MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
PROFESSIONS BOARD ROOM
1940 NORTH MONROE STREET
TALLAHASSEE, FL 32399-2211
DECEMBER 11, 12, 13, & 14, 2007

DECEMBER 11, 2007 – 9:00 A.M.

APPLICATION REVIEW COMMITTEE
CALL TO ORDER

Members Present
Nick Sasso, Chair
Bob McCormick

Members Not Present
Bob Kymalainen

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ronnie Spooner, City of Tallahassee
Glen Dodson, City of Tallahassee
David Holt
Jonathan Gipe
Don Guilford
Emory Pitts
Johnnie M. Green
Milton Massanet
Melisa Oaks
Yvonne Richardson
Andrea Manning

REVIEW OF APPLICATIONS
At this time, the Committee reviewed applications of individuals present.

Don Guilford - Building Inspector
Mr. Guilford was present at the meeting and the Committee approved his application.

Johnnie Michael Green – Provisional Mechanical Inspector
Mr. Green was present at the meeting and the Committee approved his application.
Patrice Richert – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector, Building Plans Examiner, Provisional Building Plans Examiner, Building Inspector, and Provisional Building Inspector
Ms. Richert was present at the meeting and the Committee approved her applications.

David Holt – Provisional Electrical Inspector & Provisional Electrical Plans Examiner –
Mr. Holt was present at the meeting and the Committee approved his applications.

Jonathan Gipe – 1&2 Family Dwelling Inspector, Electrical Inspector, and Building Plans Examiner
Mr. Gipe was present at the meeting and the Committee approved his Building Plans Examiner application and denied his applications for 1&2 Family Dwelling Inspector and Electrical Inspector for lack of experience.

John Robert Wiley – Provisional Building Code Administrator
Mr. Wiley was not present at the meeting, however, Mr. Emory Pitts was present to oppose the application of Mr. Wiley. The Committee denied the application for lack of experience and because he was not newly hired or promoted into the position.

At this time, the Committee reviewed applications.

RECESS
There being no further business to come before the Committee at this time, the meeting was recessed at 2:20 p.m.

DECEMBER 12, 2007 – 9:00 A.M.

Call To Order, Pledge of Allegiance and Welcome
Mr. Sasso, Chair of the Committee, called the meeting to order at 9:15 a.m.

Members Present
Bob McCormick
Nick Sasso

Members Not Present
Bob Kymalainen

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Steve Squires
Helen Squires
Sal Pravata
Dallas Foss
Thomas Ray Pulliam
Tim Shook
Billy Tyson
REQUEST FOR HEARINGS
Dallas Foss – 1&2 Family Dwelling Inspector
Mr. Foss was present at the meeting and additional information had been submitted for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Barry Henderson – Building Code Administrator
Mr. Henderson was present at the meeting along with Mr. Tim Bolduc, Building Official. Additional information was provided at the meeting for the Committee’s review.

MOTION: Mr. McCormick made a motion that the Committee approve the application.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

David Johns – Mechanical Inspector – Endorsement
Mr. Johns was present at the meeting and provided additional information for the Committee’s review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the application due to a lack of experience.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Thomas Ray Pulliam – Electrical Plans Examiner & Electrical Inspector
Mr. Pulliam was present at the meeting and provided additional information for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee uphold the denial as he did not feel the required experience had been documented.
SECOND: Motion died for lack of a second.

Discussion followed.
MOTION: Mr. McCormick made a motion that the Committee approve the applications based on the oral testimony.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

**Salvator A. Pravata – Building Inspector**
Mr. Pravata was present at the meeting and additional information had been submitted for the Committee's review.

Following discussion, the following action was taken.

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

**Timothy Shook – Electrical Plans Examiner & Electrical Inspector**
Mr. Shook was present at the meeting and provided additional information for the Committee’s review. Mr. Shook provided oral testimony regarding his experience. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the applications be approved based on the oral testimony and additional documentation provided.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

**Christopher Singletary – Building Inspector**
Mr. Singletary was present at the meeting and provided additional information for the Committee’s review. Mr. Singletary provided oral testimony regarding his experience. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the application be approved based on the oral testimony and additional documentation provided.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

**Steven Squires – Provisional Mechanical Inspector**
Mr. Squires was present at the meeting and provided additional information at the meeting for the Committee’s review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on the additional information provided.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

**William D. Tegeler – Modular Plans Examiner – Voluntary**
Mr. Tegeler was present at the meeting along with Mr. Billy Tyson. Additional information had been submitted for the Committee’s review.

Following discussion, the following action was taken.
MOTION: Mr. McCormick made a motion that the Committee approve the application based on the additional information submitted.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.
Ghulman Usman – Building Code Administrator
Mr. Usman was present at the meeting and had provided additional information for the Committee’s review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

At this time, the Committee reviewed applications.

ADJOURNMENT
There being no further business to come before the Committee, the meeting was adjourned at 2:00 p.m.

DECEMBER 13, 2007 – 9:00 A.M.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME
Chair McCormick called the meeting to order at 9:03 a.m. He asked Ms. Barineau to introduce the Department dignitaries that were present.

Ms. Barineau introduced Secretary Holly Benson; Mr. Ned Luczynski, General Counsel; Ms. April Skilling, Deputy General Counsel; and Mr. Charles Tunnicliff, Chief Attorney.

Secretary Benson welcomed the Board and stated that it was great to have them conducting their meeting in Tallahassee. She informed the Board that the hold time in the Department’s Call Center was down from 20 to 30 minutes to 1.5 minutes and the e-mail response time was down to 48 hours. Secretary Benson stated that approximately 11.9 million documents are received by the Department annually. She invited the Board to come and see the new document imaging technology, and stated that it will only take 4 days for information to be entered into LicenseEase.

Secretary Benson stated that the Department was working on the Governor’s initiative for plain language, and hopefully this will improve forms and help the applicants move forward.

Mr. Franklin stated that it was refreshing to hear the Secretary’s comments, and he thanked the Secretary for the improvements.

Mr. Dudley commented that these are real results and thanked Secretary Benson.

Chair McCormick asked for a roll call.

Members Present
Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin
Richard Gathright
Rob Nagin

**Members Not Present**
Bob Kymalainen

**Others Present**
Secretary Holly Benson
Ned Luczynski, General Counsel
April Skilling, Deputy General Counsel
Charles Tunnicliff, Chief Attorney
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Lanny Walker
David Hodges
Corey Sellers
Joe Rebuck
Jerry Wooldridge
Jane Waddel
Doug Harvey, Building Officials Association of Florida
John O’Connor, Building Officials Association of Florida
Doug Wise, Building Officials Association of Florida
Casey S. Landry, Electrical Council of Florida
John England
Tena England
Cam Fentriss, FRSA
John Adcox
Barbara Adcox
Lisa Bauer
Eileen Johnson
Sarah Murphy
Pat Meggs
Bill Dumbaugh
Gale Field
Dee Kring
Danny Crump
Suzanne Davis
Bruck E. Lyman
Tam Landis, Building Officials Association of Florida
Bernice Ryder-Smit, FSPA Education Coordinator
Bill Weeks, Building Officials Association of Florida
Robbie Weekly, City of Pensacola
Jon Kendrick, Valdini & Palmes, P.A.
Sacha Wright, Millard Wright & Association
Bo Creel, Universal Inspection
Michael Creel, Universal Inspection
REQUEST FOR HEARINGS
Scott A. Fetterman – Building Code Administrator
Mr. Fetterman was not present at the meeting, however, he had submitted a letter for the Board’s review. Mr. Franklin commented that the letter did not change the deficiencies.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board uphold the denial of the application.
SECOND: Mr. Nagin seconded the motion.

Mr. Doug Wise stated that Mr. Fetterman had requested a postponement of the hearing until the Board met in a location closer to his area. It was noted that the Board office had not received such a request. Mr. Jones informed the Board that Mr. Wise was not in a position to speak on behalf of Mr. Fetterman and, therefore, he recommended that the Board proceed with the information they had received.

The motion passed unanimously.

Sandra Holloway – Building Inspector
Ms. Holloway was not present at the meeting, however, she had submitted additional information for the Board’s review. Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board uphold the denial of the application.
SECOND: Vice-Chair Sasso seconded the motion and it passed unanimously.

Chris W. Schmidt – Building Code Administrator
Mr. Schmidt 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. Dudley made a motion that the Board uphold the denial of the application.
SECOND: Mr. Franklin seconded the motion and it passed unanimously.

**Corey L. Sellers – Mechanical Inspector**
Mr. Sellers was present at the meeting and was sworn in by Mr. Jones. Mr. Sellers provided additional information for the Board’s review.

Following discussion, the following action was taken.

**MOTION:** Mr. Franklin made a motion that the Board approve the application based on the additional information provided.
**SECOND:** Mr. Dudley seconded the motion and it failed with Vice-Chair Sasso, Mr. Nagin, Mr. Gathright and Chair McCormick voting against the motion.

Following discussion, the following action was taken.

**MOTION:** Mr. Nagin made a motion that the Board uphold the denial of the applications.
**SECOND:** Vice-Chair Sasso seconded the motion which passed with Mr. Franklin and Mr. Dudley voting against the motion.

**Lanny R. Walker – Plumbing Inspector**
Mr. Walker was present at the meeting and was sworn in by Mr. Jones. He provided additional information for the Board’s review. Following discussion, the following action was taken.

**MOTION:** Mr. Franklin made a motion that the Board approve the application.
**SECOND:** Mr. Dudley seconded the motion which failed with Vice-Chair Sasso, Mr. Nagin, Mr. Gathright and Chair McCormick voting against the motion.

**MOTION:** Mr. Gathright made a motion that the Board uphold the denial of the application.
**SECOND:** Vice-Chair Sasso seconded the motion which passed with Mr. Franklin and Mr. Dudley voting against the motion.

**SETTLEMENT STIPULATION**
**Thomas Halley Goldsbury – DBPR Case #2006-032129**
**PCP: Nagin, Dudley, Council, Bertolami, Rogers**
Ms. Leigh informed the Board that this Stipulation had been pulled from the agenda. She reminded the Board that this was on the agenda from the last meeting as there was a tie vote during discussion. Therefore, the Stipulation was not approved or denied. Ms. Leigh stated that the Respondent has elected a formal hearing in this matter.

**PROSECUTING ATTORNEY REPORT – JESSICA LEIGH**
Ms. Leigh informed the Board that as of October 19, 2007, there were nine cases in legal, ten cases set for probable cause, three cases sent for expert/consultant review, for a total of 22 confidential cases. Ms. Leigh informed the Board that for the public cases, one was awaiting outside action, four had requested formal hearings, three were in settlement negotiations, two were awaiting final orders, and one case that had been set for Board presentation had requested a formal hearing. She reported that there were a total of 33 cases.
Ms. Leigh informed the Board that she was in the process of obtaining new experts and hopefully, she would have contracts negotiated soon.

Mr. Dudley discussed some of the cases with Ms. Leigh. Ms. Leigh informed the Board that she did not have an assistant at this time, and, therefore, the report presented had not been updated.

Mr. David Hodges asked Ms. Leigh how many cases had to be dismissed because the statutory deadline date had not been met. Ms. Leigh responded that within the last year, only two cases had been dismissed because of this issue. Mr. Dudley commented that he could only remember one case.

Ms. Leigh provided the Board with a Probable Cause Panel report that Vice-Chair Sasso had requested. She stated that names were not provided because they were confidential. She stated that she will provide this report at each meeting.

RECESS
There being no further business to come before the Board, the meeting was recessed at 10:00 a.m.

CONTINUING EDUCATION WORKSHOP 10:00 A.M.
CALL TO ORDER
Chair McCormick called the workshop to order at 10:00 a.m.

Members Present
Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin
Richard Gathright
Rob Nagin

Members Not Present
Bob Kymalainen

Others Present
Ned Luchynski, General Counsel
April Skilling, Deputy General Counsel
Tim Vaccaro, Division Director, Division of Professions
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
David Hodges
Joe Rebuck
Jerry Wooldridge
Jane Waddel
Doug Harvey, Building Officials Association of Florida
DISCUSSION REGARDING THE RECIPROCAL CONTINUING EDUCATION CREDITS WITH THE CONSTRUCTION INDUSTRY LICENSING BOARD, ELECTRICAL CONTRACTORS' LICENSING BOARD AND BOARD OF ARCHITECTURE AND INTERIOR DESIGN
Chair McCormick welcomed everyone to the workshop and stated that this was an information gathering workshop. He stated that he first wanted to obtain some information from the Department’s Bureau of Education and Testing staff first.

Chair McCormick asked Ms. Susanne Lee and Mr. Joseph Dean if they knew if any other boards accepted the continuing education courses approved by this Board. The response was that all of the boards with the exception of Architecture and Interior Design accept courses approved by the Building Code Administrators and Inspectors Board for general credit.

Chair McCormick stated that the Board wanted to have input regarding how eliminating reciprocity would affect the providers.

Mr. Bo Creel, Universal Inspection Service, commented that all licensees needed to know the laws and rules for other professions and felt that they provided valuable information to inspectors. He stated that anything that you teach will be beneficial for everyone.

Mr. Doug Harvey, Building Officials Association of Florida, thanked the Board for taking the time to open this up to everyone for discussion. He commented that they had worked hard to get everyone to hear the same story, uniformity and consistency. If this rule goes away, all Boards will follow suit. Mr. Harvey commented that they would lose the ability to bring everyone, inspectors and contractors, into the same room. Ultimately the goal is to serve the public and if you don’t have uniform information and enforcement, you will continue to have conflict.

Chair McCormick informed everyone that the effort was ongoing to have a uniform application. He commented that if reciprocity went away they could still have courses approved by more than one Board, but that it will just cost more for the providers and the licensees.

Mr. Harvey responded that some providers will discontinue offering courses because of the time and money it takes. He commented that providers were dropping out of the Electrical Contractors’ Licensing Board because of this very reason.

Mr. Nagin commented that sharing knowledge is the basis. He stated that they need to have a universal application form with one fee and the Boards would still reserve the right to approve the applications. Mr. Nagin commented that the concern is for licensees taking a course that does not make them a better licensee.

Vice-Chair Sasso commented that he did not feel that 14 hours was enough continuing education for building code licensees and perhaps they should increase the number of continuing education hours. They should also make it mandatory that a certain number of hours have to be specific to this Board.

Mr. Dudley responded that this would require a statutory change.

Mr. Harvey commented that they would support Board specific hours for each profession.

Ms. Casey Landry, ECF, stated that they have about 50 courses approved through the Electrical Board. She agreed with Mr. Harvey that they should bring manufactures and suppliers together as well. Ms. Landry commented that there are areas that have to be taught that are Board
specific. She stated that they would suffer a loss if the inspectors and examiners would not come to the courses they offer and they would also lose membership.

Chair McCormick asked if they would bring courses to this Board if they eliminated the allowance of reciprocity. Ms. Landry responded that it would but would be a financial burden and felt it was duplicating government.

Ms. Jane Waddell, Contractors Institute, commented that they were more concerned with the license holders having to worry about if the course is approved by their Board. She stated that they do not have many courses submitted to the Building Code Administrators and Inspectors Board because they are already approved by the other Boards. She stated that they can support a change but asked that they consider the multiple license holders.

Chair McCormick commented that each Board has specific requirements for laws and rules courses.

Ms. Cam Fentiss stated that she echoed Mr. Doug Harvey’s comments. If reciprocity went away, the providers would do what they need to do to survive. Ms. Fentiss stated that what needed to be done was to encourage reciprocity, not do away with it. She stated that reciprocity was sensible and there was no reason they could not eliminate several steps. She supports a universal application.

Ms. Bernice Ryder-Smit stated that many inspectors attend their courses. Contractors and inspectors attend together, which is beneficial. As an association, their primary function is education and if reciprocity is not allowed, it would place an undue burden on them financially. Ms. Ryder-Smit suggested that they fix the problems and not take away reciprocity completely.

Ms. Fentiss commented that the universal application would help. She stated that they could create an application that can be used by all. Ms. Fentiss stated that the Building Code Board is very good in regards to reciprocity and would like the Department to work with the other Boards to make them understand its benefit. She stated that the providers spend time getting courses approved and forgetting about the quality.

Mr. Joe Belcher commented that most licensees look for good courses to take that are related to their profession.

Mr. Bill Dumbaugh thanked the Board for this opportunity. He asked the Board not to do away with reciprocity.

Mr. Michael Creel commented that reciprocity allows everyone to be under the same roof. Chair McCormick asked if reciprocity was eliminated would they apply to this Board for approval. Mr. Creel responded that they may, however, they are a small group and if they don’t make any money, they will discontinue their providership.

Mr. Doug Wise provided a letter to the Board which he read. He stated that budgets are shrinking and that it will be difficult to send the employees to courses if they are limited in their choices and asked that this be considered.
Mr. Bo Creel stated that he agreed with comments today and asked that this Board approach the other Boards on this issue. He suggested that this Board take the lead and assemble criteria for all trades that all would accept.

Mr. Harvey commented that with the time frame to gain approval from all of the Boards, a course could not be advertised until it was approved, and that would add additional time.

Chair McCormick asked Ms. Juanita Chastain, Executive Director for the Board of Architecture and Interior Design, if they ever considered reciprocity. Ms. Chastain responded that an individual can submit a course that is not approved by their Board and the Board will consider it on an individual basis. She stated that they have a task force that reviews the courses, and informed the Board that the American Institute of Architecture was an automatic provider. Chair McCormick asked Ms. Chastain if it would be acceptable to the Board of Architecture and Interior Design if they wanted to have a member discuss this with their Board. Ms. Chastain responded that they would welcome the opportunity.

Mr. Tim Vaccaro, Director, Division of Professions, commented that ultimately the goal is to encourage compliance with continuing education. He stated that uniform compliance would require legislation. Mr. Vaccaro suggested that they may want to consider having a representative from all the Boards meet to have discussion on this issue. Chair McCormick responded that they would like that and this Board would be glad to participate.

Mr. Vaccaro stated that he will talk to the executive directors and the Secretary regarding this matter. He stated that they had been looking at a universal application for continuing education courses.

Chair McCormick commented that he believed there will remain specialty areas for each Board but not technical issues.

Ms. Landry commented that she would volunteer her services to help this Board.

ADJOURNMENT
There being no further business regarding the Workshop, the meeting was adjourned at 11:04 a.m.

RULES WORKSHOP TO DISCUSS THE TRAINING PROGRAM RESULTING FROM SB404
CALL TO ORDER
Chair McCormick called the meeting to order at 1:15 p.m.

Members Present
Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin
Richard Gathright
Rob Nagin

Members Not Present
Bob Kymalainen

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jessica Leigh, Prosecuting Attorney
Jeffrey Jones, Board Counsel
Joan Waddell
Doug Harvey, Building Officials Association of Florida
Suzanne Lee, Bureau of Education and Testing
Alexandra Toussaint, Bureau of Education and Testing
Kasandra Broadnax, Bureau of Education and Testing
Cassandra Cox, Bureau of Education and Testing
John O'Connor, Building Officials Association of Florida
DISCUSSION REGARDING THE TRAINING PROGRAM
Chair McCormick stated that there was a handout provided of comments received from some of the Board members which were forwarded to the Building Officials Association of Florida.

Mr. Doug Harvey thanked the Board for the time and opportunity to address the training program. He stated that this program will take the profession into the future. He stated that the Building Officials Association of Florida wanted to continue the relationship they currently have with the Board and informed them that the program may provide for a general apprenticeship. This program assumes that an individual knows little or nothing about the trade. Mr. Harvey stated that the program could not be developed until the rule is developed. He stated that there would be an entrance examination required for all participants.

Mr. Franklin questioned if the Board would be able to review the test. Mr. Harvey responded that he did not believe this would be an option as it would then become a public record.

Vice-Chair Sasso stated that this was the first they heard about an entrance examination. Mr. Harvey responded that this was a pre-entry examination. He informed the Board that the rule needed to be developed prior to the program being established.

Chair McCormick agreed that the rule would have to be developed before the program can be developed. He commented that Mr. Kymalainen had strong feelings that two years of experience be required. He also stated that everyone was not satisfied with the number of proposed hours and would prefer to see the written hours as a minimum.

Mr. Harvey stated that there was a difference in apprenticeship and where they were headed. Chair McCormick asked Mr. Harvey what the Building Officials Association of Florida would accept. Mr. Harvey responded that based on where the discussion goes, it may require a minimum number of hours for all applicants, and he would hesitate to put a specific hour amount at this time.

Following discussion, Mr. Harvey commented that the complete program for anyone will have to be approved by the Board. He stated that they had suggested 600 hours for building and electrical candidates and 500 hours for plumbing and mechanical candidates.

Mr. Dudley suggested that they establish a core curriculum that could cross-over for all categories.

Mr. John O'Connor informed the Board that individuals could complete the program on a part-time or full-time basis.

Chair McCormick reminded everyone that this program was being designed for someone that does not hold a license. He stated that the association had presented a proposal which they have to develop once they had the opportunity to read the proposed rule. Chair McCormick stated that he would like to have this result in rule development to see if the language is appropriate and the proceed accordingly.
Chair McCormick stated that he had an objection to the title of comprehensive training program and proposed that it be changed. Mr. Harvey agreed.

Mr. Dudley stated that 450 hours was equivalent to one year of college. Mr. Nagin suggested that the minimum core be 120 hours and then 450 hours for building, 400 hours for electrical, 270 hours for plumbing and 270 hours for mechanical.

Mr. Dudley asked if the association had enough information for them to come back with a program. Mr. Harvey responded in the affirmative.

MOTION: Mr. Nagin made a motion that the Board require 120 hours for the initial core program followed by the technical hours of 450 for building, 400 for electrical, and 270 for plumbing and mechanical as a minimum that would provide the satisfaction that candidates had been exposed to the areas needed.
SECOND: Mr. Dudley seconded the motion which passed with Mr. Sasso voting against the motion.

Mr. Jones informed the Board that procedurally there was no rule development at this time. This was a potential draft that will come before the Board. The next step would be to notice rule development.

Mr. Dudley directed staff to notice this matter for rule development with draft language to be reviewed.

MOTION: Mr. Nagin made a motion that they add in the “category sought” to Rule 61G19-7.0015, Florida Administrative Code.
SECOND: Mr. Dudley seconded the motion which passed with Mr. Sasso voting against the motion.

ADJOURNMENT
There being no further business regarding the Workshop, the meeting was adjourned at 2:55 p.m.

RULES AND LEGISLATION COMMITTEE
CALL TO ORDER
Mr. Nagin, Chair of the Committee, called the meeting to order at 3:09 p.m.

Members Present
Rob Nagin, Chair
Fred Dudley

Members Not Present
Bob Kymalainen

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jessica Leigh, Prosecuting Attorney
LEGISLATIVE REPORT – ROB NAGIN
Mr. Nagin stated that he had provided a legislative report which was in the handouts. He stated that there were ten bills that have been filed for consideration by the 2008 Legislature, which the Board may be interested in knowing about. Mr. Nagin stated that he will keep the Board informed of the legislation.

RULES REPORT – JEFFREY JONES
Update on Rules for Continuing Education Requirement Regarding Ethics
Mr. Jones informed the Committee that this rule was in the process of going forward. He stated that he had received letters from the Joint Administrative Procedures Committee regarding two of the rules.

Update on Outstanding Rules
Mr. Jones provided the Committee with a list of the rules which he discussed with the Committee.

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

NEW BUSINESS
Disciplinary Guidelines – Nick Sasso
Mr. Nagin stated that a proposal submitted by Mr. Sasso was included in the packet and Ms. Leigh was present for discussion.

Mr. Sasso summarized his report for the Committee. He stated that he did not think there was enough of a deterrent in the rules with regards to the recommended range of penalties, therefore, he rewrote the rules with new ranges. He stated that he proposed that the fines be $3,500 to $7,500 because the $1,500 to $5,000 was not enough to keep people from breaking the rules. Mr. Sasso stated that he also felt the increases would help Ms. Leigh in prosecuting the cases. He said that the costs associated with the cases were too low and it does not take into consideration staff time. He stated that he was not really changing anything because they could still impose a $1,000 fine.

Ms. Leigh informed that Board that, by statute, they could not impose a fine of more than $5,000 per count. She stated that she was not opposed to increasing the minimum fine to $3,500 although this was something the Board can already do. Ms. Leigh stated that the Board would have to list the aggravating factors if they desire to increase a fine. She stated that there were certain limitations regarding what could be collected with regards to costs. Ms. Leigh informed the Board that when the case reaches the Legal Section, they cannot be charged for that time and if it goes to the Division of Administrative Hearings, they cannot be charged for that time.
Mr. McCormick asked Ms. Leigh if this would help her. Ms. Leigh responded that it would not hurt, however, this option was already available to the Board.

Mr. Sasso stated that he did not think that the Board could change stipulations when they were presented to the Board. Ms. Leigh responded that the Board can either accept or reject the proposed stipulations. Mr. Nagin stated that they could add continuing education which represents a cost to the individual.

Mr. Dudley stated that the prosecuting attorney had more leverage when the minimum amount was higher. If the Board rejects a stipulation, the Board can give guidelines to the party. Mr. Dudley stated that they also have to take into consideration if a case goes to the Division of Administrative Hearings, the Department may be charged for Respondent’s attorney’s fees. He stated that he supported the higher guidelines.

MOTION: Mr. Franklin made a motion that the rules be changed to a minimum fine amount of $5,000.
SECOND: Mr. Dudley seconded the motion.

Mr. Jones informed the Board that he could defend the rationale for the increase from one level to another, however, he thought it may be difficult to justify going to the maximum.

Mr. Sasso commented that the Construction Industry Licensing Board raised their amounts and thought this Board should do the same. Mr. Dudley stated that if the Joint Administrative Procedures Committee has comments or objections, then they can be addressed at that time. If an objection is received, they may need to scale back at that time.

Following discussion, the motion passed with Mr. Nagin voting against the motion.

Permitting Authority
Mr. Nagin stated that this came out of the last probable cause meeting and he provided a copy of the statute. He asked if the Board thought they needed to make a change to directly tie the permitting authority responsibility to the building official, and if so, should they follow the pattern to license permit technicians.

Mr. Sasso responded that he thought it was already tied to a building official.

After discussion, the Board agreed that a building official was responsible for issuing permits and that the person performing the work should be licensed.

ADJOURNMENT
There being no further business to come before the Committee, the meeting was adjourned at 3:55 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE
CALL TO ORDER
Mr. Franklin, Chair of the Committee, called the meeting to order at 3:55 p.m.
Members Present
Dennis Franklin, Chair
Bob McCormick
Nick Sasso
Richard Gathright
CONTINUING EDUCATION COURSES FOR REVIEW
BUILDING OFFICIALS ASSOCIATION OF FLORIDA

Training Course Renewals
1. Building Inspector Training Program (0006568)
2. Building Plan Review Training Program (0006569)
3. Electrical Inspector Training Program (0006570)
4. Electrical Plan Review Training Program (0006571)
5. Mechanical Inspector Training Program (0006572)
6. Mechanical Plan Review Training Program (0006573)
7. Plumbing Inspector Training Program (0006574)
8. Plumbing Plan Review Training Program (0006575)
9. 1 & 2 Family Dwelling Inspector Training Program (0006576)

Course Renewals
1. Building Principles and Code Applications (0007091)
   Requesting 35 hours GENERAL credit
2. Electrical Principles and Code Applications (0007089)
   Requesting 34 hours GENERAL credit
3. Plumbing Principles and Code Applications (0007088)
   Requesting 21 hours GENERAL credit
4. Mechanical Principles and Code Applications (0007090)
   Requesting 21 hours GENERAL credit

MOTION: Mr. McCormick made a motion that the Committee approve all of the courses as submitted.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

JC CODE & CONSTRUCTION CONSULTANTS, INC.

New Courses
1. Florida Worker’s Compensation F.S. 440
   Requesting 1 hour GENERAL credit

MOTION: Mr. Gathright made a motion that the Committee deny courses #1 and #3 as they were not relevant.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

2. Advanced 2004 Accessibility with Fair Housing Guidelines
Requesting 2 hours ACCESSIBILITY credit

MOTION: Mr. McCormick made a motion that the course be approved however the word "advanced" had to be removed from the title of the course.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

3. Worksite & Job Safety
   Requesting 1 hour GENERAL credit

UNIVERSITY OF WEST FLORIDA
Course Renewal
1. FBC Chapter 11 – Florida Accessibility Code (0007057)
   Requesting 2 hours ACCESSIBILITY credit (internet and classroom courses)

MOTION: Mr. McCormick made a motion that the Committee approve the classroom course and deny the internet course.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

FIRST COAST CHAPTER ICC - BOAF
New Course
1. Ethics for Public Officials & Employees
   Requesting 1 hour LAWS & RULES credit

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

Ms. Kasandra Broadnax asked the Committee if the providers would be allowed to change their courses from a current Laws and Rules course to an Ethics course once the new rules were effective. Mr. McCormick responded that they must reapply.

SIMPSON STRONG-TIE CO., INC.
Course Renewals
1. Inspection of Anchor Installations (0002915)
   Requesting 1 hour GENERAL credit
2. Epoxy (Adhesive) Anchors (0002917)
   Requesting 1 hour GENERAL credit
3. Simpson Anchor Systems Catalog Review (0002913)
   Requesting 2 hours GENERAL credit
4. Proper Connector Installation (0002892)
   Requesting 1 hour GENERAL credit
5. Mechanical Anchors (0002919)
   Requesting 1 hour GENERAL credit
6. Connectors for use in High Wind Regions (0002908)
   Requesting 2 hours GENERAL credit
7. Inspection of Connector Installations (0002907)
   Requesting 1 hour GENERAL credit
8. Building Codes Updates (0002920)
Requesting 1 hour GENERAL credit

9. Connectors for Wood Construction Catalog Review (0002897)
   Requesting 1 hour GENERAL credit
10. High Wind Design & Construction Workshop (0006689)
   Requesting 7 hours GENERAL credit
11. Structural Connector Workshop (0006686)
   Requesting 7 hours GENERAL credit
12. Building Officials & Inspectors Workshop (0006688)
   Requesting 7 hours GENERAL credit
13. Intro to Anchor Systems Workshop (0006685)
   Requesting 7 hours GENERAL credit
14. Advanced Anchor Systems Workshop (0006687)
   Requesting 7 hours GENERAL credit

MOTION: Mr. McCormick made a motion that the Committee approve all of the courses as submitted, however course #14 must have the word "Advanced" removed.
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE
New Course
1. Nonbinding and Binding Interpretation of the Florida Building Code
   Requesting 1 hour GENERAL credit

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

GOLD COAST SCHOOL OF CONSTRUCTION, INC.
Course Renewals
1. The Florida Residential Code – Internet (0007032)
   Requesting 7 hours GENERAL, LAWS & RULES credit
2. The Florida Residential Code – Classroom (0007033)
   Requesting 7 hours GENERAL, LAWS & RULES credit

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee deny the courses as they were too broad with too many hours requested.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Course Renewals – Previously Denied
1. Regulatory Compliance – Internet (0006998)
   Requesting 7 hours GENERAL, ACCESSIBILITY, LAWS & RULES credit

MOTION: Mr. McCormick made a motion that the Committee deny this course as it was not relevant.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

2. Core Curriculum, Part B – Classroom (0006731)
   Requesting 3 hours GENERAL credit
3. Core Curriculum, Part B – Internet (0006732)
MOTION: Mr. McCormick made a motion that the Committee deny courses #2 and #3 as they were contractor courses and were not relevant.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

PALM BEACH COUNTY PLANNING, ZONING & BUILDING
Course Renewal – Previously Denied
1. Commercial/Industrial Wiring Methods Advanced (0006956)
   Requesting 8 hours GENERAL credit
Mr. Gathright recused himself as he was employed with Palm Beach County.

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted, however, the word “Advanced” needed to be deleted from the title.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

OLD BUSINESS
MOTION: Mr. Sasso made a motion that the Committee reconsider the course for First Coast Chapter and change the title because it contained “Ethics.”
SECOND: Mr. McCormick seconded the motion for discussion.

In discussion, it was noted that there was no rule at this time regarding ethics. Following discussion, the motion passed with Mr. McCormick voting against the motion.

MOTION: Mr. Sasso made a motion that the Committee alter the title of the course to “Laws for Public Official & Employees”
SECOND: The motion died for lack of a second.

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.
SECOND: Mr. Gathright seconded the motion which passed with Mr. Sasso voting against the motion.

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 4:36 p.m.

EXECUTIVE COMMITTEE
CALL TO ORDER
Chair McCormick called the meeting to order at 4:36 p.m.

Members Present
Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin  
Richard Gathright  
Rob Nagin

**Members Not Present**  
Bob Kymalainen

**Others Present**  
Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Jessica Leigh, Prosecuting Attorney  
Jeffrey Jones, Board Counsel  
Doug Harvey, Building Officials Association of Florida  
Jane Waddell

**ONBASE DEMONSTRATION**  
Chair McCormick informed the Board that because of time constraints, the OnBase demonstration was being cancelled.

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

**NEW BUSINESS**  
Mr. Dudley stated that he sent Ms. Barineau an article recently about a building chief that was fired for falsifying an employment application. Ms. Barineau informed the Board that his application was pulled from records and the information that was falsified was not listed on his application. Mr. Dudley asked if there was any action that should be taken. Ms. Leigh responded that no action would be taken.

**ADJOURNMENT**  
There being no further business to come before the Committee, the meeting was adjourned at 5:40 p.m.

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**DECEMBER 14, 2007 – 9:00 A.M.**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME**  
Vice-Chair Sasso called the meeting to order at 9:00 a.m.

**Members Present**  
Nick Sasso, Vice-Chair  
Fred Dudley  
Dennis Franklin  
Richard Gathright  
Rob Nagin

**Members Not Present**  
Bob McCormick
Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida

Vice-Chair Sasso informed the Board that Chair McCormick was unable to attend the meeting today and Mr. Kymalainen had to be absent from the meeting due to family medical reasons.

MOTION: Mr. Franklin made a motion that the Board excuse the absences of Chair McCormick and Mr. Kymalainen.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

APPROVAL OF THE OCTOBER 23 - 26, 2007, MINUTES OF THE MEETING
MOTION: Mr. Franklin made a motion that the Board approve the minutes as submitted.
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

EMAIL FROM PETE QUINTELA DATED 11/8/07 REGARDING ENERGY REQUIREMENTS
Ms. Barineau informed the Board that this e-mail came in through the Department’s Call Center and she wanted to put it on the agenda for comments.

Mr. Nagin stated that there was not enough detail to answer the question. Mr. Franklin stated that he did not see any reason to respond. Vice-Chair Sasso commented that the appropriate licensee reviews the appropriate portion, electrical is done by electrical, mechanical by mechanical, etc.

Mr. Dudley commented that the for the energy requirements are not under the building code; they are under the Department of Community Affairs. It appears that Mr. Quintela is referring to the energy code.

Mr. Harvey informed the Board that this originated from an informal interpretation about two months ago, however, he could not remember who originated this request. He stated that the Building Officials Association of Florida responded to the question and it generated a lot of discussion between subject matter experts. Mr. Harvey stated that there was conflict out in the field on this issue, and, therefore, it was submitted to this Board.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that Mr. Quintela be informed that he should request a declaratory statement on this issue.
SECOND: Mr. Franklin seconded the motion and it passed unanimously.

Mr. Jones stated that he would send a letter to Mr. Quintela.

REPORTS
Chair’s Report – Bob McCormick, Chair
Chair McCormick was not present.

**Application Review Committee – Nick Sasso**

**Ratification List**

Vice-Chair Sasso informed the Board that the Committee reviewed 155 applications. Of these 85 were approved and 70 were denied.

**MOTION:** Mr. Gathright made a motion that the Board approve the actions of the Committee and the Ratification List.

**SECOND:** Mr. Nagin seconded the motion and it passed unanimously.

Mr. Dudley stated that he would like to see the Application Committee look at some of the application review processes and make recommendations for improving the process.

Vice-Chair Sasso responded that applicants, in the past submitted one application for one license. Now they can check whatever they want on one application and often staff is unable to determine eligibility.

**Rules and Legislation Committee – Rob Nagin**

Mr. Nagin reported that the Committee met yesterday. He reported that ten bills had already been filed. He stated that Mr. Jones provided an update on the rules. Mr. Nagin reported that the disciplinary guidelines were moved to be accepted for discussion at the next meeting. He stated that they also discussed permitting authority.

**MOTION:** Mr. Dudley made a motion that the Board approve the Rules and Legislation Committee report.

**SECOND:** Mr. Franklin seconded the motion and it passed unanimously.

**Examination and Continuing Education Committee – Dennis Franklin**

Mr. Franklin reported that the Committee met yesterday and gave an overview of the courses approved and denied by the Committee.

**MOTION:** Mr. Dudley made a motion that the Board approve the Examination and Continuing Education Committee report.

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

**Executive Committee – Bob McCormick, Chair**

Chair McCormick was not present at the meeting.

**Board Counsel – Jeffrey Jones**

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

**Executive Director – Robyn Barineau**

**Financial Report for Quarter Ending 9/30/07**

Ms. Barineau informed the Board that she had provided the financial report in their hand-out folders. She reported that their first quarter balance was $2.3 million and the balance for unlicensed activity was $173,000. She stated that there was an increase in administration and the reason for this was due to the renewal period. Ms. Barineau informed that the Board that
during the renewal period, more printing was required and continuing education deficiency letters were mailed. She stated that this also included the costs of the microfilming of files and the new OnBase process. Ms. Barineau informed the Board that the transfer to the Construction Industry Licensing Board’s Recovery Fund may be included in the next financial report.

Mr. Nagin asked what was done with the money in the unlicensed activity fund. Ms. Barineau responded that the Department puts together a plan regarding public service announcements, brochures and placards which a percentage of the costs is divided among the participating boards.

During discussion Mr. Dudley suggested that the Board reduce their fees. Vice-Chair Sasso commented that the problem with reducing fees is that they have to collect fees to cover the cost of the examination and at this point they collect less than the examination costs. Mr. Dudley responded that he was not proposing to reduce the fees but to look at ways to reduce fees. He stated that licensees should not be paying fees in excess of what it reasonably costs to operate. Mr. Dudley requested that Ms. Barineau research and let the board know if there are areas they are not recouping the fees and where fees could be reduced.

Mr. Jones informed the Board that there was a limitation on what can be charged and that there are areas where there will be conflicts.

Vice-Chair Sasso suggested that the fees be reviewed to determine if they can lower some fees and raise fees where needed.

**Continuing Education Update/Discipline**

Ms. Barineau reported that as of December 13 the compliance rate for licensees that had complied with the renewal requirements was 86%. She stated that normally there are approximately ten percent of licensees that do not renew. Ms. Barineau commented that she thought this Board did very well with this being the first time for the one hundred percent monitoring. She stated that there were still about 1,200 licenses that had not renewed.

Vice-Chair Sasso inquired if those that did not renew be followed up with citations. Ms. Barineau responded that it would have to be reported that someone is practicing through the complaint process.

**Newsletter**

Ms. Barineau reported that the Fall newsletter was posted at the end of last week and a copy was provided in the handout folders.

**Referral of Disciplinary Cases to the State Attorney’s Office**

Ms. Barineau stated that a copy of the letter that was sent to the Florida Prosecuting Attorneys Association was included in the agenda for informational purposes.

Vice-Chair Sasso thanked Ms. Barineau for following through with this.

Mr. Dudley suggested that she send a similar letter to the Statewide Prosecutor. Mr. Jones stated that he would provide Ms. Barineau with mailing information.
Ms. Barineau stated that they needed to discuss the core course requirement. She stated that she and Ms. Rice met with the Bureau of Education and Testing and the Division of Technology staff regarding the two year requirement for this course to be completed. Ms. Barineau stated that a high number of individuals had not taken the course and they were trying to narrow down the numbers that may have taken the course under their contractors’ license or other license that also requires the course. She stated that she needed to know what do if a licensee did not comply with the core course.

Following discussion, it was requested that this be on the agenda for discussion at the next meeting. Ms. Barineau will discuss the core course with the other executive directors to see if they are having a problem with licensees taking the course.

Mr. Dudley commented that he was curious about the allocated costs for the Central Intake Unit and the Customer Contact Center for the 1,258 calls. He asked if there was an easy way to determine the nature of these calls. Ms. Barineau responded that she would research this issue. Mr. Dudley stated that she could just e-mail everyone the information.

**ICC Update – Rob von Kampen, Ph.D.**
Ms. Barineau stated that Dr. von Kampen was not able to be present at the meeting. Ms. Barineau informed the Board that the first roofing examination will be given in March.

**OLD BUSINESS**
Vice-Chair Sasso stated that there was a question that resulted from the October meeting regarding the building official for South Daytona. Mr. Franklin stated that Mr. Gary Hiatt was their acting building official.

Vice-Chair Sasso stated that an e-mail had been received from Mr. Doug Wise. Mr. Jones stated that he should request a declaratory statement and that he would respond to Mr. Wise.

**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 10:20 a.m.