APPLICATION REVIEW COMMITTEE

CALL TO ORDER
The Building Code Administrators and Inspectors Board meeting was called to order at approximately 9:03 a.m., by Vice Chair Gathright.

Members Present
Richard Gathright, Chair
Art Barthlow
Peter Jones
Tony Lopresto
Bob McCormick

Members Absent
Tim Bolduc

Other Persons Present
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Clark Jennings, Assistant Attorney General, Office of the Attorney General (OAG)
Linda Gray, Government Analyst, DBPR
Lalonda B. Jackson, Court Reporter, Precision Court Reporting, LLC.

Others Present
Ryan Wiggins
Harold Bergens
Roger Remek
William F. Gardiner, III
John Cioffi
Braden Godfrey
Henry Tejeda
Shane Gerwig
Christopher Schwarz
Michael Dickey
Eddie Jackson
Harold Allen
Chris Brownell
Regis Kramer, Jr.
Vincent Montalto
David F. Morin
Michael D. Jones
Juan Lopez
Luis Negrete
Glenn P. Brown
Peter A. Beaudoin
Bruce Duncan
Robert Bitgood
Peter Ringle
Matthew Ingersoll
Angela Phillips
John Gallo
Joseph Kajak
Wilbur Toney Fields
Dale Marquardt
Shaun Duncan
Jim Washington
John Abner
Joseph Davis
Kerry R. Gillen
Joseph May
David Herron
Clayton Krater
Krista Hall
REVIEW OF APPLICATIONS
The following applicants were present at the meeting and were sworn in by the court reporter. Those offering testimony on behalf of the applicants were present at the meeting and were sworn in by the court reporter. After discussion, the below listed applications were approved by the Committee.

David C. Attard – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector
William W. Austin, Jr. – 1&2 Family Dwelling Inspector
Eric Corcoran – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector
William Francis Gardiner, Ill – Plumbing Inspector, Provisional Plumbing Inspector
Brennon M. Gilder – Building Inspector
Braden Alan Godfrey – Electrical Inspector, Electrical Plans Examiner, Provisional Electrical Inspector
Eddie Jackson – Mechanical Inspector, Plumbing Inspector
Joseph May – Building Inspector, 1&2 Family Dwelling Inspector
Michael J. Oliver, Sr. – Building Plans Examiner
Angela Phillips – Building Inspector, Provisional Building Inspector
Henry Tejeda – Building Inspector, Provisional Building Inspector

The following applicants were present at the meeting and were sworn in by the court reporter. Those offering testimony on behalf of the applicants were present at the meeting and were sworn in by the court reporter. After discussion, the applications listed below were denied by the Committee.

Martha Brenish Allen – Building Plans Examiner
Albert Robert Bateman – Building Inspector, Provisional Building Inspector
Krista Nicole Hall – Building Plans Examiner
Gregory James Lawton – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector
Angela Phillips - Plumbing Inspector, Provisional Plumbing Inspector, Plumbing Plans Examiner, Provisional Plumbing Plans Examiner
Roger Van Remek, Jr. – Building Inspector
Edward Joseph Yaeger – 1&2 Family Dwelling Inspector
The following applicants were present at the meeting and were sworn in by the court reporter. After discussion, the applications listed below were withdrawn by the applicants.
Kerry Ray Gillen – Building Code Administrator
Braden Alan Godfrey – Provisional Electrical Plans Examiner

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.

RECESS
There being no further business to come before the Committee, the meeting was adjourned at approximately 4:03 p.m.

PROBABLE CAUSE PANEL MEETING
The meeting began at approximately 3:00 p.m., and adjourned at approximately 3:20 p.m.

June 21, 2018 - Thursday – 9:00 A.M.

BOARD MEETING
CALL TO ORDER
Chair McCormick called the meeting to order at approximately 9:00 a.m.

Members Present
Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Peter Jones
Kerry Leuzinger
Tony Lopresto
Andrew Raines
Herman White

Members Absent
Tim Bolduc

Other Persons Present
Robyn Barineau, Executive Director, DBPR
Clark Jennings, Board Counsel, OAG
Jerry Hosey, Assistant General Counsel, DBPR
Linda Gray, Government Analyst, DBPR
Lalonda B. Jackson, Court Reporter, Precision Court Reporting, LLC.

Others Present
Robert Deatherage
Joseph Kajak
Michelle Porter – International Code Council
James Hare
James Scarcello
ATTENDANCE
Chair McCormick informed the Board that Mr. Bolduc had requested to be excused from the Board meeting. Vice Chair Gathright made a motion to grant Mr. Bolduc’s request to be excused from the meeting. Mr. Jones seconded the motion. The motion passed unanimously.

Final Disciplinary Action
Robert Deatherage – Settlement Agreement – Case No. 2018-001336
PCP: Gathright, Demers, and White
Mr. Deatherage was present at the meeting and was sworn in by the court reporter. Vice Chair Gathright and Mr. White were recused because they served on the Probable Cause Panel. Mr. Hosey presented the facts in this case and stated that Mr. Deatherage had agreed to a Settlement Stipulation imposing an administrate fine in the amount of $2,000, costs in the amount of $210.99, stayed suspension, two (2) years probation with four (4) appearances before the Board, complete a live continuing education course of at least four (4) hours (in addition to the continuing education required for renewal) within one year of June 21, 2018.

Mr. Clark Jennings, Assistant Attorney General, informed the Board that there were typographical errors in the Settlement Agreement. The Settlement Agreement should replace the Construction Industry Licensing Board with the Building Code Administrators and Inspectors Board. Mr. Hosey agreed that the Board should entertain a verbal Motion for Scrivener’s Error to correct the typographical errors. Mr. Barthlow moved to accept the Motion of Scrivener’s Error. Mr. Raines seconded the motion. The motion passed unanimously. Mr. Deatherage accepted the changes to the Settlement Agreement.

Mr. Jones made a motion to approve the Settlement Agreement, as amended. Mr. Raines seconded the motion. The motion passed unanimously.

Mr. Lopresto made a motion for Mr. Deatherage to appear before the Board on the Thursday of the Board meetings for his required appearances. Mr. Barthlow seconded the motion. The motion passed unanimously.

Mr. Deatherage requested that the required appearances come before the Board when the Board meets in Central to South Florida. Mr. Deatherage requested to appear at the August 2018 meeting in Lake Mary, October 2018 meeting in Daytona Beach, October 2019 meeting in Orlando, and the December 2019 meeting, in Howey-In-the-Hills. Mr. Barthlow made a motion to approve Mr. Deatherage’s appearances as requested. Mr. Raines seconded the motion. The motion passed unanimously.

The Board determined that the four hours of live continuing education should be in the area of Laws and Rules and Ethics. Mr. Lopresto made a motion to approve the live four hours of Laws and Rules and Ethics. The motion was seconded by Mr. Leuzinger. The motion passed unanimously.
HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT
Carlos Guerrero – Electrical Inspector, Electrical Plans Examiner
Mr. Guerrero was present at the meeting and was sworn in by the court reporter. Mr. Guerrero provided additional information for the Board’s review. Mr. Lopresto made a motion to overturn the denials and approve the Electrical Inspector and Electrical Plans Examiner application. The motion was seconded by Mr. Barthlow. The motion passed unanimously.

Melvin Douglas Sawyers – 1&2 Family Dwelling Inspector, Plumbing Inspector, Mechanical Inspector
Mr. Sawyers was present at the meeting and was sworn in by the court reporter. Mr. Sawyers provided additional information for the Board’s review. After discussion, the following action was taken. Mr. Jones made a motion to uphold the denial of the 1&2 Family Dwelling Inspector application. The motion was seconded by Vice Chair Gathright. The motion passed unanimously.

Vice Chair Gathright made a motion to uphold the denial of the Plumbing Inspector application. The motion was seconded by Mr. Jones. The motion passed unanimously.

Vice Chair Gathright made a motion to uphold the denial of the Mechanical Inspector application. The motion was seconded by Mr. Jones. The motion passed unanimously.

Continuing Education Courses Hearings Not Involving Disputed Issues of Material Fact
C.A.P. Government (0006777)
Mr. Joseph Kajak was present at the meeting and was sworn in by the court reporter. Renewal Course(s)
B1. Laws & Rules Pertaining to Construction (5007963) (Live)
   Requesting 1 hour L&R credit (F-2811, A-3903)

After discussion, Mr. Jones made a motion to continue B1 until the August meeting. The motion was seconded by Vice Chair Gathright. The motion passed unanimously.

B2. Ethics Training for the Florida Building Code (5007964) (Live)
   Requesting 2 hours ETHICS credit (F-2812, A-3904)

After discussion, Mr. Jones made a motion to continue B2 until the August meeting. The motion was seconded by Vice Chair Gathright. The motion passed unanimously.

B3. Florida Accessibility for Building Construction (5007962) (Live)
   Requesting 2 hours AOA credit (F-2810, A-3905)

After discussion, Vice Chair Gathright made a motion to overturn the denial and approve B3. The motion was seconded by Mr. Barthlow. The motion passed unanimously.

B4. Plumbing Code IV (5007941) (Live)
   Requesting 2 hours GEN credit (F-2807, A-3930)

After discussion, Vice Chair Gathright made a motion to overturn the denial and approve B4. The motion was seconded by Mr. Barthlow. The motion passed unanimously.
REQUEST FOR EXTENSION OF PROVISIONAL LICENSE
James William Scarcello – Provisional Building Inspector
Mr. Scarcello was present at the meeting and was sworn in by the court reporter. Mr. Eugene Johnson, Building Official, Volusia County School Board, was present at the meeting and was sworn in by the court reporter. After discussion, Vice Chair Gathright made a motion to grant the extension of the Provisional Building Inspector license through November 5, 2018. Mr. Jones seconded the motion. The motion passed with Mr. Barthlow voting against the motion.

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.

RULES & LEGISLATION COMMITTEE
LEGISLATIVE REPORT
Vice Chair Gathright reported that the Florida Building Commission and Building a Safer Florida (BASF), conducted a survey on “Analysis of Code Enforcement and Implementation, Permitting Requirements and Fees, and Training and Education in Florida Jurisdictions” in which 43 counties responded to the survey. The Draft Final Report was written by R. Raymond Issa, Ph.D., J.D., PE*, FASCE, API, May 2018.

RULES REPORT
Mr. Jennings did not have a report to give at this time.

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.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE
I. Continuing Education Courses for Review
BUILDING OFFICIALS ASSOCIATION OF FLORIDA (0001001)
Ms. Ann Russo was present at the meeting and was sworn in by the court reporter. After discussion, the following action was taken.

New Course(s)
A1. Building Materials (Live)  
Requesting 6 hours GEN credit (F-3189, A-3945)

After discussion, Vice Chair Gathright made a motion to approve A1. The motion was seconded by Mr. Lopresto. The motion passed unanimously.

A2. Developing Effective Inspector Skills (Internet)  
Requesting 7 hours GEN credit (F-3190, A-3946)

After discussion, Mr. Jones made a motion to approve A2. The motion was seconded by Mr. Barthlow. The motion passed unanimously.

A3. Quality Customer Service (Internet)
Requesting 1 hour GEN credit (F-3191, A-3947)

After discussion, Ms. Russo provided an updated syllabus for A3. Vice Chair Gathright made a motion to approve A3 with the updated syllabus. The motion was seconded by Mr. Jones. The motion passed unanimously.

A4. 40-Hour Code Training – Plumbing Inspector (F-3, A-3)
A5. 40-Hour Code Training – Plumbing Plans Examiner (F-11, A-11)
A6. 40-Hour Code Training – Mechanical Inspector (F-4, A-4)
A7. 40-Hour Code Training – Mechanical Plans Examiner (F10, A-10)

After discussion, Mr. Jones made a motion to table A4-A7 until the August meeting. The motion was seconded by Mr. Raines. The motion passed unanimously.

Ms. Russo informed the Board that Mr. Jim Schock is the new president of the Building Officials Association of Florida.

Ms. Russo also requested that A4-A7 be continued until the October 2018 meeting. The Board agreed that these matters will be heard at the October meeting.

AAA CONSTRUCTION SCHOOL, INC. (0000972)

New Course(s)
B1. Complete 14 Hours BCAI Continuing Education (Internet)
   Requesting 14 hours AOA, L&R, ETHICS & GEN credit (F-3192, A-3948)

After discussion, Mr. Jones made a motion to approve the course but the Ethics portion would be approved for general credit. The motion was seconded by Mr. Lopresto. The motion passed unanimously.

DEVELOPMENT SERVICES DEPT., BLDG DIVISION, CITY OF WEST PALM BEACH (0003800)

Mr. Douglas Harvey was present at the meeting and was sworn in by the court reporter. Vice-Chair Gathright recused himself from this discussion. After discussion, the following action was taken.

New Course(s)
C1. Understanding the Florida Accessibility Code for the Code Official (Live)
   Requesting 2 hours AOA credit (F-3184, A-3940)

C2. Ethics Training for the Florida Code Officials (Live)
   Requesting 1 hour ETHICS credit (F-3185, A-3941)

C3. Understanding the Private Provider Guidelines of Florida Statutes 553.791 (Live)
   Requesting 2 hours GEN credit (F-3186, A-3942)

C4. Laws & Rules Pertaining for the Code Officials (Live)
   Requesting 2 hours L&R credit (F-3187, A-3943)
C5. Expedited PV Permitting and Inspections (Live)  
Requesting 2 hours GEN credit (F-3188, A-3944)

After discussion, it was determined to amend C3 to receive laws and rules credit instead of general credit. Mr. Jones made a motion to approve C1-C5 with the amendment that C3 is laws and rules credit. Mr. Barthlow seconded the motion. The motion passed unanimously.

INTERNSHIP CERTIFICATION PROGRAM
New Program(s)
C6. One Year Building Plans Examiner (F-3235, A-3992)
C7. One Year Building Inspector (F-3236, A-3993)
C8. One Year Electrical Plans Examiner (F-3237, A-3994)
C9. One Year Electrical Inspector (F-3238, A-3995)
C10. One Year Mechanical Plans Examiner (F-3239, A-3996)
C11. One Year Mechanical Inspector (F-3240, A-3997)
C12. One Year Plumbing Plans Examiner (F-3241, A-3998)
C13. One Year Plumbing Inspector (F-3242, A-3999)

After discussion, Mr. Barthlow made a motion to approve C7-C13. The motion was seconded by Mr. Jones. The motion passed unanimously.

MARION COUNTY BUILDING DEPARTMENT (0001253)
New Course(s)
D1. 2015IRC Changes to the Code (Live)  
Requesting 6 hours GEN credit (F-3196, A-3952)

After discussion, Mr. Jones made a motion to deny D1 for lack of a detailed outline. Vice Chair Gathright seconded the motion. The motion passed unanimously.

D2. Smoke Alarms Per the IRC & NFPA 72 (Live)  
Requesting 6 hours GEN credit (F-3198, A-3957)

After discussion, Vice Chair Gathright made a motion to deny D2 for lack of a detailed outline. Mr. Leuzinger seconded the motion. The motion passed unanimously.

D3. 2015 IECC Changes and Review of the Code (Live)  
Requesting 6 hours GEN credit (F-3233, A-3990)

After discussion, Vice Chair Gathright made a motion to deny D3 for lack of a detailed outline. Mr. Jones seconded the motion. The motion passed unanimously.

SAFE BUILT ACADEMY
New Course(s)
E1. 2015 International Florida Plumbing Code (Internet)
Requesting 24 hours credit (F-3154, A-3896)

After discussion, Vice Chair Gathright made a motion to deny E1 for lack of sufficient content.
Mr. Jones seconded the motion. The motion passed unanimously.

Requesting 24 hours credit (F-3155, A-3897)

After discussion, Vice Chair Gathright made a motion to deny E2 for lack of sufficient content.
Mr. Jones seconded the motion. The motion passed unanimously.

JC CODE & CONSTRUCTION CONSULTANTS, INC. (0003379)
New Course(s)
F1. 40-Hour Code Training – Mechanical Inspector (F-6, A-6)
F2. 40-Hour Code Training – Mechanical Plans Examiner (F-8, A-8)
F3. 40-Hour Code Training – Plumbing Inspector (F-7, A-7)
F4. 40-Hour Code Training – Plumbing Plans Examiner (F-9, A-9)

Vice Chair Gathright made a motion to approve F1-F4. Mr. Barthlow seconded the motion. The motion passed unanimously.

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

NEW BUSINESS
There was new business to come before the Committee at this time.

RECESS
There being no further business to come before the Committee, the meeting was adjourned at approximately 2:37 p.m.

June 22, 2018 – Friday – 9:00 a.m.

BOARD MEETING
CALL TO ORDER
Chair McCormick called the meeting to order at approximately 9:04 a.m.

Members Present
Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Peter Jones
Tony Lopresto
Kerry Leuzinger
Andrew Raines
Herman White
Members Not Present
Tim Bolduc

Other Persons Present
Robyn Barineau, Executive Director, DBPR
Clark Jennings, Board Counsel, OAG
Jerry Hosey, Assistant General Counsel, DBPR
Linda Gray, Government Analyst, DBPR
Lalonda B. Jackson, Court Reporter, Precision Court Reporting, LLC.

Others Present
Michelle Porter, International Code Council

REVIEW AND APPROVAL OF THE APRIL 17, 2018 INTERNSHIP CERTIFICATION PROGRAM FORMS COMMITTEE MINUTES
Vice Chair Gathright made a motion to approve the meeting minutes from April 17, 2018. Mr. Jones seconded the motion. The motion passed unanimously.

REVIEW AND APPROVAL OF THE APRIL 18-20, 2018 BOARD MEETING MINUTES
Vice Chair Gathright made a motion to approve the meeting minutes from April 18-20, 2018. Mr. Lopresto seconded the motion. The motion passed unanimously.

REPORTS
CHAIR’S REPORT – BOB MCCORMICK
Chair McCormick informed the Board that Mr. Bolduc represented the Board at the Building Officials Association of Florida Annual Conference. Chair McCormick stated that Mr. Bolduc reported that he received positive feedback and that the meeting was successful.

APPLICATION REVIEW COMMITTEE – RICHARD GATHRIGHT
Vice Chair Gathright reported that the Committee reviewed 224 applications, of which 183 were approved, two were withdrawn, and 39 denied. He read the denials into the record at this time.

Martha Brenish Allen – Building Plans Examiner, Lack of experience
Deforrest Parker Bailey – Roof Inspector – Lack of experience
Albert Robert Bateman – Provisional Building Inspector, Building Inspector, Lack of experience
Mark Anthony Clark – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector, Lack of experience
John P. Cosmo – 1&2 Family Dwelling Plans Examiner, No Plans Examiner license
Michael Donovan Deming – 1&2 Family Dwelling Plans Examiner, No Plans Examiner license
Christopher William Dunn – Building Inspector, Lack of experience
Mark Dupell – Building Inspector, 1&2 Family Dwelling Inspector, Building Plans Examiner, Lack of experience
Zach Stafford Fipps – Building Inspector, Building Plans Examiner, Provisional Building Inspector, Provisional Building Plans Examiner, Lack of experience
Krista Nicole Hall – Building Plans Examiner – Lack of experience
Richard Shane Hall – 1&2 Family Dwelling Inspector, Lack of experience
Larry Joseph Hites, Jr. – Mechanical Plans Examiner, Lack of experience
Gregory James Lawton – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector, Lack of experience
Diego Leon Manzano – Plumbing Plans Examiner, Lack of experience
Rodolfo Martinez – Building Code Administrator, Lack of experience
Mr. Raines made a motion to approve the actions of the Committee as reported. Mr. Barthlow seconded the motion. The motion passed unanimously.

RATIFICATION LIST – RICHARD GATHRIGHT
Mr. Jones made a motion to approve the Ratification List as submitted. Mr. Barthlow seconded the motion. The motion passed unanimously.

PROSECUTING ATTORNEY REPORT – JERRY HOSEY
Chair McCormick welcomed Mr. Jerry Hosey as the Board’s new prosecuting attorney. Mr. Hosey provided the Board with a copy of the Prosecuting Attorney Report. He stated that there is one private case and two public cases to report.

RULES AND LEGISLATION COMMITTEE
The Board discussed Section 468.609(9), Florida Statutes, and Rule 61G19-9.001, F.A.C., and Rule 61G19-9.004, F.A.C., as it relates to the type of continuing education hours required for renewal and documents to be submitted with the application for continuing education courses. The Board requested Ms. Robyn Barineau provide them with a copy of the Cosmetology rule related to submission of documents for course approval. The Board agreed to discuss these rules at the August 2018 meeting.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE – TIM BOLDUC
Ms. Barineau reported that the Committee reviewed 22 courses, eight internship certification programs, 18 courses were approved, five courses were denied, four were tabled, and eight internship certification programs were approved.

BOARD COUNSEL – CLARK JENNINGS
Mr. Jennings informed the Committee that there were no pending rules at this time.

EXECUTIVE DIRECTOR – ROBYN BARINEAU
Board Member Training
Ms. Barineau, Mr. Clark Jennings, and Mr. Hosey conducted the annual Board Member Training.

Licenses Issued from Null & Void
Ms. Barineau reported that there were three licenses issued since the last Board meeting.

Financial Report – March 31, 2018
Ms. Barineau reported that the balance in the Board’s operating account was $12,135,392. The unlicensed activity account balance was $402,433. At the October meeting, Ms. Barineau will provide the 2018 year-end fiscal report.
Future Meeting Dates
August 22-24, 2018 – Orlando/Lake Mary
October 10-12, 2018 – Daytona Beach
December 5-7, 2018 – Fernandina Beach
February 6-8, 2019 – Gainesville
April 3-5, 2019 – Fernandina Beach
June 12-14, 2019 – St. Augustine
August 7-9, 2019 – Coral Gables
October 16-18, 2019 – Orlando
December 4-6, 2019 – Howey-In-the-Hills

INTERNERNSHIP CERTIFICATION PROGRAM FORMS COMMITTEE
Ms. Barineau provided the Board with an update on the new Internship Certification Program forms.

INTERNATIONAL CODE COUNCIL - MICHELLE PORTER
Ms. Michelle Porter was present at the meeting and informed the Board that exam administrations are the same as last year. She also stated that the International Code Council (ICC) Reinstatement Certification Program has been successful for those individuals who wish to reinstate their ICC certificates.

Ms. Porter informed Board that there are contract amendments in progress between DBPR and ICC to initiate the use of Proctored Remote Online Testing (PRONTO) for Florida applicants. She stated that Florida will be the first State to use PRONTO. PRONTO is expected to be available to applicants within the next few months.

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 approximately 11:05 a.m.