

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: Tuesday, June 5, 2012, through Thursday, June 7, 2012

Meeting Location: Floridays Resort
12562 International Drive
Orlando, Florida 32821

Attendees:

Bob McCormick, Chair
Richard Gathright, Vice Chair
Art Barthlow
Tim Bolduc
Dennis Carpenter
Fred Dudley
Rick Holmes

G. W. Harrell, Director, Division of Professions, Department of Business and Professional Regulation (DBPR)
Robyn Barineau, Executive Director, 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)
Michelle Porter, International Code Council (ICC)
Linda Kalkhurst, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- Chair Bob McCormick excused the absences of Wayne Francis and Orlando Lamas from the board meeting.
- The Application Review Committee approved 48 applications for licensure and denied 20 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.

- In case numbers 2010.057593 and 2010.033535 against Mr. Johnny Joe Creech, the board asked Ms. LeChea Parson, Assistant General Counsel, to file an Administrative Complaint in these matters seeking better service on Mr. Creech.
- In case number 2011.054771 against Mr. Timothy Edward Dawson, the board agreed to impose the following disciplinary action: costs of \$163.48 and revocation of his electrical inspector certification.
- In case numbers 2011.059741 and 2011.059995 against Mr. Larry Hites, the board agreed to impose the following disciplinary action: costs of \$235.61 and revocation of plumbing inspector certification; costs of \$211.06 and rescind approval of examination authorization for plumbing plans examiner certification.
- Ms. Parson reported that as of June 1, 2012, there were 17 public building code cases and one private building code case in the Office of the General Counsel.
- The board conducted eight informal hearings for licensure. They overturned six and upheld two previous denials.
- The board approved 38 continuing education courses.
- Mr. Fred Dudley mentioned that HB 887, allows the Department to approve continuing education providers and courses. Ms. Robyn Barineau, Executive Director, assured the board that they would still review all technical courses. Mr. Dudley also informed the board that the Department will now have the authority to reinstate null and void licenses when the applicant can document an economic or medical hardship.
- Ms. Barineau asked that the board provide any pro-business legislative initiatives for consideration by the Department during the 2013 legislative session. The board asked that this be added to the August agenda for discussion.
- Mr. Clark Jennings, Assistant Attorney General, will continue to work with the Office of State Fire Marshal (OSFM) on the continuing education reciprocity initiative.
- The board will host a workshop in conjunction with their August meeting regarding limiting provisional certificates to a specific jurisdiction. The board asked Mr. Jennings to notice this discussion for workshop.
- The board asked Mr. Jennings to open Rule 61G19-6.0035, Florida Administrative Code – Application for Provisional and/or Standard Certification - to allow fire safety inspector licensees to qualify for examination once they complete the required training program.
- The board asked Mr. Jennings to open Rule 61G19-6.012, Florida Administrative Code – Provisional Certificates - to reduce the life of a provisional certificate from the current three years to one year.
- The board asked Mr. Jennings to open Rule 61G19-6.015(3), Florida Administrative Code – Inactive Status - to amend the continuing education requirements for reactivation.
- The board asked Mr. Jennings to open Rule 61G19-10.001, Florida Administrative Code – Fees: Application, Examination, Certification and Renewal - to amend the renewal fee to \$5 for all licensees.
- Ms. Barineau informed the board that as of March 31, 2012, the balance in the board's operating account was over \$2.27 million and the balance in the unlicensed activity account for the same period was over \$3011,000.
- Ms. Michelle Porter, International Code Council (ICC), advised the board that there were 185 technical examinations administered since January 1, 2012, which is a slightly upward trend. She added that there are 124 exams scheduled for July 2012. Ms. Porter informed the board that ICC continues to monitor the performance of the electronic exhibits. New examination plans sets will be launched January 2013.

- Ms. Barineau provided the board with tentative future meeting dates as follows:
 - August 14-17, 2012 – Panama City
 - October 10-12, 2012 – Fernandina Beach
 - December 5-7, 2012 – Tampa
 - February 6-8, 2013 – Orlando
 - April 10-12, 2013 – Tampa
 - June 5-7, 2013 - Orlando

III. Legislation/Rule Promulgations

- Mr. Jennings will notice the following rules for development:
 - Rule 61G19-6.0035, Florida Administrative Code – Application for Provisional and/or Standard Certification;
 - Rule 61G19-6.012, Florida Administrative Code – Provisional Certificates;
 - Rule 61G19-6.015(3), Florida Administrative Code – Inactive Status;
 - Rule 61G19-10.001, Florida Administrative Code – Fees: Application, Examination, Certification and Renewal.

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.
- The board will discuss 2013 pro-business legislative initiatives at their August meeting.
- The board will further discuss the continuing education reciprocity initiative at their August meeting.

Robyn Barineau
Executive Director
June 21, 2012