

MINUTES OF THE MEETING

**BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD
PLAZA RESORT & SPA
600 NORTH ATLANTIC AVENUE
DAYTONA BEACH, FL
APRIL 4 – 6, 2012**

APRIL 4, 2012

APPLICATION REVIEW COMMITTEE CALL TO ORDER

Mr. Gathright, Chair of the Committee, called the meeting to order at 9:01 a.m.

Members Present

Richard Gathright, Chair
Bob McCormick
Art Barthlow

Others Present

Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Thomas Carrick
David Linne
Steven Adams
Kathe Bierhoff
John Borycens
Humberto Carvajal
Pedro Delgado
Diana Giraldo
Amru Meah
Edward Mueller
Michael Pryor
Heriberto Quicuti
Jack Richardson
Allan Tischler
Trish Berard, Court Reporter

REVIEW OF APPLICATIONS

Humberto Carvajal – Building Inspector

Mr. Carvajal was present at the meeting and was sworn in by the court reporter. Following discussion, the application was denied by the Committee.

Steven Adams – 1&2 Family Dwelling Inspector

Mr. Adams was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied by the Committee.

Amru Meah – Provisional Building Code Administrator & Building Code Administrator

Mr. Meah was present at the meeting and was sworn in by the court reporter. Following discussion, the Committee denied the applications.

Michael Pryor – 1&2 Family Dwelling Plans Examiner

Mr. Pryor was present at the meeting and was sworn in by the court reporter. Following discussion, the application was denied by the Committee.

John Henry Borycens – Null & Void Hardship

Mr. Borycens was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied by the Committee.

Diana Giraldo – Building Code Administrator

Ms. Giraldo was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

David Linne – Mechanical Plans Examiner

Mr. Linne was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

Heriberto Quicuti – Building Code Administrator

Mr. Quicuti was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

Pedro Delgado – Building Inspector

Mr. Delgado was present at the meeting and was sworn in by the court reporter. Following discussion, the Committee denied the application.

Jack Edward Richardson – Building Code Administrator

Mr. Richardson was present at the meeting and his application was approved by the Committee.

Allan H. Tischler – Building Code Administrator

Mr. Tischler was present at the meeting and his application was approved by the Committee.

Thomas Carrick – Provisional Building Code Administrator

Mr. Carrick was present at the meeting and his application was approved by the Committee.

Kathe Bierhoff – Building Plans Examiner

Ms. Bierhoff was present at the meeting and her application was approved by the Committee.

Edward Patrick Mueller – Mechanical Inspector, Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Provisional Electrical Inspector

Mr. Mueller was present at the meeting and was sworn in by the court reporter. Following discussion, the Committee denied the applications.

Frank Thomas Herr – 1&2 Family Dwelling Inspector & Building Plans Examiner

Mr. Herr was present at the meeting and his applications were approved by the Committee.

At this time Committee continued to review applications.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:40 p.m.

April 5, 2012

**BOARD MEETING
CALL TO ORDER**

Chair McCormick called the meeting to order at 9:00 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Tim Bolduc
Dennis Carpenter
Fred Dudley
Wayne Francis
Rick Holmes
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
David Galassi

Lawrence Schmidt
Patrick Wenzel
Adrian Crawford
Robert McLarnon
Warren Ellis
Robert Downs
Mary Graybosch, Court Reporter

Chair McCormick welcomed Mr. Bolduc and Mr. Holmes to the Board.

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Adrian Crawford – Building Inspector

Mr. Crawford was present at the meeting and was sworn in by the court reporter. He provided additional information for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board uphold the denial as originally stated.

SECOND: Mr. Barthlow seconded the motion and it passed unanimously.

Michael Dinoscio – Electrical Plans Examiner

Mr. Dinoscio was not present at the meeting, however, he had submitted additional information for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board uphold the denial as originally stated.

SECOND: Vice-Chair Gathright seconded the motion.

Following discussion, Mr. Dudley withdrew his motion.

MOTION: Vice-Chair Gathright made a motion that the Board uphold the denial as originally stated.

SECOND: Mr. Bolduc seconded the motion.

Following discussion, Vice-Chair Gathright withdrew his motion.

MOTION: Vice-Chair Gathright made a motion that the Board approve the application.

SECOND: Mr. Barthlow seconded the motion and it passed unanimously.

Warren Ellis – Electrical Inspector

Mr. Ellis was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the Board's review.

MOTION: Vice-Chair Gathright made a motion that the Board approved the application based on the additional information.

SECOND: Mr. Dudley seconded the motion and it passed unanimously.

David Q. Galassi – Building Code Administrator

Mr. Galassi was present at the meeting and was sworn in by the court reporter. Additional information was provided at the meeting for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the application based on the additional information.

SECOND: Mr. Lamas seconded the motion which passed with Mr. Francis, Mr. Bolduc, Mr. Barthlow and Vice-Chair Gathright voting against the motion.

Robert McLarnon – Plumbing Inspector & Mechanical Inspector

Mr. McLarnon was present at the meeting and was sworn in by the court reporter. Chair McCormick noted that Mr. McLarnon was applying by endorsement and the applications would be considered separately.

Plumbing Inspector

Additional information had been submitted for the Board's review. Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the Plumbing Inspector application based on the additional information.

SECOND: Mr. Francis seconded the motion which passed with Mr. Barthlow voting against the motion.

Mechanical Inspector

Additional information had been submitted for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the Mechanical Inspector application based on the additional information.

SECOND: Mr. Carpenter seconded the motion and it passed unanimously.

Rajiv Sachdeva – Building Inspector

Mr. Sachdeva was not present at the meeting, however, he had submitted additional information for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the Board uphold the denial as originally stated.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Lawrence Paul Schmidt – Electrical Inspector

Mr. Schmidt was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the Board's review.

Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board uphold the denial as originally stated.

SECOND: Mr. Barthlow seconded the motion which passed unanimously.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board reconsider the application to continue the hearing to the next meeting.

SECOND: Mr. Holmes seconded the motion which passed with Mr. Barthlow, Mr. Francis and Chair McCormick voting against the motion.

Mr. Jennings asked if Mr. Schmidt wanted to request a continuance to the next meeting in order to provide additional information. Mr. Schmidt stated that he wanted to request a continuance to the next meeting.

MOTION: Mr. Dudley made a motion that the Board continue the hearing to next meeting.

SECOND: Mr. Holmes seconded the motion which passed with Chair McCormick, Mr. Francis, and Mr. Barthlow voting against the motion.

In discussion, Mr. Schmidt informed the Board that he only had two years of experience.

Mr. Dudley withdrew his motion to continue the hearing. Mr. Holmes withdrew his second to the motion.

MOTION: Mr. Dudley made a motion that the Board uphold the denial as originally stated.

SECOND: Vice-Chair Gathright seconded the motion and it passed unanimously.

Patrick Lynn Wenzel – Provisional 1&2 Family Dwelling Inspector

Mr. Wenzel was present at the meeting and was sworn in by the court reporter. Additional information had been submitted and information was provided at the meeting for the Board's review.

Following discussion, the following action was taken.

- MOTION: Vice-Chair Gathright made a motion that the Board approve the application based on the additional information.
- SECOND: Mr. Bolduc seconded the motion and it passed unanimously.

INFORMAL HEARING

Milton Massanet – Case # 2010-031512 (PCP – Dudley, Gathright & McCormick)

Mr. Massanet was not present at the meeting. Ms. Parson presented the facts in the case. She asked that the allegations of fact be adopted by the Board.

- MOTION: Mr. Francis made a motion that the Board adopt the allegations of fact as those of the Board.
- SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Ms. Parson stated that there was a letter from the Respondent in the agenda materials and she asked that the conclusions of law be adopted as those of the Board.

- MOTION: Mr. Bolduc made a motion that the Board adopt the conclusions of law as those of the Board.
- SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Ms. Parson stated that the Department recommended an administrative fine in the amount of \$1,500 and costs in the amount of \$234.60 be imposed.

Following discussion, the following action was taken.

- MOTION: Mr. Carpenter made a motion that the Board impose an administrative fine in the amount of \$1,500, costs in the amount of \$234.60, one year of probation, an additional two hours of laws and rules continuing education, and the licensee be invited to attend Board meetings.
- SECOND: Mr. Francis seconded the motion and it passed unanimously.

SETTLEMENT STIPULATIONS

Larry Brown – Case #2010-055675 (PCP – Dudley, Gathright & McCormick)

Mr. Brown was not present at the meeting. Ms. Parson presented the facts. She stated that the Respondent had agreed to a Settlement Stipulation that imposed an administrative fine in the amount of \$250, costs of \$357.17, and voluntary relinquishment of his license.

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board approve the Settlement Stipulation as presented.

SECOND: Mr. Carpenter seconded the motion and it passed unanimously.

**Robert Downs - Case #2010-034088
(PCP – Dudley, Gathright & McCormick)**

Mr. Downs was present at the meeting and was sworn in by the court reporter.

Ms. Parson presented the facts and stated that Mr. Downs agreed to a Settlement Stipulation imposing costs in the amount of \$341.48 and a reprimand.

MOTION: Mr. Bolduc made a motion that the Board approve the Settlement Stipulation as presented.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

**Donald Ford – Case #2010-050502
(PCP – Dudley, Gathright & McCormick)**

This case was continued.

**George Parker – Case #2009-016104
(PCP – Dudley, Gathright & McCormick)**

This case was continued.

**MOTION FOR WAIVER OF RIGHTS
Vito Di Benedetto – Case #2009-002301
(PCP – Dudley & McCormick)**

Ms. Parson informed the Board that Mr. Di Benedetto was in prison and he had not been properly served in this matter. Therefore, she requested that the hearing be removed from the agenda at this time.

MOTION: Mr. Holmes made a motion that the case be continued.

SECOND: Mr. Francis seconded the motion and it passed unanimously.

**Robert Fought – Case #2010-059715
(PCP – Gathright & McCormick)**

Mr. Fought was not present at the meeting. Ms. Parson presented the facts and asked that the Board find that Mr. Fought was properly served.

MOTION: Mr. Dudley made a motion that the Board determined that the Respondent was properly served and approved the waiver of rights.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Ms. Parson asked that the Board adopt the allegations of fact and conclusions of law as contained in the Administrative Complaint.

MOTION: Mr. Dudley made a motion that the Board adopt the allegations of fact and conclusions of law as contained in the Administrative Complaint.

SECOND: Mr. Lamas seconded the motion and it passed unanimously.

Ms. Parson stated that the Department recommended an administrative fine in the amount of \$1,500, costs in the amount of \$257.50 costs and revocation of the Respondent's Plans Examiner license.

MOTION: Mr. Dudley made a motion that the Board accept the Department's recommended penalty of an administrative fine in the amount of \$1,500, costs in the amount of \$257.50, and revocation of the Plans Examiner license.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

**Ronald Morgan – Case #2010-051819
(PCP – Dudley, Gathright & McCormick)**

Mr. Morgan was not present at the meeting. Ms. Parson presented the facts and asked that the Board find that Mr. Morgan was properly served.

MOTION: Mr. Bolduc made a motion that the Board determined that the Respondent was properly served and approved the waiver of rights.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Ms. Parson asked that the Board adopt the allegations of fact and conclusions of law as contained in the Administrative Complaint.

MOTION: Mr. Bolduc made a motion that the Board adopt the allegations of fact and conclusions of law as contained in the Administrative Complaint.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Ms. Parson stated that the Department recommended an administrative fine in the amount \$1,500, costs in the amount of \$136.93 and revocation of the Respondent's Inspector and Plans Examiner licenses.

MOTION: Mr. Francis made a motion that the Board accept the Department's recommended penalty of an administrative fine in the amount of \$1,500, costs in the amount of \$136.93, and revocation of the Inspector and Plans Examiner licenses.

SECOND: Mr. Barthlow seconded the motion and it passed unanimously.

Ms. Parson stated that in reviewing the case for Mr. Ronald Morgan, she determined that the recommendation for penalty was based on another board, and, therefore, she asked that the Board reconsider the case.

MOTION: Mr. Holmes made a motion that the Board reconsider the case for Ronald Morgan as requested by the Department.

SECOND: Mr. Bolduc seconded the motion and it passed unanimously.

Ms. Parson informed the Board that the Department recommended an administrative fine in the amount of \$1,500 and costs in the amount of \$136.93 be imposed in this case.

Following discussion, the following action was taken.

MOTION: Mr. Lamas made a motion that the Board impose an administrative fine in the amount of \$1,500 and costs in the amount of \$136.93.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

PROSECUTING ATTORNEY REPORT – LECHEA PARSON

Ms. Parson provided the Board with a copy of her report. She reported that there were eight cases set for probable cause, one case that was closed had been re-opened due to a filing for attorney fees, and 17 public cases.

OLD BUSINESS

There was no old business to come before the Board at this time.

NEW BUSINESS

There was no new business to come before the Board at this time.

RECESS

There being no further business to come before the Board at this time, the meeting was recessed at 2:14 p.m.

RULES & LEGISLATION COMMITTEE

CALL TO ORDER

Mr. McCormick, Chair of the Board, called the meeting to order at 2:25 p.m.

Members Present

Bob McCormick
Richard Gathright
Art Barthlow
Tim Bolduc
Dennis Carpenter
Fred Dudley
Wayne Francis
Rick Holmes
Orlando Lamas

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
Mary Graybosch, Court Reporter

LEGISLATIVE REPORT – FRED DUDLEY

Mr. Dudley reported that there were 14 bills that passed during 2012 Legislative Session, and he provided a summary of the bills. He discussed the bills that had been signed by the Governor.

DRAFT LANGUAGE LIMITING PROVISIONAL LICENSES TO A JURISDICTION – CLARK JENNINGS

Mr. Jennings read the proposed language and stated that the Committee needed to determine if the proposed rule amendment had an adverse impact on small businesses.

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Committee determined that there would be no impact on small businesses.

SECOND: Mr. Francis seconded the motion and it passed unanimously.

Mr. Jennings stated that the Committee needed to determine if the proposed rule amendment would directly or indirectly increase costs.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee determined that there would be no direct or indirect increase in costs.

SECOND: Mr. Lamas seconded the motion and it passed unanimously.

CONTINUING EDUCATION RECIPROCITY RULE DRAFT – CLARK JENNINGS

Mr. Jennings provided a copy of draft language that resulted in his meeting with Mr. Dudley and Mr. Doug Harvey. Mr. Dudley commented that there were modifications that were need to the rule.

Following discussion, Mr. Clark read the proposed language for the Committee. The proposed rule is as follows:

The Florida Building Code Administrator and Inspectors Board and the Office of the Florida State Fire Marshal agree that reciprocation of beneficial continuing education hours and classes will benefit their license

holders, the municipalities and companies they work for, and the public as a whole.

Therefore, in order to facilitate joint recognition of continuing education hours for renewal of licenses and certificates as directed by s. 633.081 (7), F.S., the Building Code Administrators and Inspectors Board (hereinafter referred to as "BCAIB") and Office of State Fire Marshall (hereinafter referred to "OSFM") hereby agree as follows with respect to individuals who are dually licensed as both fire safety inspectors and certificate holders licensed under 468.609, F.S.:

1. All continuing education courses approved by BCAIB which OSFM determines to be related to fire safety.
2. All continuing education courses based on the Florida Fire Prevention Code, NFPA 1, and NFPA 101, approved and designated by OSFM for recertification of fire safety inspectors shall be recognized by BCAIB for purposes of renewal of licenses up to a maximum of 3 hours in each renewal period.
3. BCAIB and OSFM shall each modify such respective rules as may be necessary to implement this agreement.
4. This agreement may be modified at any time by agreement of both BCAIB and OSFM, and may be terminated upon 90 days written notice by either BCAIB or OSFM to the other party.

Mr. McCormick suggested that Mr. Jennings forward the proposed changes to Mr. Harvey so he could provide the draft to the Office of the State Fire Marshal.

OLD BUSINESS

There was no old business to come before the Committee at this time.

NEW BUSINESS

There was no new business to come before the Committee at this time.

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 4:32 pm.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE CALL TO ORDER

Mr. Lamas, Chair of the Committee, called the meeting to order at 4:48 p.m.

Members Present

Orlando Lamas, Chair
Art Barthlow
Tim Bolduc
Dennis Carpenter
Fred Dudley

Wayne Francis
Richard Gathright
Rick Holmes
Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
Mary Graybosch, Court Reporter

CONTINUING EDUCATION COURSES FOR REVIEW

Florida Building Codes And Standards (0001042)

New Courses

- A01. Modular Construction Laws, Rules & Codes
Requesting 2 hours LAWS & RULES credit (F-2306, A-2478)
- A02. 2010 Florida Building Code - Accessibility
Requesting 2 hours ACCESSIBILITY credit (F-2307, A-2479)
- A03. 2010 Changes to the Florida Energy Code
Requesting 1 hour GENERAL credit (F-2316, A-2530)

MOTION: Mr. Gathright made a motion that the Committee approve all of the courses as submitted.

SECOND: Mr. Carpenter seconded the motion and it passed unanimously.

DASMA (0001819)

Renewal Course

- B01. Garage Door Wind Load Compliance to the FBC (5007471)
Requesting 1 hour GENERAL credit (F-1979, A-2480)

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

New Provider: Structural Engineering And Inspections, Inc. (F-302, A-702)

New Course

- C01. Stucco Failure: Factors that Cause Damage
Requesting 1 hour GENERAL credit (F-2302, A-2474)

MOTON: Mr. Gathright made a motion that the Committee approve the course as submitted.

SECOND: Mr. Francis seconded the motion and it passed unanimously.

**BOAF-FHBA Construction Training (0004764)
Renewal Courses**

- D01. Advanced Mitigation Guidelines for Single Family Residential Structures (5007502)
Requesting 2 hours GENERAL credit (F-2039, A-2520)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee defer action on this course until the meeting on Friday.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

- D02. Mitigation Inspections and the FBC (5007503)
Requesting 2 hours GENERAL credit (F-2040, A-2519)

- D03. Florida Energy Code-Residential Compliance (5007505)
Requesting 1 hour GENERAL credit (F-2042, A-2552)

MOTION: Mr. Gathright made a motion that the Committee approve courses D02 & D03 as submitted.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

**Building Officials Association Of Florida, Inc. (0001001)
New Courses**

- E01. Interpreting the Florida Building Code-Existing Buildings
Requesting 2 hours GENERAL credit (F-2321, A-2538)

MOTION: Mr. Gathright made a motion that the Committee approve the course as submitted.

SECOND: Mr. McCormick seconded the motion and it passed unanimously.

- E02. BCAIB Update
Requesting 2 hours GENERAL credit (F-2322, A-2539)

MOITON: Mr. McCormick made a motion that the Committee approve the course as submitted.

SECOND: Mr. Gathright seconded the motion and it passed unanimously.

Following discussion, the following action was taken.

MOTION: Mr. Holmes made a motion that the Committee reconsider course E02.

SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the course, however, it should be for two hours of laws & rules credit rather than general credit.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

E03. Soil Investigation

Requesting 2 hours GENERAL credit (F-2323, A-2540)

E04. FBC Fenestration Update

Requesting 1 hour GENERAL credit (F-2317, A-2534)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve courses E03 and E04 as submitted.

SECOND: Mr. McCormick seconded the motion and it passed unanimously.

E05. Understanding UL Designs for Field Inspections

Requesting 2 hours GENERAL credit (F-2318, A-2535)

E06. Stucco Failure: Factors that Cause Damage

Requesting 1 hour GENERAL credit (F-2319, A-2536)

E07. Understanding UL Designs for Plan Review

Requesting 2 hours GENERAL credit (F-2320, A-2537)

E08. Workplace Safety

Requesting 1 hour GENERAL credit (F-2326, A-2551)

E09. Recent Code Changes Affecting Gas Piping Systems

Requesting 1 hour GENERAL credit (F-2324, A-2541)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve courses E05 through E09 as submitted.

SECOND: Mr. Carpenter seconded the motion which passed with Mr. Dudley voting against the motion.

Renewal Courses

F01. Building Plans Examiner Foundation Training (5007499)

Requesting 10 hours GENERAL credit (F-2005, A-2531)

F02. Plumbing Principles and Code Application (5007518)

Requesting 10 hours GENERAL credit (F-2024, A-2502)

F03. Mechanical Principles and Code Application (5007520)

Requesting 12 hours GENERAL credit (F-2026, A-2501)

F04. Building Principles and Code Application (5007521)

Requesting 10 hour GENERAL credit (F-2027, A-2500)

F05. Electrical Principles and Code Application (5007519)

Requesting 10 hour GENERAL credit (F-2025, A-2499)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve courses F01 through F05 as submitted.

SECOND: Mr. McCormick seconded the motion and it passed unanimously.

F06. Fuel Gas Principles and Code Application (5007513)
Requesting 7 hour GENERAL credit (F-2017, A-2498)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve the course as submitted.

SECOND: Mr. McCormick seconded the motion and it passed unanimously.

F07. FBC & Green Building Concepts (5007472)
Requesting 3 hours GENERAL credit (F-1968, A-2533)

MOTION: Mr. Gathright made a motion that the Committee deny the course as the outline was too general and not detailed.

SECOND: Mr. Bolduc seconded the motion.

Following discussion, the following action was taken.

MOTION: Mr. Gathright withdraw his motion and made a motion that the Committee defer action until the meeting on Friday.

SECOND: Mr. Bolduc seconded the motion and it passed unanimously.

F08. FBC and ASTM 1063-03 (5007474)
Requesting 1 hour GENERAL credit (F-1971, A-2532)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee deny the course as it referenced the 2007 Florida Building Code.

SECOND: Mr. Francis seconded the motion and it passed unanimously.

F09. Structural Wood Fasteners & Connections (5007507)
Requesting 2 hours GENERAL credit (F-2011, A-2527)

F10. Standard Practice of Frontal Flange Windows in CMU Construction
(5007508)
Requesting 1 hour GENERAL credit (F-2012, A-2526)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve courses F09 and F10 as submitted.
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

F11. Post Installed Concrete Anchors-Issues and Answers (5007525)
Requesting 1 hour GENERAL credit (F-2045, A-2525)

Mr. Gathright commented that the outline was vague. Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Committee defer action until the meeting on Friday.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

F12. Medical Gas System Installation (5007510)
Requesting 2 hours GENERAL credit (F-2014, A-2524)

MOTION: Mr. Bolduc made a motion that the Committee approve the course as submitted.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

F13. Green Building, LEED, and the FBC (5007511)
Requesting 4 hours GENERAL credit (F-2015, A-2523)

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.
SECOND: Mr. Holmes seconded the motion and it passed unanimously.

F14. Gas System Installation (5007512)
Requesting 2 hours GENERAL credit (F-2016, A-2522)

F15. Fuel Gas Code Update (5007522)
Requesting 1 hour GENERAL credit (F-2028, A-2521)

MOTION: Mr. Gathright made a motion that the Committee approve courses F14 and F15 as submitted.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

F16. Modular Building Construction Laws, Codes & Rules (5007515)
Requesting 2 hours GENERAL credit (F-2020, A-2543)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee defer action until the meeting on Friday.
SECOND: Mr. Francis seconded the motion and it passed unanimously.

F17. Mechanical Code Update (5007524)
Requesting 2 hours GENERAL credit (F-2030, A-2544)

MOTION: Mr. Gathright made a motion that the Committee deny the course as submitted as the references were not current.

SECOND: Mr. Bolduc seconded the motion which failed with Mr. McCormick, Mr. Dudley, Mr. Holmes, Mr. Bolduc, and Mr. Francis voting against the motion.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Committee approve the course as submitted.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

F18. Design, Construction & Inspection of Aluminum Structures (5007517)
Requesting 2 hours GENERAL credit (F-2022, A-2545)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.

SECOND: Mr. Dudley seconded the motion and it passed unanimously.

F19. FBC Chapter 7 Smoke Control Requirements (5007514)
Requesting 2 hours GENERAL credit (F-2018, A-2546)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

F20. Swimming Pools and the FBC (5007516)
Requesting 2 hours GENERAL credit (F-2021, A-2547)

MOTION: Mr. Bolduc made a motion that the Committee approve the course as submitted.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

F21. Interpreting the Florida Building Code-Existing (5007506)
Requesting 2 hours GENERAL credit (F-2010, A-2548)

F22. Residential Energy Code Update (5007509)
Requesting 2 hours GENERAL credit (F-2013, A-2549)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve courses F21 and F22 as submitted.

SECOND: Mr. Bolduc seconded the motion and it passed unanimously.

F23. Advanced Wind Mitigation (0007438)
Requesting 1 hour GENERAL credit (F-1766, A-2550)

Following discussion, Mr. Harvey asked that the course be withdrawn.

Training Program Courses

Mr. Harvey discussed and explained the training program courses with the Committee.

- G01. 1 & 2 Family Dwelling Inspector Corporate Training Program (5007534)
(F-2070, A-2505)
- G02. Plumbing Plans Examiner Corporate Training Program (5007533)
(F-2069, A-2506)
- G03. Plumbing Inspector Corporate Training Program (5007532)
(F-2068, A-2507)
- G04. Mechanical Plans Examiner Corporate Training Program (5007531)
(F-2067, A-2508)
- G05. Mechanical Inspector Corporate Training Program (5007530)
(F-2066, A-2509)
- G06. Electrical Plans Examiner Corporate Training Program (5007529)
(F-2065, A-2510)
- G07. Electrical Inspector Corporate Training Program (5007528)
(F-2064, A-2511)
- G08. Building Plans Examiner Corporate Training Program (5007527)
(F-2063, A-2513)
- G09. Building Inspector Corporate Training Program (5007526)
(F-2062, A-2514)

MOTION: Mr. Gathright made a motion that the Committee approve courses G01 through G09 as submitted.

SECOND: Mr. McCormick seconded the motion and it passed unanimously.

OLD BUSINESS

There was no old business to come before the Committee at this time.

NEW BUSINESS

There was no new business to come before the Committee at this time.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 6:07 p.m.

April 6, 2012

CALL TO ORDER

Chair McCormick called the meeting to order at 9:06 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Tim Bolduc
Dennis Carpenter
Fred Dudley
Wayne Francis
Rick Holmes
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
Mary Graybosch, Court Reporter

APPROVAL OF THE FEBRUARY 8 - 10, 2012, MINUTES OF THE MEETING

MOTION: Vice-Chair Gathright made a motion that the Board approve the minutes as submitted.

SECOND: Mr. Francis seconded the motion and it passed unanimously.

DECLARATORY STATEMENT – ROBERT J. KONING ON A ONE AND TWO FAMILY DWELLING INSPECTOR'S AUTHORITY TO CONDUCT HOME INSPECTIONS

Mr. Koning was present at the meeting and was sworn in by the court reporter. Mr. Dudley stated that he knows Mr. Koning but this will not affect his opinion in this matter.

In discussion, Mr. Jennings stated that he did not believe the Board could answer this Declaratory Statement.

Mr. Jennings stated that the Board needed to determine if the petitioner had standing to request the Declaratory Statement.

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board determine that Mr. Koning did have standing to request the Declaratory Statement.

SECOND: Mr. Barthlow seconded the motion.

Following discussion, the following motion was made.

MOTION: Mr. Dudley made a motion that the Board did not have the authority to answer the Declaratory Statement.

SECOND: Vice-Chair Gathright seconded the motion.

Following discussion, the motion passed with Mr. Barthlow, Mr. Bolduc and Chair McCormick voting against the motion.

REPORTS

Chair's Report – Bob McCormick

Chair McCormick stated that he did not have a report to give at this time.

Application Review Committee – Richard Gathright

Ratification of Actions Taken by the Committee

Ratification List

Vice-Chair Gathright reported that the Committee reviewed 86 applications, of which 44 were approved and 42 were denied. He stated that the applications for Amru Meah were being pulled and would be considered again by the Committee. Vice-Chair Gathright read the denials and the approved provisional licenses, with the limitations, into the record at this time.

Approved Provisional Licenses:

Carrick, Thomas H. – Provisional Building Code Administrator – limited to the City of Clearwater; Giordano, Wayne P – Provisional Plumbing Plans Examiner – limited to the City of Key West; Herrera, Benjamin – Provisional Mechanical Plans Examiner – Limited to Boca Raton; Vazquez, Carlos Adrian – Provisional Electrical Inspector – Limited to Miami Dade.

Denials:

Adams, Steven M. – 1&2 Family Dwelling Inspector – lack of experience; Bartell, James Louis – Building Inspector – lack of experience; Blanco, Linda A. – Building Code Administrator – lack of experience; Blue, David Vincent – Building Inspector – lack of experience; Borycens, John Henry – Null & Void Hardship – did not provide hardship; Camino, Richard Joel – Building Inspector – lack of experience; Carvajal, Humberto – Building Inspector – lack of experience; Clark, Joseph Michael, Jr. – Building Inspector –lack of experience; Clifton, Marsha L. – 1&2 Family Dwelling Inspector – lack of experience; Delgado, Pedro victor – Building Inspector – failed to meet 468.609(2) F.S.; Esteban, Carlos - Electrical Inspector – lack of experience; Giordano, Wayne P. – Provisional Building Inspector – lack of experience; Guagliardo, Joseph S., Sr., - 1&2 Family Dwelling

Inspector – lack of experience; Hartman, Michael L., - Null & Void Hardship – did not provide hardship; Hood, Karen A., - Building Inspector – lack of experience; Kolar, Sinisa – Building Inspector – lack of experience; Lancaster, James Joseph – Provisional and Standard Building Code Administrator – lack of experience; Law, Brian W., - Building Inspector and 1&2 Family Dwelling Inspector – lack of experience; Leary, Bradford r. – Plumbing Plans Examiner – lack of experience; Mueller, Edward Patrick – Mechanical Inspector, Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Provisional Electrical Inspector – lack of experience; Parker, David W. – Mechanical Plans Examiner, Mechanical Inspector – lack of experience; Penuela, Dino Giovanni – Building Inspector – lack of experience; Phillippi, Robert Glenn – Mechanical Plans Examiner – lack of experience; Pryor, Michael Glenn – 1&2 Family Dwelling Plans Examiner - does not meet requirements; Raybon, Ronald Gerald – Provisional Building Plans Examiner – not newly hired or promoted into position; Ridenour, Charles R. – Provisional Plumbing Inspector – lack of experience; Salvador, Enrique E., - Provisional Plumbing Plans Examiner, Provisional Plumbing Inspector – lack of experience and not newly hired or promoted into the position; Thomas, LePauleon H. - Building Inspector – lack of experience; Tribue, Marvin Luther – Building Inspector – lack of experience; Wilkinson, William Douglas – Plumbing Inspector – lack of experience; Williams, Keith A., - Plumbing Plans Examiner, Plumbing Inspector – lack of experience.

MOTION: Mr. Bolduc made a motion that the Board approve the actions of the Application Review Committee as reported.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Chair McCormick stated that the Committee denied the applications for Amru Meah which would be reviewed by the Committee members and then reported to the Board the outcome.

Ratification List

MOTION: Mr. Dudley made a motion that the Board approve the Ratification List as submitted.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Vice-Chair Gathright reported that the Application Committee completed the review of the applications for Amru Meah. He applied for the Building Code Administrator license by endorsement which was denied as he had not passed an examination to obtain the license. He also applied for the Provisional Building Code Administrator license which was approved based on the additional information provided, and the license would be limited to Escambia County.

Mr. Bolduc stated that he was recusing himself from the vote as he had applied for the job in Pensacola.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the actions of the Application Review Committee to deny the Building Code Administrator application by endorsement and approve the Provisional Building Code Administrator application, limited to Escambia County, for Amru Meah.

SECOND: Mr. Francis seconded the motion which passed unanimously.

Rules and Legislation Committee

MOTION: Mr. Gathright made a motion that the Board approve the actions of the Rules and Legislation Committee.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Examination and Continuing Education Committee – Orlando Lamas

Mr. Lamas reported that the Committee reviewed 49 courses, of which 43 were approved, one was withdrawn, four were continued to the meeting today and one was denied.

MOTION: Mr. Holmes made a motion that the Board approve the actions of the Committee.

SECOND: Mr. Bolduc seconded the motion and it passed unanimously.

MOTION: Vice-Chair Gathright made a motion that the Board reconsider course number F08 in order to allow BOAF the opportunity to amend the course.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

For Course D01, Mr. Harvey provided a topical outline for the Board's consideration.

MOTION: Vice-Chair Gathright made a motion that the Board approve the course as amended.

SECOND: Mr. Lamas seconded the motion and it passed unanimously.

For course F07, Mr. Harvey provided additional information for the Board's consideration. Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board approve the course as amended.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

For course F11, Mr. Harvey provided additional information for the Board's consideration. Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board approve the course as amended.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

For course F16, Mr. Harvey provided additional information for the Board's consideration. Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board approve the course as amended.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

For course F08, Mr. Harvey stated that he had made corrections. Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board approve the course as amended upon verification by staff of receipt of the changes.

SECOND: Mr. Holmes seconded the motion and it passed unanimously.

Board Counsel – Clark Jennings

Rules Report

Discussion of SERC for Rule 61G9-6.012, F.A.C., Provisional Certificates

Mr. Jennings stated that this was discussed during the Rules Committee meeting and asked that the Board ratify the actions of the Committee.

MOTION: Mr. Dudley made a motion that the Board ratify the Committee recommendations.

SECOND: Mr. Bolduc seconded the motion and it passed unanimously.

Mr. Dudley commented that the provisional license timeframe would be changing from three years to one year, and therefore, they would need to have a rules workshop to change the rules. Mr. Jennings responded that he will start the process for the rules workshop.

Executive Director – Robyn Barineau

March Ratification List

Ms. Barineau informed the Board that there was no Ratification List for March.

Financial Report – December 31, 2011

Ms. Barineau reviewed the Financial Report that was also provided in the agenda materials.

Future Meeting Dates for 2012

June 5 - 7, Orlando

August 15 - 17, Panama City Beach

October 10 – 12, Fernandina Beach

December 5 – 7, Tampa

Ms. Barineau informed the members that Secretary Larson will be in attendance at the June meeting.

ICC Update – Michelle Porter

Ms. Porter reported that for the first quarter the exam volume was 98. She stated that this was down from 2011 in which there were 115 exams taken, and in 2010 in which there were 107 exams taken.

Ms. Porter informed the Board that they were moving from a hard copy to computer monitoring for the electronic plan set and individuals generally prefer the electronic set. She stated that they were working with PearsonVue for them to update their monitors. Ms. Porter also commented that they were monitoring the performance of candidates using an electronic set now versus when they used the paper set.

Following discussion, Chair McCormick stated that the Board would not proceed with the previous request to visit an examination site.

CORRESPONDENCE

This was provided for informational purposes.

PUBLIC COMMENTS

There were no public comments at this time.

OLD BUSINESS

There was no old business to come before the Board at this time.

NEW BUSINESS

There was no new business to come before the Board at this time.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:48 a.m.