

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

Hampton Inn & Suites – Downtown

101 SE 1st Avenue

Gainesville, FL

October 22 - 24, 2014

October 22, 2014

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

Art Barthlow

Tim Bolduc

Bob McCormick

Members Not Present

Wayne Francis

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Clark Jennings, Board Counsel

Mark Miller, Prosecuting Attorney

James Edward Moore

William H. Larder, Jr.

Juan Gonzalez

Jose E. Lopez, Jr.

Joseph Morrison

Joseph Hatten

Carlos Valenti

Michael L. Dove

Andrew Brenner

Michael Lee

Anthony Mastracchio

Marvin Davis

Noell Bell

Clay Townsend

Daniel R. Cogdill

Manford L. Hartman

Doyle Nasworthy

Stephen Tetlak
Robert Leitner
Charles Barr
Samuel P. Barker, IV
Bryan Higginbotham
Roger Myers
Judson Dulany
George L. Cancio
Maurizio Ferro
Daniel Sirois
Pat Callahan
Leroy Jones
Mike Doyle
David Harsche
Stephen Beckman
James Howard Johnson
Luke Curtis
Miguel Correa
David Barnett
Rod E. Ashworth
Mike Southworth
Donna L. D'Ortona
Richard Johns
LaRoderick McQueen
R. Stephen Rush
Jesse C. King
Shane Gerwig
Stephen Barnoski
Charles Dorman
Jonathan Cantwell
Parmjit Rooprea
Dr. Barbara Wills
Chris Edden
Charles Crain
Joseph Colasanti
Todd Escher
Eddie Jackson
Georgia Chamberlin, Court Reporter

REVIEW OF APPLICATIONS

James Edward Moore – Building Code Administrator, Plumbing Inspector, Building Inspector, 1&2 Family Dwelling Inspector, Provisional Building Code Administrator

Mr. Moore was present at the meeting and was sworn in by the court reporter. Additional information was provided at the meeting. Following discussion, the Building Code Administrator and Building Inspector applications were approved by endorsement;

1&2 Family Dwelling Inspector application was approved by examination, Provisional Building Code Administrator application was approved, and the Plumbing Inspector application was denied.

Juan Gonzalez – Provisional Plumbing Inspector, Plumbing Inspector

Mr. Gonzalez was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Jose Enrique Lopez, Jr. – Building Inspector, Provisional Building Inspector

Mr. Lopez was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Marvin Roy Davis, Jr. – Provisional Plumbing Inspector

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

Charles Franklyn Barr, Jr. – Plumbing Plans Examiner

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

Karl Eugene McGuire – Provisional Building Inspector, Building Inspector

Ms. Noell Bell, Building Official for Destin, was present at the meeting on behalf of Mr. McGuire and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Samuel P. Barker, IV – Plumbing Plans Examiner

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

Clay Townsend – Building Inspector

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

Carlos Alberto Valenti – Building Inspector

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

George Cancio – Building Inspector, Coastal Construction Inspector

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

Maurizio Ferro – Provisional Building Inspector

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

Andrew S. Brenner – Provisional Electrical Inspector, Electrical Inspector, Provisional Electrical Plans Examiner, Electrical Plans Examiner

Mr. Brenner was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Patrick Michael Callahan - Provisional Electrical Inspector, Electrical Inspector, Provisional Electrical Plans Examiner, Electrical Plans Examiner

Mr. Callahan was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Leroy Jones, Jr. – Provisional Building Inspector, Building Inspector

Mr. Jones was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

David Harsche - Provisional Electrical Inspector, Electrical Inspector, Provisional Electrical Plans Examiner, Electrical Plans Examiner

Mr. Harsche was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee with the exception of the Provisional Electrical Plans Examiner application which was denied by the Committee.

Miguel Correa – Provisional Building Inspector

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

Charles A. Dorman – Electrical Plans Examiner, Electrical Inspector

Mr. Dorman was present at the meeting and was sworn in by the court reporter. During discussion, it was determined that Mr. Dorman was not qualified for endorsement. He requested that his applications be changed to examination and they were approved by the Committee.

Eddie Lee Jackson, Jr. – 1&2 Family Dwelling Inspector, Building Plans Examiner

Mr. Jackson was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Jonathan David Cantwell – Building Plans Examiner

Mr. Cantwell was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Donna D’Ortana – Electrical Inspector

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

Richard Hardy Johns, III – Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector

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

Parmjit Roopra – 1&2 Family Dwelling Inspector

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

Jesse Craig King – Provisional Mechanical Inspector, Mechanical Inspector, Provisional Mechanical Plans Examiner, Mechanical Plans Examiner

Mr. King was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Rod Ashworth – Building Code Administrator

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

Hiram Christopher Edden – Building Inspector

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

Stephen J. Beckman – Provisional Building Plans Examiner, Building Plans Examiner, Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector

Mr. Beckman was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

Todd Anthony Escher – 1&2 Family Dwelling Inspector, Building Inspector

Mr. Escher was present at the meeting and was sworn in by the court reporter. Following discussion, the applications were approved by the Committee.

David Michael Barnett – Building Inspector

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

Stephen Lynn Barnoski – Provisional Mechanical Inspector, Mechanical Inspector

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

Daniel R. Cogdill – Provisional Electrical Plans Examiner, Electrical Plans Examiner

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

Joseph Colasanti – Provisional Building Inspector, Building Inspector

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

Charles Franklin Crain, Jr. – Building Code Administrator

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

Michael Leo Dove – 1&2 Family Dwelling Inspector, Building Inspector

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

Judson Dewitt Dulany – Building Inspector

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

Manford Lee Hartman – Building Code Administrator

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

Joseph Michael Hatten – 1&2 Family Dwelling Plans Examiner

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

Bryan Lee Higginbotham – Building Code Administrator

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

James Howard Johnson – Building Plans Examiner

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

William Henry Larder, Jr. - Building Plans Examiner, Building Code Administrator

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

Michael Anthony Lee – Building Inspector

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

Robert Ernest Leitner – Electrical Inspector, Electrical Plans Examiner

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

Anthony Mastracchio – Provisional Building Code Administrator, Building Code Administrator

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

LaRoderick Elgin McQueen – Provisional Building Code Administrator, Building Code Administrator

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

Joseph Clyde Morrison, III – Building Inspector

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

Roger Warner Myers, II – Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector

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

Doyle Ray Nasworthy – Building Inspector

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

R. Stephen Rush – Roofing Inspector

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

Daniel George Sirois – Electrical Inspector, Electrical Plans Examiner

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

Robert Michael Southworth, II – Provisional Plumbing Inspector, Plumbing Inspector

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

At this time the Committee continued to review applications.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 5:46 p.m.

October 23, 2014

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
Fred Dudley
Peter Jones
Andrew Raines
Ed Valentin

Members Not Present

Wayne Francis

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Mark Miller, Prosecuting Attorney
John Barnett
M. B. Adelson
William Kane
Stephen Tetlak
Rafael Garcia
William Powell
Daniel Murphy
Angelo DePascale
Douglas Newbanks
Linda Patrick
Alan Plante
Teresa Sullivan
Charles Stephenson
Majid Hawari
Joe Rebuck
Stephen Giancontieri
Daryl Dillow
Sandra Caslow
Sharon Philman
Shea Kasainowcz
Adam Cohea
Ben Bailey

Danny Watson
Steven Streder
Gary Brevoort
Melissa Ladimarco, Court Reporter

Chair McCormick informed the Board that Mr. Francis was unable to attend the meeting.

MOTION: Vice-Chair Gathright made a motion that the Board excuse the absence of Mr. Francis.

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

Mr. Dudley informed the Board that he would be absent from the meeting on Friday.

MOTION: Mr. Bolduc made a motion that the Board excuse Mr. Dudley from the meeting on Friday.

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

Mr. Jones informed the Board that he would be absent from the meeting on Friday.

MOTION: Mr. Bolduc made a motion that the Board excuse Mr. Jones from the meeting on Friday.

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

DISCIPLINARY HEARINGS

SETTLEMENT STIPULATIONS

Amir Anisi, DBPR Case #2014-019554

(Dudley, Gathright, & Kymalainen – PCP)

Mr. Anisi was not present at the meeting. Mr. Miller presented the facts in the case and stated that Mr. Anisi agreed to a Settlement Stipulation imposing an administrative fine in the amount of \$750 and costs in the amount of \$484.51.

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the Board accept the Settlement Stipulation as presented.

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

Mr. Bolduc commented that he would like to have additional hours of continuing education included in the penalty portion of future disciplinary cases.

Todd Richards Thomsen, DBPR Case #2014-016005

(Dudley, Gathright, & Kymalainen – PCP)

Mr. Thomsen was not present at the meeting. Mr. Miller Mark informed the Board that this matter was before the Board as a Motion for Waiver of Rights. Mr. Miller presented the facts in the case. He stated that the Department recommended that the Board grant the waiver, which was requested by Mr. Thomasen.

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board grant the waiver of rights.

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

Mr. Miller asked that the findings of fact be adopted.

MOTION: Mr. Bolduc made a motion that the Board adopt the findings of fact as contained in the Administrative Complaint.

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

Mr. Miller asked that the conclusions of law be adopted.

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

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

Mr. Miller stated that the Department recommended revocation of the Respondent's inspector license, BN6158, for at least five years from the date of the Final Order, a fine in the amount of \$500, and costs in the amount of \$91.13.

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board accept the Department's recommended penalty of revocation of the inspector license, BN6158, for a period of at least five years, costs in the amount of \$91.13, impose a fine in the amount of \$2500 to be paid within 30 days of the date of the Final Order.

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

RECOMMENDED ORDER

Anthony David Sapuppo, DOAH Case No. 14-1863

Mr. Sapuppo was not present at the meeting. Mr. Jennings presented the fact and informed the Board that no exceptions had been filed.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board adopt the Recommended Order as presented.

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

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Joseph Agriesti – Plumbing Plans Examiner

Mr. Agriesti was not present at the meeting, however, additional information had been submitted 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: Vice-Chair Gathright seconded the motion and it passed unanimously.

John P. Barnett – Electrical Inspector, Building Inspector, Building Plans Examiner, Electrical Plans Examiner

Mr. Barnett was present at the meeting and was sworn in by the court reporter. Mr. M. B. Adelson, Esquire, was also present. Supplemental material was provided for the Board's consideration. It was noted that Mr. Barnett applied by endorsement.

Following discussion and additional information being provided for the Board's consideration, the following action was taken.

Electrical Inspector

MOTION: Mr. Bolduc made a motion that the Board overturn the denial and approve the Electrical Inspector application by endorsement.

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

Electrical Plans Examiner

MOTION: Vice-Chair Gathright made a motion that the Board overturn the denial and approve the Electrical Plans Examiner application by endorsement.

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

Building Inspector

MOTION: Vice-Chair Gathright made a motion that the Board overturn the denial and approve the Building Inspector application by endorsement.

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

Building Plans Examiner

MOTION: Vice-Chair Gathright made a motion that the Board overturn the denial and approve the Building Plans Examiner application by endorsement.

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

Angelo Nicholas Depascale – Mechanical Inspector, Provisional Mechanical Inspector

Mr. Depascale was present at the meeting along with Mr. David Galassi, Building Official for Marion County. They were both sworn in by the court reporter. Additional information was provided for the Board's consideration.

Mechanical Inspector

Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board overturn the denial and approve the application for Mechanical Inspector.

SECOND: Mr. Bolduc seconded the motion.

Following discussion, Vice-Chair Gathright withdrew his motion..

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

SECOND: Mr. Dudley seconded the motion which passed with Mr. Bolduc and Mr. Raines voting against the motion.

Provisional Mechanical Inspector

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

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

Daryl Dillow – Building Code Administrator

Mr. Dillow was present at the meeting along with Mr. Ben Bailey, Deputy Building Official for the City of Ft. Myers. They were both sworn in by the court reporter.

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

MOTION: Mr. Bolduc made a motion that based on the testimony the Board overturn the denial and approve the application.

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

Rafael Garcia – Mechanical Inspector

Mr. Garcia 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. Bolduc made a motion that the Board overturn the denial and approve the application.

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

Stephen L. Giancontieri – Provisional Mechanical Inspector, Provisional Plumbing Inspector

Mr. Giancontieri was present at the meeting along with Mr. Laupolin Thomas. They were both sworn in by the court reporter. No additional information had been submitted for the Board's review.

Following discussion, the following action was taken.

Provisional Mechanical Inspector

MOTION: Mr. Bolduc made a motion that the Board overturn the denial and approve the application.

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

Provisional Plumbing Inspector

MOTION: Mr. Bolduc made a motion that the Board overturn the denial and approve the application.

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

Majid M. Hawari – Building Plans Examiner

Mr. Hawari 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: Mr. Bolduc made a motion that the Board overturn the denial and approve the application.

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

William Richard Kane – Provisional Building Plans Examiner, Building Plans Examiner

Mr. Kane was present at the meeting along with Mr. Alan Plante, Orange County Building Official. They were both sworn in by the court reporter. Additional information was provided at the meeting for the Board's review.

Provisional Building Plans Examiner

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board overturn the denial and approve the application.

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

Building Plans Examiner

MOTION: Mr. Dudley made a motion that the Board overturn the denial and approve the application.

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

Daniel William Murphy – 1&2 Family Dwelling Inspector

Mr. Murphy was present at the meeting and 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 overturn the denial and approve the application.

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

Douglas James Newbanks – 1&2 Family Dwelling Inspector – Endorsement

Mr. Newbanks 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. Bolduc made a motion that the Board uphold the denial as originally stated.

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

William Charles Powell – Provisional Mechanical Inspector, Mechanical Inspector, Provisional Mechanical Plans Examiner, Mechanical Plans Examiner

Mr. Powell was present at the meeting along with Mr. Stephen Tetlak. They were both 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.

Provisional Mechanical Inspector

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

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

Mechanical Inspector

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

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

Provisional Mechanical Plans Examiner

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

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

Mechanical Plans Examiner

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

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

Louis Roselle – Electrical Inspector, Electrical Plans Examiner

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

Following discussion, the following action was taken.

Electrical Inspector

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

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

Electrical Plans Examiner

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

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

Steven Streder – Building Code Administrator

Mr. Streder 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: Mr. Bolduc made a motion that the Board overturn the denial and approve the application.

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

Teresa P. Sullivan – 1&2 Family Dwelling Inspector

Ms. Sullivan was present at the meeting and was sworn in by the court reporter.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board continue the hearing until the December meeting.

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

Danny Birl Watson, Jr. – Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector, Plumbing Inspector

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

1&2 Family Dwelling Inspector

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board overturn the denial and approve the application.

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

Provisional 1&2 Family Dwelling Inspector

MOTION: Mr. Bolduc made a motion that the Board continue the hearing to the December meeting.

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

Plumbing Inspector

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.

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 5:04 p.m.

RULES & LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Dudley, Chair of the Committee, called the meeting to order at 5:04 p.m.

Members Present

Fred Dudley, Chair
Art Barthlow
Tim Bolduc
Richard Gathright
Peter Jones
Bob McCormick
Andrew Raines
Ed Valentin

Members Not Present

Wayne Francis

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Mark Miller, Prosecuting Attorney
Linda Patrick
Alan Plante
Joe Rebuck
Gary Brevoort
Melissa Ladimarco, Court Reporter

LEGISLATIVE REPORT – FRED DUDLEY

Mr. Dudley informed the Committee that he did not have anything to report at this time.

RULES REPORT – CLARK JENNINGS

Mr. Jennings informed the Committee that he did not have a report 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.

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 5:05 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. Bolduc, Chair of the Committee, called the meeting to order at 5:18 p.m.

Members Present

Tim Bolduc, Chair
Art Barthlow
Richard Gathright
Peter Jones
Bob McCormick
Andrew Raines
Ed Valentin

Members Not Present

Fred Dudley
Wayne Francis

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Mark Miller, Prosecuting Attorney
Linda Patrick
Joe Rebuck
Gary Brevoort
Melissa Ladimarco, Court Reporter

CONTINUING EDUCATION COURSES FOR REVIEW

AAA CONSTRUCTION SCHOOL, INC. (0000972)

New Courses

A01. Ethics for Building Code Professionals (Classroom)

Requesting 1 hour ETHICS credit (F-2594, A-3032)

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

SECOND: Mr. Valentin seconded the motion.

Following discussion, Mr. McCormick withdrew his motion and the following action was taken.

MOTION: Mr. Raines made a motion that the Committee deny the course as submitted as it does not cite Chapter 112, F.S., in the course.

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

A02. Florida Construction Laws and Rules for Code Officials (Classroom)

Requesting 2 hours LAWS & RULES credit (F-2595, A-3033)

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

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

A03. Advanced Navigation of Florida/Miami-Dade Product Approvals (Classroom)

Requesting 1 hour GENERAL credit (F-2596, A-3034)

Following discussion, the following action was taken.

MOTION: Mr. Raines made a motion that the Committee deny the course as there was limited content and course outline.

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

A04. Energy Efficient Construction for Florida Code Officials (Classroom)

Requesting 1 hour GENERAL credit (F-2597, A-3035)

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

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

A05. Safety Regulations for Building Code Professionals (Classroom)

Requesting 1 hour GENERAL credit (F-2598, A-3036)

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the Committee deny the course as it was not relevant.

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

A06. Accessibility Requirements in the State of Florida (Classroom)

Requesting 2 hours ACCESSIBILITY credit (F-2599, A-3037)

Following discussion, the following action was taken.

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

SECOND: Mr. Jones seconded the motion which passed with Mr. Gathright voting against the motion.

A07. Radon Mitigation and Techniques in Florida for Existing Buildings
(Internet)

Requesting 2 hours GENERAL credit (F-2611, A-3050)

A08. Radon Resistant New Residential Construction Requirements in Florida
(Internet)

Requesting 2 hours GENERAL credit (F-2612, A-3051)

MOTION: Mr. Gathright made a motion that the Committee approve courses A07 & A08 as submitted.

SECOND: Mr. Valentin seconded the motion.

Following discussion, Mr. Gathright withdrew his motion and the following action was taken.

MOTION: Mr. Jones made a motion that the Committee deny courses A07 & A08 as they were not relevant to the area in which the courses were being presented.

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

A09. Radon Mitigation and Techniques in Florida for Existing Buildings
(Classroom)

Requesting 2 hours GENERAL credit (F-2613, A-3052)

A10. Radon Resistant New Residential Construction Requirements in Florida
(Classroom)

Requesting 2 hours GENERAL credit (F-2614, A-3053)

Following discussion, the following action was taken.

MOTION: Mr. Raines made a motion that the Committee deny courses A09 & A10 as they were not relevant to the area in which the courses were being presented.

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

A11. Rated Penetrations and the Inspection Process-A Refresher Course
(Classroom)

Requesting 2 hours GENERAL credit (F-2615, A-3056)

A12. Rated Penetrations and the Inspection Process-A Refresher Course
(Internet)

Requesting 2 hours GENERAL credit (F-2616, A-3057)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve courses A11 & A12 as submitted.

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

HILTI, INC. (0001339)

Renewal Course

B01. Fire stopping of Thorough Penetrations and Joints (Classroom)

Requesting 2 hours GENERAL credit (F-1006, A-2976)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee deny the course due to the lack of a detailed outline.

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

ST. JOHNS COUNTY BUILDING SERVICES DIVISION (0006202)

New Courses

C01. 2010 Florida Rewrite of the ADA (Classroom)

Requesting 2 hours ACCESSIBILITY credit (F-2572, A-3008)

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

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

C02. Code of Ethics for Public Officials and Employees (Classroom)

Requesting 1 hour ETHICS credit (F-2617, A-3062)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee deny the course as submitted due to the lack of a detailed outline.

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

C03. Laws and Rules that apply to the Construction Industry (Classroom)

Requesting 2 hours LAWS & RULES credit (F-2618, A-3063)

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

SECOND: Mr. Raines seconded the motion.

Following discussion, Mr. McCormick withdrew his motion and the following action was taken.

MOTION: Mr. Barthlow made a motion that the Committee deny the course as it was not consistent with the rules.

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

GOLD COAST SCHOOL OF CONSTRUCTION, INC. (0000983)

Renewal Courses

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

D01. Ethics for the Construction Professional (Classroom) (5007544)
Requesting 1 hour ETHICS credit (F-2119, A-3054)

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.

D02. Ethics for the Construction Professional (Internet) (5007543)
Requesting 1 hour ETHICS credit (F-2120, A-3055)

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.

KONING ENTERPRISES, INC. DBA CONTRACTORS INSTITUTE (0001189)
Renewal Courses

Ms. Rhonda Koning was present at the meeting and was sworn in by the court reporter.

E01. Ethics and F.S. 112 Part III (Classroom) (0007402)
Requesting 1 hour ETHICS credit (F-1706, A-3058)

E02. Ethics and F.S. 112 Part III (Internet) (0007403)
Requesting 1 hour ETHICS credit (F-1707, A-3060)

E03. Americans with Disabilities Act (Classroom) (0007404)
Requesting 2 hours ACCESSIBILITY credit (F-1743, A-3061)

E04. Americans with Disabilities Act (Internet) (0007405)
Requesting 2 hours ACCESSIBILITY credit (F-1744, A-3059)

Following discussion, the following action was taken.

MOTION: Mr. Raines made a motion that the review of the applications be continued to the December meeting.

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

DEPARTMENT OF EDUCATION, EDUCATIONAL FACILITIES (0001023)
Renewal Course

F01. SREF Advanced Continuing Education Course (Classroom)(0007156)
Requesting 23 hours GENERAL credit (F-1334, A-3064)

Following discussion, the following action was taken.

MOTION: Mr. Jones made a motion that the Committee deny the course as the course was not relevant for the majority of licensees.

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA, INC. (0001001)
Renewal Courses

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

G01. Ethics in Construction (Classroom) (0007360)
Requesting 1 hour ETHICS credit (F-1627, A-3066)

G02. Ethics in Construction (Internet) (5007691)
Requesting 1 hour ETHICS credit (F-2396, A-3067)

MOTION: Mr. Gathright made a motion that the Committee approve courses G01 & G02 as submitted.

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

G03. Accessibility and Fair Housing (Internet) (5007692)
Requesting 2 hours ACCESSIBILITY credit (F-2397, A-3068)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee deny the course as there were no code references and the outline was too basic.

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

G04. Construction Industry Licensing Board Update (Classroom) (5007694)
Requesting 2 hours GENERAL credit (F-2400, A-3069)

Following discussion, the following action was taken.

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

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

G05. Residential Energy Code (Internet) (5007703)
Requesting 2 hours GENERAL credit (F-2409, A-3070)

Following discussion, the following action was taken.

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

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

G06. Solar Permitting and Inspection (Internet) (5007704)
Requesting 1 hour GENERAL credit (F-2410, A-3071)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee deny the course as the outline was vague.

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

G07. Wind Mitigation Guidelines for Single Family Structures (Internet)
(5007705)

Requesting 2 hours GENERAL credit (F-2411, A-3072)

Following discussion, the following action was taken.

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

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

G08. Applying the Florida Building Code-Existing (Internet) (5007706)
Requesting 2 hours GENERAL credit (F-2412, A-3073)

Following discussion, the following action was taken.

MOTION: Mr. Jones made a motion that the Committee deny the course for lack of a detailed outline.

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

G09. Introduction to Solar PV Systems (Internet) (5007707)
Requesting 1 hour GENERAL credit (F-2413, A-3074)

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the Committee deny the course due to the lack of a detailed outline.

SECOND: Mr. Gathright seconded the motion which passed with Mr. McCormick, Mr. Valentin, and Mr. Raines 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.

ADJOURNMENT

There being no further business to come before the Committee as this time, the meeting was adjourned at 6:51 p.m.

October 24, 2014 - 9:00 A.M.

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
Andrew Raines
Ed Valentin

Members Not Present

Fred Dudley
Wayne Francis
Peter Jones

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Mark Miller, Prosecuting Attorney
Linda Patrick
Gary Brevoort
Gary Yantorno
Scott Williams
Georgia Chamberlin, Court Reporter

APPROVAL OF THE MINUTES OF THE MEETING

August 6 – 8, 2014

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

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

DECLARATORY STATEMENT – GREGORY YANTORNO – RESPONSIBILITIES OF BUILDING CODE ADMINISTRATORS, PLANS EXAMINERS, AND INSPECTORS

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

Mr. Jennings explained the declaratory statement procedures. He stated that if a decision is made, it is applicable only to the person that requested the declaratory statement.

In discussion, Mr. Jennings stated that there were certain questions that could not be responded to as the Board has no authority over the county, and they are not the petitioner.

Following further discussion, the Board determined they were unable to answer the declaratory statement request. Mr. Jennings stated that he would respond to Mr. Yantorno.

REPORTS

Chair's Report – Bob McCormick

Chair McCormick informed the Board that he will be attending and participating in a DOAH hearing in the near future.

Application Review Committee – Richard Gathright Ratification of Actions Taken by the Committee

Vice-Chair Gathright reported that the Committee reviewed 208 applications, of which, 174 approved, and 34 denied. He read the denials into the record at this time.

Abdelmessieh, Sherief S. – Building Inspector – no equivalent examination; Alexis, Quesly – Building Inspector – lack of experience; Barrett, Richard Michael – 1&2 Family Dwelling Inspector – affidavits not properly signed; Cancio, George L. – Building Inspector, Coastal Construction Inspector – lack of experience; DelSol, Orlando – Mechanical Inspector – lack of experience; Dipasqua, Joseph Anthony – Electrical Inspector – lack of experience; Dougherty, John Francis – Provisional 1&2 Family Dwelling Inspector – not newly hired or promoted into the position; Ferrer, Laura Teresa – Provisional Mechanical Plans Examiner – not newly hired or promoted into the position; Gilbert, Randall Dane – Building Inspector – lack of experience; Golberg, William Joseph - 1&2 Family Dwelling Plans Examiner – does not meet requirements, Building Plans Examiner, Building Inspector – lack of experience; Hallisey, Daniel Joseph – 1&2 Family Dwelling Inspector – no equivalent examination; Harsche, David M. – Provisional Electrical Plans Examiner – not newly hired or promoted into the position; Innes, Steve – Plumbing Inspector – lack of experience; James, Herbert E., Jr. – Plumbing Plans Examiner – lack of experience; Johns, Richard Hardy III – Provisional 1&2 Family Dwelling Inspector – lack of experience and not newly hired or promoted into the position, 1&2 Family Dwelling Inspector – lack of experience; Lolley, James G – Plumbing Inspector – lack of experience; Mancuso, Charles A. – Building Inspector – lack of experience; Mazzagatti, Peter A., - Building Code Administrator – lack of experience; Miner, William Gerard – Provisional Building Code Administrator – not newly hired or promoted into the position; Moore, James Edward – Plumbing Inspector – lack of experience; Organ, Douglas John – Mechanical Inspector – lack of experience; Polley, Robert w. – Building Inspector – lack of experience; Powers, Clifford L. – Mechanical Inspector – lack of experience; Sanchez, Antonio E. – Provisional Building Inspector – lack of experience and not newly hired or promoted into the position; Short, Frederick – Provisional Plumbing Inspector – lack of experience; Swimm, Clarence Edward – Mechanical Inspector, Building Inspector – lack of experience; Tucker, Tanya – 1&2 Family Dwelling Inspector – lack of experience; Vera, Andres Lazaro – Provisional Mechanical Inspector – not newly hired or promoted into the position; Warwick, Brett Edward – Mechanical Plans Examiner – lack of experience; Wilkinson, John George – Mechanical Plans Examiner – lack of experience.

Mr. Scott Williams asked if Mr. James Moore's denial could be reconsidered.

MOTION: Mr. Bolduc made a motion that the Board approve the actions of the Committee, however, Mr. James Moore's Plumbing Inspector application be pulled for additional consideration.

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

Ratification List

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

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

At this time, Vice-Chair Gathright reviewed the file for Plumbing Inspector for Mr. James Edward Moore. Mr. Williams provided the Board with a letter for their review.

Following discussion, the following action was taken.

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

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

Prosecuting Attorney Report – Mark Miller

Mr. Miller reported that there were three private cases in the Office of the General Counsel and they were handled by the Probable Cause Panel. There were three public cases of which one is in settlement negotiations and two were heard by the Board at this meeting.

Rules and Legislation Committee – Fred Dudley

Mr. Dudley was not present at the meeting.

Examination and Continuing Education Committee – Tim Bolduc

Mr. Bolduc informed the Board that BOAF asked that courses G03, G06, G08, and G09 be continued to the December meeting.

MOTION: Vice-Chair Gathright made a motion that the Board defer BOAF courses G03, G06, G08, and G09 to the December meeting.

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

Mr. Bolduc informed the Board that the Committee reviewed 32 courses, of which 11 were denied, eight continued and 13 approved.

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

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

Board Counsel – Clark Jennings

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

Executive Director – Robyn Barineau

Licenses Issued from Null & Void

Ms. Barineau reported that no licenses had been issued since the last meeting.

Year-End Financial Report

Ms. Barineau reported that the Board had over \$1.9 million in their operating account and over \$353,000 in their unlicensed activity account.

Ms. Barineau informed the Board that the 2015 legislative initiatives were still pending and she will keep them informed.

Future Meeting Dates

- December 10 – 12, 2014 – Orlando
- February 11 -13, 2015 – Altamonte Springs
- April 8 – 10, 2015 – Fernandina Beach
- June 9 – 11, 2015 – Orlando
- August 12 – 14, 2015 – Atlantic Beach
- October 14 – 16, 2015 – Gainesville
- December 2 – 4, 2015 - Celebration

OLD BUSINESS

Mr. Danny Watson provided the Board with an affidavit regarding his application for the Provisional 1 & 2 Family Dwelling Inspector's license.

Following review and discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board approve the application for the Provisional 1&2 Family Dwelling Inspector license.

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

NEW BUSINESS

Mr. Brevoort informed the Board that the Building Officials Association of Florida has hired Ms. Ann Russo as the new Executive Director.

ELECTION OF OFFICERS

MOTION: Mr. Bolduc made a motion that the Board approve Bob McCormick to continue as Chair.

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

MOTION: Mr. Bolduc made a motion that the Board approve Richard Gathright to continue as Vice-Chair.

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

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:46 p.m.