

# Lewiston Building Board Meeting

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Transcript Prepared By:



**T R A N S C R I P T I O N**  
O U T S O U R C I N G , L L C

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1 Egan: People, we'll go ahead and get started here. My name  
2 is Jeff Egan. I'm the Building Program Manager for  
3 the Division of Occupational and Professional  
4 Licenses. I'm going to talk to you today a little bit  
5 about building code and that includes our energy  
6 codes. Um, uh, you -- I think everybody was here  
7 earlier today for the electrical part.

8  
9 Um, but I am going to ask Tim Frost to just kind of  
10 briefly update you a little bit on what we're here to  
11 talk about, Zero-Based Regulation, um, repeal all our  
12 rules and replace them with what we think we, being  
13 the industry and, uh, the state thinks is most  
14 appropriate for our state. Um, and we are here to  
15 listen to your comments so that we can take them back  
16 to the office with us and, um, to the, uh, Building  
17 Code Board. So right now I'm just going to ask Tim to  
18 just briefly kind of run through what ZBR is and how  
19 it impacts us. Go ahead. Oh, Tim --

20 Frost: Thanks. Thanks, Jeff. Tim Frost. I'm the Operations  
21 and Regulatory Bureau Chief at the Division of  
22 Occupational and Professional Licenses. First of all,  
23 I appreciate you all coming and taking the time out of  
24 your day.

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Um, you know, to try to kind of simplify the process, our, our state, you know, starting in 2017 has started a, a pathway towards how can we simplify, um, how we go about our trades, our professions, our occupations, uh, how do we simplify it from the user end and the customer, um, and how they interact with our agency as well as, uh, how do we interact with our licensees.

And so we initially did that through, uh, the Licensing Freedom Act. We found how many different permits, licenses, and uh, registrations that we issue in the state, um, how many different boards oversee those, and how many different IT structures. And since Governor Little has, uh, started, uh, you know, started his, uh, campaign really from the beginning of that, he's tried to work towards how do we simplify this for Idahoans. And, um, in 2019 all of our boards, um, we through kind of a historical process.

Uh, the Idaho legislature did not pass a concurrent resolution on administrative rules. It was the first time in history. And, uh, as a result, the only way to have rules, uh, was for the governor to do an emergency temporary rule reauthorization. And so all rules were essentially going away 'cause the



1 legislature wouldn't sign it without passing that  
2 concurrent resolution.

3  
4 And the governor asked every single agency to hold  
5 public hearings and look towards how do you simplify,  
6 um, what that rule chapter looks like, you know,  
7 reduce unnecessary wordiness, simplify it so it's  
8 easier for the reader, uh, reduce duplicative, uh,  
9 duplicative descriptions of what's already in statute  
10 versus what's already in rule. And he specifically  
11 asked if there's areas, areas where it's barriers of  
12 entry into, uh, that market that, uh, aren't grounded  
13 in safety or, or items that are in the rules that  
14 aren't connected to life safety to, to narrowly tailor  
15 that and remove those requirements.

16  
17 And so I was -- it was kind of, kind of the first time  
18 on a state level that all of our boards had to go  
19 through that process and over a period of five weeks,  
20 um, all administrative rules were simplified by 75  
21 percent. And the governor is pretty proud of it. One  
22 of the things that, um, he wanted to institute after  
23 that is instead of a one-time repeal and replace  
24 process where we really look at the entire chapters,  
25 let's do a thorough review and do it on a cycled basis



1 so we can properly gauge, uh, all of our impacted  
2 stakeholders whether that's industry, whether that's  
3 our building officials, whether that's the citizens.

4  
5 So, um, they instituted, uh, Executive Order 2020-01.  
6 It's called Zero-Base Regulation. And, uh, the  
7 principle and act behind it is it takes every one of  
8 our boards, uh, that has rule making authority in a  
9 rule chapter and it puts them on a five-year cadence  
10 schedule. And every five years that board is going to  
11 have to go through a repeal of the current rules and  
12 then a process to replace and reauthorize the rules.  
13 And that reauthorization process is, um, a -- we're  
14 asked a number of different things on what is the  
15 cost-benefit analysis of, of reauthorizing this rule,  
16 uh, how do other states and jurisdictions approach  
17 regulating this, are the more restrictive, are they  
18 less restrictive, are they the same, and, uh, how is  
19 the board evaluating and taking objective measures to  
20 say, you know, this is exactly where we should be?  
21 This is the right hand, uh, this is the right hand of  
22 regulation versus, uh, this is too much.

23  
24 And so it, it causes us to go to a, a number of  
25 different questions and, and data information that we

1 have to pull. Um, it's modeled off of, you know, what  
2 the federal government started in the nineties, and  
3 many other states have created these both rule review  
4 and statute review process.

5  
6 So, uh, Idaho is a little bit behind the game when  
7 we're talking about, uh, these type of re- -- reviews,  
8 but the, the goal is to prevent some of the  
9 bureaucratic inertia that can happen in, you know,  
10 random industries where, um, you put a requirement in  
11 place and everybody kind of sets it and forgets it,  
12 and it's kind of well that's, that's what it's always  
13 been. Um, and there's never been a conversation  
14 around well, you know, is there new technology that  
15 would be better, is there a different approach that we  
16 can go about to get the same intended benefit?

17  
18 So, uh, a lot of what we're doing from the listening  
19 sessions is, you know, asking some specific questions  
20 and then opening the floor up to, um, any potential  
21 topic to, uh, really gauge what are the things that  
22 are, you know, impacting the industry. In this  
23 instance, you know, the, the building industry, uh,  
24 crosses over between the building code and the energy  
25 code. Um, ask some specific stuff about that. You



1 know, do we need a building code? If we need a  
2 building code, should it be the 2015, the 2018 or, or  
3 the new adoption? Do we need the energy code? If we  
4 need it, do we need current of what it is as the 2018?  
5 Um, should it be the new energy code? And then on top  
6 of that, when we're talking code it's, it's diving  
7 into the code to say, um, of the elements of these  
8 codes, you know, which are life safety and which maybe  
9 are comfort or what, what are life safety and, uh,  
10 which aren't providing actual safety benefit to, to  
11 Idahoans. And as a result, that cost is just passed  
12 down to them and, and citizens have to bear that cost.

13  
14 And so, uh, the process is, is not meant to be, um,  
15 repeal everything, get rid of everything, deregulate  
16 everything. The process is meant to be, um, a  
17 thorough review and to ask the questions of is what  
18 we're doing right now the right thing or do we need to  
19 make some adjustments? Is there a different approach  
20 that we can do it? And so I think from a, a building  
21 and an energy perspective, you know, we'll cert- --  
22 certainly have some specific questions, but maybe you  
23 all will have ideas of this is something that you  
24 should really look at. You know, I really believe  
25 this is life safety and it's not required or the vice



1           versa, this is required and, and there's no, there's  
2           no relevance to life safety with this.

3  
4           So, um, we are completely open to all of your thoughts  
5           on this. Um, I think, uh, you know, when it comes to  
6           all these public hearings we have we have people  
7           totally for something and totally against that, and  
8           that's, that's certainly your purview. If you don't  
9           feel comfortable speaking on behalf of your city or  
10          something like that, please feel free to come give  
11          your opinion on behalf of yourself. I mean I think  
12          the more ideas we have the more we can build a  
13          thorough review as our board goes through kind of this  
14          repeal-replace Zero-Based, uh, Regulation order. So  
15          I'd be happy to take any questions on that before we  
16          get started. All right. Thanks.

17 Egan:       So I think what I would like to do is go ahead and  
18              start out with some energy code issues, and in the  
19              past week and -- two weeks we've, uh, encountered many  
20              questions about them, um, and, uh, everything from  
21              it's too burdensome to no we think it's just great and  
22              we want more of it. Um, and really we'd like to get  
23              input from you folks on that, uh, and maybe from a  
24              county/city perspective as well as personal, uh,  
25              opinion. Um, you know, what are your citizens saying



1 to you about energy code, about the new buildings that  
2 they're building? Are they too hard to build? Are  
3 they too costly?

4  
5 Um, uh, so, um, let's kick it off with the energy  
6 code, and, uh, do you think, uh, it is overbearing or  
7 not? Anybody have any just real loose comments if you  
8 would on that?

9 Goodwin: I'll go speak on it. Uh, Justin Goodwin, building  
10 official for City of Moscow. Also president of IDABO.  
11 So we've been down the energy code road for how long  
12 now? It's -- my personal opinion is it is cumbersome.  
13 Um, it is a shock to the system. It is a shock to the  
14 industry. But I do believe it is also something that  
15 is needed. Um, now do we need to, uh, regulate to the  
16 2018 code in Idaho? At this point in time, no. I  
17 think we need to take baby steps. We need to get  
18 contractors, we need to get the industry used to the  
19 code and then we move forward from there. Okay. If  
20 that makes sense.

21  
22 Um, as far as, you know, you were talking about the  
23 five-year code cycle or five-year review -- excuse me  
24 -- um, is that also going to be a five-year code cycle  
25 or are we still going to stay on a three-year code



1 cycle? I know that, uh, there's been different talk.  
2 Like I think plumbing's on a five-year cycle, correct?  
3 Or we really don't know. It's kind of on a cycle  
4 whenever it wants to be.

5  
6 Yeah. I think we need to be on a three-year cycle  
7 and, and the reason I state that is we all know the  
8 industry is moving quickly. New things are coming  
9 out, new technology, new stuff like that, and I don't  
10 want Idaho to be behind. We already are behind.  
11 Okay. I mean we just barely passed the 2015 plumbing  
12 code or 2018 Idaho plumbing code now. What is it not?

13 Nielsen: I just did the (inaudible - 00:11:51) of the plumbing  
14 code. We have amended -- there are amendments in  
15 there that do go with a three-year cycle --

16 Goodwin: Yeah.

17 Nielsen: -- 'cause I could see what's coming up on that, so.

18 Goodwin: Okay. That's, that's good. That's good. And I mean  
19 I don't want to go down a rabbit hole with stuff like  
20 that. But back to the, back to the topic on the  
21 energy code and, and your question you asked. Okay.  
22 You gotta remember everybody knows City of Moscow is a  
23 blue dot in a red state. Okay. So what I hear more  
24 than anything is they want energy code, energy code,  
25 energy code, energy code. Okay. My council comes to



1 me and says what else can we do? You know, can we be  
2 more restrictive? Can we do this? Can we do that?

3  
4 I turn around and I talk to my contractors. I got  
5 some contractors say this is absolutely ridiculous.  
6 I've been doing this for 20 years and never had a  
7 problem. Why is it a problem now? You're making  
8 these houses so tight that now I got to bring fresh  
9 air back into them. That's absolutely ridiculous.  
10 Okay. To contractors saying, hey, you know, I've been  
11 doing this for years. I've had no problem. You build  
12 anywhere else but Idaho this is not a problem. Why is  
13 it a problem in Idaho?

14  
15 So I think out there to answer your question is it all  
16 depends on what jurisdiction you're in is you go up to  
17 the City of Moscow and they're going to want energy  
18 code like crazy. Okay. You come down here to  
19 Lewiston, Lewiston's going to laugh at you and tell  
20 you to get the hell outta here. They don't want  
21 energy code, you know. Uh, I don't know about  
22 Treasure Valley. Uh, I hear, I hear things about that  
23 down there of you got some that want it, some that  
24 don't.

25



1 I think we've done a great job with, uh, with the  
2 energy code. When it -- when we had all the problems  
3 with the legislator the DBS did a great job of  
4 bringing all the people together and let's come up  
5 with something that will work, you know. You got the  
6 Home builders Association, you got IDABO and you got  
7 DBS. They all came together, and they came up with a  
8 code that I believe works very well for the -- and I  
9 would like to continue that in, in going down forward  
10 down the road.

11  
12 Um, so I guess kind of talked in a big circle, and I  
13 apologize if, if I did. But really it comes down to  
14 yes we need energy code. Um, just like we talked  
15 about, uh, in the electrical side of things. Um,  
16 we're moving towards electrical. I mean Avista (ph)  
17 is moving towards electrical. Um, we're going to be -  
18 - they, they just need more efficiency.

19  
20 And I think you're going to find customers are going  
21 to want that. Customers are going to be looking for  
22 the energy efficient home. I got -- I get customers  
23 that are building houses, and they come to me and they  
24 ask me questions like well are you guys following a  
25 green building program or are you guys doing, you



1 know, an Energy Star, you know, 'cause they came from  
2 California or they come from another state and that's  
3 what they're used to. And I think we're going to find  
4 more and more of that in the State of Idaho.

5 Nielsen: If I can ask you a question, Justin.

6 Goodwin: Yeah.

7 Nielsen: Do you think that -- okay, two more questions. Is  
8 energy code life safety?

9 (Crosstalk)

10 Nielsen: Then I'll just jump -- I'll jump --

11 Goodwin: Yeah.

12 Nielsen: -- onto the other, the second part. Do you feel that  
13 just like upgrading your countertops and your cabinets  
14 and your flooring if you want all that good energy  
15 stuff, you know, should you be able to just pay for it  
16 and not be mandated to have it?

17 Goodwin: And he, he's going to be -- I should have never talked  
18 to you at the very beginning. Uh, okay. So just also  
19 let you know I'm also a, a Battalion Chief for the,  
20 uh, Moscow Fire Department as well. So on the energy  
21 code being a life safety, yes it is to the aspect to a  
22 firefighter, um, because a tighter home -- I'm not  
23 going to down a big spiel but we all know fire needs  
24 air, right, for it to live and for it to burn. If  
25 your house is tight, we find that if a fire is to

1 start into your house, into a room -- we call a room  
2 of contents fire -- and your house is built tight and  
3 does not have a lot of air intrusion, it's going to --  
4 it is either -- it's going to maintain and stay in  
5 that room. It's not going to spread. But if we got a  
6 leaky home, your older homes, it's going to race  
7 through the house, put your firefighters in danger and  
8 stuff.

9  
10 Back to me as life safety side of the energy code, um,  
11 to answer your next question is, um, I do agree. My  
12 opinion -- I'm not speaking for the City of Moscow and  
13 I'm not speaking for IDABO by any means. My opinion  
14 is I'm, I'm all for not making people do anything that  
15 they don't want to do. Okay. So, um, let's take  
16 HVAC. If I want my house 68 degrees in the, in the  
17 wintertime, I should be able -- and I'm, I'm willing  
18 to pay for it, I think we should be able to do it. If  
19 I want my house to be 80 degrees in the summertime, I  
20 should be able to put a furnace in that will get my  
21 house to 80 degrees. That's my choice. That's the  
22 way, you know, I think I should be able to do that.  
23 Um, does that kind of answer your question 'cause I --  
24 if I give you my que- -- my, my answer, the IDABO and  
25 the, and the, uh, uh, building official --

1 Nielsen: You gave what you feel is politically correct.

2 Frost: As a kind of follow-up, I mean do you think the right  
3 approach here is -- or do you have a different  
4 approach of taking that, you know, as we go through  
5 the repeal-replace and taking the current code and  
6 using that as the framework and then really teasing  
7 out some of this is a necessary element versus this  
8 can be a consumer choice on, you know, adding it  
9 because there is a cost there and there -- the cost  
10 benefit might not be justified from a life safety  
11 standpoint.

12  
13 Like is that the right approach of, you know, we take  
14 a code as the baseline and dive into it and, and make  
15 determinations on this is absolutely necessary to be a  
16 mandatory requirement versus this is not or do you  
17 have a different approach?

18 Goodwin: Yeah. No, I think that's a great approach. I mean  
19 you take, you take the code that's written today as  
20 your framework. That's your, that's your base. And  
21 then I, I agree. There is a lot of things in the  
22 energy code -- well in codes, all the codes that,  
23 that, um, you know, are, are not life safety or  
24 they're more opinion based stuff in there. It's like  
25 yeah my opinion is I think that's a great thing, you



1 know.

2

3 Um, I mean, you know, case in point. Um, we ran into  
4 this just yesterday. Um, you know, in the electrical  
5 code, you know, it says you have to have an outlet,  
6 uh, every 24 inches, correct?

7 Egan: If it's a kitchen.

8 Goodwin: It's a kitchen, yeah. But the person built this house  
9 to where his counter goes directly to the window so he  
10 has no space to put those outlets. Okay. Is it life  
11 safety that he doesn't put it -- he or she does not  
12 put those outlets in? Well one person could say yes.  
13 I see a head shaking over there because what are they  
14 going to do? They're going to run cords to everything  
15 that could be tripping hazards or can knock them off.

16

17 But I turn around and talk to somebody else who's  
18 like, hey, if I don't want to put an outlet there, why  
19 do I have to put an outlet there? This is my house.  
20 I'm building this house for me. Well you're selling  
21 it, right? You're not going to be in that house  
22 forever. You know, and I think that's where the  
23 energy code kind of is, is the comfort for me and the  
24 comfort for my wife are different than the comfort for  
25 anybody else in here.





1

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Um, so when we look at a contractor I always tell the contractor I'm not here for him or her. I'm here for the person that's buying that house. Okay. Or that person that's going to buy the house later on down the road.

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Egan: Justin, I had a question for you.

21

Goodwin: Yeah.

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Egan: In your position do you get people saying that the energy code is costing me so much that I, you know, I can't afford to buy a house or, um, it's, it's too costly to build?



1 Goodwin: Right now no and, and that's because of where we're at  
2 right now because home prices are, are so high because  
3 lumber prices, everything is so high. Now when the  
4 fir- -- energy code first come out that's -- I heard  
5 that constantly that oh you've just added another  
6 thousand. You've just added another, you know, 2,000.  
7 You've just added -- now, um, last year or so it's  
8 been more complaints of, of lumber prices and stuff,  
9 so I do not get the energy complaints like I used to.  
10 Now if we go back to the way it was a couple years  
11 ago, yeah we might start getting the complaints again  
12 of, hey, this is costing my, you know -- and it's more  
13 education.

14  
15 You know, the -- it's like solar. Let's -- you know,  
16 solar is becoming a hot topic. I don't know if it is  
17 here. It's becoming a hot topic in Moscow. Um, what  
18 you got to do is you got to kind of show people what  
19 their, what their buyback is. How long is it going to  
20 take to pay that \$1,000 off if you add that \$1,000 to  
21 the house? You know, are you going to, are you going  
22 to save -- you know, in two years you're going to make  
23 that \$1,000 back in energy savings. Okay. And that's  
24 how -- that's kind of the approach we've taken in, in  
25 the City of Moscow is kind of just trying to show them

1 this is -- you know, if you do this, this is your cost  
2 benefit to it.

3  
4 And we're using raw data. I mean we're not using --  
5 you know, we're, we're picking -- we're trying to find  
6 data from other areas that's been doing this for a  
7 long time so we can show these people that this is  
8 the, this is the cost savings you're getting out of  
9 it. And sometimes it works to our benefit. Sometimes  
10 it doesn't. Sometimes we look at it and went oh, you  
11 know, it takes 15 years to pay it back or it takes --  
12 you know, what did we figure on solar? How long did  
13 it take to pay back if you put a solar on there was --  
14 I think it was like 20 years or something like that.  
15 It was not the life of the, of the, of the panel  
16 basically to pay back if you put solar in. Yeah. And  
17 do we know how long the system is going to last, you  
18 know?

19 Hyde: Justin, question for you. In your opinion as a  
20 building official, do you find it necessary to require  
21 all houses to be tested under 500 changes per hour  
22 based on the amended supplement to the energy code and  
23 that we asked every builder to test their fifth house?

24 Goodwin: Um, as a building official, yes.

25 Hyde: Okay.

1 Goodwin: I think so.

2 Hyde: But in relation --

3 Goodwin: I hate questions like this.

4 Hyde: -- as a building official --

5 Goodwin: Yeah.

6 Hyde: -- while we're on that perspective --

7 Goodwin: Yeah.

8 Hyde: -- what about the option that they have for visual  
9 inspection --

10 Goodwin: I do --

11 Hyde: -- in addition to? I mean that seems somewhat --

12 Goodwin: Yeah.

13 Hyde: -- counterintuitive --

14 Goodwin: It is, it is.

15 (Crosstalk)

16 Hyde: -- so much in one hand but oh here's a pathway to  
17 remediate --

18 Goodwin: Yeah.

19 Hyde: -- that. I mean it sounds contradictive.

20 Goodwin: It does and, and I think -- and this is, this is my  
21 opinion on this on where they came up with that is  
22 we've got areas in Northern Idaho that -- you got  
23 Clearwater County. You got areas that, um -- first  
24 off, they're lucky to even get an inspection, you  
25 know. They're lucky to even pull a permit. But to

1 get somebody to come and do a blower door test, even  
2 on their fifth home, you're pulling somebody out of  
3 Spokane. I mean it's going to cost twice as much to  
4 get somebody to do that. So I think that's where the  
5 visual inspection comes in, and as long as the  
6 inspector is trained properly, um, we use as a credit  
7 rule. If a credit card fits in it, you've got to  
8 caulk it. I mean that's, that's just the rule we use,  
9 and it's worked for us.

10 Hyde: So with that working, couldn't we apply that to every  
11 home --

12 Goodwin: You could.

13 Hyde: -- no matter where it is?

14 Goodwin: And, and that goes back to what John was saying, you  
15 know, when we were talking earlier. If you want to  
16 blower door test your house or if your customer wants  
17 you to blower door test it, by all means do it. But  
18 do I think that we should make people blow a door?  
19 No, no. Um, I think the problem is, is you're going  
20 to -- the issue you're going to run into is if we go  
21 down that road is you're going to take somebody that's  
22 going to build their house so tight and stuff but then  
23 not do the air changes over like they're supposed to,  
24 and then we're going to have mold. We're going to  
25 have rot. And then all of a sudden the life



1           expectancy of that home is going to way down, and  
2           that's going to be our problem. So you know, it's,  
3           it's -- that's where the blower door I think comes in  
4           is if we build the house too tight.

5  
6           Um, everybody in here remembers the Northwest Energy  
7           Code, what Idaho used to be under. That's what I  
8           started under. I loved that code. That one was --  
9           that -- and that one was one of the easiest ones to,  
10          to, to me personally to inspect was the Northwest  
11          Energy Code. And then I think we've complicated it  
12          from there.

13   Hyde:     Because there's also the amendment in the building --  
14              residential building section that says it doesn't  
15              matter how leaky your home is. You have to provide  
16              mechanical ventilation.

17   Goodwin:  Correct.

18   Hyde:     And I think the intent there was to account for very  
19              tight homes.

20   Goodwin:  Correct.

21   Hyde:     So hopefully we alleviate that from the life safety  
22              aspect. Um, is there any other opinions in relation  
23              to air infiltration in the (inaudible - 00:26:55) say  
24              in Lewiston? Bruce?

25   Egan:      Come on up.

1 Graham: Justin, thank you --

2 Goodwin: Yeah.

3 Graham: -- for, for starting out the way you started out and  
4 then you kind of circled back around, and I'm not sure  
5 where we're going but -- Bruce Graham, Quality  
6 Heating, uh, in Grangeville. And basically my opinion  
7 is throw out the, uh, uh, codes for energy. It should  
8 be all about life safety. And when you -- but here's  
9 a little caveat and, uh, when we were in Post Falls we  
10 kind of got together and did a little talking after,  
11 after the meeting, and the fact is is everybody's got  
12 to deal with their own jurisdiction.

13

14 I happen to deal with the State of Idaho 95 percent of  
15 the time, and, uh, in Idaho County the average wage is  
16 probably around \$30,000 a year, uh, not \$100,000 a  
17 year. And so by putting this energy code to all of  
18 our housing it takes a two bedroom house for a start-  
19 -- starter family and puts them out completely out of  
20 their range and there are no rattles. So we can't  
21 even get people to, to move into Idaho County unless  
22 they are retired or coming in with, with money. Okay.  
23 So I think we're taking the -- taking houses out of,  
24 out of, out of people's range to live and I think  
25 everybody needs a basic house, especially if you've



1 ever been through Oregon here lately, Portland and  
2 Eugene, etcetera, and see all the tent cities. I  
3 don't think that's the way we want to go.

4  
5 Uh, now after we kind of talked up there in Post Falls  
6 after the meeting though is everybody has to deal with  
7 their own jurisdiction. Uh, with these jurisdictions,  
8 the people in that community have the ability to elect  
9 their officials who guide the building departments,  
10 right, your, your city councils or your, or your  
11 county commissioners, etcetera. And so that kind of  
12 gets the trend going for that area, and so they can  
13 deal with it on a, um, housing area by area if they  
14 wanted to. DBS or, or whatever you're running under  
15 now, etcetera, is basically to me that's, that's the  
16 basics for Idaho, and I think that should have to do  
17 nothing but health and safety.

18  
19 Now I did say health. So if they are doing tight  
20 houses, then, then there may be need to be a state  
21 requirement to match this, this error supply to the  
22 house. Okay. Because we all know we've got to bring  
23 in fresh air. And, uh, if you can throw a cat through  
24 the walls, you know, then we don't need to bring in  
25 fresh air. It's got enough. But, but if we're





1 building these tight houses, which most all of our  
2 contractors are building fairly type homes anyway, we  
3 need, need to bring in that fresh air.

4  
5 But the problem is is the fresh air is only good when  
6 it's -- when you start it up. Right after that, uh,  
7 people don't maintain it. It gets dirty. So, so all  
8 these quantities that we have when we started up  
9 aren't the same two years down the road. A lot of  
10 people when they get that heating bill in the middle  
11 of winter when it's zero degrees outside they go holy  
12 cow and they go shut it off. Well now what did they  
13 do to their home? Now, now you've got mold and you've  
14 got bad air in there from, from your bathrooms,  
15 etcetera, and moisture and, uh, cooking and dah, dah,  
16 dah, dah, and now we got a lot worse house than what  
17 we would have had if we just made a little bit looser  
18 house.

19  
20 So I got mixed feelings about all this stuff. I think  
21 if we're going to build a tight home, then we do need  
22 to address the fresh air and that might maybe needs to  
23 be in, in the code there. But as far as the energy  
24 codes, I think the state shouldn't be it.

25 Hyde: Bruce, from a life safety perspective, the regulation

1 of tight homes, do you feel that's a life safety  
2 concern that we should be regulating, how tight the  
3 home is?

4 Graham: No, 'cause I think we had healthier homes before.

5 Frost: Bruce, you brought up a point that I think has come up  
6 in a number of different, um, you know, meetings. I  
7 think somebody in Pocatello called it as consistently  
8 inconsistent. Um, but it's related to kind of the  
9 city and county jurisdictions and how they approach  
10 this. I mean from your perspective, um, how do you  
11 think that should look? I think, I think one of the  
12 things that has been brought up in a number of  
13 different meetings is, uh, that it needs to be  
14 standardized across of regardless of whoever, um,  
15 regardless of whoever, uh, is doing the inspection or  
16 has their program and that it needs to be according to  
17 the same standard. Would you support that? Do you  
18 think there should be a, a separation by the city or  
19 county to be able to regulate beyond the state  
20 requirements? Should they be able to regulate less?

21 Graham: I personally think it should be up to the individual  
22 that's, that's paying for the house rather than the  
23 counties, uh, uh, etcetera. But I also feel that if  
24 you're living in a county that, that wants to have  
25 higher regulations, etcetera, and the majority of the



1 people want to elevate that -- McCall, they got a  
2 terrible climate down there, etcetera, so they've  
3 elevated their, their energy, uh, regulations. But  
4 basically they pushed all the low income people out of  
5 McCall. Uh, so now they don't have people to man  
6 their restaurants and, and, you know, their waiters  
7 and waitresses, etcetera. They have to live somewhere  
8 else and drive into McCall because it's an elite town  
9 now.

10  
11 Okay. We definitely don't want that in Idaho County.  
12 Idaho County is, is -- time and time again we don't  
13 have building officials in Idaho County. Idaho County  
14 does not want it period. And so the energy code's  
15 basically being enforced through the HVAC side right  
16 now and we're going why are we the -- you know, why  
17 are we getting beat all the time. Yeah.

18 Frost: So how do we -- I mean how do we remove that  
19 inconsistency? In other words, how do we remove that  
20 scenario where, um, you know, a, a particular area is,  
21 is not doing a cost benefit and they are driving out  
22 local citizens? And I, I -- again, this is not -- it  
23 actually -- this now goes beyond the board. This is a  
24 statute requirement. But I mean as an industry it's  
25 being talked about a lot.



1 Graham: I, I, I, I think we can start with the, the state and  
2 state requirements, and we can, uh, ask the counties  
3 and cities to, to go back and look at their  
4 regulations and ask themselves if they -- if they've  
5 got overregulated. But I think it's ultimately up to  
6 the voters of that jurisdiction. And if the voters  
7 want it, they're going to go there, and if they don't,  
8 they're, they're going to rescind and drop back to  
9 what the state's doing.

10 Goodwin: Okay. Thank you. So just want to -- I, I, I agree  
11 with him. Um, when it comes to -- the State of Idaho  
12 seems to be pretty unique. You go -- you know, it's  
13 desert-ish down in the, in the southern part and you  
14 get up and it's mountain-ish up in the northern part.  
15 And to -- like he was saying, I think each, each  
16 jurisdiction should be able to take -- if the state  
17 was to take a -- say okay we're going to be the 2018  
18 energy code, this is your bare minimum, and then allow  
19 each jurisdiction to tweak it to fit their area which  
20 we, we can to a certain point. Residential side kind  
21 of got hamstrunged a little bit where you can only,  
22 uh, on the building code side you can only do, what is  
23 it, a chapters one, two and three, but anything beyond  
24 that you can't. Whatever the, the state has adopted,  
25 that's what you're stuck with.



1

2

Okay. Um, I think each jurisdiction should be able to

3

-- like you were saying -- come up with what fits

4

their area. Okay. Um, 'cause what's good for, for

5

Boise might not be good for Moscow. What's good for

6

Moscow might not be good for, uh, Idaho County, you

7

know.

8

Egan: So does that -- even to the point where it might

9

exclude someone from being able to afford a house?

10

Goodwin: You know, trying to put --

11

Egan: We, we can have places like Sun Valley, Ketchum and --

12

Goodwin: Yeah.

13

Egan: -- McCall is leaning that way.

14

Goodwin: But I'll, I'll throw a question right back you. Do

15

you think it's the codes that are making the houses

16

too expensive or is it the builder and the realtor

17

making the houses too expensive? Because --

18

Frost: It's everything.

19

Goodwin: -- you, you know. You kind of follow what I'm saying

20

on that? 'Cause I got one builder that builds a house

21

at \$120 a square foot. I got another builder that can

22

build that exact same house for \$100 a square foot.

23

Hyde: I think it ties back into what --

24

Goodwin: Yeah.

25

Hyde: -- Tim had said where it's more from the statute level

1 where that local jurisdiction, city or county can  
2 amend by ordinance the codes that have been adopted by  
3 the state but in a more stringent manner.

4 Goodwin: Correct.

5 Hyde: That's what allows it and that's where in these areas  
6 that Jeff referred to is pushing certain people,  
7 certain demographics out of those towns. And it's  
8 that statute that allows them --

9 Goodwin: Yeah.

10 Hyde: -- to do so. And that's the issue in -- would be --

11 Goodwin: Yeah.

12 Hyde: -- the answer to your question.

13 Goodwin: And, and, you know, to answer back is is like you were  
14 saying, those were the people -- the people that are  
15 coming up with those ordinances for that jurisdiction  
16 were voted for --

17 Hyde: Right.

18 Goodwin: -- by the people that they're pushing out, you know.  
19 Um, so my thing is, is I think if we, if we allow  
20 jurisdictions to do -- take a base of what the state  
21 says hey this is our base model code. Now you can  
22 adopt it as this and call it good and move forward or  
23 you can amend it to fit your area. Now amend it to  
24 fit your area might do what Sun Valley did and then  
25 that jurisdiction might have to turn and take a look

1 at it and say okay what the hell did we just do. You  
2 know, we're pushing a bunch of people out because we  
3 amended the code too strict.

4 Frost: So, um, no I appreciate this conversation. And again,  
5 I mean that's -- just so we're all clear on this.  
6 This does fall outside of the board.

7 Goodwin: Yeah.

8 Frost: It's a good conversation. This isn't a part of ZBR.  
9 But, um, so with keeping it at the local level and  
10 having the ability to adopt a, a exactly what the  
11 state has or an addendum that's maybe more restrictive  
12 depending on the scenario and climate and all those  
13 type of things, do you agree that it should also stay  
14 at the local level for the locals to go less stringent  
15 than the state and have that same authority?

16 Goodwin: I, I don't think so. I think the state should be the  
17 bare minimum. What they, what they adopt -- what the  
18 legislatures, the board takes to the legislatures,  
19 that's the bare minimum for the State of Idaho. Okay.  
20 And then the ci- -- that, that would leave it up to  
21 the local jurisdictions, could read those codes, could  
22 look it over and say, you know what, I like exactly  
23 what the state adopted. That's what we're going to go  
24 with.

25 Frost: So would that be --

1 Goodwin: Or they can go stricter.

2 Frost: So the, the, the piece to one of the things we've  
3 heard and I think we see this in North Idaho is, um,  
4 the, the opposite -- like the same, the same exact  
5 conversation that we're having of it is the locals  
6 doing the hiring or, or doing the elections there and  
7 who they elected, you know, doesn't want that, you  
8 know, same building code.

9  
10 And so I think principally I think we have each one of  
11 these different jurisdictions that are saying the same  
12 thing. We're lacking that local. They're going to  
13 make that local decision and the market is going to  
14 move with their feet whether or not they stay here or  
15 whether or not they move. So why is it different on  
16 the opposite end of those locals being elected in an  
17 area, um, and making decision to not go with the state  
18 requirement since everything is different in Idaho?

19 Goodwin: Yeah. So you're talking -- going, going back to what  
20 you're saying is if the state adopts it allowing local  
21 jurisdiction to go less than what the state is  
22 adopting.

23 Frost: Correct.

24 Goodwin: Okay. Um --

25 Frost: Essentially local control going less restrictive --



1 Goodwin: Mm-Hmm.

2 Frost: -- versus local control going more restrictive. In  
3 other words, what's the meter by which we allow --

4 Goodwin: We allow --

5 Frost: -- them do either?

6 Goodwin: Yeah. And that's, that's a good question. Um, I  
7 guess the way I look at it is if the state comes up  
8 with this is the bare minimum from the State of Idaho  
9 and then each local jurisdiction can either adopt it  
10 as is or can go stricter. You know, the, the  
11 minimum's minimum -- like code's minimum, I always  
12 tell contractors if you build a code house, if you  
13 tell me you're building a code house, you're building  
14 basically the bare minimum, not a very good home.  
15 Okay.

16  
17 You know, usu- -- and we are -- I, I believe we are  
18 blessed in Idaho compared to other jurisdictions. Our  
19 contractors around, the majority of them, they want to  
20 do the right thing. They build a good home. HVAC  
21 guys put in good systems. You know, I, I watch them.  
22 They do the old slide rule. You know, they may not do  
23 a right soft or anything, but I, I see contractors out  
24 there with the slide rule making sure that they've got  
25 the proper amount of CFM in each room. They're

1 putting the proper, you know, stuff in. So they're  
2 already going above what the code's asking for, okay,  
3 by doing that.

4  
5 I don't think that each jurisdiction should be able to  
6 lessen what the State of Idaho has adopted as a bare  
7 minimum. This is like you don't want to go any less  
8 than this. This is the bare minimum. We don't want  
9 you going any less than this, but you can definitely  
10 go stricter than this. Okay.

11 Frost: So would that include like Idaho County not adopting  
12 the code at all? They would be forced to adopt the  
13 bare minimum that the state --

14 Goodwin: They would be -- I, I believe that they would be  
15 forced to adopt the bare minimum. Yes. And I was  
16 always under the understanding -- and, and correct me  
17 if I'm wrong -- um, that if there is no local  
18 jurisdiction or anything that they automatically fell  
19 underneath the state and what the state has adopted.  
20 That was from my understanding. That was my interp- -  
21 - you know, so even though Idaho County does not have  
22 a building official or Idaho County does not have a  
23 building department, you know, maybe they used  
24 contract inspectors or something, they still fall --  
25 they still have to fall underneath what the state has

1           adopted as a bare minimum.

2 Hyde:       Justin, to add to that, the state in the bare minimum  
3           we're having -- we're trying to identify the argument.  
4           We're having the discussion on adopting the -- let's  
5           just say the 2018 International Energy Conservation  
6           Code --

7 Goodwin:    Mm-Hmm.

8 Hyde:       -- from a life safety aspect, right.  Because based on  
9           that statute we were discussing --

10 Goodwin:   Mm-Hmm.

11 Hyde:       -- local jurisdictions can't adopt anything that the  
12           state hasn't adopted.  If we were to adopt the energy  
13           code but then deferred it to the locals for  
14           enforcement and their choice of how they enforce it  
15           and to what degree, would you as a city official be  
16           opposed to something like that?

17 Goodwin:    I would not.

18 Hyde:       (Inaudible - 00:43:07) defer everything back to the  
19           locals.

20 Goodwin:    Yeah.  I, I, I think that's a great idea.  I think the  
21           problem we're going to run into is back to the  
22           consistency.

23 Hyde:       The consistency.

24 Goodwin:    Yeah.  'Cause you're going to get, you know -- um,  
25           especially up in this area.  We get -- I'm, I'm sure

1 Moscow contractors come down do Lewis- -- uh, work in  
2 Lewiston. Lewiston contractors come up into Moscow  
3 all the time. And if, if we take -- if we do that and  
4 say we buy -- uh, or we take an energy code and then  
5 each jurisdiction, it's up to them to enforce it, well  
6 let's say the City of Moscow says, you know what,  
7 we're not going to enforce the energy code at all. Do  
8 whatever you want.

9 Hyde: Right.

10 Goodwin: You know, you just put the bare minimum installation  
11 in. I don't care if it's, you know, R-21 or 19. You  
12 just got to insulate your home. But they come down to  
13 Lewiston and they're like oh no you're going to do  
14 this, this, this, and this, and they're going to be  
15 pulling their hair out.

16 Hyde: We're seeing that now, uh, with the amendment that was  
17 made back in July for the (inaudible - 00:44:05) with  
18 supply duct insulation and the --

19 Goodwin: Mm-Hmm.

20 Hyde: -- R-8 requirements. There were large, significantly  
21 large cities and counties that said why are you  
22 increasing it from R-6 to R-8 and it's like we're not.  
23 (Inaudible - 00:44:20) it --

24 Goodwin: Yeah.

25 Hyde: -- it was adopted, you know.

1 Goodwin: Yeah.

2 Hyde: And so there is an inconsistency. Do you have any  
3 suggestion for the state on how we could, aside from  
4 collaborating --

5 Goodwin: Yeah.

6 Hyde: -- um --

7 Goodwin: Well on that, you know, I, I almost can contradict  
8 myself from my earlier statement because that's one of  
9 those ones where, you know, like you were talking  
10 about do we lessen the code? So the state adopts it  
11 2018 as is written let's say. Let's just say they  
12 just adopt it as written, and then they leave it up to  
13 each jurisdiction to do with what they want from that.  
14 You know, that's one of them the jurisdiction can  
15 lessen the code and say no we're going to start with  
16 R-6 and not an R-8.

17 Hyde: Right.

18 Goodwin: Um, yeah. That's, that's a tough one.

19 Hyde: It is.

20 Goodwin: That's -- that, that is very tough. Um, the only  
21 suggestion I would come up with is back to my fir- --  
22 my other -- my statement of if we get all the parties  
23 in play when it comes to the codes that say, okay,  
24 this is going to be our bare minimum that we're going  
25 to have for the State of Idaho. So the State of Idaho

1 is going to stay R-6. I don't care if in 2021 it says  
2 you're going to an R-10. State of Idaho is going to  
3 be an R-6. But McCall, City of Moscow, whoever can go  
4 to an R-8 or can go to the R-10, if, if needed, we're  
5 going to stick with an R-6 because R-6 has worked.  
6 It's worked forever.

7 Hyde: Okay.

8 Goodwin: You know. Um, that's just kind of my opinion on it.

9 Hyde: Well I appreciate that. I appreciate that. Um, we're  
10 having a -- in, in these discussions that we have had  
11 it's coming back to why have we adopted the energy  
12 code from a life safety? ZBR is to identify the life  
13 safety aspects between not only our industries here in  
14 Idaho between the different (inaudible - 00:46:12) --

15 Goodwin: Mm-Hmm.

16 Hyde: -- but also in comparison to other states.

17 Goodwin: Mm-Hmm.

18 Hyde: And where does this benefit Idaho from a life safety  
19 perspective? So we're having a hard time identifying  
20 what that is in order to try and solve this problem.

21 Goodwin: I, I want to basically go back to what he was saying.  
22 We're not going to call it a life safety, but it's a  
23 health, you know.

24 Hyde: I mean that is a valid point. That is --

25 Goodwin: It, it really -- it is. It comes down to the health

1 and -- of, of your home. Um, you know, he brought up  
2 a point about bringing fresh air. I have -- my house  
3 was built under the Northwest Energy Code so I have  
4 the fresh air that comes in through the furnace. When  
5 it kicks on my furnace blower kicks on, brings in the  
6 fresh air, opens up the damper, puts out through the  
7 house. Well I don't know what it was like down in  
8 Boise but the last two weeks it was so smoky and thick  
9 that I shut it off because I was just pumping that air  
10 into my house. And actually it -- uh, I had one  
11 person, uh, tell me that they set their smoke  
12 detectors off it pumped in so much smoke, you know.  
13 So but, um, I do have low energy bills in my house,  
14 you know. They don't seem to be astronomical, things  
15 like that.

16  
17 And, and that's one thing that I would like to also  
18 state is when you're talking about the cost of the  
19 house when you do the energy is, is making the house  
20 un- -- not affordable but what about the energy bills  
21 that these people are going to have to be paying that  
22 work that job and make the \$30,000 a year because we  
23 see the trend. Energy prices are, are going here, and  
24 if your house is leaky and you're, you're heating, you  
25 know, a, a leaky house, your energy bills are going to



1 be to the point where you can't afford that house  
2 anymore either. So that's, that's another problem we  
3 have for, for the state as well.

4 Hyde: Thank you.

5 Goodwin: Mm-Hmm.

6 Hyde: We appreciate it.

7 Kaufman: So my name is Bobbi Kaufman. I've been working for  
8 Clearwater County for about 16 years. And the  
9 frustrations I see, so your electricians, plumbers,  
10 HVACs all have to be licensed and our contractors do  
11 not. They only have to be registered. And I am anal  
12 retentive. I look up everybody's contractor  
13 registration every time.

14  
15 And I had a guy from Idaho County -- not to cut Idaho  
16 County down, but he was a concrete guy. And he  
17 actually had a disciplinary action on his registration  
18 which doesn't happen very often. But he was out  
19 telling people that he was registered. So I have no -  
20 - he's not licensed. We can't take his license away.  
21 So we can't go after him. So he's a concrete guy and  
22 end up these people not using him because of what I  
23 found. I said, hey, it's public record. I would have  
24 him prove this.

25



1           So now we have registered contractors that don't have  
2           to do anything but pay their insurance. They don't  
3           have to, they don't have to take any classes to build  
4           or do energy efficiency. So then the HVAC guys do  
5           though. And then honestly I have -- you know  
6           homeowners can do their own HVAC. The whole manual J,  
7           D and S is great. But when you go in here to pick a  
8           state you can only pick Lewiston or Kamiah (ph) were  
9           the two cities for your --

10 Male 1: Lewiston or (inaudible - 00:49:33).

11 Kaufman: Well that doesn't make sense to me at all. You -- if  
12           you're going to enforce that, you need to have every  
13           jurisdiction -- Lewiston is away hotter than Orofino,  
14           Elk River. I mean Elk River gets way more snow. So  
15           if you're going to have a standard, make it where it  
16           makes more sense. So I've had -- and it's not  
17           consistently done. Some people pick Lewiston. Some  
18           people pick -- what did you say was the other closest  
19           city? Kooskia?

20 Male 1: (Inaudible - 00:49:59).

21 Kaufman: Yeah. And I'm like okay this -- I, I understand the  
22           idea, but I'm just trying to help a homeowner. And so  
23           I'm asking and so I called Dave Freelove (ph), our  
24           energy circuit writer. Dave's great. And  
25           unfortunately 'cause of Covid he has not been able to

1 do the trainings. The trainings were great, got the  
2 contractors there, got us little, little jurisdictions  
3 who are trying to do our job. By the way, I'm not an  
4 inspector. Um, to -- so also you don't have training.

5  
6 So you, you only have these registered contractors  
7 that are supposed to know the energy code, but if they  
8 don't do it, there's no repercussion. So if they  
9 don't get their -- okay. Fine. The homeowner says  
10 he's building the house. He hires and subs it out.  
11 If we find out that a contractor doesn't have his  
12 registration to help us enforce this energy code, who  
13 do we turn him into? What do we do? And/or if they  
14 go and they screw up somebody's home, they're  
15 registered. They know -- so it's up to the homeowner  
16 then to what, go after that contractor or who do they  
17 contact to, to put something on their registration?

18  
19 So why aren't the builders held to the same standard  
20 as all the others contractors to at least have to take  
21 at test. We have to take a test to inspect. So  
22 really why, why don't we have a bare minimum for  
23 contractors? So 'cause if they didn't -- if they had  
24 a license and they were doing work without a license,  
25 then the state could help us. But the state doesn't



1 really care. Actually a hairdresser has to go to more  
2 schooling to do your hair than a contractor to build  
3 your \$500,000 home. So what -- what's the answer  
4 there? 'Cause that's -- I think that's where our  
5 biggest issue is of making everyone safe working with  
6 all of these industries and your life safety features.

7 Hyde: No, I appreciate the, I appreciate the feedback and  
8 the comments because under our new structure with the  
9 Division of Occupational and Professional Licenses  
10 general contractors and our registration board is now  
11 part of the --

12 Kaufman: Right. I'm on your website every day all day long.

13 Hyde: Yeah.

14 Kaufman: I actually hate it. Um, we have a manual --

15 Frost: Which one?

16 Kaufman: Well off the subject, there's a, a dude that likes to  
17 get his license and loses it, and when he doesn't have  
18 it he just disappears off your site. It doesn't come  
19 up that he's in violation. But then when he gets his  
20 shit together and he's back up then his license is  
21 there. So I called and asked. I said why when this  
22 guy -- when he has his -- and this is a manufactured  
23 home install- -- installer. If, if he's on violation,  
24 he should still be up there but say not current, like  
25 you're registered --



1 Frost: Yeah.

2 Kaufman: -- registered entity contractors or individual  
3 contractors. It says if they're current or they're  
4 not or if they have any disciplinary. But under the  
5 DBS license they just disappear off the face of the  
6 earth, and it's very frustrating. And then I'm trying  
7 to let people know, hey, this guy had his license last  
8 month but oh he lost it this month. I mean I don't  
9 know, so. And I'm -- we're really small, but I am  
10 super anal retentive about those websites all day long  
11 but not everybody is like me.

12 Hyde: We, we, we need those websites to be --

13 Kaufman: Yeah.

14 Hyde: -- working properly and functional for that very  
15 reason. So we'll look into that specifically because  
16 it should be showing at least from the electrical,  
17 plumbing, mechanical.

18 Kaufman: Oh no. I do love them. I mean I do -- it's very  
19 convenient, it's very handy, um, to look stuff up.  
20 But, um, there's some things that could be tweaked  
21 which nothing's perfect. And actually when I call  
22 your staff they're really helpful, um, all the time.  
23 But yeah, and the, and the contractors for the state.  
24 I don't see Sam or, or Steve here.

25

1 But anyway, but back to the, the whole energy code  
2 building side, I really do think that the contractors  
3 need to have some sort of license and have training,  
4 and if code keeps happening, we need to at least try  
5 to somehow venture out. But I don't know how we want  
6 to get contractors to attend training when they're  
7 busy as they -- I mean Idaho is growing so fast.  
8 Everybody moving to our county is not from here. So  
9 the whole energy code doesn't make my house  
10 affordable. I call -- that's not true. I mean yeah.  
11 So, um, anyway that's, that's where, where we're at.

12 Hyde: Thank you.

13 Kaufman: Yeah. Thank you. And thank you guys for all your  
14 hard work. I mean we're -- we are lucky to be in  
15 Idaho, but there's a few things that can be changed.

16 Hyde: Thank you.

17 Perry: I'm Todd Perry. I'm the building official for  
18 Orofino. Um, I, I just wanted to make a couple  
19 comments, and one is, um, I think if you lower the  
20 standards for the energy code 'cause it, it might cost  
21 too much for a house, I, I believe that the, um, low  
22 income people or whoever you think you're protecting  
23 they're going to pay for it with higher energy bills.  
24 Um, so I, I wouldn't be in favor of lowering the  
25 standards just because you, you, you think that people

1 can't afford the house.

2 Frost: Okay.

3 Perry: Um, I also agree with her about the, um, uh,  
4 contractors. A lot, lot of times they don't even know  
5 -- they, they advertise that they're licensed. They,  
6 they put on their truck they're licensed, and then  
7 they, they put the registration number, you know. And  
8 I'm always telling everybody you're not licensed. Um,  
9 uh, homeowners come in. They go, hey, I hired a  
10 licensed contractor. I got to tell them, hey, they're  
11 not licensed. They're, they're, um, uh -- it's just a  
12 registration. But there's that assumption, there's --  
13 you know, that the general public has that assumption  
14 that contractors are licensed and they're, they're  
15 not.

16  
17 And then, um, there was some discussion about, um,  
18 building codes and how, how they get adopted and, and  
19 that process of, of, um -- there's been some talk  
20 about can jurisdictions have a higher standard. Well  
21 we have a system, um, with the, with the, the Code  
22 Board where, where, where there's a lot of  
23 representatives on that board. They all agree, pass  
24 that up to the legislatures. They typically take that  
25 recommendation and adopt higher standards. But you

1 know, a few years ago that process was, um, uh,  
2 circumvented when, when they had that hearing, um, and  
3 I, I was there when the, the house I believe, um or  
4 house and senate passed that rule where local  
5 jurisdictions cannot have a higher standards. Um, do  
6 you remember that?

7 Frost: Yeah.

8 Perry: Yeah. And, and again, we have a good process, but we  
9 didn't go through that process. The, the legislators  
10 allowed, um, testimony from, from some builders and  
11 remember that one guy couldn't, couldn't even tell  
12 what, what type of washer he wanted to use, you know,  
13 and he, he brought some props there for the, uh,  
14 legislatures. But anyways, um, I think we have a good  
15 process if we just stay with it and, and, and not  
16 allow, um, that process to be circumvented and some  
17 people go straight to the legislatures and, you know,  
18 they, they, they should have went through the Code  
19 Board.

20 Frost: So one of the things -- and we've heard this a couple  
21 of times, and I, I think we just need to make sure  
22 we're aware of this, Idaho as a state. Um, our board  
23 doesn't exist unless the legislature creates the  
24 board. Does that make sense?

25 Perry: Mm-Hmm.

1 Frost: Our elected representatives determine whether or not  
2 our agency is going to exist, whether or not the  
3 board's going to exist, and then what the board's  
4 authority is. And then Idaho, you know, like 10 to 15  
5 other states has an additional protection in place,  
6 um, where whenever the board goes through a negotiated  
7 rule process, for instance, you know, the code  
8 adoption and they specify what code that they're  
9 adopting, they specify, you know, if or whether or not  
10 they're going to create certain deletions or  
11 exemptions or whatever that be, go through entire, you  
12 know, stakeholder process.

13  
14 When that comes back to the legislature, uh, the State  
15 Constitution requires the legislature to do a review  
16 on those rules. And so not only do they have the  
17 authority over the creation of the board and whether  
18 or not the board has rule-making authority, they still  
19 have the backend authority too to say no as a board  
20 you did not meet our legislative intent and what rule  
21 that you adopted. And so it's kind of one of those  
22 things.

23  
24 Like I agree with you there's, there's a way for if we  
25 want to call it circumvention of all the work that's





1 done by, um, you know, stakeholders and the board, but  
2 it's also part of the process we live in. And I don't  
3 think there's anything we can do to change that unless  
4 we're talking about (inaudible - 00:58:38).

5 Perry: Oh, okay. Well then I, I guess my comment is I like,  
6 I like the board. I like the process and, and I'd  
7 like to continue --

8 Frost: To try to do that.

9 Perry: Yeah. Because --

10 Frost: Yeah.

11 Perry: -- when they come out of there with a recommendation  
12 that, that -- whatever that topic is it's been beat to  
13 hell.

14 Frost: Yeah.

15 Perry: And, and I believe it's -- whatever they're  
16 recommending is a good, a, a good recommendation. It,  
17 it was scrutinized. It takes a long time, and, and  
18 that's okay and I like it. And, and then also in my  
19 area Orofino's not a rich area, but people don't  
20 complain about the energy code, you know. And in  
21 fact, it's, it's -- no matter who they are, when the  
22 insulation guys are, are up there blowing the, the  
23 stuff in the attic they're like add a little more, you  
24 know. They, they never say oh that's too much, you  
25 know. They --



1 Hyde: How is the visual versus blower door testing  
2 requirements go for you up in Orofino for the air  
3 leakage?  
4 Perry: Yeah. We do the visual.  
5 Hyde: You do the visual.  
6 Perry: Yeah, because there's no -- I don't know --  
7 Hyde: There's not anybody --  
8 Perry: No. I don't even know who I can call. I mean --  
9 Hyde: I don't.  
10 Perry: -- I call my friend Dave Freelove and say, hey, come.  
11 Hyde: I would be surprised if he knew any up in this area.  
12 Perry: Yeah.  
13 Hyde: Uh, they're, they're in short supply is what I mean by  
14 that.  
15 Perry: Mm-Hmm.  
16 Hyde: Um, but no. I appreciate your --  
17 Perry: People get excited about the -- I mean maybe not the  
18 green part and, you know, but they, they want, um,  
19 energy efficient homes and, and when somebody has gone  
20 through the process and done a good job and they start  
21 talking about wow my electric bill is -- ran my  
22 furnace all, all day every day and it's \$110 that's  
23 pretty exciting compared to 300.  
24 Hyde: Yeah. How has the lighting efficacy requirements been  
25 in Orofino with 75 percent LED that's an amendment to

1 the rule to reduce it from 100 percent? You know, has  
2 that been received well by the electricians or the  
3 builders up in that area?

4 Perry: Yeah, because I, I just -- I don't even see a regular  
5 lightbulb anymore.

6 Hyde: Not anymore.

7 Perry: No, no. The, the fixtures that are going in are all  
8 LED. Um, everybody's happy. I don't, I don't get  
9 any, um, uh, pushback on that.

10 Hyde: Okay. Okay. Thank you.

11 Perry: Yeah.

12 Hyde: Thank you for your comments.

13 Perry: Yeah. Thank you.

14 Frost: Bruce.

15 Graham: So I, I just kind of wanted to add something to that  
16 original where we, where we were talking about what  
17 about the cities and the other jurisdictions, et- --  
18 et- -- etcetera. So you know, I said well elected  
19 officials decide what you're going to go by, but it's  
20 actually the, the building officials that actually  
21 make, make the recommendations to the county or the,  
22 or the city or whatever. And most of the time I think  
23 they're going to their bosses and, and saying, hey,  
24 you know, the state's at this. I recommend we go to  
25 that or we -- you know, rather than adopt the 2012



1 let's go ahead and adopt the 2018 or, or, or whatever  
2 so that we're, so we're current, you know. And so  
3 that's how, how they kind of work, and I think if we  
4 were a lot less, then that would give them a lot more  
5 leeway to go, you know, well do we really need this,  
6 etcetera. And, and then like I said, the, uh,  
7 electors could, could decide whether their officials  
8 were doing what they wanted them to do.

9  
10 Uh, so federal -- I got a question. So federally  
11 where are we at for mandated energy codes? Where,  
12 where are we at federal, federal wise?

13 Hyde: From a federal standpoint, the only regulation that  
14 they -- I mean they support the IDECC (ph). Um, it's  
15 the only energy code out there that exists aside from  
16 your affiliated Northwest Energy Star, um, Green  
17 Building Programs. But from a federal mandate, they  
18 have their own.

19 Graham: So, so basically, basically the federal government  
20 keeps, keeps mandating that now, now you're minimum  
21 14's seer (ph) equipment or, or, or whatever, so  
22 they're basically mandating to the manufacturers --

23 Hyde: To the manufacturers, correct.

24 Graham: -- what, what, what they can do.

25 Hyde: Yes.

1 Graham: Okay. And, and, and so, so that in itself brings  
2 energy up to a certain extent. And so if you're going  
3 to bring the energy of the structure up, once again  
4 like the little lady suggested, uh, and years ago when  
5 they -- when we brought the contractor registration  
6 up, it, it, it was -- the next step was to try to  
7 actually license the contractors.

8  
9 And we -- I've actually had contractors that were  
10 getting sued for installing siding wrong, and they  
11 come to, come to me and they're complaining and  
12 whatnot. And well we don't have building codes in  
13 Idaho County. I go whoa, wait, wait, wait, wait,  
14 wait, wait. State has adopted these building codes,  
15 so this is your minimum standards. You know, so they  
16 don't even realize that there is a building code  
17 unless they're working in a jurisdiction that has  
18 building inspectors, etcetera. So we've got a lot of  
19 uneducated builders. Not saying that they build  
20 wrong, I'm just saying that they don't necessarily  
21 know --

22 Hyde: Right.

23 Graham: -- the current standards.

24 Hyde: In, in regards to that, would you, would you say that  
25 if, if the local jurisdiction city or county is

1           unaware, what should the state's response be in that  
2           regard? Should they reach out and inform and leave it  
3           at that or should they assume responsibility and  
4           perform permits and inspections?

5   Graham:   To the builders? I, I think the state, I think the  
6           state should have minimum requirements for building as  
7           far as safety. Once, once again, I'm back to the  
8           health and safety. Keep it minimalistic as far as  
9           statewide.

10   Kaufman:  Honestly it's very confusing. Um, people that are  
11           trying to put manufactured homes up in areas that  
12           don't have building codes and this includes the City  
13           of Pierce, the City of (inaudible - 01:05:04), Idaho  
14           County, it's a mess. They -- it's confusing. It's --  
15           again, no offense to DBS. It's not user friendly.  
16           Um, not the -- at the end of it (inaudible -  
17           01:05:17).

18  
19           Okay. Fine. Got the permit. Now they need, um,  
20           something to show that is attached to this real  
21           property for their bank. They need a copy of the  
22           permit. I helped somebody, and it, it was actually  
23           not easy at all and it was confusing. And so I think  
24           sometimes when the -- if the city or county doesn't  
25           have a building department and the state takes over,



1           there's still this other conversation.

2   Graham:   We do have state health inspectors that keep you from  
3           putting in your, uh, well on top of your neighbor's  
4           sewer or septic system or whatever, so.

5   Kaufman:   Are they still (inaudible - 01:05:51) permit?

6   Graham:   That's about, about as far as we go.

7   Kaufman:   Well and that -- what they won't -- you have to get an  
8           energizing permit and to get an energizing permit you  
9           have to have a sewer permit. That's the route.

10   Graham:   Yep.

11   Hyde:      Bruce, do you have any interest in going and informing  
12           Bonner County of the minimum standard?

13   (Crosstalk)

14   Kaufman:   Well Bonner County has a whole (inaudible - 01:06:17)  
15           thing, basically monitor it through their land use  
16           department because they do have (inaudible -  
17           01:06:22). But that's a whole other fun set of rules.

18   Hyde:      Yeah, through paperwork but no permit inspections, no  
19           --

20   Kaufman:   They actually charge a sight permit. They charge you  
21           1,200 bucks.

22   Hyde:      Do they?

23   Kaufman:   But they don't inspect your --

24   Hyde:      Yeah. So what are the services rendered?

25   Frost:     I think education, you know --

1 Kaufman: Yeah.

2 Frost: -- is the first step. Nothing wrong with putting the  
3 word out that this area doesn't have a, a building  
4 department but there is a, a minimum.

5 Hyde: Do you think the state can, you know, help in that  
6 process and starting to help create alignment in the  
7 education and discussion and collaboration?

8 Frost: Yeah. I, I think the, the assumption that Idaho  
9 County doesn't have a building department so therefore  
10 it's whatever.

11 Kaufman: Free for all.

12 Frost: It's not. And, and because there's no building  
13 department, the State of Idaho still requires  
14 manufactured homes to get -- to go through the  
15 process. And, and so that's where a little bit of --

16 Graham: And we get people building their own homes and  
17 whatnot, and they don't want to have a permit for the  
18 HVAC or, or anything else because Idaho County doesn't  
19 have building codes.

20 Kaufman: So they --

21 Graham: That's what we keep getting. Idaho County doesn't  
22 have building codes. Well wrong.

23 Kaufman: 'Cause you guys have to keep up your education, right?

24 Graham: Mm-Hmm.

25 Kaufman: You have to keep up the current standards and CEUs and



1 all that. Yeah.

2 Graham: So it's, you know, it's, it's an interesting  
3 situation. We kind of got the cart before the horse  
4 out in, out in the rural country.

5 Hyde: I appreciate it.

6 Kaufman: And one more quick comment about that. I do believe  
7 the state needs to do a better job 'cause I was  
8 helping a licensed manufactured home installer that  
9 didn't know that he had to get a permit through the  
10 state in Pierce, and I'm not kidding. So therefore,  
11 somebody's not doing their job. And then the awesome  
12 manufactured home checklist that I always do that  
13 nobody else seems to I don't even know if the state  
14 realizes that you have it and it's -- so again, the,  
15 the education and communication is -- needs to, needs  
16 to get better.

17 Hyde: Thank you. We appreciate all your comments. Um --

18 Kaufman: If we, if we do have questions about that kind of  
19 stuff --

20 Hyde: Yeah.

21 Kaufman: -- do we just text Jeff or call --

22 Hyde: Honestly you can, you can talk to any one of us now,  
23 later.

24 Egan: Any- -- anybody.

25 Hyde: Yeah.

1 Kaufman: Okay.

2 Egan: And of course you can talk to Lisa Stover about the  
3 manufactured.

4 Kaufman: Okay. I -- yeah, I'll --

5 Egan: I just texted her --

6 Kaufman: Okay.

7 Egan: -- that you have some issues.

8 Kaufman: Well is this a question who to direct people to?

9 Egan: Yeah.

10 Kaufman: Okay. Then I have Larry Jeffries. Jeff, how do you  
11 say his last name?

12 Egan: Jeffries.

13 Kaufman: I have his email 'cause he sends us the state permits,  
14 so.

15 Egan: Yeah.

16 Kaufman: Um, I do email him sometimes. But okay.

17 Hyde: But if, uh, you are interested, please stick around.  
18 There are some points that you had both made in  
19 regards to HVAC that we'll be talking about here --

20 Kaufman: Okay.

21 Hyde: -- within the next five minutes, so.

22 Graham: All right.

23 Hyde: But anything else on building or energy?

24 Frost: Appreciate you all coming in and taking your time and  
25 --

1 Kaufman: Thank you.

2 Frost: -- engaging.

3 Goodwin: I just had a comment.

4 Frost: Yeah.

5 Goodwin: Uh, if you're interested in having a good working  
6 website, you really should ask her because she is --

7 Hyde: Okay.

8 Goodwin: -- on it all day every day and I hate it, and so I  
9 just have her go on it. It's hard to look up permits.  
10 It's not that easy. You know, it, it -- I mean I put  
11 in the right address, the right information. I can't  
12 find it. Eventually I do find it and I'm like why,  
13 why won't it help me? I got the right address. I got  
14 the right town. And I'm, I'm missing something and I  
15 --

16 Kaufman: Or you give it too much information.

17 Goodwin: You know, it's just -- yeah, it's --

18 Kaufman: Well we're humans too, so humans enter it in, so.

19 Goodwin: Ask her for advice and --

20 Kaufman: And you spell it wrong and --

21 Goodwin: -- have her do the website.

22 Hyde: I appreciate that. We're -- as, as a Division I mean  
23 we got 48 boards and commissions coming together. So  
24 two things that we have to go. We've got, uh, 11  
25 agencies into one, so 11 different websites that we're

1 navigating and types of websites to do it. So that's  
2 one of the things we need. We need to --

3 Kaufman: Right.

4 Hyde: -- revamp the entire website. So I'd be happy to get  
5 your, your information and have you -- really connect  
6 you with our, our business analysts that are going  
7 to be doing that IT reorg. And then the secondary  
8 piece of that is, um, we've got I believe it's eight  
9 or nine different IT operating systems and the, uh,  
10 the governor wants us on one.

11 Kaufman: Oh.

12 Hyde: So we are going through the process of data collection  
13 from RFT to then issue it out to essentially create a  
14 new licensing, permitting, registration, the system,  
15 what the lookup features are, what are the  
16 functionalities, how is that, getting it as user  
17 friendly to the phone as well as --

18 Kaufman: Right, use the phone.

19 Hyde: -- those who don't -- aren't willing to use the phone.

20 Kaufman: Yeah. Well that happens --

21 Hyde: So that --

22 (Crosstalk)

23 Kaufman: Right. Yeah.

24 Hyde: Sure. And, and we have, we have to find that balance,  
25 right? Um, but we are completely open to ideas of

1                   what we should think about as we go through that.

2 Kaufman:       Would this include the surveyors and all them 'cause  
3                   they're through a different webpage right now.

4 Hyde:           Yeah.

5 Kaufman:       So it all has to go to one.

6 Hyde:           Yeah.

7 Kaufman:       Okay.

8 Hyde:           So right now we have if you go to DOPL.Idaho.gov, it  
9                   has one main webpage and if you pull up then all of  
10                  our boards it splits it into each section, well it's  
11                  almost like a -- if you go to our front website but  
12                  when you click on that board it just takes you to the  
13                  former website --

14 Kaufman:       Right.

15 Hyde:           -- because we haven't built out that backend yet. And  
16                  you're not wrong. I mean we've got, we've got some  
17                  boards where the front page has 85 links and it's not  
18                  quite user friendly. So it's just some opportunity  
19                  for improvements.

20 Kaufman:       Most contractors don't use the computer either. So I  
21                  mean some -- I saw some contractors that have flip  
22                  phones, so.

23 Hyde:           Yeah.

24 Kaufman:       But yeah.

25 Hyde:           But, but that -- and that's a -- I mean that's a point

1 that we have to work through from our whatever --  
2 whatever system we come up with has to have the  
3 functionality of paper based all the way to, uh, the  
4 most innovative people that we're working with that  
5 want it on their phone.

6 Kaufman: The forms to print out were (inaudible - 01:12:30) one  
7 out today, so we are able to do that with people.

8 Frost: Oh, a gold star for forms.

9 Kaufman: Yeah. And I like that you attached the credit card  
10 authorization form right with it. That's a lot  
11 better.

12 Frost: Yeah. Tootles to --

13 (Crosstalk)

14 Egan: So one thing I will say is since DOPL started to gel  
15 together here, um, I've had opportunity to work with  
16 Tim on a couple of things, and when I mentioned one  
17 thing to him before I was able to get back on the  
18 website it had already been done.

19 Kaufman: Awesome.

20 Egan: So I think you're going to find that the new DOPL is  
21 much more responsive than the old DBS.

22 Kaufman: Okay.

23 Egan: And not only more responsive but much quicker.

24 Kaufman: Yeah. So will those (inaudible - 01:13:30) have to do  
25 with all those permits now or will they still be

1 delegated to (inaudible - 01:13:36)?

2 Hyde: That's a great question. We're in the middle of our  
3 org chart restructure so I'm --

4 Kaufman: Well when you get it figured out let us know because I  
5 would like to help to direct people.

6 Hyde: Well and your, your, your comments are appreciated. I  
7 mean we're, we're in the process of how do we go about  
8 our restructure? How do we do it in the way that  
9 creates efficiencies, reduces redundancies but at the  
10 same time is reasonable enough where it doesn't  
11 fragment current process --

12 Kaufman: Right.

13 Hyde: -- and the people that need to get the services that  
14 they need today and tomorrow and however long it takes  
15 for us to kind of do our reorg? So you know, some of  
16 this will be an (inaudible - 01:14:09) process, but to  
17 the extent we can work to fish -- fix current issues  
18 until we have a new software system, IT structure I'm,  
19 I'm, I'm willing --

20 Kaufman: Which we'll have is headaches anyway.

21 Hyde: One hundred percent. But I, I -- we are 100 percent  
22 open to ideas.

23 Egan: You know, so one of the governor's ideas is have a  
24 one-stop shop for licensing and permit, and, you know,  
25 we're not even close to being there yet. But just the

1 idea of that is so much better --

2 Kaufman: Yes.

3 Egan: -- than going to every agency to get --

4 Kaufman: Well no. I know. They're going go (inaudible -  
5 01:14:52) surveyors on the website it's -- I -- it is  
6 very handy. It's better than the old days where you  
7 had to go look at (inaudible - 01:14:59). Yeah. No.  
8 Keep up the good work. It's --

9 Frost: Thank you, everybody, for coming. Appreciate it.

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DATED this 16th day of September, 2021.



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