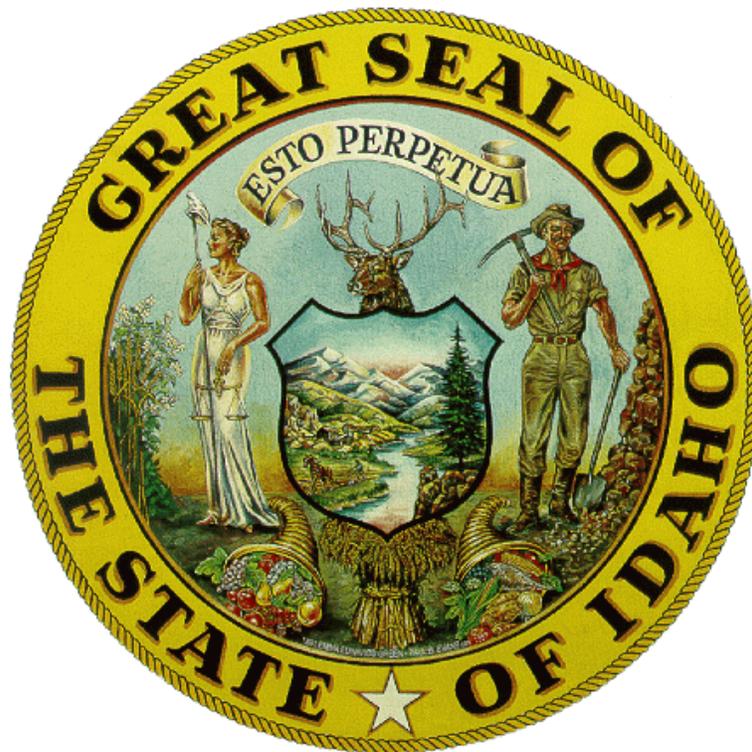


DIVISION OF BUILDING SAFETY

IDAHO HEATING, VENTILATION AND
AIR CONDITIONING BOARD
VIDEOCONFERENCE MEETING

FEBRUARY 1, 2018



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 01

Agenda

PRESENTER: Ted Sermon, Chairman

OBJECTIVE: Approve the February 1, 2018 Idaho HVAC Board meeting agenda.

ACTION: Consent

BACKGROUND:

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Tentative agenda



TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD VIDEOCONFERENCE MEETING

**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**

db.s.idaho.gov – (208) 332-7137

**Thursday, February 1, 2018
9:30 a.m. – 1:30 p.m. (MST)**

(Note: North Idaho - Meeting Commences @ 8:30 a.m. PST)

9:30 a.m. CALL TO ORDER – Ted Sermon, Chairman

- Roll Call & Introductions
- Open Forum

CONSENT AGENDA

1. Approval of the February 1, 2018 Agenda – Ted Sermon
2. Approval of the November 8, 2017 Board Meeting Minutes – Ted Sermon

ACTION AGENDA

3. **Testing Upon Completion of Apprenticeship Program – John Nielsen,
HVAC Program Manager**

INFORMATIONAL AGENDA

(These items are for informational purposes only. Any action will be at the HVAC Board's discretion.)

4. Licensing Freedom Executive Order – Patrick J. Grace, Regional Manager
5. Direct Supervision – Ted Sermon
6. Apprenticeship--2000 Hour Requirement – John Nielsen
7. Air Balancing--Specialty License – Geoff Oldenkamp, Board Member
8. Natural Ventilation – Geoff Oldenkamp

9. Apprentice Age Requirement – Spencer Holm, Deputy Attorney General, and Chris Miller, College of Western Idaho
10. High School Education Program – Chris L. Jensen, Administrator
11. Program Manager Report – John Nielsen
12. Compliance Program Report – Amy Kohler, Compliance Program Specialist
13. Administrator Report – Chris L. Jensen
 - a. Financial Report

1:30 p.m. ADJOURN

For additional agenda information, refer to the packet, available one week prior to this meeting, at the DBS's central and regional offices and <https://dbs.idaho.gov/boards/hvacboard/hvacmeetings.html>.

All times, other than beginning, are approximate and scheduled according to Mountain Standard Time (MST), unless otherwise noted. Agenda items may shift depending on the Idaho HVAC Board's preference. 1/24/2018rb

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 02

Minutes

PRESENTER: Ted Sermon, Chairman

OBJECTIVE: Approve the November 8, 2017 Idaho HVAC Board meeting minutes.

ACTION: Consent

BACKGROUND:

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Draft minutes



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

Wednesday – November 8, 2017 – 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**

***DRAFT MINUTES OF THE NOVEMBER 8, 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. (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:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Spencer Holm, Deputy Attorney General
John Nielsen, HVAC Program Manager
Larry Jeffres, Regional Manager, Region 1
Patrick Grace, Regional Manager, Region 2
Jeff Egan, Regional Manager, Region 3
Chuck Knapp, Regional Supervisor, Region 1
Brad Myers, Regional Supervisor, Region 3
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Air Balancing--Specialty License – The Idaho Association of Building Officials (IDABO) has been issuing certifications for air balancing. Board Member Geoff Oldenkamp questioned whether air balancing is HVAC related. If so, would a specialty license or certification from IDABO be required for load calculations. In addition, Mr. Oldenkamp suggested individuals currently performing air balance be grandfathered and people coming into the trade go through a training program to get a specialty license.

The College of Western Idaho (CWI) HVAC curriculum has a course on Residential Manual J for duct design installation and Manual D on duct design and balancing.

Board Member John Smith suggested, and the Chairman agreed, to discuss the topic *Air Balancing--Specialty License* at the Board’s first meeting in 2018.

ACTION: The topic *Air Balancing--Specialty License* will be placed as an informational item on the agenda for the January 2018 Board meeting.

Apprenticeship--2000 Hour Requirement – Mike Lapray, HVAC Assistant Professor, College of Southern Idaho (CSI), brought forth the 2,000 hours of on-the-job (OTJ) requirement as written in the January 24, 2006 HVAC Board meeting minutes. In 2006, the Board approved six training providers from post-secondary schools to offer a full-time nine or 11-month program equivalent to four years of schooling or 576 hours of apprenticeship training and one year of credit or 2,000 hours of OTJ training. Approximately 30 students from CSI's program would like to use the 2,000-hour requirement to qualify to take the journeyman exam.

North Idaho College offers the nine-month certification program, and Northwest HVAC/R Association and Training Center is certified as one of the full-time schools as well. Chris Miller, HVAC Program Coordinator, CWI, supports the program and believes the Board should reinstall the schools that currently offer the program.

The HVAC Program Manager suggested, and the Chairman agreed, to review the supporting documentation and to continue to discuss the topic *Apprenticeship--2000 Hour Requirement* at the Board's first meeting in 2018.

ACTION: Prior to the first 2018 Board meeting, the Administrative Assistant will provide a copy of the January 24, 2006 HVAC Board meeting minutes to the Board.

ACTION: The topic *Apprenticeship--2000 Hour Requirement* will be placed as an informational item on the agenda for the January 2018 Board meeting.

ASHRAE – Russ Pratt, Licensed Mechanical Engineer and American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Representative, offered his assistance as a liaison between the Board and engineering society.

Apprentice to Journeyman Ratio – Hearing about a possible rule change to require a journeyman on every job, Tom Dyer, Forced Air Systems, asked the Board to consider an apprentice to journeyman ratio. This issue was discussed under agenda item nine *Apprentice Supervision*.

◆ **Approval of the November 8, 2017 Agenda**

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

◆ **Approval of the July 12, 2017 Meeting Minutes**

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

◆ **Schedule 2018 Board Meetings**

The proposed 2018 board meeting dates are January 10, March 14, May 9, and November 14.

MOTION: Geoff Oldenkamp made a motion to approve the 2018 Board meeting dates as presented. John Smith seconded. All in favor, motion carried.

◆ **Career & Technical Education (CTE)--Spending Authority**

If approved by the Board, legislation to add CTE to the HVAC statutes would go to the 2018 legislative session. The \$41,000 spending authority for CTE to update standards for the HVAC apprenticeship program is in the Division's Fiscal Year 2019 budget. The budget will also go before the 2018 legislative session, and if approved, the process could begin as early as July 1, 2018.

For a second time, Wendi Secrist, Director of Business Outreach, Idaho Career & Technical Education, provided a PowerPoint presentation titled *Related Training Programs, HVAC Apprenticeship*.

School and industry representatives were all in favor of standardized training throughout the state.

MOTION: Bill Hatch made a motion to do whatever is necessary to obtain funding authority in the amount indicated, and to do so in an expeditious manner. John Smith seconded. All in favor, motion carried.

◆ **Unlicensed Contractors**

The question arose whether an individual can remain anonymous when filing a complaint or reporting illegal activity. A legal complaint is public record, and although the Division would like to keep the individual anonymous, if it comes to the appeal process DBS relies on the complainant to provide testimony. When asked, the Board nor the State have any control over the sale of goods by vendors or distributors to non-licensed individuals.

◆ **Testing Upon Completion of Apprenticeship Program**

A draft rule was brought forth to allow HVAC apprentices to take the written journeyman exam upon completion of an Idaho HVAC Board approved training course. To receive a journeyman license, the apprentices would have to complete the four years of work experience as well.

With no opposition, the Chairman asked the topic *Testing Upon Completion of Apprenticeship Program* be an action item at the Board's first meeting in 2018.

ACTION: The topic *Testing Upon Completion of Apprenticeship Program* will be placed as an action item on the agenda for the January 2018 Board meeting.

◆ **Natural Ventilation**

Board Member Oldenkamp asked if this was an opportune time to add natural ventilation to the current code as an alternative to mechanical ventilation.

Board Member Bill Carter extensively researched this topic through materials by ASHRAE, United States Environmental Protection Agency, United State Department of Housing and

Urban Development, and others. Board Member Carter did not see anything that wholeheartedly proposed mechanical ventilation is the one and only answer.

Being a controversial topic, Pat Minegar, A-1 Heating and Air Conditioning, suggested, and the Chairman agreed, for DBS to invite its energy expert Energy Program Manager Jerry Peterson to the January 2018 board meeting.

ACTION: The Division to invite Energy Program Manager Jerry Peterson to the January 2018 HVAC Board meeting.

ACTION: The topic *Natural Ventilation* will be placed as an informational item on the agenda for the January 2018 Board meeting.

◆ **Apprentice Age Requirement**

Upon review of the state and federal laws, as well as the HVAC rule, Deputy Attorney General Spencer Holm stated the age requirement to work in the HVAC trade is 18 unless registered with the Federal Bureau of Apprenticeship Training.

Brandon Latham, Sheet Metal Workers Union 103, read several exemptions from Child Labor Regulations § 570.50(b)(c) that might be able to justify hiring an individual 16 or 17 years old to work in the HVAC trade. The Deputy Attorney General offered to research the exceptions.

ACTION: The Deputy Attorney General will research the exemptions from the Child Labor Regulations § 570.50(b)(c).

Chris Miller, CWI, questioned if it would make a difference if an individual had an Occupational Safety and Health Administration (OSHA) card since OSHA's mission is to assure safe and healthful workplaces by setting and enforcing standards, and by providing training, outreach, education and assistance.

Board Member Smith suggested, and Mr. Miller offered, to pursue whether the Board can obtain a statewide letter for early registration in certification programs with supporting documentation; i.e., OSHA card, direct supervision, etc.

ACTION: The topic *Apprentice Age Requirement* will be placed as an informational item on the agenda for the January 2018 Board meeting.

◆ **Apprentice Supervision**

Chairman Sermon provided the history behind the start-up of the HVAC Board and Memorandum of Understanding between the HVAC, electrical and plumbing trades. Electrical Program Manager Warren Wing addressed the Electrical Board's stance on apprentice supervision.

It was determined there are two issues: 1) Apprentices performing electrical circuitry, and 2) Direct supervision of apprentices.

There was a division among audience members on the issue of apprentices and direct supervision. Suggestions on both issues were: 1) Create a committee comprised of the industry, to include unions and schools, to address direct supervision, 2) HVAC Board meet with Electrical Board and DBS on electrical circuitry installed by apprentices, and possible cross training, and 3) Mimic the electrical rules, as far as apprentice to journeyman ratio, rather than create new language.

The HVAC Program Manager stated base on Idaho Code § 54-5015(4)(a), to install electrical circuitry an individual must have an HVAC license. Therefore, anyone caught performing work without the required license will receive a civil penalty.

Administrator Chris L. Jensen explained the reason behind a code collaborative, and HVAC Program Manager Nielsen addressed the negotiated rulemaking process.

At the direction of the Chairman, the Division will provide a survey of available dates for a code collaborative meeting to discuss the topic *Direct Supervision*, invite industry/interested parties, and reserve the Division's Board Conference room in Meridian. Pat Minegar offered to attend the meetings, as well as the Deputy Attorney General, at the request of the Chairman. It was suggested a couple of board members attend the meetings as well.

ACTION: The Division will schedule a code collaborative meeting to address the topic *Direct Supervision*.

ACTION: The topic *Direct Supervision* will be placed as an informational item on the agenda for the January 2018 Board meeting.

◆ **Program Manager Report**

High School Educational Program – As part of any high school educational program, a proposed statute change would allow students to perform residential trade-related installations and not be required to register as an apprentice in the state of Idaho. Several legislators are willing to run the proposed educational exemption apprenticeship at the 2018 legislature for all three trades.

◆ **Compliance Program Report**

The Compliance Program Specialist is redefining the Division's processes for the compliance program.

◆ **Administrator Report**

Financial Report – Reviewed was the Idaho HVAC Board Fund, FY 2017 financial statement as of October 31, 2017. The Meridian contract is contributing approximately 23.4% of the HVAC program's monthly revenue.

Permits – On November 7, 2017, the Division issued 287 permits.

Tiny Homes – Currently, there are tiny homes being built with no inspections, and used as motel rooms. DBS is going to try to start inspecting the electrical in all tiny homes, and is working to put together an industry group to discuss/rectify this issue.

Idaho National Laboratory (INL) – Ground was recently broken at the INL for a new \$1.8 billion extended core facility that will handle fuel waste from the nation’s fleet of nuclear-powered warships. It is projected 1,200 electricians will be hired, and will take between six to seven years to build.

◆ **Adjournment**

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

The meeting adjourned at 12:48 p.m. (MST).

TED SERMON, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

These DRAFT minutes are subject to possible correction and final approval by the Idaho HVAC Board. 11/28/2017rb

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 03 Testing Upon Completion of Apprenticeship Program

PRESENTER: John Nielsen, HVAC Program Manager

OBJECTIVE: Allow apprentices to test upon completion of an HVAC apprenticeship program.

ACTION: Informational

BACKGROUND: May 2017 – Questioned was whether HVAC apprentices should be able to test upon completion of the four-year apprenticeship program, regardless of work hours.

July 2017 – In rule, electrical and plumbing apprentices can take the written journeyman exam upon completion of four years of an apprenticeship program. The electrical apprentice must also have 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 asked the HVAC Program Manager to draft a proposal based on the plumbing rule, and present it at the November 2017 meeting.

November 2017 – Presented was a proposed rule. It was determined to receive a journeyman license, the apprentice would have to complete the four years of work experience as well. With no opposition, the Chairman asked the topic *Testing Upon Completion of Apprenticeship Program* be an action item at the Board's first meeting in 2018.

PROCEDURAL HISTORY:

ATTACHMENTS: IDAPA 07.07.01.023.01 HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY REQUIREMENTS--EXPERIENCE



IDAPA 07.07.01

023. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY: REQUIREMENTS.

01. Experience. Demonstrate, to the satisfaction of the board, a minimum of four (4) years' experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman. (4-11-06)

02. Education. Successfully complete any required apprenticeship training courses. (3-16-06)

a. Any HVAC apprentice who desires to take the written portion of the journeyman examination shall complete an Idaho HVAC Board approved related training course as described in Subsection 025.02 of these rules prior to the date of the exam and provide a certificate of completion with the application for examination. There is no minimum work requirement in order to be eligible to take the written portion of the HVAC journeyman examination. (X-X-XX)

b. Successful completion of the journeyman written examination does not eliminate the requirement to complete four (4) years of work experience, under the *constant on-the-job supervision* of a journeyman HVAC installer in order to be issued a journeyman certificate of competency. Successful completion of the written HVAC journeyman examination notwithstanding, no journeyman certificate of competency shall be issued until an apprentice furnishes to the Division proof of satisfaction of the work requirements contained in Subsection 023.01. (X-X-XX)

03. Examination. Applicants for certification as HVAC journeymen must successfully complete the examination designated by the board. (3-16-04)

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 04

Licensing Freedom Executive Order

PRESENTER: Patrick Grace, DBS Regional Manager

OBJECTIVE: To seek input from the Board regarding public works licenses administered by the DBS in order to determine whether any improvements to, modifications to, or elimination of such licenses, or license requirements is warranted.

ACTION: Informational

BACKGROUND: In May 2017, the Governor's Office implemented an Executive Order (E.O. 2017-06), which requires all state agencies that issue professional and occupational licenses to review their license requirements and procedures to determine whether such licenses are in the public interest. Specifically, each such agency must submit a report to the Governor's Office by July 1, 2018 with a determination as to whether such licenses are in the public's interests, and recommendations, if any, for improvements, modifications, or elimination of licensure requirements.

PROCEDURAL HISTORY: This item has not yet been addressed by the Board.

ATTACHMENTS: Executive Order 2017-06





Executive Department
State of Idaho

State Capitol
Boise

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 2017-06

**ON REVIEWING THE NECESSITY FOR AND THE APPLICABILITY AND
PROCESSING OF LICENSURE REQUIREMENTS FOR INDIVIDUALS
ENGAGED OR DESIRING TO BE ENGAGED OR EMPLOYED IN TECHNICAL,
PROFESSIONAL OR OTHER OCCUPATIONS WITHIN THE STATE OF IDAHO,
EMPHASIZING THE EFFECT OF LICENSURE REQUIREMENTS ON IDAHO
EMPLOYMENT OPPORTUNITIES**

WHEREAS, in order to protect the public, the Legislature has enacted laws in Idaho establishing licensure requirements for persons desiring to be employed or engaged in various professional, technical or other occupations within the state; and

WHEREAS, administration of such laws are vested in agencies or bureaus within state executive departments or in various self-governing agencies; and

WHEREAS, the extent of state occupational licensure is partially reflected in Title 54, Idaho Code, with 57 chapters devoted to licensure of persons to engage in certain professional, technical, and occupational endeavors, and the responsibility for licensure of persons to engage in those occupations is delegated by law to independent self-governing agencies, and substantial occupational licensing authority also has been granted to the 19 state executive departments; and

WHEREAS, while it is important to ensure public protection, it also is imperative that we ensure that the laws and rules do not create unnecessary barriers to commerce and employment, and although new and occasionally existing regulatory rules are reviewed by the Legislature, there has not been a comprehensive internal review of licensing requirements within the executive branch of Idaho's government since the reorganization of the state executive departments in the mid-1970s, more than 42 years ago; and

WHEREAS, there has been no comprehensive critical analysis of the effect of existing licensing requirements on employment opportunities within the state, nor has there been any re-examination of such requirements to determine the necessity for such licensure, or whether the public interest could not be equally or better served by less restrictive or less intrusive mechanisms than those now in place; and

WHEREAS, analysis of the laws and rules may well result in removing unnecessary barriers to desirable employment for qualified individuals and increasing the availability of a skilled and valuable workforce necessary to grow Idaho's economy; and

WHEREAS, Article IV, Section 5, of the Constitution of the State of Idaho vests the supreme executive power of the state in the governor and imposes upon the governor the responsibility to see that the laws of the state are faithfully executed; and

WHEREAS, Article IV, Section 5, of the Constitution of the State of Idaho provides that in the event of certain events, including the absence of the Governor from the state, the powers, duties and emoluments of the office of governor shall devolve upon the lieutenant governor until the governor shall not be absent from the state; and

WHEREAS, at the time of executing this Executive Order, the Governor is absent from the state and during such absence, the powers and duties of the office of governor have devolved upon the Lieutenant Governor;

NOW THEREFORE, I, BRAD LITTLE, Acting Governor, by virtue of the authority vested in me by the Constitution and laws of the State of Idaho, hereby declare the following:

1. *Each executive department of the state of Idaho as set forth in section 67-2402, Idaho Code, including each division, bureau or self-governing agency with statutory or regulatory authority to issue a license to an individual, authorizing such person to engage in a profession, vocation or occupation, shall review and report:*
 - a. *the timeframe for final action either approving or denying a complete application for issuance of a professional, occupational, or vocational license; and*
 - b. *review of requirements that are prerequisites for the issuance of each type of license and suggestions on requirements that can be eliminated; and*
 - c. *review of renewal requirements and suggestions on requirements that can be eliminated ; and*
 - d. *statutory or regulatory prohibitions that require the department to deny either the acceptance of an application for a license or the denial of the issuance or renewal of a license, together with a report of the number of applicants denied licensure, or whose applications were not accepted for consideration by the department or agency, or who were refused renewal of a license for the one-year period immediately following or preceding the date of this executive order, and the factual or statutory basis for each such denial; and*
 - e. *statutory or regulatory authority for the suspension, revocation or other disciplinary action relating to professional, technical, or occupational licenses issued by such agency, together with a report of the number of such disciplinary actions and the factual or statutory basis for such action; and*
 - f. *the cost of administering the licensing process on a per applicant basis, and the fee charged to each applicant for issuance or renewal of a license.*
 - g. *in recognition of the work by board members to address these issues, list the laws and rule changes enacted in the past five years to eliminate barriers.*

2. *Each executive department of the state of Idaho as set forth in section 67-2402, Idaho Code, including each division, bureau or self-governing agency with statutory or regulatory authority to issue a license to an individual, authorizing such person to engage in a professional, technical or occupation, shall:*
 - a. *provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion; and*
 - b. *provide recommendations for improvement, modification or elimination of licensure requirements within the department's or the self-governing agency's jurisdiction; and*
 - c. *within thirty (30) days following the effective date of this Executive Order, adopt a process or procedure affording interested persons reasonable opportunity to submit to the department, bureau or self-governing agency, or to the Governor's office or the office of the Lieutenant Governor if the person chooses, data, views, opinions or arguments concerning any matter which is the subject of this Executive Order. Such information may be submitted either in writing or*

electronically. The process or procedure may provide a closing date for the submission of such information, which for the purposes of this Executive Order shall not be earlier than May 1, 2018; and

- d. upon adopting such process or procedure, provide notice to the Governor’s office and to all interested persons of its intent to comply with the requirements of this Executive Order and the manner in which such interested persons may provide data, views, opinions or arguments either to the department, bureau, self-governing agency or to the Governor’s office or the office of the Lieutenant Governor.*
- 3. The term “interested persons,” as used in paragraphs 2c and 2d of this Executive Order shall include but not be limited to all persons currently licensed by the affected department or agency on the effective date of this Executive Order.*
 - 4. Each executive department of the state of Idaho as set forth in section 67-2402, Idaho Code, including each division, bureau or self-governing agency, shall submit the report including the information required in this Executive Order to the Governor’s office no later than July 1, 2018. Reports may be submitted electronically.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 19th day of May, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.



BRAD LITTLE
ACTING GOVERNOR

LAWRENCE DENNEY
SECRETARY OF STATE

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 05

Direct Supervision

PRESENTER: Ted Sermon, Chairman

OBJECTIVE: Determine whether to require direct supervision of HVAC apprentices.

ACTION: Informational

BACKGROUND: November 2017 – There was a division among audience members on the issue of apprentices and direct supervision. Suggestions on both issues were: 1) Create a committee comprised of the industry, to include unions and schools, to address direct supervision, 2) HVAC Board meet with Electrical Board and DBS on electrical circuitry installed by apprentices, and possible cross training, and 3) Mimic the electrical rules, as far as apprentice to journeyman ratio, rather than create new language.

The HVAC Program Manager stated base on Idaho Code § 54-5015(4)(a), to install electrical circuitry an individual must have an HVAC license. Therefore, anyone caught performing work without the required license will receive a civil penalty.

At the direction of the Chairman, the Division will provide a survey of available dates for a code collaborative meeting to discuss the topic *Direct Supervision*, invite industry/interested parties, and reserve the Division's Board Conference room in Meridian. Pat Minegar offered to attend the meetings, as well as the Deputy Attorney General, at the request of the Chairman. It was suggested a couple of board members attend the meetings as well.

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 06 Apprenticeship--2000 Hour Requirement

PRESENTER: John Nielsen, HVAC Program Manager

OBJECTIVE: Determine if a board decision in 2006, to give “full time” HVAC students 2,000 hours (or one year) towards their fur (4) year OJT requirement

ACTION: Informational

BACKGROUND: This topic was briefly discussed at the last meeting.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: 2006 HVAC Board Meeting Minutes



MINUTES

Jim Bledsoe moved to approve the October 25, 2005 minutes. Mike Wisdom seconded the motion and the minutes were approved as written.

Carol Alexander moved to approve the December 20, 2005 teleconference meeting minutes. Jim Bledsoe seconded the motion and the minutes were approved as written.

HVAC APPRENTICE SCHOOLS REPORT

Rosie Rosco (BSU) and Burton Waite (PTE) reported to the Board about how the HVAC state-wide apprenticeship classes were going. This report did not include private schools. BSU has four year (1) classes with 97 students enrolled. They started another class last night (1/23/06). BSU also has a year (2) class going which has a combined Sheet Metal class, phasing out the Sheet Metal people, with 119 people enrolled. ITEC in Idaho Falls has two classes going with 36 students. NIC in North Idaho has a one year (1) class with 23 students, of which 11 are taking an extra 32 hours in Sheet Metal instruction, that's not included in the program. They also have a combined Sheet Metal class with about 11 students there. LCSC has one class with about 15 students and ISU has a couple with about 30 students.

All together we have thirteen classes going on around the state with 234 students. CSI is not running an Apprenticeship class yet, but they will in the Fall. The existing program is a for credit, full-time program. They are still running this program. They will change over to evening classes in the Fall.

Overall, things are going well with some bugs attributable to the new curriculum yet to be resolved. We have a good group of instructors who have not gotten a lot of feedback. They also developed a fuel gas course which is a part of year (2) and can be offered as a stand alone course. Rosie doesn't know what will develop with the Hearth Industry, but stands ready to assist.

BSU is starting work on a stand alone Code class that would be a part of year (4). BSU received some funding from PTE and Chris Miller is just getting started on that. The class would be available as a stand alone course for people who need it, including people who take the test and don't pass. Chairman Minegar asked if the people can take just the Code portion in year (4), Rosie believes that it is a 48 hour class, and would be offered if sufficient demand was demonstrated.

Further discussion ensued where Chairman Minegar asked what involvement the Board will have in reviewing the curriculum – Rosie stated that it was her understanding that BSU/PTE would bring it back to the Board after they have done a year of the program with feedback from the students. Chairman Minegar stated that the Board reserved the right to review the curriculum and make recommendations as needed on any of the educational programs. Mr. Minegar asked if there was a mechanism in place to have some sort of standing committee outside the Board that does review the education portion of any of the classes. Rosie stated that it wasn't a bad idea, as sometimes the key information doesn't get through unless there is a contact person from the Board.

Chairman Minegar then asked how the other Boards handle this situation. Rosie stated that the Electrical Board's curriculum is being handled through a vendor known as IEC, and that there has been a problem with communication. That is why some of their Board members decided it was a good idea to have a member of the state Electrical Board act as an educational liaison with the schools, so that when the educators have issues they know who to contact. The Electrical Board is probably going to pursue the matter further.

Burton Waite (Professor PTE) asked to speak, clarifying what PTE does. In all the apprenticeship areas, PTE tries to work with the industry in preparing curriculum that meets the needs of the industry. PTE welcomes input at any point from this Board, and recognized that the curriculum will probably need to be modified as time goes on. Burton would put together the funding so that industry people could get together to review the curriculum. He wants a closer relationship than what has existed between PTE and the various Boards.

Al Caine suggested that Burton Waite speak to the schools' advisory committees. The advisory committee for each program generally serves as the best conduit for information regarding issues that arise.

Chairman Minegar asked representatives from Boise State University to attend the next HVAC meeting in April (Twin Falls) or in June here in Meridian to present the curriculum for the years (3) and (4) for review. If needed the Board can do a telephone conference also.

Burton Waite then asked to speak to explain how he has approved the various curricula from the training entities throughout the state. He needs the Boards approval to continue the process that PTE goes through to approve each curriculum and also to distribute the list of providers that PTE has already approved. He also reminded the Board that if someone completed the 9 month program at Boise State University and got a certificate, it would be equivalent to the four years or the 576 hours of Apprenticeship training and they would get one year of credit or 2000 hours in their apprenticeship. From a state-wide perspective, does this apply to all the other post-secondary institutions that have HVAC programs? He is getting a lot of phone calls from these schools. Is this the Board's intent? Mr. Waite requested a motion to clarify this so that he can report back to the other post-secondary schools. In the hand-out that was given to the Board, Mr. Waite listed (6) institutions, and the programs that they have in HVAC.

MOTION

Carol Alexander moved that this Board approve the list of training providers as meeting the requirements for the Board's training requirement under the documentation presented by Mr. Burton Waite (PTE). Jim Bledsoe seconded the motion and the list of training providers was approved.

Next, Jim Bledsoe introduced Ted Sermon from Idaho Falls to the Board and the audience. Ted is Vice-President of the HVAC Association down there, and has filled out a resume' and applied it to the Governor's office to serve on this Board.

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 07

Air Balancing--Specialty License

PRESENTER: Geoff Oldenkamp, Board Member

OBJECTIVE: Determine whether a specialty license is required to perform air balancing.

ACTION: Informational

BACKGROUND: November 2017 – The Idaho Association of Building Officials (IDABO) has been issuing certifications for air balancing. Board Member Geoff Oldenkamp questioned whether air balancing is HVAC related. If so, would a specialty license or certification from IDABO be required for load calculations. In addition, Mr. Oldenkamp suggested individuals currently performing air balance be grandfathered and people coming into the trade go through a training program to get a specialty license.

The College of Western Idaho's HVAC curriculum has a course on Residential Manual J for duct design installation and Manual D on duct design and balancing.

Board Member John Smith suggested, and the Chairman agreed, to discuss the topic *Air Balancing--Specialty License* at the Board's first meeting in 2018.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 08

Natural Ventilation

PRESENTER: Geoff Oldenkamp, Board Member

OBJECTIVE: To have an option that may be used in place of mechanical ventilation only.

ACTION: Informational

BACKGROUND: Due to a building code change, IDAPA 07.03.01.004(h), in 2015, mechanical ventilation is required where the air filtration rate of a dwelling unit is less than five (5) air changes per hour.

November 2018 – Board Member Oldenkamp asked if this was an opportune time to add natural ventilation to the current code as an alternative to mechanical ventilation.

Board Member Bill Carter extensively researched this topic through materials by ASHRAE, EPA, HUD, and others. Board Member Carter did not see anything that wholeheartedly proposed mechanical ventilation is the one and only answer.

Being a controversial topic, Pat Minegar, A-1 Heating and Air Conditioning, suggested, and the Chairman agreed, for DBS to invite its energy expert Energy Program Manager Jerry Peterson to the January 2018 board meeting.

PROCEDURAL HISTORY:

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 09

Apprentice Age Requirement

PRESENTER: Spencer Holm, Deputy Attorney General

OBJECTIVE: Determine minimum age to register as an apprentice with DBS.

ACTION: Informational

BACKGROUND: May 2017 – 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 BAT certified HVAC training program.

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

November 2017 – Deputy Attorney General Spencer Holm stated the age requirement to work in the HVAC trade is 18 unless registered with BAT.

Brandon Latham, Sheet Metal Workers Union 103, read several exemptions from Child Labor Regulations § 570.50(b)(c) that might be able to justify hiring an individual 16 or 17 years old to work in the HVAC trade. The Deputy Attorney General offered to research the exceptions.

Chris Miller, CWI, questioned if it would make a difference if an individual had an OSHA card since its mission is to assure safe and healthful workplaces by setting and enforcing standards, and by providing training, outreach, education and assistance. Mr. Miller will pursue whether the Board can obtain a statewide letter for early registration in certification programs with supporting documentation; i.e., OSHA card, direct supervision, etc.

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 10

High School Educational Program

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Allow high school students to perform HVAC in a recognized school program without needing to meet the apprenticeship registration requirements.

ACTION: Informational

BACKGROUND: As part of any high school educational program, a proposed statute change would allow students to perform residential trade-related installations and not be required to register as an apprentice in the state of Idaho.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 11

Program Manager Report

PRESENTER: John Nielsen, HVAC Program Manager

OBJECTIVE: Report on the recent activities of the HVAC program.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 12

Compliance Program Report

PRESENTER: Amy Kohler, Compliance Program Specialist

OBJECTIVE: Provide an update on the statewide compliance program.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: HVAC Journeyman First Exam Attempts and NOV Activity Reports





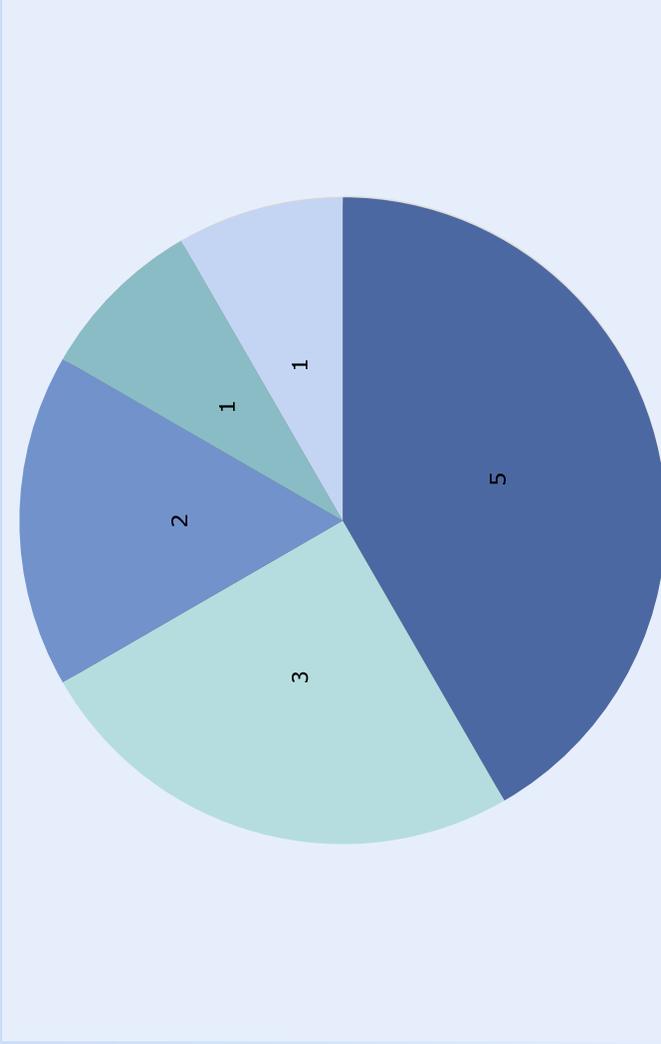
HVC% NOV Activity by Date

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13 Cases 12 Violations

Violations

- HVC Unlicensed Individual
- HVC Knowingly Employing Unlicensed Ind
- HVC Failure to Correct
- HVC - I Code
- HVC Failure to Permit or Pay Fees



CASE NO	STARTED	CLOSED	Case Type	FEES CHARGED	FEES PAID	BALANCE DUE	STATUS	OFFENDER
HVC1710-0001	10/25/2017		NOV	\$0.00	\$0.00	\$0.00	CLOSED	BRANDEE PASBORG-Test Account
<hr/>								
HVC1711-0001	11/1/2017	12/5/2017	NOV	\$100.00	\$0.00	\$100.00	PAID	BIGFOOT HEATING & COOLING SERVICE
VIOLATION: HVC Knowingly Employing Unlicensed Ind								
<hr/>								
HVC1711-0002	11/1/2017	12/5/2017	NOV	\$100.00	\$100.00	\$0.00	PAID	LEONARD JARAMILLO
VIOLATION: HVC Unlicensed Individual								
<hr/>								
HVC1711-0004	11/3/2017	12/4/2017	NOV	\$100.00	\$100.00	\$0.00	PAID	PHILIP WILSON
VIOLATION: HVC Unlicensed Individual								
<hr/>								
HVC1711-0005	11/3/2017	12/4/2017	NOV	\$100.00	\$100.00	\$0.00	PAID	SHAFER HEATING & COOLING INC
VIOLATION: HVC Knowingly Employing Unlicensed Ind								
<hr/>								
HVC1711-0006	11/13/2017	12/19/2017	NOV	\$100.00	\$100.00	\$0.00	PAID	MORAS HEATING & COOLING
VIOLATION: HVC Knowingly Employing Unlicensed Ind								
<hr/>								
HVC1711-0007	11/22/2017		NOV	\$100.00	\$0.00	\$100.00	ACTIVE	FRANCISCO JAVIER NUNEZ R
VIOLATION: HVC Unlicensed Individual								
<hr/>								

HVC1711-0008	11/14/2017		NOV	\$0.00	\$0.00	\$0.00	\$0.00	ACTIVE	BILLS HEATING & APPLIANCE REPAIR
VIOLATION: HVC - I Code									
HVC1711-0009	11/14/2017		NOV	\$0.00	\$0.00	\$0.00	\$0.00	CANCELLED	BRANDEE PASBORG
VIOLATION: HVC Unlicensed Individual									
HVC1711-0010	11/14/2017		NOV	\$0.00	\$0.00	\$0.00	\$0.00	CANCELLED	BRANDEE PASBORG-Test Account
VIOLATION: HVC Unlicensed Individual									
HVC1711-0011	11/27/2017		NOV	\$100.00	\$0.00	\$100.00	\$100.00	ACTIVE	BILLS HEATING & APPLIANCE REPAIR
VIOLATION: HVC Failure to Correct									
HVC1712-0001	12/6/2017		NOV	\$100.00	\$0.00	\$100.00	\$100.00	ACTIVE	BILLS HEATING & APPLIANCE REPAIR
VIOLATION: HVC Failure to Permit or Pay Fees									
HVC1712-0002	12/13/2017		NOV	\$0.00	\$0.00	\$0.00	\$0.00	CANCELLED	Storm Mechanical LLC
VIOLATION: HVC Failure to Correct									
Total Cases: 13				\$800.00	\$400.00	\$400.00	\$400.00		

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 13

Administrator Report

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Provide an overview of the Division's current activities.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: No documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 13a

Financial Report

PRESENTER: Chris L. Jensen, Administrator

OBJECTIVE: Review the HVAC Board's financial report.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Idaho HVAC Board meetings.

**PROCEDURAL
HISTORY:**

ATTACHMENTS: Financial report





Division of Building Safety
 IDAHO HVAC BOARD FUND 0229-08
 Fiscal Year 2017 Financial Statements
 As of 12/31/2017

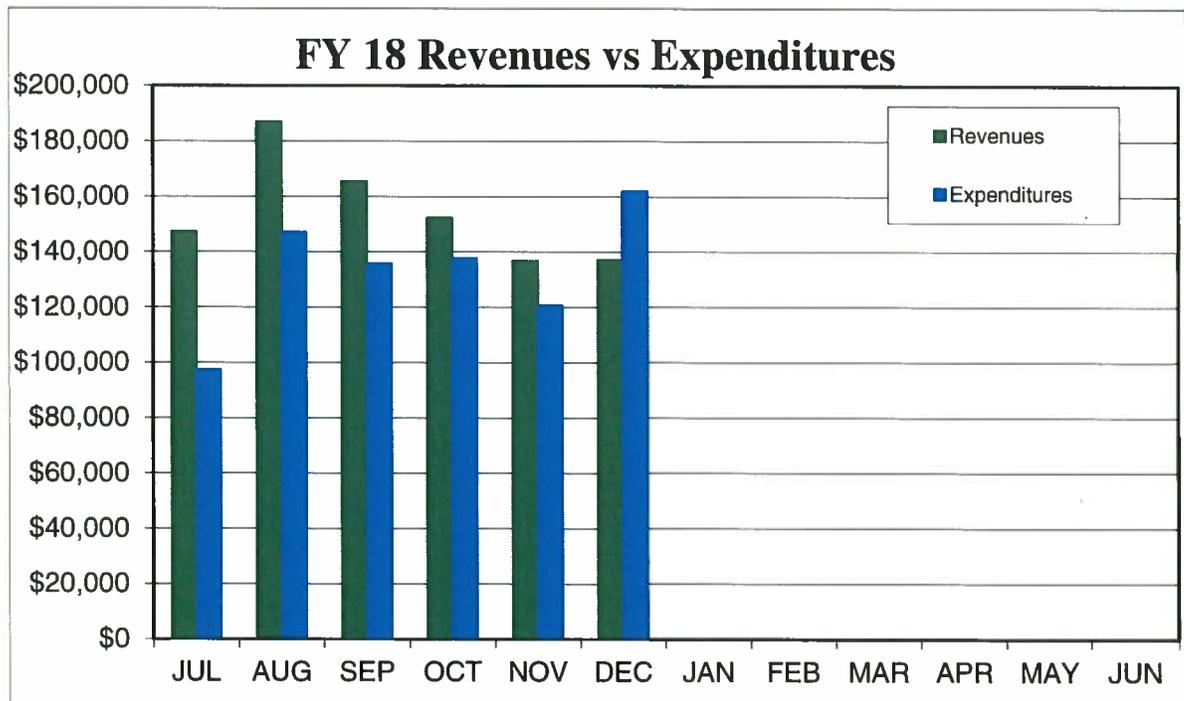
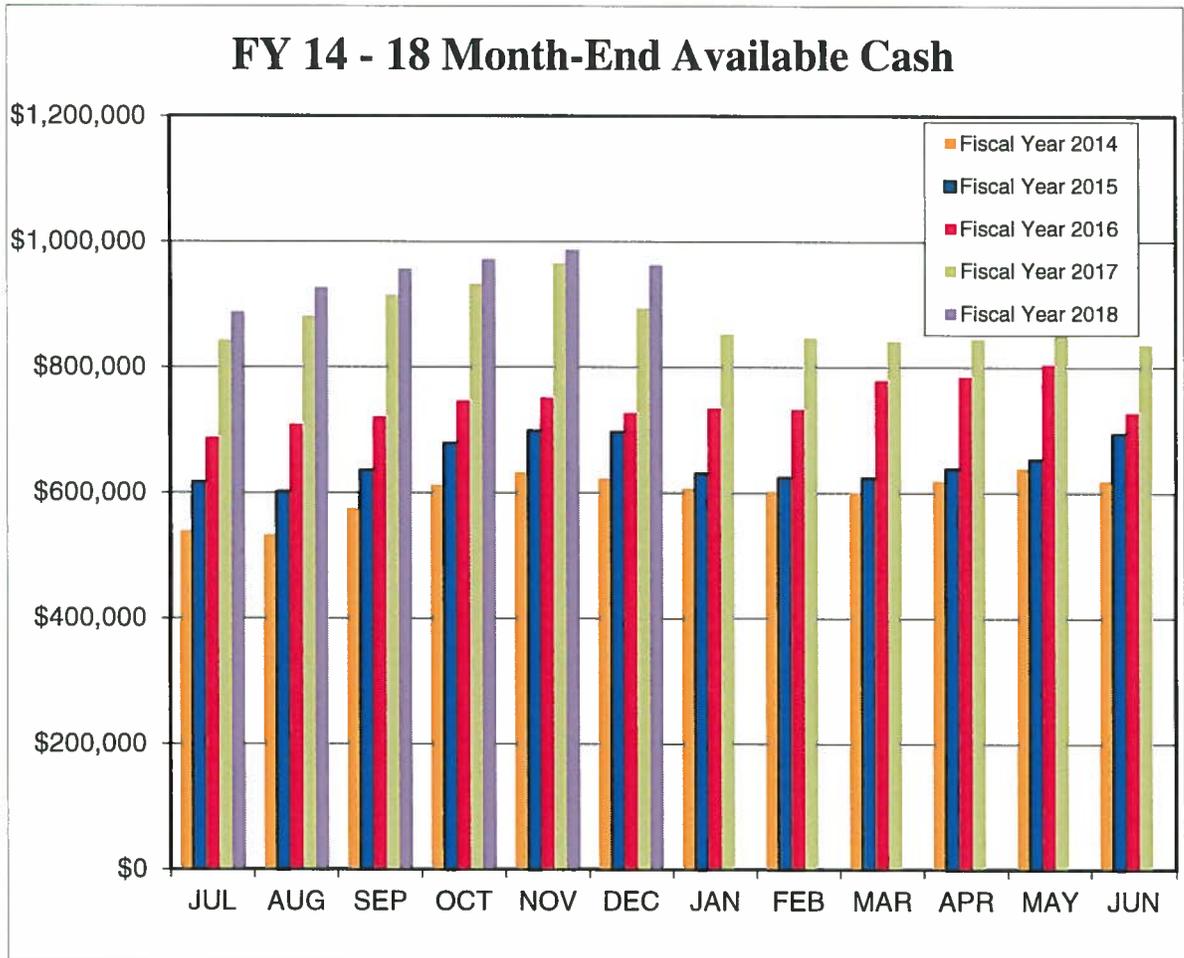
Statement of Revenues and Expenditures

Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	1,703,300	925,064	54.3%	778,236	712,942	1,638,005	96.2%
Expenditures							
Personnel:	1,367,400	622,162	45.5%	745,238	670,021	1,292,183	94.5%
Operating:	242,900	126,671	52.1%	116,229	96,207	222,878	91.8%
Capital:	93,000	50,957	54.8%	42,043	42,043	93,000	100.0%
Total Expenditures	1,703,300	799,791	47.0%	903,509	808,271	1,608,061	94.4%
Net for FY 2018	-	125,273			(95,329)	29,944	

Statement of Cash Balance

July 1, 2017 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of December 31, 2017	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
835,874	925,064	(799,791)	877	962,023	(95,329)	866,694

IDAHO HVAC BOARD FUND 0229-08



IDAHO HVAC BOARD FUND 0229-08

