

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

Hyatt Regency Jacksonville-Riverfront

225 E Coastline Drive

Jacksonville, FL

April 7 – 10, 2009

APRIL 7, 2009 - 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

Mr. Sasso, Chair of the Committee, called the meeting to order at 9:02 a.m.

Members Present

Nick Sasso, Chair

Bob Kymalainen

Bob McCormick

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Tim Dennis, Board Counsel

James Daniel Sandefur

Jed Mitchell

Jack David McStavic

Michael Patterson Hill

Sanford M. Rosenblatt

Peter Ringle

Jerry Wooldridge

Tim Becza

REVIEW OF APPLICATIONS

James Daniel Sandefur – Electrical Inspector, Provisional Electrical Inspector, Provisional Electrical Plans Examiner

Mr. Sandefur was present at the meeting. Following discussion, the Committee approved the applications.

Jed Mitchell – Provisional Electrical Inspector

Mr. Mitchell was present at the meeting. Following discussion, the Committee approved the application.

Jack David McStavic – 1&2 Family Dwelling Inspector

Mr. McStavic was present at the meeting. Following discussion, the Committee approved the application.

Michael Patterson Hill – Plumbing Plans Examiner

Mr. Hill was present at the meeting. Following discussion, the Committee approved the application.

Sanford M. Rosenblatt – Plumbing Plans Examiner

Mr. Rosenblatt was present at the meeting. Following discussion, the Committee approved the application.

Peter Ringle – 1&2 Family Dwelling Plans Examiner and Coastal Construction Inspector

Mr. Ringle was present at the meeting. Following discussion, the Committee approved the applications.

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 3:45 p.m.

APRIL 8, 2009 - 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

Mr. Sasso, Chair of the Committee, called the meeting to order at 9:00 a.m.

Members Present

- Nick Sasso
- Bob Kymalainen
- Bob McCormick

Others Present

- Robyn Barineau, Executive Director
- Elise Rice, Government Analyst
- Tim Dennis, Board Counsel
- Ann Cocheu, Board Counsel
- John Ruley
- Garrett Grabowski
- Howard Hamrick
- David Thompson
- Alex Zigmond
- Clayton Atkinson
- Kevin Powell
- Gary Miller
- Joseph Schubiger
- Daniel W. DeValk
- Vince LaPorta
- Francisco Garcia
- Richard Abel
- Denise Taylor, Court Reporter

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT (RESPONDENTS HAVE THE OPTION OF APPEARING ON APRIL 8 BEFORE THE APPLICATION REVIEW COMMITTEE OR APRIL 9 BEFORE THE FULL BOARD.)

Daniel W. DeValk – Mechanical Plans Examiner and Mechanical Inspector

Mr. DeValk was present at the meeting along with Mr. Vince LaPorta, Deputy Building Official. They were both sworn in by the court reporter. Additional information was provided at the meeting for the committee's review.

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the committee uphold the denial as originally stated.

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

Francisco Garcia – Building Inspector

Mr. Garcia was present at the meeting and was sworn in by the court reporter. 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 oral testimony and affidavits that had been provided.

SECOND: The motion died for lack of a second.

Ms. Cocheu stated that Mr. Garcia could ask for a continuance to the next meeting and supply a certified transcript of his degree for review by the committee.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as they did not have the transcript to review.

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

Garrett Grabowski – Plumbing Inspector

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

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen 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.

Howard Lane Hamrick – 1&2 Family Dwelling Inspector

Mr. Hamrick was present at the meeting along with Mr. David Branum, Building System Coordinator for the City of Ocala. They were both sworn in by the court reporter. Additional information was provided at the meeting for the committee's review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as originally stated.

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

Doyle E. Joyner – Provisional Building Code Administrator

Mr. Clay Atkinson, City Attorney, informed the committee that they were withdrawing the petition for a hearing.

Gary Andrew Miller – Building Inspector – Endorsement

Mr. Miller was present at the meeting and was sworn in by the court reporter. Mr. Miller stated that he wanted to apply by examination not endorsement.

MOTION: Mr. McCormick made a motion that the committee approve the application by examination.

SECOND: The motion died for lack of a second.

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the committee approve the application by examination.

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

Kevin Thomas Powell – Provisional Electrical Inspector

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

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as originally stated.

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

John J. Ruley – Building Plans Examiner

Mr. Ruley was present at the meeting and was sworn in by the court reporter. 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 oral testimony.

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

Joseph Schubiger – Plumbing Inspector, Plumbing Plans Examiner, Mechanical Plans Examiner, and Mechanical Inspector

Mr. Schubiger was present at the meeting along with Mr. Vince LaPorta and Mr. Richard Abel. They were all sworn in by the court reporter.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denials as originally stated.

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

Alex Zigmond – Building Plans Examiner & Building Inspector – Endorsement

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

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denials as originally stated.

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

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 11:30 a.m.

APRIL 9, 2009 – 9:00 A.M.

BOARD MEETING

CALL TO ORDER

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

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Richard Gathright
Bob Kymalainen
Rob Nagin

Members Not Present

Fred Dudley
Dennis Franklin

Others Present

- Robyn Barineau, Executive Director
- Elise Rice, Government Analyst
- Elizabeth Duffy, Prosecuting Attorney
- Ann Cocheu, Board Counsel
- Timothy Dennis, Board Counsel
- Doug Harvey, BOAF
- Kenneth Michael Bauer
- John & Donna Wiley
- Robert Stanz
- Paul Carrafa
- John Connelly
- Cathy Spafford
- Thomas Ricci
- John Farinelli
- Kristy Gavin
- Z. Collins
- Lee Roby
- Jane Waddel
- David Hodges
- Sharon Mignardi

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT (RESPONDENTS HAVE THE OPTION OF APPEARING ON APRIL 8 BEFORE THE APPLICATION REVIEW COMMITTEE OR APRIL 9 BEFORE THE FULL BOARD.)

Kenneth Michael Bauer – Endorsement: Electrical Inspector, Building Inspector, Building Plans Examiner, Mechanical Inspector & 1&2 Family Dwelling Inspector

Mr. Bauer 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. Nagin made a motion that the board approve the building inspector and building plans examiner applications by endorsement and uphold the denials of the electrical inspector, mechanical inspector and 1&2 family dwelling inspector applications by endorsement.

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

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT - CONTINUING EDUCATION

B. T. Builders, Inc., Wind Mitigation

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

Chair McCormick stated that the information requested has been provided regarding the time frames of the course and it is included in the packet.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board approve the course based on the additional information.
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

Ms. Cocheu introduced Mr. Tim Dennis as the new board counsel as she will be retiring in June. Chair McCormick welcomed Mr. Dennis and thanked Ms. Cocheu for her service to the board.

INFORMAL HEARING

Paul J. Carrafa, Case # 2008-031637

Mr. Carrafa was present at the meeting along with his attorney, Mr. Rob Stanz. Mr. Nagin was recused as he was part of the probable cause panel.

Ms. Duffy outlined the facts of the case, he was accused of accepting materials from a job site without paying full price.

MOTION: Vice-Chair Sasso made a motion that the board adopt the Findings of Fact as outlined in the Administrative Complaint.
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

Mr. Carrafa was sworn in by the court reporter. Mr. Stanz informed the board that they were not disputing the facts and they wanted them to know that he did not leave the site with the materials, he took them out of his truck.

Following discussion, the following action was taken.

Ms. Duffy stated that the department recommended that the board adopt the Conclusions of Law as set for the in the Administrative Complaint.

MOTION: Vice-Chair Sasso made a motion that the board adopt the Conclusions of Law as set forth in the Administrative Complaint.
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

Ms. Duffy stated that the department recommended that the board impose an administrative fine in the amount of \$1500, costs in the amount of \$664.95 and issue a reprimand in this case.

MOTION: Vice-Chair Sasso made a motion that the board issue a reprimand, impose an administrative fine in the amount of \$1500, costs in the amount of \$664.95, probation for 18 months during which time the respondent must attend at least two board meetings, and complete an additional seven continuing education credits in laws and rules and ethics.
SECOND: The motion died for lack of a second.

Following discussion, the following action was taken.

MOTION: Vice-Chair Sasso made a motion that the board issue a reprimand, impose an administrative fine in the amount of \$1200, costs in the amount of \$664.95, probation for 12 months during which time the respondent must attend one board

meeting on a Thursday for the entire day, and complete an additional seven continuing education credits in area of laws and rules and ethics.

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

Jeffrey Lee Collins, Case #2008-061742

Ms. Duffy presented the case for Mr. Collins which was a Stipulation. Mr. Collins was present and sworn in by the court reporter. Ms. Gavin, attorney, was also present. Mr. Nagin was recused as he was on the probable cause panel. Ms. Duffy outlined the facts in the Administrative Complaint in that he was practicing outside the scope of his license and at the direction of the department head.

Ms. Duffy informed the Board that paragraph 5 had been changed. The Stipulation calls for an administrative fine in the amount of \$317.64, costs in the amount of \$432.36 for a total of \$750.00 fine, and seven additional hours of continuing education in the area of Laws and Rules and Ethics. She stated that the Respondent has signed the stipulation.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board accept the stipulation as presented.

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

Frank Lee Roby, Case #2008-061283

Ms. Duffy presented the case for Mr. Roby which was a Stipulation. She informed the board that this case was the same as Mr. Collins. Mr. Roby was present and sworn in by the court reporter. Ms. Gavin, attorney, was also present. Mr. Nagin was recused as he was on the probable cause panel.

Ms. Duffy asked that the board adopt the stipulation which called for an administrative fine in the amount of \$480.67, costs in the amount of \$269.33, and seven additional hours of continuing education in the subject of Laws and Rules and Ethics.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board accept the stipulation as presented.

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

John R. Wiley, Case #2007-062795

Ms. Duffy presented the case for Mr. Wiley. Mr. Wiley was present and was sworn in by the court reporter. Mr. Bill Furlow, Attorney, was also present. Mr. Nagin was recused as he was on the probable cause panel.

Ms. Duffy outlined the facts in the case in that the respondent was practicing beyond the scope of his license and the department was the complainant. Ms. Duffy asked the board to adopt the stipulation which called for a reprimand and \$296.15 in costs.

Mr. Furlow spoke on behalf of Mr. Wiley. Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board accept the stipulation as presented.

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

Prosecuting Attorney Report – Libby Duffy

Ms. Duffy provided the board with a copy of the prosecuting attorney's report. She discussed the time frames in which the cases are being handled by the department.

Mr. Nagin asked if the timelines could be shown on the private cases. Ms. Duffy responded that she would check into this.

Chair McCormick asked Ms. Duffy to discuss with Ms. Skilling and Mr. Tunnicliff the possibility of emergency suspension orders for certain individuals that have been incarcerated.

Flow Chart Regarding Progression of Status Codes

Ms. Duffy stated that Ms. Skilling was going to present this however it was not ready before she left for the meeting. As soon as it is finalized she will send it to everyone via mail. It should be sent within a couple of weeks and if not, everyone will be e-mailed.

Discussion of Types of Cases Closed, Citations and Notices of Noncompliance

Ms. Duffy stated that she would be present during the discussion, however, these are not within purview of legal, this is a regulation issue.

Vice-Chair Sasso stated that he wanted input for minor citations and was looking for input from legal as the information received at the last meeting did not really help. Ms. Duffy stated that the board has to make the decision as to what is a minor violation.

RECESS

There being no further business to come before the board, the meeting was recessed at 11:22 a.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Nagin, Chair of the Committee, called the meeting to order at 11:22 a.m.

Members Present

Rob Nagin, Chair
Richard Gathright
Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ann Cocheu, Board Counsel
Timothy Dennis, Board Counsel
Bob McCormick, Board Member
Nick Sasso, Board Member
Doug Harvey, BOAF
Kenneth Michael Bauer
John Farinelli

Jane Waddel
David Hodges
Sharon Mignardi

LEGISLATIVE REPORT – ROB NAGIN

Mr. Nagin reported that there are currently 35 different bills that he is following. He stated that only one was specific to this board and one to the department. Mr. Nagin informed the committee that he would update the information on the bills and provide it to staff for distribution.

SB2026 – NICK SASSO

Mr. Sasso stated that this bill dealt with expired permits and that they were automatically extended. Mr. Nagin commented that the concern was the Department of Environmental Protection type of permits. Mr. Sasso stated that they should contact their representative on this issue. Ms. Cocheu informed Mr. Sasso that the members can contact their representative on their own but they can not state or imply that they are representing the board.

Mr. Sasso asked if the Building Officials Association of Florida was doing anything with this issue. Mr. Doug Harvey responded that they are addressing this. Mr. Sasso suggested to Mr. Harvey that they develop a form letter that individuals could download, sign, and send to the Senator sponsoring this bill that expired permits carry real consequences and letting expired permits become active is not good and the language should be deleted from the bill. Mr. Sasso stated that he would draft the letter. Ms. Barineau reminded Mr. Sasso that he would have to do this as an individual, not a board member.

Mr. Nagin stated that there was a bill in the hand-out folder that provided for the extension of the licensing periods. In discussion of SB2598, Mr. Sasso stated that it removes the experience requirement because many states do not have experience requirements, they would just have to take the ICC examination. Ms. Barineau informed the committee that she will have to do an analysis on the bill and will include the comments of the members.

Rules Report – Ann Cocheu

Update on Rule Development Notice for Rule 61G19-6.016, FAC, Voluntary Certification

Ms. Cocheu stated that this had been noticed.

Categories & Rule 61G19-9.001, Continuing Education for Biennial Renewal

Ms. Cocheu stated that this had been noticed and was open for discussion. Mr. Nagin commented that Mr. Sasso had concerns about increasing the hours. Ms. Cocheu asked Mr. Sasso if he wanted to address this? Mr. Sasso responded that he would not want to do anything they could not monitor.

Following discussion, no action was taken at this time.

Update on Notice of Change to Rule 61G19-7.002, FAC, Training Program Providers

Ms. Cocheu letter from JAPC the effective date of change needs to be included on the forms.

Update on Rule 61G19-7.0015, FAC, Board Approved Comprehensive Initial Training Programs as Alternative Eligibility Requirements for Examination for Building Inspector or Plans Examiner Certification

Ms. Cocheu informed the Committee that this rule had been filed.

Update on Amendment to Rule 61G9-5.002, FAC, Disciplinary Guidelines

Ms. Cocheu informed the Committee that this rule had been noticed increasing the fines up to the maximum.

RULES WORKSHOP

61G19-5.002: Disciplinary Guidelines

61G9-5.003: Aggravating and Mitigating Factors

61G9-5.004: Final Orders

61G19-5.005: Criteria for Reinstatement and Relicensure

61G19-5.006: Citations

61G19-5.007: Notice of Noncompliance

Following discussion, no action was taken on the rules, therefore, Mr. Nagin closed the rules workshop.

GOOD MORAL CHARACTER PROPOSAL

Results of Research – Ann Cocheu

Ms. Cocheu informed the committee that this does appear in several different practice acts.

Proposed Language – Nick Sasso

Mr. Sasso informed the committee that he had prepared the proposed language which was a combination of language from the Electrical Contractors Licensing Board and Construction Industry Licensing Board.

In discussion Ms. Cocheu stated that this is a proposed legislative change and is just for discussion. Mr. McCormick commented that he did not think there was a problem and it appears that they would be making a judgment that if anyone ever did anything wrong they would not be able to obtain a license. Mr. Sasso responded that it was a huge problem as they have nothing that refers to moral character.

Following further discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee not take any action with respect to this because there is no problem during application review regarding moral character and the addition of the proposed language and the intent is to address a different problem that has nothing to do with application review process.

SECOND: Mr. Gathright seconded the motion which passed with Mr. Sasso 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, the meeting was adjourned at 1:45 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. McCormick called the meeting to order at 3:25 p.m. He asked that all members participate on this committee meeting.

Members Present

Richard Gathright
Bob McCormick
Rob Nagin
Bob Kymalainen
Nick Sasso

Members Not Present

Dennis Franklin

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ann Cocheu, Board Counsel
Timothy Dennis, Board Counsel
Doug Harvey, BOAF
John Farinelli
Jane Waddel
Sharon Mignardi

CONTINUING EDUCATION COURSES FOR REVIEW

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE

New Course

1. The Florida Building Code, Chapter 19 Lightweight Insulating Concrete Installation
Requesting 1 hour GENERAL credit (F-1809, A-1679)

Renewal Courses

1. Chapter 7 Sanitary Drainage (0006619)
Requesting 1 hour GENERAL credit (F-50, A-1676)
2. Arc Fault Circuit Interrupter (AFCI) (0006620)
Requesting 1 hour GENERAL credit (F-51, A-1677)
3. An Overview of the Florida Mechanical Code (0006621)
Requesting 1 hour GENERAL credit (F-52, A-1678)

Following discussion, the following action was taken.

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

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

DEVELOPMENT SERVICES SARASOTA COUNTY

New Courses

1. Code of Ethics
Requesting 1 hour ETHICS credit (F-1824, A-1720)

Following discussion, the following action was taken.

- MOTION: Mr. Gathright made a motion that the committee deny this course as there was no reference to the Chapter 468, Part XII.
- SECOND: Mr. Nagin seconded the motion which passed with Mr. McCormick voting against the motion.

2. The Residential Plumbing Tub-set and Final Inspection
Requesting 1 hour GENERAL credit (F1825, A-1721)

Following discussion, the following action was taken.

- MOTION: Mr. Nagin made a motion that the committee deny this course as it was jurisdictional.
- SECOND: Mr. Gathright seconded the motion which passed with Mr. Sasso voting against the motion.

3. The Residential Plumbing Rough-in Inspection
Requesting 1 hour GENERAL credit (F-1826, A-1722)

Following discussion, the following action was taken.

- MOTION: Mr. Nagin made a motion that the committee deny the course as it was jurisdictional.
- SECOND: Mr. Gathright seconded the motion which failed with Mr. McCormick, Mr. Sasso and Mr. Kymalainen voting against the motion.
- MOTION: Mr. Kymalainen made a motion that the committee approve the course as submitted.
- SECOND: Mr. McCormick seconded the motion which passed with Mr. Nagin and Mr. Gathright voting against the motion.
- MOTION: Mr. McCormick made a motion that the committee reconsider course #2.
- SECOND: Mr. Gathright seconded the motion which passed with Mr. Nagin voting against the motion.

Following discussion, the following action was taken.

- MOTION: Mr. McCormick made a motion that the committee approve course #2.
- SECOND: The motion died for lack of a second.

4. The Residential Mechanical Rough-in Inspection

- Requesting 1 hour GENERAL credit (F-1827, A-1723)
5. The Electrical Service Change Inspection
Requesting 1 hour GENERAL credit (F-1828, A-1724)
 6. The Electrical Rough Inspection
Requesting 2 hours GENERAL credit (F-1829, A-1725)

MOTION: Mr. Nagin made a motion that the committee approve course #'s 4, 5, and 6.
SECOND: Mr. Gathright seconded the motion.

In discussion Mr. Gathright stated that the timelines in the outline were not correct. Mr. Nagin withdrew his motion.

MOTION: Mr. Nagin made a motion that the committee deny course #'s 4, 5, and 6 as the timelines were not correct.
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

Renewal Courses

1. Florida Accessibility for Building Construction
Requesting 2 hours ACCESSIBILITY credit (F-238, A-1680)
2. The Monolithic Slab Inspection (0004739)
Requesting 1 hour GENERAL credit (F-188, A-1681)
3. The Framing Inspection (0004740)
Requesting 4 hours GENERAL credit (F-189, A-1682)
4. The Lintel, Tie Beam and Column Inspection (0004741)
Requesting 2 hours GENERAL credit (F-190, A-1683)
5. The Floor Inspection (0004742)
Requesting 1 hour GENERAL credit (F-191, A-1684)

MOTION: Mr. Gathright made a motion that the committee approve courses 1, 2, 3, 4, and 5 as submitted.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

6. The Final Building Inspection (0004743)
Requesting 1 hour GENERAL credit (F-192, A-1685)

MOTION: Mr. Gathright made a motion that the committee deny this course as the timeline was for only 40 minutes.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

7. The Footing Inspection (0004744)
Requesting 1 hour GENERAL credit (F-193, A-1686)

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 which passed with Mr. Nagin voting against the motion.

8. The Pool Steel and Deck Inspection (0004745)
Requesting 1 hour GENERAL credit (F-194, A-1687)

MOTION: Mr. Gathright made a motion that the committee deny this course as the timeline was for 40 minutes only.

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

9. Occupancy Separation, Florida Code vs. Tenant Separation (0007000)
Requesting 2 hours GENERAL credit (F-1133, A-1688)

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

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

FIRST COAST CHAPTER ICC-BOAF

New Courses

1. 2007 Florida Building Code, Existing Buildings
Requesting 2 hours GENERAL credit (F-1810, A-1689)
2. Accessibility the Forgotten Sections
Requesting 2 hours ACCESSIBILITY credit (F-1811, A-1690)
3. Significant Changes to the 2007 Residential Code, Sections 1-3
Requesting 2 hours GENERAL credit (F-1812, A-1691)

MOTION: Mr. Nagin made a motion that the committee approve all of the courses as submitted.

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

SCHOOL FOR CONTRACTORS AND TRADES

New Course

1. Ethics In Construction as Related to Inspectors and Contractors
Requesting 1 hour ETHICS credit (F-1813, A-1692)

MOTION: Mr. Gathright made a motion that the committee deny the course as Chapter 112, F.S. is the only chapter listed.

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA

New Courses

1. Building and Fire Under One Roof
Requesting 1 hour LAWS & RULES credit (F-1835, A-1731)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee approve the course for General credit not Laws and Rules.

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

2. Florida Existing Building Code Update
Requesting 2 hours GENERAL credit (F-1836, A-1732)

3. Understanding Today's Fire Rated Glass and Framing
Requesting 1 hour GENERAL credit (F-1837, A-1733)
4. Method A Energy Code Plan Review Changes
Requesting 2 hours GENERAL credit (F-1838, A-1734)
5. Unvented Attics, Air Infiltration and Spray Foam Insulation
Requesting 2 hours GENERAL credit (F-1839, A-1735)

MOTION: Mr. Gathright made a motion that the committee approve course #'s 2, 4, and 5 as submitted.

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

Following discussion on course #3, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee approve course #3 based on the timeline being approximately 10 minutes for each section.

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

INTERNATIONAL CODE COUNCIL

Mr. Farinelli was present on behalf of ICC and informed the committee that there were some problems with some of the courses which he would discuss with the Board as they reviewed the course.

Renewal Courses

1. Creating a Hazard Mitigation and Emergency Management Plan (0006927)
Requesting 6 hours GENERAL credit (F-1057, A-1699)

MOTION: Mr. Gathright made a motion that the committee deny the course as the outline was not detailed enough.

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

2. Increasing the Credibility of the Code Official (0007158)
Requesting 6 hours GENERAL credit (F-1406, A-1700)

Mr. Farinelli informed the committee that the course timeline had an error in that #9 should be 15 minutes not five minutes.

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the committee approve the course as amended.

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

3. 2006 IRC Residential Building Inspector Certification Examination Practice Course
(Internet) (0007161)
Requesting 2 hours GENERAL credit (F-1412, A-1701)

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the committee approve the course as submitted.

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

4. 2006 IRC Fundamentals Building Provisions (0007162)
Requesting 6 hours GENERAL credit (F-1413, A-1702)

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

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

5. 2006 IBC Commercial Building Inspector Certification Examination Practice Course
(Internet) (0007165)
Requesting 2 hours GENERAL credit (F-1405, A-1703)

MOTION: Mr. Nagin made a motion that the committee approve the course as submitted.

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

6. Legal Aspects of Code Administration (0007171)
Requesting 6 hours LAWS & RULES credit (F-1396, A-1704)

Mr. Farinelli requested that the credit be changed to general and in the timeline that was an error on the second page in the total course time. He stated that it was listed as 410 minutes however the total was 360 minutes with the 15 minute breaks.

MOTION: Mr. Nagin made a motion that the committee approve the course as amended.

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

7. Building Department Financial Management (0007172)
Requesting 6 hours LAWS & RULES credit (F-1397, A-1705)

Mr. Farinelli requested that the credit be change to general.

MOTION: Mr. Nagin made a motion that the committee approve the course as amended.

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

8. Increasing the Credibility of the Code Official (0007173)
Requesting 3 hours GENERAL credit (F-1398, A-1706)

Mr. Farinelli informed the committee that the course time line contained two errors. He stated that number 2A has eight minutes and it should be seven minutes, C has four minutes and it should be 5 minutes.

MOTION: Mr. Gathright made a motion that; the committee approve the course as amended.

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

9. Building Department Personnel Management (0007175)
Requesting 6 hours GENERAL credit (F-1400, A-1707)

Following discussion, the following action was taken.

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

CUTSTONE LEARNING LLC

Mr. Sharon Mignardi was present.

Mr. Gathright stated that all of the courses are for only 50 minutes when it should be 60 minutes. Ms. Mignardi responded that she did not include the test that has to be taken in the time. She stated that she would amend the time to 60 minutes as there is a test after each lesson and they will spend a minimum of 60 minutes for each course.

New Courses

1. Florida Existing Building Code-An Overview
Requesting 3 hours GENERAL credit (F-1822, A-1711)
2. Application of the Florida Residential Code
Requesting 3 hours GENERAL credit (F-1823, A-1712)

Renewal Courses

1. Advanced FBC Permits and Applications (0007176)
Requesting 1 hour LAWS & RULES credit (F-1392, A-1713)
2. Advanced Florida Building Code (0007177)
Requesting 1 hour LAWS & RULES credit (F-1393, A-1714)
3. Advanced FBC, The Florida Building Commission (0007178)
Requesting 1 hour LAWS & RULES credit (F-1394, A-1715)
4. Advanced FBC, Enforcement and Education (0007179)
Requesting 1 hour LAWS & RULES credit (F-1395, A-1716)
5. Fair Housing: An In Depth Study of Accessible Routes and Accessible Public and Common Use Areas (0007217)
Requesting 1 hour ACCESSIBILITY credit (F-1429, A-1717)
6. Fair Housing: An In Depth Study of Kitchens and Bathrooms (0007218)
Requesting 1 hour ACCESSIBILITY credit (F-1430, A-1718)
7. An Overview of the Fair Housing Act (0007219)
Requesting 2 hours ACCESSIBILITY credit (F-1431, A-1719)

MOTION: Mr. Gathright made a motion that the committee approve all of the courses as amended for 60 minutes.

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

KONING ENTERPRISES/DBA CONTRACTOR'S INSTITUTE

New Courses

1. 2-Hour BCAI Laws and Rules (Classroom)
Requesting 2 hours LAWS & RULES credit (F-1841, A-1737)
2. 2-Hour BCAI Laws and Rules (Internet)
Requesting 2 hours LAWS & RULES credit (F-1842, A-1738)

MOTION: Mr. Gathright made a motion that the committee approve the courses as submitted.

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

PALM BEACH COUNTY BUILDING OFFICIALS ASSOC., INC.

New Course

- 1. The FBC and ASTM C 1063-03
Requesting 1 hour GENERAL credit (F-1830, A-1726)

Mr. Gathright informed the committee that he would be recused as he was a member of this association.

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

SANTA ROSA COUNTY (0001245)

New Course

- 1. Laws and Rules for Code Professionals
Requesting 2 hours LAWS & RULES credit (F-1832, A-1728)

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

CITY OF ST. PETERSBURG, CONSTRUCTION SERVICES

New Course

- 1. Green Build For Code Compliance
Requesting 2 hours GENERAL credit (F-1840, A-1736)

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

DEPARTMENT OF EDUCATION, EDUCATIONAL FACILITIES

New Course

- 1. Advanced 23 Hour (SREF) State Requirements for Educational Facilities
Requesting 23 hours GENERAL, ACCESSIBILITY, LAWS & RULES credit (F-1820, A-1708)

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the committee deny the course as the timelines do not match up and do not total the 23 hours requested and deny the request for laws and rules credit.
 SECOND: Mr. Gathright seconded the motion

Mr. McCormick commented that they also needed to confirm that this is a Florida Building Commission approved course since it has the word "advanced" in the title.

OLD BUSINESS

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

NEW BUSINESS

The committee discussed the issue of reciprocity with the state fire marshal. There was concern regarding the courses that are approved as this board did not know the content of the courses. Mr. Gathright informed the committee, that they have courses on being a clown. Ms. Barineau informed the committee that she would share their concerns with the department.

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 4:54 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Chair McCormick called the meeting to order at 4:54 p.m.

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Richard Gathright
Bob Kymalainen
Rob Nagin

Members Not Present

Fred Dudley
Dennis Franklin

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ann Cocheu, Board Counsel
Tim Dennis, Board Counsel

Discussion of Proposed Change to Chapter 468.603, Florida Statutes

Chair McCormick stated that the committee had discussed deleting SBCCI out of the statutes, and he was not sure they should do this.

Following discussion, no action was taken.

Letter From Board of Veterinary Medicine Chair Regarding Board Member Compensation

Chair McCormick informed the committee that he received this letter from the veterinary board chair regarding the board member compensation to help relieve the budget crunch and is up for discussion.

Following discussion, the board did not take any action.

OLD BUSINESS

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

NEW BUSINESS

Ethics Credit for Continuing Education

The committee agreed that any overage would roll over to general credit.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 5:16 p.m.

APRIL 10, 2009 - 9:00 A.M.

Call To Order, Pledge of Allegiance and Welcome

Chair McCormick called the meeting to order at 9:01 a.m.

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Richard Gathright
Bob Kymalainen
Rob Nagin

Members Not Present

Fred Dudley
Dennis Franklin

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ann Cocheu, Board Counsel
Tim Dennis, Board Counsel
Linda Armstrong

APPROVAL OF THE FEBRUARY 10 – 13, 2009, MINUTES OF THE MEETING

MOTION: Mr. Nagin made a motion that the board approve the minutes as submitted.

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

Chair McCormick stated that the board needed to take action on the absence of Mr. Franklin and Mr. Dudley.

MOTION: Vice-Chair Sasso made a motion that the board excuse the absence of Mr. Franklin and Mr. Dudley.

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

REPORTS

Chair's Report – Bob McCormick, Chair

Chair McCormick informed the board that he attended a formal hearing recently regarding a licensure denial.

Application Review Committee – Nick Sasso Ratification List

Vice-Chair Sasso reported that the committee reviewed 119 applications, of which, 70 were approved, and 49 were denied.

MOTION: Mr. Nagin made a motion that the board approve the actions of the committee and the ratification list as presented.

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

Rules and Legislation Committee – Rob Nagin

Mr. Nagin reported that the committee meet yesterday. He stated that legislation was discussed, and a report will be e-mailed to the board office for distribution. He stated that the advertised rules were discussed and updated, during the rules workshop no action was taken on any of the rules and there was also a discussion of moral character which no action was taken.

Examination and Continuing Education Committee

Chair McCormick reported that he chaired the meeting and the committee reviewed 52 courses, of which 17 new courses were approved, 17 were denied, 25 renewal courses were approved and three renewal courses were denied.

MOTION: Mr. Nagin made a motion that the board approve the actions of the committee as presented.

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

Executive Committee – Bob McCormick, Chair

Chair McCormick reported that the committee discussed reciprocity regarding continuing education courses with the state fire marshal's office and Ms. Barineau will share their concerns with the department.

Board Counsel – Ann Cocheu

Ms. Cocheu informed the board that this would be her last meeting and Tim Dennis will be counsel.

Chair McCormick responded that the board appreciated her service and wished her happy retirement.

Executive Director – Robyn Barineau

Computer Based Testing

Ms. Barineau stated that the board discussed this at the last meeting and they are currently working with the International Code Council and the Bureau of Education and Testing. She stated that effective January 1, 2010, only computer based testing will be available.

Financial Report

Ms. Barineau informed the board that the budget was included in agenda and as of December 31, 2008, they had a balance of over \$700,000 and that their account would not be swept. She stated that the department is receiving fewer applications and surcharge. For this reason, they are projected to go into a deficit by 2011 and they will have to watch the budget closely as they may have to adjust fees. Ms. Barineau stated that there was over \$200,000 in the unlicensed activity money.

Following discussion, Ms. Barineau stated that she will be monitoring the budget and hopefully they will not have to worry about going into a deficit. She stated that there will be a new report for the next meeting.

ICC Update – Rob von Kampen, Ph.D.

Chair McCormick informed the board that Dr. von Kampen submitted his report in writing for the board's review.

PUBLIC COMMENTS

There were no comments from the public.

OLD BUSINESS

News Release Regarding Unlicensed Activity

Chair McCormick stated that this was provided for informational purposes.

Limited Certificate Reminder

Chair McCormick stated that this was provided for informational purposes.

NEW BUSINESS

Ms. Barineau stated that the next meeting will be held June 9-12, 2009, in Orlando.

ADJOURNMENT

There being no further business to come before the board, the meeting was adjourned at 9:21 a.m.