency* was distributed. Within the statute were two proposed changes: Subsection (1) – Clarify an apprentice performing HVAC work would need to have “direct” supervision, and new subsection (5) – Definition of a new registered installer position for new residential construction.

Board and audience members brought forth the following concerns and suggestions:

- Define registered installer.
- Need list of what registered installers can perform.
- Limit direct supervision and have HVAC journeymen or HVAC contractors signing off on apprentice's work.
- Intent of direct supervision.
- Ratio -- 1-1, 3-1, etc.
- Contractors & homebuilder associations opposed to supervised apprentices.
- Journeyman on-site 100% of the time.
- First/second year apprentices supervised and third/fourth year apprentices unsupervised in residential only.

- Develop consistent qualification program for apprentices and/or installers across the three major trades, HVAC, electrical and plumbing.
- Broad aspect of what apprentices can/are doing.

The Chairman asked the Board and industry to rewrite the draft statute changes, forwarding to the Administrative Assistant, renee.bryant@dbs.idaho.gov, for distribution to the Board prior to the November 2017 meeting.

ACTION: Prior to the November 2017 Board meeting, the Administrative Assistant will forward any draft proposals to the Board for review.

MOTION: John Smith made a motion to move forward with negotiated rulemaking on apprentice supervision. Bill Carter seconded. All in favor, motion carried.

◆ **Title 54 Chapter 50, Idaho Code**

Idaho Code § 54-5002 *Exceptions* (1) and (4) both clearly define the scope of work a homeowner and maintenance personnel can do on their respective jobs.

The primary changes in Idaho Code § 54-5017 *Application--Fees* are housekeeping; however, one major change is the removal of old permitting fees since the current fees are in rule.

MOTION: Bill Carter made a motion to accept the proposed statute changes as written. John Smith seconded. All in favor, motion carried.

◆ **HVAC Inspector Certification**

In statute, state and local inspectors must be certified as a commercial or residential mechanical inspector, depending upon the duties assigned. The proposed rule defines what, and from whom, the Board will accept certification.

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

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

In rule, the calculation of outdoor air ducts is by square inches; however, the code cites cubic feet per minute. Presented was a draft proposal to eliminate Section M1507.3.1 *System Design* from IDAPA rule, using only the code as a reference guide.

MOTION: Geoff Oldenkamp made a motion to accept the proposal as written. Bill Hatch seconded. All in favor, motion carried.

◆ **Testing Upon Completion of Apprenticeship Program**

In rule, the Electrical and Plumbing Board's allow apprentices to take the written journeyman exam upon completion of four years of an apprenticeship program. The Electrical Board also requires at least three (3) years of on-the-job training or six thousand (6,000) hours of work experience to take the exam.

The Board decided to have the HVAC Program Manager draft a proposal based on the plumbing rule presented at today's meeting, and present it at the November 2017 meeting.

ACTION: The HVAC Program Manager will provide to the Board and Administrative Assistant the *Bulletin Publication Schedule for Calendar Year 2018*.

ACTION: The HVAC Program Manager will present a draft proposal at the November 2017 Board meeting to allow HVAC apprentices to test upon completion of a certified HVAC apprentice program.

ACTION: For the November 2017 Board meeting, the topic *Testing Upon Completion of Apprenticeship Program* will be an informational item on the agenda.

◆ **Program Manager Report**

Negotiated Rulemaking Dates – HVAC Program Manager Nielsen explained the regimented process of negotiated rulemaking. In the past, the Board began the process at its first meeting in February, followed by a first hearing in May, and second hearing/voting at the July meeting. Proposals were submitted to the Governor's office for approval after the July meeting, and then to the next year's legislative session.

At the Board's November 2017 meeting, the Program Manager suggested scheduling the 2018 Board meetings in January, March and May, followed with a fourth meeting in the fall. This would allow the Division ample time to draft proposals, as well as resolve any major issues before the deadlines set by the Office of the Administrative Rules Coordinator. Mr. Nielsen will forward the *Bulletin Publication Schedule for Calendar Year 2018* to the Board and Administrative Assistant.

ACTION: The HVAC Program Manager will provide to the Board and Administrative Assistant the *Bulletin Publication Schedule for Calendar Year 2018*.

ACTION: For the November 2017 Board meeting, the topic *Schedule 2018 Board Meetings* will be an action item on the agenda.

2015 Code Books – Each board member received 2015 code books from the International Code Council and International Association of Plumbing and Mechanical Officials.

Apprentice Age Requirement – The question arose as to what age an individual must be to register as an apprentice with DBS. In rule, the minimum age is 18 unless registered in a Bureau of Apprenticeship Training certified HVAC training program.

The Chairman asked, and the Deputy Attorney General agreed, to research whether the Board has the authority to change the age in rule, and bring a response to the November meeting.

ACTION: The Deputy Attorney General will look into the issue, presenting an answer at the November 8, 2017 Board meeting.

ACTION: For the November 2017 Board meeting, the topic *Apprentice Age Requirement* will be an informational item on the agenda.

◆ **Compliance Program Report**

Personnel – Compliance Program Supervisor Terry Blessing officially retires at the end of July 2017. Amy Kohler, DBS employee for almost 20 years, has accepted the position of Compliance Program Specialist. Regional managers will become more involved in all aspects of compliance with the Compliance Program Specialist spearheading the program.

Public Works Law – Recently, the legislature approved a change in a public works law where school districts and smaller municipalities, doing any single project with an estimated cost of less than \$50,000, are exempt from requiring a bid or holding a public works contractor license. Originally, the limit was \$10,000 or less. One of the new responsibilities of the regional managers will be to ensure everyone complies with the law.

◆ **Administrator Report**

Financial Report – Reviewed was the Idaho HVAC Board Fund, FY 2017 financial statement as of May 31, 2017.

The city of Meridian has opted to have the Division assume responsibility of its mechanical program; therefore, creating 24% of the program/revenue.

Acknowledged were Mike Hyde and Joe Barlow, DBS employees, for their incredible work with the city of Meridian and its program.

Personnel (Cont'd) – Four new employees were hired to assist the Customer Resource Team in the issuance of permits and licenses, as well as inspector support. In addition, there is a new regional supervisor in Twin Falls and new electrical inspector in Meridian.

Deputy Attorney General Grace has accepted the position of Southwest Idaho Regional Manager with DBS. New legal counsel for the Division is Deputy Attorney General Spencer Holm.

Vehicles – The Division recently purchased 24 Dodge pickups.

Paperless Board Packets – Beginning September 2017, board packets will only be available electronically through the Division's website. This will be a great cost-savings for the Division's eight (8) boards.

2018 Boards Calendar – The Board typically meets on Wednesdays. The Administrative Assistant will send the Board a proposed calendar for the Board's 2018 meetings prior to the November Board meeting.

ACTION: In advance of the November 2017 Board meeting, the Administrative Assistant will e-mail the 2018 Board Calendar to the Board for review.

◆ **Adjournment**

The Chairman called for a motion to adjourn.

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

The meeting adjourned at 11:40 a.m. (MDT).

TED SERMON, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

10/11/2017rb

DATE