

EXECUTIVE SUMMARY

Florida Building Code Administrators and Inspectors Board

I. General Information

Meeting Type: Probable Cause Panel, Application Committee, Examination and Continuing Education Committee, Legislation and Rules Committee, and General Business Meeting

Meeting Date: Wednesday, February 8, 2012, through Friday, February 10, 2012

Meeting Location: Hyatt Regency Jacksonville Riverfront

Attendees:

Bob McCormick, Chair
Richard Gathright, Vice Chair
Art Barthlow
Dennis Carpenter
Fred Dudley (Friday, February 10, 2012)
Wayne Francis

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)

Elise Rice, Government Analyst, DBPR

Clark Jennings, Assistant Attorney General, Office of the Attorney General (OAG)

LeChea Parson, Assistant General Counsel, Office of the General Counsel (OGC), DBPR

Doug Harvey, Executive Director, Building Officials Association of Florida (BOAF)

Gary Brevort, Vice President, BOAF

Michelle Porter, International Code Council (ICC)

Denise Taylor, Court Reporter

Other Interested Parties

II. Major Issues/Actions

- The board excused Mr. Orlando Lamas' absence from the entire meeting, and Mr. Fred Dudley's absence from the meeting on Thursday, February 9, 2012.
- The Application Review Committee approved 39 applications for licensure and denied 43 licensure applications. Vice Chair Richard Gathright read a list of all licensure applications denied by the Application Review Committee and any limitations placed on approved provisional licenses. The board approved the actions of the Application Review Committee. The board also approved the four applications included on the February 2012 Ratification List.
- The board conducted seven informal hearings for licensure. They tabled two of the matters until their April 2012 board meeting, overturned one previous denial, and upheld four previous denials.

- The board denied two continuing education courses.
- Ms. LeChea Parson, Assistant General Counsel, reported that as of February 7, 2012, there were 13 public building code cases and 11 private building code cases in the Office of the General Counsel.
- Ms. Parson informed the board that all future probable cause panel agendas will be no longer in paper format but will, like the full board agenda, be on CD.
- Ms. Parson provided the board with a document detailing all the cases statuses used by the Office of the General Counsel.
- Mr. Clark Jennings, Assistant Attorney General, explained SB 206 relating to public meetings and how it will impact future board meetings should the legislation be signed into law by Governor Scott.
- Mr. Dudley provided a copy of SB 704 which contains language related to Building Code Administrators and Inspectors Board licensees. Specifically, it will allow building code administrators to accept plans electronically, allow a fire safety inspector with five years of verifiable experience in inspection or plan review to be considered eligible for examination and licensure if they complete the 200 building code inspector or plans examiner training program, and it reduces the life of a provisional certificate to one year unless the board renews the certificate for just cause, for no longer than three years.
- The board discussed creating a rule to limit provisional licenses to the jurisdiction where the licensee is employed when receiving their provisional license. The board approved the following language and asked Mr. Jennings to move forward with rulemaking:
 - 61G19-6.012, Florida Administrative Code – Provisional Certificates.
(4) Provisional certificates shall only be issued to persons employed by an agency of government and the authority of the certificate shall be limited to the jurisdiction of the government agency with which the applicant was employed when the provisional certificate was issued.
- The board approved the following draft language developed by Mr. Jennings related to the continuing education reciprocity initiative with the Division of State Fire Marshal:
 - 61G19-9.004, Florida Administrative Code – Approval of Courses.
(11) The Board approves those continuing education courses approved by the:
 - (a) Construction Industry Licensing Board; the Electrical Contractors' Licensing Board; ~~and~~ or the Board of Architecture and Interior Design; or
 - (b) approved by the Division of State Fire Marshal (DSFM), which cover material based on the Florida Fire Prevention Code, for an individual who is a certificateholder licensed under Chapter 468, Part XII, F.S., and certified as a fire safety inspector under Section 633.081, F.S.. Credit for courses under this paragraph shall be limited to one (1) hour of credit per DSFM course that consists of 20 or fewer course hours or two (2) hours of credit per DSFM course that exceeds 20 course hours.

After further discussion, the board asked Mr. Jennings to redraft the proposed rule to include language incorporating the true spirit of reciprocity, requiring the DSFM to create a rule to accept Building Code Administrators and Inspectors courses. Mr. Jennings will work with Mr. Dudley and Mr. Doug Harvey, Executive Director, Building Officials Association of Florida, on the language. Mr. Jennings will forward the draft to board staff for inclusion on the April agenda.

- Chair Bob McCormick informed the board that Mr. Rick Holmes and Mr. Tim Bolduc have recently been appointed to the Building Code Administrators and Inspectors Board.
- Chair McCormick informed the board that he, Vice Chair Gathright, Mr. Dudley, Mr. Lamas, Mr. Wayne Francis, and Mr. Dennis Carpenter were approved for confirmation by the Senate Ethics Committee and this information will now be forwarded to the Senate floor for consideration.
- Ms. Robyn Barineau, Executive Director, informed the board that there were three applications on the January 2012 Ratification List and all were approved.
- Ms. Michelle Porter, International Code Council (ICC), advised the board that there were 29 technical examination administered in January 2012. She added that there are 25 technical examinations scheduled within the next 30 days, and 118 scheduled within the next 90 days. She added that as of January 1, 2012, all plans sets used for technical examinations are now located on 17 inch monitors at each of the examination sites. The board asked Ms. Porter to schedule a site visit in conjunction with their June meeting so that they can see the electronic plans sets used by the examination candidates.
- Ms. Barineau provided the board with tentative future meeting dates as follows:
 - April 4-6, 2012 – Daytona Beach
 - June 5-7, 2012 – Orlando
 - August 15-17, 2012 – Panama City
 - October 10-12 – Fernandina Beach
 - December 5-7, 2012 – Tampa

III. Legislation/Rule Promulgations

- Mr. Jennings will move forward with noticing Rule 61G19-6.012, Florida Administrative Code – Provisional Certificates, for development.
- Mr. Jennings will work with Mr. Dudley and Mr. Harvey on Rule 61G19-9.004, Florida Administrative Code.

IV. Action Required

- Mr. Jennings will prepare final orders and notices of intent to deny and forward them to board staff for filing with the Agency Clerk.
- Ms. Porter will work with Ms. Barineau to schedule a site visit for the board members in conjunction with their June meeting to see the electronic plans sets used by examination candidates.

Robyn Barineau
 Executive Director
 February 13, 2012