

# Twin Falls Building Hearing

August 23, 2021

Recording Name:

[Twin Falls Building 8\_23\_2021]

Transcript Prepared By:



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DUNS Number: 037801851  
CAGE Code: 6C7D5  
Tax ID #: 27-2983097

1 Male 1: All right, we've got the last few people signing in.  
2 We're gonna get started here. Appreciate y'all  
3 coming. This session today is related to the Division  
4 of Occupational and Professional Licenses. We have 48  
5 boards and commissions that falls under our division.  
6 The governor and legislature transition 11 former  
7 agencies all into one division. Every single board  
8 and commission that words within our division, their  
9 statute mission is consumer safety or public  
10 protection, some form of it. It looks a lot different  
11 between each profession and each trade, but generally  
12 their goal is throughout the same. We've been holding  
13 public hearing process across the state. This is I  
14 think number 8 of 9, and it's in relation to the  
15 governor's executive order in 2020-01 as it relates to  
16 zero based regulation. And so, I guess to get us  
17 started into kind of this building code and energy  
18 code, it's important to give kind of the background in  
19 the discussion and that started in 2017 with, at the  
20 time, Lieutenant Governor Brad Little's executive  
21 order on Licensing Freedom Act. And what it did was  
22 it gave kind of a onetime pulse of where are we in the  
23 state of Idaho as it relates occupation, professional,  
24 and trade licensing. And so, they did a thorough  
25 review of how many different permits, licenses,



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registrations we have, how many different IT systems, how many different boards, and commissions, and agencies oversee that. And what we learn from the process is quite a bit actually. So, we have well of 200 different licenses, permits, registrations. That was brought together and overseen by 13 different agencies and over 50 boards and commissions that took part in that process. We have over nine different IT licensing systems that works and interacts with those licensees and consumers. And so, one of the initial starts of Governor Little's, really his campaign and then into his first term has been how do we create efficiencies in relation to our licensing boards. How do we make it easier for the people were working as well as the citizen and Idahoans that they interact with? And so, that really started the process of the creation of our division and kind of that consolidation. It truly was for cost efficiencies and for licensing efficiencies. And to start building some consistency in how we go about our processes. In 2019, something pretty historic in the Idaho legislature where it was the first time that concurrent resolution didn't happen on administrative rules. And so, what that means is normally in a legislative session, the House of Representatives and



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the Senate would agree on a final concurrent resolution to take all administrative rules from a pending status to a final status, making them a final and enforceable rule. And historically, it's just been a yearly process. You do negotiate rule making, goes to pending status, gets presented to the legislature, the legislature passes a concurrent resolution and those rules become final. That did not happen in 2019 for the first time in Idaho history. And so, as a result of that, the only way for us to have administrative rules in places was for the governor to reauthorize temporary rules because of the legislature action. And so, this was inclusive of any rule, not just our division, but we had -- the governor asked us to hold 151 different public hearings for all of our agencies that happened over a five-week time period, and all administrative rules for Idaho were simplified by 75%. That doesn't mean all the rules were cut by 75%. What it means was the boards took a close look into reducing duplicative statutes and rules, simplifying the terminologies where it's easier for our licensees and for our citizens to understand. And then, removed unnecessary burden on licensees or restrictions within those occupations and trades that weren't connected to life



1 safety. And the governor is very proud of what  
2 happened in 2019 in the short timeframe that it  
3 happened, but one of the things he wanted to make sure  
4 that is ongoing is there's more of a negotiation  
5 process, more of an input process that as industry  
6 going through negotiated rule making and changes, that  
7 they have ample time to be heard and discusses before  
8 a board makes a decision in relation to their rule  
9 chapter. And so, in 2020, he issued an executive  
10 order called zero based regulation. And what that  
11 means is it puts every single board and commission  
12 within our division as well as across all Idaho  
13 agencies on a five-year review schedule by which when  
14 their time comes up for review, the board is required  
15 to essentially go through that ominous process of  
16 there is an entire repeal of that rule chapter, and  
17 then the board goes through negotiated rulemaking to  
18 replace that rule chapter. And in replacing those  
19 rules, our agency and the board is required to do a  
20 retrospective analysis of what we're replacing.  
21 Specifically, we get into the weeds of what are our  
22 surrounding states? How do they regulate this  
23 particular rule? Are they more restrictive? Are they  
24 less restrictive? And why are we justifying whether  
25 we're lower or we're higher from a safety standpoint?



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We're required to do cost benefit analysis on these rules to determine whether or not, number, the cost is justified, and whether or not the safety benefit is actually being seen. So, part of this is to prevent some of what you see in bureaucratic inertia of said it and forget it. A rule gets put in place and 10 years later, you have a conversation with the Board, and they ask, you know, what's the history of this, and nobody knows, and maybe economic changes have changed so much where the rule isn't even needed anymore. And it just hasn't been reviewed over time. So, another piece of this rulemaking is repeal and replace process is to make sure that we are narrowly tailoring our rules from a life safety standpoint. And so, one of the things that we -- you know, we want to talk about in today's session is both the building code and the energy code. Our building board is a little bit different than many of our other boards in that they don't oversee the licensing or the registration of specific professionals, but they do have a key part in the adoption of our building codes, in the adoption of energy codes, and have the authority to do so. They also have the authority to create deletions or exemption in relation to that code if those elements aren't connected to safety or not.



1 So, one of the things the board is gonna have to go  
2 through is when we go through ZBR is if we're  
3 appealing that rule chapter starting fresh, what is  
4 the baseline that the board should be doing from code  
5 adoption? Should we be adopting a code? Should we be  
6 starting with what we currently have as the 2018  
7 international building code and the 2018 energy  
8 conservation code? Should we be starting with a  
9 different framework? So, I think there's a lot of  
10 things, different topics, that we can discuss in  
11 today's meeting, but I think that might be a good  
12 place to start is where should our board start from a  
13 code adoption standpoint if we're starting from a zero  
14 base, where do we start? And the thing I would say  
15 from coming up here, we're recording this session,  
16 we're gonna have all the meeting minutes transcribed  
17 for the public to see and I would ask regardless of  
18 whether or not you're of one opinion on one end or  
19 complete opposite, to come speak your mind. This is  
20 your time to be heard. And if you would, just start  
21 your name and who you represent, and whether or not  
22 you're a licensee of the state of Idaho. That would  
23 be helpful. So, maybe start it out with the first  
24 comments related to where should we start from a code  
25 adoption standpoint?

1 Brizee: So, I guess you want somebody to stand up and start  
2 talking?

3 Male 1: Yeah, please do. I appreciate it.

4 Brizee: I'll probably come up. So, my name is Dan Brizee. I  
5 live here in Twin Falls. I own Brizee Heating and Air  
6 Conditioning. I've been in the heating and air  
7 conditioning business most of my life except for when  
8 I was a ski bum. I sat on DBS's HVAC Board for a long  
9 time, 10 plus years. I was chairman of it for a  
10 while. I was involved in the process that was set up  
11 to start licensing when that began, so I have some  
12 knowledge of this topic. I think the thing that is  
13 the absolute most important that we don't lose track  
14 of -- actually, there's three or four things. But  
15 first of all, this is about -- and it was originally  
16 set up to be able life safety. So, what does that  
17 mean? That means that we don't burn somebody's house  
18 down, because we didn't do something right, whether  
19 it's electrical, whether it's plumbing, whether it's  
20 related to the HVAC industry. So, there has to be a  
21 gatekeeper, but that's probably the way it's set up  
22 today is the people that inspecting contractor work.  
23 Life safety, consumer safety that was the entire  
24 premise in which this was all set up. This is why we  
25 begin. Since then, we've had a lot of movement in the



1 code, and we've added a lot of things to the code that  
2 maybe don't quite hit life safety and consumer safety  
3 on the head. And I think that is check and balance  
4 point of everything that is happening here. We need  
5 inspections. We need licensing. We need to really  
6 pay attention to the cost of building a home, and I  
7 don't care if it's electrical, mechanically, the  
8 structural part, because every time we adopt a new  
9 code, we had more to the cost of that home. And, you  
10 know, when a home is built, one of the codes coming  
11 down the pipe is gonna talk to us about air balancing  
12 a home. How does the guy that -- if you really  
13 totally understand air balancing, how does the guy  
14 that's going a track home understand who is gonna live  
15 in that home and how they're gonna live in that home?  
16 Is it a home office? Well, we just added a whole  
17 bunch of heat to that place. Is it a baby's bedroom?  
18 So, I think we have to be really careful with all of  
19 these codes as they come along. You know, we're  
20 talking about scrapping and starting over maybe with  
21 the 2019 code, but some codes are too restrictive.  
22 Some rules don't apply the rule of common sense. So,  
23 I'm here today to learn about this process, to be  
24 involved in this process, because it's the future of  
25 our industry. I'm sure you'll hear from me again



1 during this discussion. Yes, yes, yes, yes.

2 Male 1: Dan, follow up question?

3 Brizee: Yeah.

4 Male 1: Would you considering air balancing to be life safety  
5 or health -- protection of health? Air balancing?

6 Brizee: No.

7 Male 1: Okay.

8 Brizee: No. And the reason is -- and perhaps in a commercial  
9 application, where you know what's going into that  
10 building. You know, fresh air is important, okay?  
11 We've been putting fresh air into houses for 35 years,  
12 okay? It's important, because we're exhausting air  
13 and we're building houses tighter and tighter, but I  
14 would say air balance -- energy recovery ventilators,  
15 these are all things that if a customer wants, they  
16 could be added. If they want a more expensive home,  
17 they could be added. But I don't necessarily think  
18 that they fall in -- and again, you know, for those of  
19 you that know me, know that I go back to the basic  
20 premise of life safety, and that's how we started this  
21 whole thing. John, you got a question?

22 John: I was along the same lines. I mean, you know, when  
23 Mike and I first toured state talking about Manual J  
24 (inaudible - 00:14:49) we about got killed, and I was  
25 gonna ask you now how do you feel about it, and is

1 that something that should be regulated by DOPL and  
2 that state, or is it something kind of like (inaudible  
3 - 00:15:04) Florida, and, you know, hey, if you want  
4 this component, and, you know, design, we can do it,  
5 just scratch the check.

6 Brizee: So, I'll answer that question with a really great  
7 example. And those of you that know me, know my  
8 business has been around for 110-112 years. I'm the  
9 fourth guys at the tiller. I was blessed to be with  
10 my father for -- what year were you born, Mike?

11 Mike: 1988.

12 Brizee: Okay, so if you go down in my basement, there's this  
13 meat locker, okay? It looks like a meat locker. On  
14 the first shelf up here is 1953. That's when we did  
15 our first Manual J that we kept. We always do a  
16 Manual J. Before any of this came along, we were  
17 doing Manual J's. The only way you can totally  
18 understand what's going on in a house is a Manual J.  
19 It's the only way you can know. You know, and we're  
20 worried about energy codes, I would say do a Manual J  
21 on a house and then rotate it 90 degrees. And if  
22 you're really worried about energy, when you rotate  
23 the typical house 90 degrees and you change the  
24 orientation of the glass, the heat gain goes up 25%.  
25 So, if you're really concerned about energy

1 consumption, don't even let a house be oriented with  
2 west and east glass. Because you just spent 25% more  
3 for the life of that house. The life of the house.  
4 It's a big deal. You know, when they're laying out  
5 new subdivisions. So, I sure --

6 Male: I have a question.

7 Brizee: Yeah.

8 Male: So, do you think that same philosophy applies to  
9 commercial projects going to the international  
10 building?

11 Brizee: Well, yes, it does to the point that you always have  
12 to do a load calculation, okay, if that's what we're  
13 talking about. And you have to know -- Terry, how  
14 many times have you done a job and the customers has  
15 come back and said well, this room isn't quite right.  
16 Well, it's not quite right because it wasn't designed  
17 to do what it's --

18 Male: What you're doing.

19 Brizee: -- doing, okay? So, on a commercial job, you have to  
20 do a heat loss heat calculation and you have to know  
21 what's going on inside that building. You have to  
22 know the lights. You have to know the occupancy. You  
23 have to know the appliances. And appliances can be  
24 anywhere from a printer to a copier to some kind of a  
25 scientific piece of equipment that puts off a bunch of

1 steam. If you don't ask those questions, you're not  
2 gonna be right. I don't know if that leads --

3 Male: That's good. Thank you.

4 Brizee: Okay?

5 Greene: You're not wrong. Carry on.

6 Brizee: Well, you know, it's just -- and, you know, the same  
7 thing is true with change of use or change of  
8 occupancy, and we're seeing this now more -- we're  
9 more aware of it now than we've ever been before. You  
10 know, we take a building and we put a restaurant in  
11 it. Well, you know, there's certain air requirements  
12 and there is a balancing on a commercial building.  
13 What are the hoods doing? How are we bringing the  
14 fresh air in? Do they hoods have makeup air? Do they  
15 not have makeup air? These are things. You know,  
16 commercial is a little bit different level than the  
17 residential level. As a general rule, I'm for less  
18 government. I'm -- you know, but that also means that  
19 people have to do their job correctly, and somebody  
20 has to be watching to make sure the jobs are being  
21 done correctly, because in today's society, we all  
22 know that not everybody cares.

23 Male: So, you think the inspection portion of it is  
24 important part -- important piece of the puzzle, if  
25 you will?

1 Brizee: Yes, it goes right back to life safety and you're  
2 gonna hear me in the next session go on a rant. Okay?  
3 Because it does boil down the life safety, okay?  
4 There's a lot of things that we can do to make things  
5 better and safer, but they maybe don't go to the life  
6 safety point of the discussion. The first two things  
7 on my list are life safety, consumer protection --  
8 Mike knows that -- I mean, you know, you guys know  
9 that's where I've always stood and continue to stand.  
10 I think it's just real important.

11 Male 1: That's our focus too, Dan, is, you know, those topics  
12 specifically. If I may asked you one question that I  
13 think is prevalent to this hearing's conversation, is  
14 fresh air for residential homes. Currently, right  
15 now, because we've adopted the 2018 IRC mechanical  
16 ventilation, and the mandate of it is set in the  
17 building portion enforced by the local building  
18 department, and they've amended the code section to  
19 where it no longer takes into consideration the  
20 tightness or the leakiness of the home before  
21 mechanical ventilation is introduced. It just  
22 mandates that it doesn't matter if it's 5 air changes  
23 or less, or between 5 and 7 air changes, that you have  
24 to bring in mechanical ventilation, so it mandates it  
25 right then and there. Do you think mechanical

1 ventilation, in your opinion, should account for the  
2 homes that aren't built as tight, because in the same  
3 breath or same conversation, there are amendments to  
4 the energy code when it comes to the envelope  
5 tightness? And it says that you have one or two  
6 methods. You can blower door test it, which is  
7 required for every fifth house a builder builds and it  
8 must be five air changes an hour or less, or you have  
9 the second option of a visual inspection. And it  
10 seems counterintuitive to have both of those written  
11 in that gap or rule, where you're either gonna require  
12 the contractor to blower door test or you're gonna  
13 choose the option that's gonna be less expensive and  
14 up to the visual inspection of a building inspector.  
15 Now, in my mind, those two rules contradict  
16 themselves. You're gonna go one path every time, but  
17 I don't care who you are, you can't visually see how  
18 many air changes per hour a home is either gaining or  
19 leaking. So, the combination of those three IDAPA  
20 rule amendments in the building code adoption chapter,  
21 I think we need to review and discuss and get  
22 professional opinion, likes yours, where you've seen  
23 houses in your geographical location that -- are they  
24 really tight? Are they not as tight as what we think?  
25 Should we mandate mechanical ventilation? Should we

1 mandate a method of providing that mechanical  
2 ventilation? What would be your opinion in any aspect  
3 to that conversation?

4 Brizee: So, there's a lot of redundancy in the code and the  
5 way we inspect code and the way we enforce code. A  
6 lot of redundancy. And every time we have a redundant  
7 method, the end consumer is paying for it. And the  
8 blower door test, the duct blaster test, yes, they  
9 perform a function, but I would go as far to say as  
10 most of the time when Courtney sends someone out to  
11 inspect a job, they already know that builder and they  
12 already know if they're building the solid house or if  
13 they're not building the solid house. Are they a  
14 problem child or not a problem child? Okay, now yes,  
15 we're talking some advantage here, okay? I'm not a  
16 fan of blower door tests and I'm not a fan of duct  
17 blaster tests, but the only reason that I'm not is  
18 because we're charging the consumer now, a standard  
19 house, somewhere between \$150 to \$200 a test for a  
20 duct blaster test. And if the inspector's done their  
21 job, they already looked at the job and they already  
22 know how the duct work is going together. When it  
23 comes to fresh, air 80 -- what did I say, 50  
24 something? Okay, we're gonna go down -- I came back  
25 to work with my dad in 1982, so since 1982, every



1 house that we have done has at least a 6 inch air pipe  
2 on a forced air system, has at least a 6 inch pipe  
3 going to the outside without a damper in it, and we  
4 are -- any time that furnace comes on, we are pulling  
5 fresh air into that house. I'm a huge fan of fresh  
6 air. Delusion is the solution to pollution and it's  
7 the only way -- why did grandma and grandpa used to  
8 throw the doors -- the windows like on a day like this  
9 morning to cool the house down and -- or to ventilate  
10 it and get rid of the moisture? Dilution is the  
11 solution to pollution. We always have to introduce  
12 fresh air. Always.

13 Male 1: Thank you. Any other comments? Anybody from a code  
14 official standpoint? Please, feel free.

15 Male: Well, I just wanted to make a quick comment about  
16 (inaudible - 00:26:01). So, Dan was talking about air  
17 changes per hour, so I had to ask my inspector,  
18 (inaudible - 00:26:07), and I frequently asked him,  
19 "Are you seeing blower door tests come in?" And the  
20 majority -- he said, "It's been a long time since  
21 we've seen anything come in higher than five air  
22 changes per hour." So, you know -- and I think I  
23 agree with you, digital inspection, how are you gonna  
24 digitally inspect and know whether it's under five air  
25 changes per house. You have to have some kind of

1 instrument to test that. So, I mean, because of that,  
2 then we're having to ask for mechanical --

3 Male: Ventilation.

4 Male: -- ventilation.

5 Male: Well, currently, the way the building code has been  
6 amended, you have to do it no matter what. It's just  
7 -- it's mandated across the board. So, you know,  
8 we're looking at the current rules, like Tim had  
9 started hearing with. We have to analyze it. Is each  
10 rule beneficial to industry? Is it over regulatory?  
11 Is it something we should be involved in? And that's  
12 what we're trying to justify here. Should it be on  
13 the contactors? Is it health and safety? Some can  
14 argue that fresh air, yeah, from a health standpoint,  
15 yeah. But where -- at what point are we asking too  
16 much. You know, there's a large area of the state  
17 where they can't find employers, or contactor, or  
18 anybody that's certified. And we -- you know, this  
19 code is enforced from the Canadian border down to the  
20 Nevada/Utah border from side to side. We've just got  
21 to identify what works best for Idaho in Idaho's  
22 industries.

23 Male: Okay.

24 Greene: So, Terry Greene, Terry's Heating and Air  
25 Conditioning. A lot of you know me. Not as long term

1 of a contractor as Dan is, but 44 years in the trades,  
2 so I've been around the block a few times. So, we  
3 talk about air balance on new construction  
4 residential. And so, as a general rule, I would say  
5 that air balance, when we talk about, when we're  
6 looking at CFM per room, as a rule we probably don't  
7 need to do that. However, there are some times, okay  
8 -- and you code officials can jump in here and help me  
9 out just a bit, okay? But when we put in a 1200 CFM  
10 hood over their 48-inch professional cooktop that's  
11 still rated as a residential piece, we need some air  
12 balance, right? Call it makeup air, okay. But we  
13 have to address that, 'cause you go turn on a big old  
14 hood like that in a house and --

15 Male: Doors are gonna close.

16 Greene: Yeah, you're gonna have issues, right? Yep, I just  
17 heard that, right? So, there are times that we have  
18 to have air balance of some kind to address that.

19 Male 1: But for comfort, should we have air balancing for  
20 comfort purposes?

21 Greene: I'm gonna say there's got to be a point that these  
22 hoods are under a certain size and it's not gonna  
23 matter.

24 Male 1: Okay.

25 Greene: You know, is it 300 CFM, is it 600 CFM? I don't know

1 where that mark in the sand is, but I can tell you  
2 when you start getting over 600 CFM, if you don't  
3 address it, you're gonna have an issue, and that needs  
4 to be thought about while we're in the design stage  
5 with this. I believe that Dan statement on delusion  
6 is a solution to pollution, I totally agree with that.  
7 Now, how we get there, we might not totally agree on,  
8 okay, because I'm gonna question the fact that which  
9 one are we gonna leave out of the house, because  
10 that's what putting a 6-inch air duct outside is, I  
11 might as well leave out that bedroom window, because  
12 it's gonna move the same amount of air through it.  
13 The air when we move out of that house under pressure  
14 is a lot different than opening a window. So, you  
15 guys tell me, as building officials, which window are  
16 you gonna let them leave out? I think -- my personal  
17 opinion is that they should all have some type of  
18 energy recovery, heat recovery with ventilation on  
19 them. We have control of it, we get good fresh air  
20 into the home, so we don't have mold issues, we don't  
21 have moisture issues. Sometimes, some of these things  
22 actually connect up to exhaust fans and bathrooms, and  
23 maybe that's how you do it. I don't know the how at  
24 the moment, but the fact that we need fresh air into  
25 homes is paramount. But are just gonna pull in 105-

1 degree air on our air conditioning system that might  
2 be marginally sized anyway? I don't know, right? Or  
3 if we're 20 below 0 and we're well below design  
4 conditions, are we still want to draw in that 20 below  
5 air, and who gets that call?

6 Male: You.

7 Greene: Me?

8 Male: Yeah.

9 Greene: The contactor. It isn't -- hey, you know, Mike put  
10 this rule in effect, let him take this call. That  
11 doesn't happen, 'cause you don't take that call.

12 Brizee: And I think Terry's spot on. You know, it's a real  
13 simple set of formulas and actually I submitted that  
14 when I submit my work -- my Manual J. I take a 6, or  
15 7, or 8-inch pipe, plug into the formula, look at it  
16 at both places. I look at it at 95 (inaudible -  
17 00:32:30), but that's supposedly -- or 97, whatever it  
18 is, that's what we're supposed to be for a high-end  
19 heat, right?

20 Greene: Yeah.

21 Brizee: And --

22 Greene: And two.

23 Brizee: -- I used zero. It's supposed to be two, but I use  
24 zero. And I add those into my calculations for my  
25 total load, and I say, okay, have I got enough heat?

1 I'm calling this 100% at 95 and at zero. So, you're  
2 right, you have to take that into account; otherwise,  
3 you're gonna get that call. I think that's right.

4 Greene: So, you're bringing in this fresh air, okay, through a  
5 6 inch (inaudible - 00:33:08), and -- okay, do you  
6 think that the builder that built that home is gonna  
7 say this home isn't quite as tight as it probably  
8 should have been, and so, you know, don't put in quite  
9 as big of duct or -- I mean, you know, you hope that  
10 they're verifying that somehow, but you just don't  
11 know. In a tight home that sits in duct move hardly  
12 any air. On a loose home, it might move way more than  
13 it's needed. So, you know, we have to be careful of  
14 that balance, at least with heat recovery ventilators.  
15 You know, you're pulling out 200 CFM, you're putting  
16 in 200 CFM. There's balance to it, and you're not  
17 forcing air through every crack and crevice in the  
18 house. So, the air balance, it has its place. You  
19 know, fresh air, absolutely we've got to do it. Now,  
20 how we do it -- right, 'cause adding heat recovery  
21 ventilators will add cost to a project. So, heat  
22 recovery ventilator might go for \$1200 to \$2000 I'm  
23 guessing. Over the life of the home, it's gonna save  
24 way more energy than that, and that's what this  
25 program was about today is a about energy. And heat

1 recovery ventilators certainly will get the  
2 ventilation required without losing the energy.  
3 That's their job. And I know Andrew inspected on my  
4 personal home, but we have two of them set up there.

5 Male: (inaudible - 00:34:58).

6 Greene: You did drive by, right? So, anyway, but you know, I  
7 believe in it strong enough that that's what I did in  
8 my house was to put in two of the heat recovery  
9 ventilators. You got one?

10 Brizee: No.

11 Greene: You don't? Okay.

12 Male: He's got two if you need one.

13 Greene: Well, I -- but the problem is mine's not a spare,  
14 okay?

15 Brizee: I don't disagree at all with what you're saying. You  
16 know, you and I can afford that \$2000 on our starter  
17 home if that's what we're doing.

18 Greene: Okay, so on a starter home it might not be that much.

19 Brizee: But the point is I agree with Terry, ventilation is  
20 important. Maybe there's someplace else that we could  
21 save the money to put energy recovery ventilators in.  
22 Just orient the house 25 degrees and then you can  
23 downsize the equipment, and then you can afford the  
24 (inaudible - 00:36:07) ventilator.

25 Greene: Yeah.

1 Male: So, this is the thing --

2 Male: So, now we're telling people what direction to put  
3 their house.

4 Male: This specific conversation, we do need everybody to  
5 stand up, so we can get this on record for those that  
6 are here. Appreciate the comments, Terry.

7 Greene: All right, well --

8 Male 1: Do you have anything more to add on the energy code  
9 side, 'cause we're trying to look at the IDAPA rules.

10 Greene: I'm not -- I want not talk with you just about Manual  
11 J.

12 Male 1: We'll just save that one to the mechanical  
13 conversation, if we could, please.

14 Greene: Well, I think it's pertinent here.

15 Male 1: Okay.

16 Greene: And the pertinence is that if we're not going to size  
17 the equipment right, how are we going to get the right  
18 energy result? And if we're not going to size the air  
19 delivery system property, how are we going to get the  
20 right result for what the consumer is so called  
21 promised for efficiency? Because if we don't deliver  
22 the right amount of air -- if the equipment is  
23 oversized or undersized, their energy bills are gonna  
24 be out of whack.

25 Male 1: Okay. I mean, it is relevant to the energy code,



1 because it's in the energy code, so -- and that's a  
2 good point, consumer protection. So, thank you.

3 Greene: All right. That's all I have for the minute. That  
4 doesn't mean I'm done.

5 Male 1: That's all right. It's an open forum. Anybody from  
6 the code enforcement standpoint when it comes to  
7 envelope tightness and the requirements maybe how  
8 difficult it is to get builders to provide a blower  
9 door order for every fifth that they build, that went  
10 into effect as of July 1st of this year. How is that  
11 going?

12 Male: I see head's shaking.

13 Male 1: Do you want to continue with that?

14 Male: Mike won't pick that up.

15 Male 1: The big thing that we want to address here is when you  
16 have two different requirements from two different  
17 perspectives, visual inspection versus a tested  
18 performance and one method is working and safe,  
19 because that's what everybody is choosing and we're  
20 seeing blower door reports below 7 at least, why  
21 require the mandatory testing on every fifth house,  
22 especially when we're talking about the cost of homes  
23 and keeping those costs as low as possible? And we're  
24 still achieving health and life safety, because of the  
25 requirement and the building code for mandatory

1 mechanical ventilation that both Terry and Dan have  
2 mentioned is important to health. So, if you're  
3 coming from the code enforcement side, we appreciate  
4 comment and value it, so we can take it to the board.  
5 Dan?

6 Brizee: So, just a quick question. So -- and I was -- we  
7 don't pay for or do the blower door test. We usually  
8 -- that's usually the contractor that does that.

9 Male 1: Correct.

10 Brizee: But can we have the same thing on duct blaster tests  
11 every five houses that we do?

12 Male 1: This is the forum here, please. I would appreciate  
13 it. You know, currently there is an amendment to the  
14 energy code of a blower door test or duct blaster  
15 testing, and if you'd like for the board to get  
16 industry's opinion this is the forum to do so.

17 Brizee: So, this is Dan Brizee again, and I guess my questions  
18 is if we can do a blower door test on every fifth  
19 house, why can't we do a duct blaster test on every  
20 fifth house? Why are we being held to a different  
21 standard is my question.

22 Male 1: Follow up question to that. And should we require  
23 duct blaster tests on any house ever? Because I've  
24 already heard that houses are being built in such a  
25 way that --

1 Brizee: But the duct blaster test is in a large sense outside  
2 of the envelope of the home in a lot of cases. If we  
3 have ventilated crawl space or if we have return air  
4 duct in an attic space, okay. Now, the code down the  
5 road, if we get to the point that we can't put duct  
6 work outside of the envelope, then we encounter  
7 another -- well, then we don't have to do a duct  
8 blaster test.

9 Male 2: This -- along those lines though, Dan, looking at it  
10 from a life safety or a safety issue, ducts leaks and  
11 -- I mean, is that a life safety issue or is it a  
12 comfort issue? And that's what we're trying to get  
13 with all these meeting is we need to set -- you know,  
14 what's life safety and regulation that needs to be  
15 mandated and looked at by the state or the cities --

16 Brizee: So, there's --

17 Male 2: -- or is it just we're gonna mandate it because we  
18 want to make sure everybody is comfortable in the  
19 summer? I mean, I get that (inaudible - 00:41:06),  
20 but --

21 Brizee: Well, you've got --

22 Male 2: My point though is that the life safety issue and  
23 something that we should regulate (inaudible -  
24 00:41:12) about?

25 Brizee: So, let's talk about on the supply side of duct work

1 usually positive pressure. If there's a leak, we're  
2 probably wasting energy somewhere. On the return  
3 side, if the furnace is in the garage and there's a  
4 bad leak, pulling exhaust from cars into the return  
5 air because there's a leak, that's a life safety  
6 issue, okay? So, the answer to the question is yes,  
7 but then I don't know why we ever allowed furnaces in  
8 garages. It's just because it's a space thing. I  
9 don't know why we've allowed furnaces not to have a  
10 sealed room in a garage, 'cause that's a life safety  
11 thing to some degree, right, because the homeowner  
12 comes in, they take -- here's a great example. My  
13 house, my furnace was whistling and so I went  
14 downstairs. And I don't have a maintenance agreement  
15 with Brizee Heating. And I pulled out my filter and  
16 it was dirty. I have two filters, okay? It was  
17 dirty, so I set it off to the side and I went to grab  
18 the spare and the spare wasn't where it was supposed  
19 to be. I left the door off of the filter can. About  
20 three days later, my wife says, "There's a smell in  
21 the house. It smells like sewer." My sump pump is in  
22 that same room, and I was picking up gas from the  
23 sewer and sending it through my house. So, if that  
24 happens in a house with a furnace that has fresh air  
25 coming into it in a room downstairs, what's gonna



1           happen in the garage when somebody does the same  
2           thing? And that's life safety, okay? That's life  
3           safety. That's -- the supply side of the duct work is  
4           pressurized. And if we leak some, it's gonna cost  
5           somebody some money, right? It's gonna cost money.  
6           But is it gonna -- is it life safety? I don't think  
7           it is. So, somewhere there's a balance point here.

8 Male 1: Thank you, Dan. You're turn, Terry.

9 Greene: No.

10 [CROSSTALK]

11 Greene: I think Dan and I are pretty good friends and  
12           competitors, right? So, I don't perceive that that  
13           way at all, okay? So, we're talking about duct  
14           blasting and things like that. You know, I don't like  
15           duct leakage and anybody that's worked with me knows  
16           that's one of my pet peeves is duct leakage. That  
17           doesn't mean it's everybody's pet peeve, but it is  
18           Terry's. So, you know, I mean, bring it on. I don't  
19           mind duct blasting. Do I want to do that? Not  
20           particularly. Do I think it's good to do that for our  
21           industry? Well, now I have to step back and take a  
22           look at how things are being done in reality. And the  
23           reality is a lot of these systems are being done with  
24           flex duct and they have flex duct trunks, and they  
25           have flex duct drawn outs. And so, when we have

1 entire flex duct systems, we might not have as much  
2 leakage as we think we do. Now, some of that has to  
3 do -- and here we go, to the quality standard of which  
4 the attachments are made to the main trunkline, okay?  
5 So, if you've got your installer out there and he's  
6 just hacking a hole in the side of the duct work and  
7 stuffing it in, that ain't gonna fly. That also isn't  
8 gonna pass a duct blast tests. But if you have a guy  
9 that's putting in a little bit of steel pipe, and some  
10 saddles, and doing some attachments like that, that's  
11 probably gonna pass easily, and he's gonna have a  
12 pretty tight system, because he doesn't have any seams  
13 anywhere except in the garage.

14 Male 1: So, should that be done on every house?

15 Male: That was a good story, Terry.

16 Male 1: Should that be done in every house that you do, or the  
17 fifth house, or the tenth house, or because you are a  
18 contractor and you personally check your systems,  
19 shouldn't it be done on any of your houses?

20 Greene: Okay, well, let's get this squared away. I personally  
21 am not going in --

22 Male 1: Well, no, personally, but (inaudible - 00:46:21).

23 Greene: But I am going to ensure that is done by one of my  
24 foremen, yes. So, yeah, we want to make sure that our  
25 systems are well installed, okay? How many per

1 contractor? You know, I don't know that I know the  
2 answer to that, because I think contractors will  
3 establish patterns of pass or fail and then somehow  
4 you have to figure out, okay, if every tenth one has  
5 passed with flying colors or every fifth one, or  
6 whatever you said, then maybe they don't -- maybe the  
7 only have to test the 25th one. And I don't know what  
8 that number is. But I think once you establish as a  
9 proven result that that contractor is good at what he  
10 does, then he shouldn't have to do it as often.

11 Male 1: Follow up, Terry. Because of the fact that mechanical  
12 code requires that all joints and connections shall be  
13 sealed, and realistically in a perfect world, the HVAC  
14 inspectors verifying that there's actual visual  
15 sealant should you have to perform a duct blaster test  
16 in addition to -- same argument as the blower door  
17 test.

18 Greene: Okay, I have carnal knowledge here, so.

19 Male 1: So, would you -- based on the inspector doing a visual  
20 inspection of all your joints and connections for your  
21 duct system, should they then also ask you to perform  
22 a duct blaster test result in your professional  
23 opinion?

24 Greene: Is your inspector gonna stand in a court of law and  
25 back me up or will his result of a blower door test do

1           that for me?

2 Male 1:    It would go to his visual pass inspection.  He looks  
3           at the joints and connections for sealant.

4 Greene:    He said it was good.  It passed.  Is that gonna hold  
5           up in a court of law, sir?

6 Male 1:    According to the mechanical code it would.  Now, when  
7           --

8 Greene:    Then I'm okay.

9 Male 1:    Okay.

10 Greene:    Right?

11 Male 1:    Yep.

12 Greene:    But remember, part of your job is to ensure that I  
13           haven't made a terrible mistake somewhere.

14 Male 1:    Sure.  Correct.  And is duct leakage a terrible  
15           mistake or is it kind of on the gray area that Dan was  
16           referring to?

17 Brizee:    (inaudible - 00:48:53).

18 Male 1:    Exactly.  That's a good point.  That is a valid point.

19 Greene:    I didn't hear what somebody said.

20 Brizee:    I said it depends on where it is.

21 [CROSSTALK]

22 Brizee:    I'm gonna go right back to my recent sewer experience.

23 Male 1:    Thank you.

24 Greene:    I don't think that -- okay, so equipment manufacturers  
25           have gone to extreme length to make their equipment as



1 airtight as possible, so that when you put it into a  
2 garage, it has some pretty minimal standards on  
3 leakage there. So, I think most equipment in garages  
4 is probably okay. If the inspectors can verify that  
5 that is sealed properly to the base plenums and return  
6 air ducts, I don't have too much issue. However,  
7 there's nothing that is gonna stop the guy from  
8 leaving the door off, right? It happens. It happens.  
9 It doesn't happen a lot, but it happens. And, you  
10 know, is that the guy that leaves his car idling in  
11 the garage also? Okay, they are among us, okay, so it  
12 happens.

13 Male 1: Thank you, Terry. Appreciate it.

14 Greene: Okay.

15 Male 1: Yes, ma'am?

16 Female: I just have a general question about the history of  
17 the 1 in 5, the air changes. What was the intent of  
18 that exactly? Where did the conversations go when  
19 that was put into play, and what was the goal?

20 Male 1: To reduce blower door testing for every house.

21 Female: To reduce it, but what does 1 in 5 prove?

22 Male 1: It's --

23 Male: We have a board member -- building code board member  
24 in our audience who might want to come up to the  
25 podium, and address that issue.

1 Female: Laux? How do we check this?

2 Laux: Well, that was -- John Laux (inaudible - 00:50:47)  
3 Building Code Board in Twin Falls County. That was  
4 something that we discussed, the whole 1 in 5 thing,  
5 because it's 5 per year, right?

6 Male 1: No, it's every fifth house.

7 Laux: But it's -- doesn't it restate after every -- so, if  
8 you don't do five -- if you don't do five in a year,  
9 then it resets itself. But it was just a spot-  
10 checking type of thing. Because if you get a  
11 contractor who is consistent and you go through the  
12 assumption that all of them are gonna be the same, so  
13 -- which can be true and cannot be true, you know,  
14 because as we all know in the busyness of times that  
15 we have now, you know, finding helpers who are  
16 consistent in installing -- because the builder is not  
17 gonna be there on site the whole time. But it was,  
18 it's just to reduce the number of blower door tests,  
19 because you're seeing a consistent less than seven,  
20 you know, or whatever else, so just to reduce that  
21 figure.

22 Male: 80%.

23 Laux: Yeah.

24 Male: I might add to that. This was also to kind of  
25 introduce the state to blower door tests to ease into

1           this process, not make it egregious on a contractor to  
2           have to all of the sudden do every single house.

3 Male 1:   And that's what we're here to ask. Is 80% of all the  
4           homes a builder builds too much of an egregious  
5           approach? Is it too much? So, then we could report  
6           back to the building board and say, yeah, that --  
7           every fifth house is a little extreme. And then, how  
8           -- from a code enforcement state point, how do we keep  
9           track of this? That's an --

10 Female:   That was my follow up question. Was that taken into  
11           consideration of how these were gonna be tracked?

12 Laux:     And it was supposed to be tracked by the jurisdiction,  
13           you know, that --

14 Female:   Just however they chose?

15 Laux:     How they chose to, yeah.

16 Female:   Okay.

17 Laux:     Yeah. But it is my understanding that it is in a  
18           calendar year, so you reset the next calendar year.  
19           If you only build five or four then you've build --  
20           start again, you may never be tested. And so, that  
21           was the discussion was like well, why didn't we just  
22           go with the first house, so we catch every first house  
23           of a year, but it was decided on every fifth house,  
24           so. There's contractors who may never be tested  
25           depending on how many they build.

1 Male: There are regions of north Idaho that you cannot get  
2 anybody to do a blower door test.

3 Laux: Or Salmon. You know, I believe Salmon is the same  
4 type, I think.

5 Male 1: So, it's definitely something we'll -- we want to look  
6 at, but we need the industry's opinion from both  
7 aspects.

8 Laux: Well, I did have a question in regards to blower --  
9 not blower door, but duct blaster testing back at our  
10 table is well, what if you're a contractor and you're  
11 just installing five different ones? Is that every  
12 day you might be installing every day a fifth one if  
13 we decided to go down the road of a duct blaster  
14 testing on every fifth home, or every tenth home, or  
15 whatever else it is?

16 Male 1: It's totally up --

17 Laux: 'Cause it's --

18 Male 1: -- up for debate.

19 Laux: You have two different contractors.

20 Male 1: Right?

21 Laux: So.

22 Male 1: No, it's totally up for discussion, subcontractor or  
23 general contractor.

24 Laux: Correct.

25 Male 1: Yeah.

1 Male: So, was that every fifth home per county, city, or  
2 entity?

3 Laux: It's per contactor, so per general contractor.

4 Male: If you've got one contractor maybe building a hundred  
5 homes a year, but how do you know how many homes he's  
6 built over here, over there, or over there?

7 Laux: Yeah, in each jurisdiction is my understanding. So,  
8 if he's building five in the city, then he tests the  
9 fifth one in the city, but if he has some going in the  
10 county, he tests his fifth one in the county. So,  
11 it's per municipality.

12 Male: Okay.

13 Greene: Sorry, I've got to talk again.

14 Male: That's okay.

15 Male 1: That's what we're here to do.

16 Greene: Okay, so Terry Greene again. So, we're talking about  
17 doing every fifth house, right, but -- and I  
18 understand how that logic happens. It makes some  
19 semblance of sense, but I'm thinking that you test the  
20 first house and then every fifth one after that,  
21 because to your point some of them are not getting  
22 tested every, because they don't build five houses a  
23 year. In fact, I know a lot of the contractors that I  
24 personally work with build one, maybe two houses a  
25 year. They're ginormous and it takes them a couple

1 years to build them or get through them. So, these  
2 big really expensive ones are not every really being  
3 tested. You're leaving out a complete segment of the  
4 industry, 'cause you're thinking about track building  
5 instead of thinking about the whole picture. So, my  
6 gut tells me every year they have to test the first  
7 house they do whether it's the super mansion or it's  
8 the, you know, 900 square footer, but either way they  
9 test that first test and then every fifth one after  
10 that if they pass the first one. If they fail the  
11 first one, they get to test the second one. If they  
12 fail the second one, they get to test the third one  
13 too until they get a consistent pass.

14 Male 1: Thank you, Terry.

15 Brizee: So, just on that comment, I don't disagree with you,  
16 but then you have a contractor that builds in four  
17 different jurisdictions, one house each. He tests all  
18 four of those.

19 Greene: Thank you. That's just fine.

20 Brizee: And so, that's where the pitfall is in regards to  
21 testing the first one is because now he just tested  
22 all four versus somebody else who only test one out of  
23 five.

24 Greene: Okay. And builders don't make enough money to pay for  
25 it? I'm sorry, right? They can and if they're

1 building those million-dollar homes, those owners  
2 probably want them tested if they knew. And if there  
3 are one in each jurisdiction -- and believe me, I have  
4 to deal with jurisdictions, okay, I get it. I get  
5 jurisdictions and how cumbersome that can be to deal  
6 with. The county, the city, the other city, and the  
7 state also.

8 Brizee: Oh, wait a minute. I take --

9 Greene: Take offense to it? Good, 'cause we can go. It's a  
10 pain in the neck, okay, to deal with all these  
11 different agencies, and yet just because a builder  
12 built in Twin Falls County and tomorrow, he's building  
13 in Drum County, should the Drum County one be exempt  
14 as the first one?

15 Male 1: Second.

16 Greene: Let's fail on the side of being over safe rather than  
17 under safe. Yes, sir.

18 Campbell: Gary Campbell (ph) following up. How do we start  
19 building some consistency between the state, the  
20 cities, and the counties as they approach?

21 Female: Oh, boy.

22 [CROSSTALK]

23 Greene: Well, that's a -- you're loading me up here, okay, but  
24 -- so, one of the things that --

25 Male: And that's a question to anybody.

1 Male: Yeah, literally.

2 Greene: One of the things that I believe is that there has to  
3 be some consistency in it. Now, I think that you have  
4 to go through and -- I think the way that I would  
5 approach this is I would have a chain of command, and  
6 that chain of command would be that my city answers to  
7 my county, my county answers to whom -- to the state,  
8 and that state answers to the people. And I know  
9 that's gonna stir some feathers some, but you know  
10 what, the fact of the matter is if I go to the city of  
11 Twin Falls -- and I'm not picking on anybody here on  
12 the Twin Falls thing, okay? But if I have a complaint  
13 about something that went wrong, you know what's gonna  
14 happen, nothing. And I sat in on the meeting -- and I  
15 believe that John was there. Your name is John?

16 John: Yes.

17 Greene: I believe you were there. That lady in -- was it  
18 Meridian or some --

19 Male: Ada County.

20 Greene: -- or some city, she had a problem, and it was a big  
21 problem, and our HVAC board skated the issue. Instead  
22 of telling that lady, she was wanting this guy's  
23 license to be penalized, and the board just said  
24 that's the county's thing, we're not getting involved  
25 in that mess. And well, they did skate that issue,



1 and the state had the -- in my opinion, the state had  
2 the authority to take care of it, and they didn't do  
3 it, and they left that lady on her own. And that was  
4 wrong. So, my belief is that I don't know how the  
5 chain of command is supposed to work, but ultimately  
6 the state should have jurisdiction to -- so, that when  
7 a consumer has an issue and they can't get the result  
8 they want from the local jurisdiction, ultimately they  
9 can go stand before the board and not have the board  
10 go, oh, we don't have any authority over that, because  
11 that was Ada County's deal. And I just picked them  
12 arbitrarily, okay? But we are here to protect our  
13 citizens, and when we don't do that, we're not doing  
14 our jobs.

15 Male 1: Thank you, Terry. Any other comment?

16 Greene: Not at the moment.

17 Brizee: So, Dan Brizee again. It is my understanding that the  
18 state does the licensing, that it does the education,  
19 and finally, it is responsible -- at least it was when  
20 I was on the Board for the 10 years I was on the  
21 board, is in charge of enforcement. The state is the  
22 only one that can pull somebody's license to the best  
23 of my knowledge. Am I off on that?

24 Male: Not on the licensing part.

25 Brizee: And the enforcement part?

1 Male: Code enforcement?

2 Brizee: Yes, who does code enforcement in this state?

3 Male: If the local jurisdiction adopts the codes, it's  
4 theirs to enforce.

5 Brizee: And how do they enforce -- so, then the next question  
6 is -- because we're talking about life safety here,  
7 how -- what is the legal mechanism for Twin Falls  
8 city, Twin Falls county, to enforce a violation other  
9 than just have it fixed? How does it happen?

10 Male: It would have to be through local ordinances that  
11 adopted violation penalties, civil penalties, and not  
12 very many jurisdictions do so. But from a legal  
13 standpoint, this state doesn't have any oversight of  
14 local programs, mechanical --

15 Male: But if someone goes out and then got a license or  
16 contractor registration, we don't revoke that. We  
17 have to send something to the state.

18 Male 1: Licensing is different than code enforcement.

19 Male: Yeah, but we still have to send it to the state, and  
20 the state has to decide whether they're gonna  
21 (inaudible - 01:02:36) contract and registration or  
22 give them a --

23 Male 1: Contact and registration is different than HVAC  
24 contractor licensing, but licensing in general defers  
25 back to the state for enforcement.

1 Male: Isn't that what you were asking, Dan?

2 Male 1: He's talking code enforcement. In this particular  
3 situation, there may or may not have been negligent  
4 code enforcement.

5 Brizee: So, if it is something that DBS inspects, then it's on  
6 you?

7 Male 1: Correct.

8 Brizee: If it's something that Twin Falls inspects --

9 Male 1: It's on Twin Falls.

10 Brizee: Or Twin Falls county.

11 Male: Have the authority --

12 Brizee: So, having just heard what I just heard, I didn't  
13 think that was correct, okay? Then DBS needs to build  
14 a boiler plate model to hand out to the jurisdiction,  
15 so that they can enforce violations and so that they  
16 can send something to the state -- I mean, we can fine  
17 people all day long, but that doesn't stop them from  
18 working, so we need a mechanism that we can send  
19 something to the state and it triggers something and  
20 it goes to the board.

21 [CROSSTALK]

22 Male: Like corrections notices or are you talking about this  
23 contactor, this subcontractor is not adhering to his  
24 license and he needs to be reported to --

25 Brizee: So, you know, it sounds to me like -- it sounds to me

1 -- and I don't know this --

2 Male: (inaudible - 01:04:16) life safety.

3 Brizee: You know, if there's an egregious violation of code,  
4 okay -- so, for example, the other day -- and Terry,  
5 you're the water heater expert, so I bow to you on  
6 this. I saw a Navien water heater, one pipe, plumbed  
7 into the furnace vent one pipe.

8 Greene: That never got inspected, did it?

9 Brizee: Is that an egregious violation of code? In my mind it  
10 was, because one appliance comes on, they're both  
11 power vents, where are we going here, okay? So,  
12 something like that --

13 Greene: Yeah, to heaven is where you're going.

14 Brizee: It was in the garage, it's okay. But the point is if  
15 I didn't understand what I just thought I heard -- and  
16 I've been involved in this since the beginning, okay,  
17 the very beginning, before we had licensing. If I  
18 didn't understand it, then there needs to be a  
19 mechanism put in place for enforcement issues. As we  
20 continued to have less qualified people to do our  
21 work, as we continue to get spread thinner, and  
22 thinner, and thinner, you know, it's not gonna get any  
23 better, okay? And I'm sorry, but that's just the  
24 truth. And so, there needs to be a mechanism to help  
25 penalize and stop work being done that is not safe.

1 Greene: May I join you for this one?

2 Brizee: Yeah, you can join me on this one.

3 Greene: So, in this particular case, what was happening was  
4 that the county was saying we don't have jurisdiction  
5 to handle anything, because that license is issued by  
6 the state. And the state was saying we don't have any  
7 jurisdiction, because it's the county that's doing the  
8 enforcement. And so, nothing happened, and this  
9 person got nothing resolved. And then, the rest of  
10 the story is, as I recall, this job wasn't inspected  
11 to begin with is what started all this off. And so,  
12 then nothing could happen to help keep that consumer  
13 safe. So, basically, every said, well, it's not us.

14 Brizee: Well, there needs to be --

15 Greene: And somebody, ultimately our board, needs to be the  
16 people that answer to and say, okay, well, the crap  
17 stops here.

18 Male 1: It may take statutory change for that to occur. So,  
19 we're willing to work with you and industry to help  
20 facilitate that, but you -- it will take support and  
21 it would have to go through a statute change, because  
22 it's not in rule currently, that authority, to --

23 Greene: I don't think the counties have the authority --  
24 Andrew, is that right, to revoke a license?

25 [CROSSTALK]

1 Male 1: Licensing, we're talking two different aspects.

2 Female: These are different things.

3 Male 1: Two different arguments.

4 Brizee: Right, but -- so, yes, but how do you stop -- how do  
5 you -- if you have an egregious --

6 Male 1: Yeah.

7 Brizee: -- company, how do you stop them from working?

8 Male: Dan, you and I (inaudible - 01:08:02). So, the  
9 question in my mind is as a citizen, resident, or as a  
10 jurisdiction, what avenue do either of us have to  
11 report a (inaudible - 01:08:15) contractor and that  
12 needs to have their license either reviewed,  
13 suspended, or both, and (inaudible - 01:08:23)?

14 Male 1: We do have those policies in place and that is taken  
15 through our Board, yes.

16 Male: That's (inaudible - 01:08:28).

17 Brizee: So, that's what I was thinking.

18 Male 1: But code enforcement is that other side of the  
19 spectrum.

20 Brizee: But there needs to be a mechanism where if we have  
21 somebody that is continuing to cause code violations -  
22 -

23 Male: If Terry is repeating his story correctly, in my mind,  
24 the state should (inaudible - 01:08:49). The state  
25 should review that (inaudible - 01:08:51) contractor's

1 license for whatever it is that he did or did not do.

2 Male 1: And they should have nothing saying that they didn't,  
3 per say, behind the curtain later on down the line.

4 That was just one board meeting.

5 Brizee: Right.

6 Male 1: So, that would take further investigation.

7 Brizee: Fair enough.

8 Male 1: Here, I'll bring the mic to you.

9 Job: I'm Derek Job (ph) (inaudible - 01:09:12). Well, first  
10 of all, we started talking about duct blower tests.

11 Male 1: We did. We got off the beaten path.

12 Job: So, I don't know why we went from that to that. I  
13 don't have an opinion on the code violations. I do  
14 think if you get a speeding citation, you shouldn't be  
15 thrown in jail for a lifetime either. So, revoking  
16 somebody's license might be extreme for everything.  
17 On the duct blower test, I do mainly commercial work.  
18 It's a waste of time and resources. If you guys  
19 require they seal it and your inspector goes and sees  
20 that they put duct sealer and stuff, you're gonna get  
21 95% of the air to the end of it. They don't require --  
22 we did it on this building. I did this building that  
23 we're in, but rarely in commercial do they even do  
24 that. And here, we're putting this cost off on these  
25 people to do -- its' silly. The cost for what you're

1 saving and stuff. And I've been doing this since '85,  
2 so I know what I'm talking about. You know, provided  
3 somebody installs it like it should be installed. I  
4 think it's a tremendous waste of time and resources.

5 Male 1: Thank you. Any other comment on --

6 Male: I have a follow up to that.

7 Male 1: Will you come up, please?

8 Havens: Andrew Havens, Twin Falls County. So, what happens  
9 when the test fails on 1 in 5? What do you do? Do  
10 you write off the house and say must do better? Do  
11 you test the next one? I mean, I just -- nobody ever  
12 answered those questions.

13 Male 1: What do you want to see happen?

14 Male: (inaudible - 01:10:53).

15 Havens: Yeah, exactly, burn the house down. Who is regulating  
16 the testers?

17 Male 1: That's up to the jurisdiction enforcing the code, but  
18 you know, it's not clearly listed in IDAPA rule. Do  
19 you think it should be?

20 Havens: Well, I mean, I'm not in charge of licensing. I mean,  
21 should we license those regulated, but at the same  
22 time isn't the whole point of this is to deregulate  
23 some of this stuff?

24 Male 1: (inaudible - 01:11:19) industry and should they be  
25 licensed when we don't license contractors?



1 Havens: That's a good question.

2 Male: You know, licensed contractors general -- general --

3 Male 1: He's talking --

4 Havens: General contract.

5 Male: We're still in the building portion of the hearing.

6 Male: So, general contractors have a registration.

7 Male 1: But no, those are valid points that are open for

8 discussion. John?

9 Laux: I believe it's -- John Laux, Twin Falls County. I

10 believe isn't it Idaho does duct blower testing

11 certification for people who do that and then you can

12 get certified. So, it's a private side of it using I

13 think energy code moneys in order to do that for that

14 type of thing, and so there isn't -- it's not run by

15 DBS or whatever, but it's another entity that does the

16 certifications for the duct -- the blower door testing

17 if I remember right. So.

18 Male 1: Private, he said.

19 Laux: Yeah.

20 Male 1: But it's not mandatory.

21 Laux: No, it's something that's offered. So, it's kind of

22 like, hey, you know, you can get certified, so they --

23 you pretend you know what you're doing.

24 Male 1: Well, if you're an HVAC contactor --

25 Laux: Yeah.

1 Male 1: -- you don't have to even attempt that --  
2 Laux: No.  
3 Male 1: -- as part of your license.  
4 Laux: No.  
5 Male 1: But yeah, they do.  
6 Male 2: Did anybody else have comments about building code or  
7 energy code?  
8 Male 1: We didn't even touch on (inaudible - 01:12:51).  
9 Male: So, what's been the general consensus as you've met  
10 with seven of these eight areas --  
11 Male: Regarding?  
12 Male: As far as building codes.  
13 Male 2: Regarding building code?  
14 Male: Yeah, what has been some of the major ideas that have  
15 been brought up?  
16 Male 2: It's been throughout the spectrum, from we need much  
17 stronger codes, more, to why do we have building codes  
18 at all. Buildings are getting built the way we want  
19 them to be, so why do we have building codes? They're  
20 just overbearing. They cost money. I'm building a  
21 building that meets the code. The energy code, same  
22 thing. Both ends of the spectrum and everything in  
23 between, so it's gonna be important to be -- keep in  
24 tune with the process. I think that's why we're doing  
25 this is to make sure that people are having an input

1 into the process.

2 Male: Have there been any requests for like additional  
3 regulation? And I'm just trying to tread lightly on  
4 this one. I know in that state of Idaho people have  
5 licensing contractors, (inaudible - 01:14:21)  
6 contractors, just a contract registration.

7 Male 2: I think that's been mentioned, yes.

8 Male: (inaudible - 01:14:26).

9 Male 2: That why -- how can you enforce something.

10 Male: I mean, 'cause we do a lot as code officials to  
11 educate people, and a lot of time that's the only time  
12 that they find out about the code is because they were  
13 able to open the code book themselves is when they're  
14 out, get their inspection, and they say, hey, you  
15 build this wrong, it's not with the code, and then  
16 that's how they get educated. So, a lot of times  
17 through licensing, it allows people to get some  
18 ongoing education on a semi once a year basis. You  
19 know, there's good and bad to both sides, but I'm just  
20 wondering whether that's gonna --

21 Male 2: It has, yes. And now twice. Anybody else have  
22 parting comments before we start in on the HVAC  
23 mechanical?

24 Brizee: Just thank you very much for doing this. I mean, this  
25 is important. You need to do this more often than

1 not. It's -- you know, when this first got started,  
2 we had meetings throughout the state all the time, and  
3 it's been well worth it.

4 Male 2: Sure.

5 Brizee: This is really, really, really good. So, thank you.

6 Male 2: Yeah. Well, you're very welcome.

7 Teal: My name is Dan Teal (ph). I work for the city of Twin  
8 Falls. On John's comment about general contractors,  
9 I've worked in California, Montana, Colorado,  
10 Michigan, and was licensed in Michigan as a general  
11 contractor. I believe if there's just even a basic  
12 class for general contractors -- in Michigan, it was  
13 mainly -- it was law and it was business. People  
14 didn't have to have any kind of experience in the  
15 field to know what they're doing. Even if people had  
16 to take a code class or something, so they even  
17 understood how to look at the code book. I think it's  
18 huge disservice to the consumer, and what it really  
19 falls down to, in my experience -- and I've only been  
20 inspecting for the city for just over three months, it  
21 comes down to the inspectors are basically the general  
22 contractors. They're the ones overseeing and making  
23 sure that just the bare minimum is being met. And it  
24 falls on the inspector to do it, and then we're kind  
25 of the bad guy just because there's no education

1           whatsoever for most general contractors. And I just  
2           think it would be -- I mean, here you have the general  
3           contractor can be basically no experience, get  
4           registered. They're running the show. You've got  
5           licensed HVAC, licensed plumbers, licensed  
6           electricians. They're running the show, and they're  
7           looking at is the bottom line. They don't know  
8           anything about quality. They don't know anything  
9           about anything and yet they're running the show and  
10          making something happen. I just believe if there was  
11          something that they had to have a little sweat in the  
12          game like the other people who have had to go and get  
13          licensed, and apprentice, and learn something, and be  
14          educated in it. And I understand that, you know, it's  
15          kind of a right to work and let's keep people out  
16          there working; I just think it's -- I just think it's  
17          a disservice to the industry that a general contractor  
18          doesn't have to know anything. And then, as John is  
19          saying, we're out there trying to educate them, trying  
20          to bring them up to the bare minimum, and there's some  
21          guys that are totally willing to learn, that our  
22          thanking us and going this is great. But a majority  
23          of them are kicking and screaming, going why do we  
24          have to do this? I can't believe that you'd have me  
25          to do this and --

1 Male 1: Thank you.

2 Teal: Yeah.

3 Male 1: Appreciate it.

4 Teal: I guess the time is up.

5 Male 1: Yeah. We have to switch over to HVAC now. If you --  
6 sign in for building is on the table. If you just  
7 showed up for HVAC or you plan to attend the HVAC  
8 hearing, if you could, sign in and we'll get started  
9 in about five minutes.

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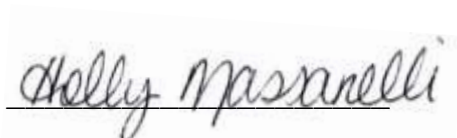
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DATED this 19th day of September, 2021.



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DUNS Number: 037801851  
CAGE Code: 6C7D5  
Tax ID #: 27-2983097

