

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD FLORIDAYS RESORT 12562 INTERNATIONAL DRIVE ORLANDO, FL 32821 APRIL 13 - 16, 2010

April 13, 2010

APPLICATION REVIEW COMMITTEE CALL TO ORDER

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

Members Present

Bob Kymalainen
Bob McCormick

Members Not Present

Nick Sasso, Chair

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Eugene Garrison
David Holt
Dale Griner

REVIEW OF APPLICATIONS

Eugene Thomas Garrison – Building Inspector

Mr. Garrison was present at the meeting and discussed his application with the committee. Following discussion, the committee approved the application.

David Holt – Mechanical Inspector

Mr. Holt was present at the meeting and discussed his application with the committee. Following discussion, the committee approved the application.

Debra Lynn Padgett – Building Plans Examiner

Mr. Dale Griner was present at the meeting for the review of Ms. Padgett's application. Following discussion, the committee approved the application based on the testimony of Mr. Griner.

Mr. Dennis informed the committee that he reviewed the ability to verify experience as requested. He stated that during the Legislative Session last year, the department had the ability to require notarized signatures removed.

Mr. Dennis advised the committee that they still have the ability and duty to verify experience. He stated that they should not deny an application if an affidavit is from an acceptable person that is not notarized. He commented that they may want to review the application forms to determine if changes need to be made.

At this time, the committee reviewed applications.

RECESS

There being no further business to come before the committee, the meeting was recessed at 4:45 p.m.

April 14, 2010 - 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

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

Members Present

Bob Kymalainen
Bob McCormick

Members Not Present

Nick Sasso, Chair

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
George L. Cancio
Pedro M. Dominguez
Rodney Hight
Steve Innes
Adam Kasprzak
Julio Pagan
Angel Perez
Glen Urquhart
Sean Depasquale, Court Reporter

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT
(RESPONDENTS HAVE THE OPTION OF APPEARING ON APRIL 14 BEFORE THE
APPLICATION REVIEW COMMITTEE OR APRIL 15 BEFORE THE FULL BOARD.)**

George L. Cancio – 1&2 Family Dwelling Plans Examiner, Modular Plans Examiner, Modular Inspector, Mechanical Inspector, Plumbing Inspector, Residential Pool Inspector, Commercial Pool Inspector, Electrical Plans Examiner, Electrical Inspector

Mr. Cancio 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 approve the applications for modular plans examiner, modular inspector, residential pool inspector, and commercial pool inspector.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

Following discussion, the following action was taken.

- MOTION: Mr. McCormick made a motion that the committee reconsider the previous motion to approve the commercial and residential pool inspector categories.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.
- MOTION: Mr. McCormick made a motion that the committee uphold the denial of the residential pool inspector and commercial pool inspector applications as he does not meet the requirements for these licenses.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.
- MOTION: Mr. McCormick made a motion that the committee uphold the denials for the 1&2 family dwelling plans examiner, mechanical inspector, plumbing inspector, electrical plans examiner, and electrical inspector as originally stated.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

Pedro M. Dominguez – Plumbing Plans Examiner & Plumbing Inspector

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

Following discussion, the following action was taken.

- MOTION: Mr. Kymalainen made a motion that the committee approve the applications.
- SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Rodney J. Hight – Building Code Administrator

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

Following discussion, the following action was taken.

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

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

Steve Innes – Provisional Mechanical Inspector and Provisional Plumbing Inspector

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

Following discussion, the following action was taken.

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

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

Adam Stefan Kasprzak – Mechanical Inspector and Plumbing Inspector

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

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.

Julio Pagan – Building Inspector

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

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the application be approved based on the additional information submitted.

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

Angel L. Perez – Building Code Administrator

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

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the committee approve the application based on the additional information submitted.

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

Glen Urquhart – Building Code Administrator

Mr. Urquhart was present at the meeting along with Mr. Joe Leverault, Building Official. They were both sworn in by the court reporter. Additional information was previously submitted 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 submitted.

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

Mr. McCormick stated that Mr. Cancio asked to re-address the board. He asked if he could table his hearing and attend the next meeting. Mr. McCormick informed him that he would need to reapply.

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.

ADJOURNED

There being no further business to come before the committee at this time, the meeting was adjourned at 11:04 a.m.

April 14, 2010 – 3:00 P.M.

**PROBABLE CAUSE PANEL MEETING
Portions of Which May be Closed to the Public**

CALL TO ORDER

Mr. McCormick called the meeting to order at 3:03 p.m. He stated that there was a consumer member appointed to the panel, however he was unable to attend the meeting. Mr. Dennis stated that the panel can meet and take action with only two members present.

Members Present

Bob McCormick
Richard Gathright

Others Present

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

Libby Duffy, Prosecuting Attorney
Robert Mahar
Dan Abbott
Mike Gustafson, Expert Witness
Sean Depasquale, Court Reporter

Mr. Dennis and Ms. Duffy made a presentation to the panel regarding the procedures.

Ms. Duffy stated that there were two public cases for presentation. The first case, # 2008-051989 was against Mr. Robert Mahar. She also informed the panel that Mr. Michael Gustafson, expert witness, was present if there were any questions.

Ms. Duffy stated this case was back before them because the reasoning behind the motion to find probable cause might not be an appropriate violation.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the panel vacate the previous finding of probable cause and close the case.

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

Ms. Duffy stated that the next public case was against Mr. Mario LoBasso, #2006-029748. She added that he no longer practices as a building official and asked that the case be closed. She indicated that he is fully retired.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the case be closed.

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

At this time, the meeting was closed to the public.

April 15, 2010 – 9:00 A.M.

CALL TO ORDER

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

Members Present

Bob McCormick, Chair
Art Barthlow
Dennis Carpenter
Gerry Demers
Richard Gathright
Bob Kymalainen
Orlando Lamas

Members Not Present

Nick Sasso, Vide-Chair
Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Libby Duffy, Prosecuting Attorney
Doug Harvey
Matthew McDonald
John Farinelli
Robert Brown
Susan Stokes
Gary Salfelder
David Hodges
Jane Waddel
Sean Depasquale, Court Reporter

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT
(RESPONDENTS HAVE THE OPTION OF APPEARING ON APRIL 14 BEFORE THE
APPLICATION REVIEW COMMITTEE OR APRIL 15 BEFORE THE FULL BOARD.)****Gary Salfelder – Mechanical Inspector & Mechanical Plans Examiner**

Mr. Salfelder was present at the meeting and was sworn by the court reporter along with Ms. Susan Stokes and Mr. Robert Brown. Additional information was provided at the meeting for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Demers made a motion that the board approve the applications based on the oral testimony.

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

Joseph Berko – 1&2 Family Dwelling Inspector

Mr. Berko was not present at the meeting and no additional information was provided for the board's review.

MOTION: Mr. Gathright made a motion that the board uphold the denial as originally stated.

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

Edward J. Bharath – Building Code Administrator

Mr. Bharath was not present at the meeting, however, additional information was provided for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the board approve the application based on the additional information provided.

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

Aileen Hernandez – Building Plans Examiner and Provisional Building Plans Examiner

Ms. Hernandez was not present at the meeting, however, she provided a letter for consideration.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board uphold the denials as originally stated.

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

Michael Angel Padron – Provisional Plumbing Plans Examiner

Ms. Barineau informed the board that Mr. Padron requested that the hearing be continued to the next meeting.

MOTION: Mr. Demers made a motion that the board table the hearing, as requested, to the June meeting.

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

PROSECUTING ATTORNEY REPORT – LIBBY DUFFY

Ms. Duffy provided a copy of her report and discussed it with the members. She informed the board that the chief attorney in the department would like for the board to consider a change to the probable cause panel meetings. She stated that if a violation was found when a complaint is filed, that the respondent or the respondent's counsel be invited to attend the probable cause panel meeting as this would help in processing the cases in a more timely manner. Also, a case could be closed at that time, if that was the panel's determination. Ms. Duffy stated that she would like for this recommendation to be put on the agenda for the June meeting. Mr. Dennis will research this issue. Ms. Duffy stated that she would be responsible for notifying the respondents. Mr. McCormick commented that he had some concerns with her recommendation and the panel meetings would likely be lengthened.

Mr. Dennis commented that there was a case that was past the one year threshold.

MOTION: Mr. Gathright made a motion that the board direct the department to continue to prosecute all year old cases.

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

MEMORANDUM REGARDING SELF-REPORTING OF CRIMINAL CONVICTIONS – TIM DENNIS

Mr. Dennis stated that there was a law passed in the 2009 session regarding a disciplinary offense for not reporting any conviction to the department within 30 days. The rules need to be updated to reflect this change. He stated that the department suggested guidelines that would be uniform for all the boards, basically as outlined in the memorandum below.

A bill passed by the Florida Legislature and approved by the Governor during the 2009 legislative session created a new ground for discipline for licensees of this Board.¹ Section 455.227, *Florida Statutes*, now provides that the following action is an offense:

(t) Failing to report in writing to the board . . . within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. A licensee must report a conviction, finding of guilt, plea, or adjudication entered before the effective date of this paragraph within 30 days after the effective date of this paragraph.²

A member of the Board had suggested that this may be an appropriate item to include as a notice of non-compliance. This matter was discussed at the February meeting and the Board directed Elizabeth Duffy and me to consult with Jerry Wilson, Director of the Division of Regulation, and report back to the Board.

After discussion with Mr. Wilson and other DBPR Staff, it has been determined that the Division is recommending that the boards adopt a uniform set of penalties for implementing Section 455.227(t):

1. Late reporting (more than 30 days from conviction or nolo contendere or guilty plea) - Fifty (\$50.00) dollar citation.
2. Failure to report and the crime is not related to building code administration, inspection, or plans

¹ See Chapter Law 2009-195, Section 2.

² This law took effect on October 1, 2009. See Chapter Law 2009-195, Section 68. Thus, any licensee who failed to report a criminal conviction that occurred prior to October 1, 2009, by October 31, 2009, is now in violation.

examination - Five hundred (\$500.00) dollar citation; and

3. Failure to report a criminal conviction related to building code administration, inspection, or plans examination - Open a case against the licensee for the conviction, *i.e.*, pursuant to Rule 61G19-5.002(2)(e), and include a charge for failure to report the violation.

Rule 61G19-5.002(2)(e) provides that is a disciplinary offense to be found guilty of or to enter a nolo contendere plea to a crime related to building code administration or inspection. Thus, the discipline for failure to report the violation could mirror the discipline imposed for that offense, *i.e.*, suspension to revocation and a fine of up to \$2,500.00 for a first offense. Alternatively, the Board could set an additional penalty for failure to report, *e.g.*, a fine, to be administered in addition to the penalty for the conviction.

The Board needs to discuss this matter and provide direction to Staff in order to proceed with rulemaking to implement Section 455.227(t), *Florida Statutes*.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board authorize Mr. Dennis to open the rules for development.

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

OLD BUSINESS

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

NEW BUSINESS

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

RECESS

There being no further business to come before the board at this time, the meeting was recessed at 10:43 a.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Gathright, Chair of the committee, called the meeting to order at 10:43 a.m.

Members Present

Richard Gathright, Chair
Gerry Demers
Bob Kymalainen

Members Not Present

Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Libby Duffy, Prosecuting Attorney
Bob McCormick, Board Member
Orlando Lamas, Board Member
Art Barthlow, Board Member
Dennis Carpenter, Board Member
Doug Harvey
Matthew McDonald
John Farinelli
Jane Waddel
David Hodges
Dennis Franklin

LEGISLATIVE REPORT

Mr. Gathright provided a report for the members of the bills which have been filed related to this board and discussed them with the committee.

At this time, Mr. McCormick presented former board member Mr. Dennis Franklin with a plaque honoring his years of service.

RULES REPORT – TIM DENNIS

Discussion of Rule 61G19-6.0036, F.A.C., Application for Certification Review

Mr. Dennis provided a copy of the proposed rule to the members. The committee agreed that all endorsement, building code administrator, provisional and voluntary category applications will be forwarded to the board for review.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee authorize Mr. Dennis to open Rule 61G19-6.0036, F.A.C., for rule development.

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

DISCUSSION OF RULE 61G19-9.001, F.A.C., CONTINUING EDUCATION FOR BIENNIAL RENEWAL – NICK SASSO

Mr. McCormick asked that this be tabled since Mr. Sasso not present.

MOTION: Mr. Gathright made a motion that this be tabled to next meeting.
SECOND: Mr. Lamas 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 11:04 a.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. McCormick, Chair of the committee, called the meeting to order at 11:04 a.m.

Members Present

Bob McCormick, Chair
Art Barthlow
Dennis Carpenter
Gerry Demers
Richard Gathright
Bob Kymalainen
Orlando Lamas

Members Not Present

Fred Dudley
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Doug Harvey
Matthew McDonald
John Farinelli
Jane Waddel
Rob von Kampen, ICC

CONTINUING EDUCATION COURSES FOR REVIEW

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE (0001284)

New Course

1. Florida Building Code, Mechanical 2009 Updates
Requesting 1 hour GENERAL credit (F-2058, A-2050)

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

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

COLLIER COUNTY BUILDING DEPARTMENT (0004687)

New Course

1. Building Construction Life Safety Systems
Requesting 8 hours GENERAL credit (F-2044, A-2036)

In discussion, it was noted that it appeared that a company was applying through a building department for the course approval. Mr. Dennis informed the committee that he would research the law regarding this issue.

MOTION: Mr. Gathright made a motion that the committee deny the course as the content outline and references lack specificity.

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

DEPARTMENT OF COMMUNITY AFFAIRS (0001042)

New Course

1. Modular Building Program Laws, Codes & Rules
Requesting 2 hours LAWS&RULES credit (F-2019, A-2011)

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

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

INFORMATIONAL RESOURCES FOR PROFESSIONALS, LLC (0004469)

New Courses

1. Roofing Damage and Repair: Tile Roofs
Requesting 2 hours GENERAL credit (F-2043, A-2035)

MOTION: Mr. Gathright made a motion that the committee deny the course as there was no subject matter in the outline and no technical references.

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

2. Design and Installation of Interior Slab Underpins
Requesting 2 hours GENERAL credit (F-2046, A-2038)

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

SECOND: Motion died for lack of a second.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee deny the course as the subject matter was not relevant.

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

NEW PROVIDER: CENTRAL FLORIDA ELECTRICAL JATC (F-291, A-587)

New Courses

1. Solar Photovoltaic (PV) Systems A, B and C for Inspectors
Requesting 8 hours GENERAL credit (F-2057, A-2049)
2. Solar Photovoltaic (PV) Systems A for Inspectors
Requesting 2 hours GENERAL credit (F-2060, A-2053)
3. Solar Photovoltaic (PV) Systems A and B for Inspectors
Requesting 4 hours GENERAL credit (F-2061, A-2054)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee deny all of the courses for a lack of an outline and insufficient content.

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

BRB CODE EDUCATORS, INC. (0001728)

Renewal Course

1. Product Approval (0007081)
Requesting 2 hours LAWS&RULES credit (F-1229, A-2051)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee deny the course as it does not mention the laws and rules.

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

POLK COUNTY BOCC BUILDING DIVISION (0004210)

Renewal Courses

1. Florida Laws and Rules (0007221)
Requesting 2 hours LAWS&RULES credit (F-1423, A-2073)
2. Building Fundamentals, FBC Bldg, Ch. 1-2 (0007302)
Requesting 2 hours GENERAL credit (F-1520, A-2074)
3. Building Planning, FBC Bldg, Ch. 3-6 (0007303)
Requesting 4 hours GENERAL credit (F-1521, A-2075)
4. Fire Protection, FBC Bldg, Ch. 7-9 (0007304)
Requesting 2 hours GENERAL credit (F-1522, A-2076)
5. Occupant Use, FBC Bldg, Ch. 10 and 12 (0007305)
Requesting 2 hours GENERAL credit (F-1523, A-2077)
6. Building Envelope, FBC Bldg, Ch. 13-15 (0007306)
Requesting 2 hours GENERAL credit (F-1524, A-2078)
7. Structural, FBC Bldg, Ch. 16-18 (0007307)
Requesting 2 hours GENERAL credit (F-1525, A-2079)
8. Structural Materials, FBC Bldg, Ch. 19-23 (0007308)
Requesting 4 hours GENERAL credit (F-1526, A-2080)
9. Non-Structural Materials, FBC Bldg, Ch. 24-26 (0007309)

10. Requesting 2 hours GENERAL credit (F-1527, A-2081)
Special Conditions, FBC Bldg, Ch. 30-35 (0007310)
Requesting 4 hours GENERAL credit (F-1528, A-2082)

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

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

BOAF-FHBA CONSTRUCTION TRAINING (0004764)

New Courses

Mr. Doug Harvey and Mr. John Farinelli were present.

1. Advanced Mitigation Guidelines for Single Family Residential Structures
Requesting 2 hours GENERAL credit (F-2039, A-2031)
2. Mitigation Inspections and The FBC
Requesting 2 hours GENERAL credit (F-2040, A-2032)
3. New Laws Affecting FL Construction Professional
Requesting 1 hour GENERAL credit (F-2041, A-2033)
4. The Florida Energy Code – Residential Compliance
Requesting 1 hour GENERAL credit (F-2042, A-2034)

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

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA (0001001)

New Courses

1. Interpreting the Florida Existing Building Code
Requesting 3 hours GENERAL credit (F-2010, A-2002)

MOTION: Mr. Gathright made a motion that the committee deny the course as there was only a topical, vague outline provided.

SECOND: Motion died for lack of a second.

Following discussion, the following action was taken.

MOTION: Mr. Demers made a motion that the committee approve course 1 as submitted.

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

2. Structural Wood Fasteners and Connections
Requesting 2 hours GENERAL credit (F-2011, A-2003)
3. Standard Practice for Frontal Flange Windows in CMU Construction
Requesting 1 hour GENERAL credit (F-2012, A-2004)
4. Residential Energy Code Update

- 5. Requesting 2 hours GENERAL credit (F-2013, A-2005)
Medical Gas System Installation
- 6. Requesting 2 hours GENERAL credit (F-2014, A-2006)
Green Building, LEED and the FBC
- 7. Requesting 4 hours GENERAL credit (F-2015, A-2007)
Gas System Installation
- 8. Requesting 2 hours GENERAL credit (F-2016, A-2008)
Fuel Gas Principles and Code Application
- 8. Requesting 7 hours GENERAL credit (F-2017, A-2009)

MOTION: Mr. Demers made a motion that the committee approve courses 2 – 8 as submitted.

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

- 9. FBC Chapter 7 Smoke Control Requirements
Requesting 2 hours GENERAL credit (F-2018, A-2010)

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

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

- 10. Modular Building Construction Laws, Codes and Rules
Requesting 2 hours GENERAL credit (F-2020, A-2012)
- 11. Swimming Pools and The FBC
Requesting 2 hours GENERAL credit (F-2021, A-2013)
- 12. Design, Construction and Inspection of Aluminum Structures
Requesting 2 hours GENERAL credit (F-2022, A-2014)

MOTION: Mr. Demers made a motion that the committee approve courses 10 – 12 as submitted.

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

- 13. Post Disaster Safety Assessment Program
Requesting 2 hours GENERAL credit (F-2023, A-2015)

MOTION: Mr. Demers made a motion that the committee deny the course as the course content was not relevant.

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

- 14. Plumbing Inspector Foundation Program Training
Requesting 10 hours GENERAL credit (F-2024, A-2016)
- 15. Electrical Inspector Foundation Program Training
Requesting 10 hours GENERAL credit (F-2025, A-2017)

16. Mechanical Inspector Foundation Program Training
Requesting 10 hours GENERAL credit (F-2026, A-2018)
17. Building Inspector Foundation Program Training
Requesting 10 hours GENERAL credit (F-2027, A-2019)

MOTION: Mr. Gathright made a motion that the committee approve courses 14, 15, 16 & 17 as submitted.

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

18. Fuel Gas Code Update
Requesting 1 hour GENERAL credit (F-2028, A-2020)
19. Advanced Mitigation Guidelines for Single Family Residential Structures
Requesting 2 hours GENERAL credit (F-2029, A-2021)
21. Post Installed Concrete Anchors – Issues and Answers
Requesting 1 hour GENERAL credit (F-2045, A-2037)

MOTION: Mr. Gathright made a motion that the committee approve courses 18, 19 & 21 as submitted.

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

20. Mechanical Code Update
Requesting 2 hours GENERAL credit (F-2030, A-2022)

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

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA (0001001) Renewal Training Program Courses

1. Building Inspector Training Program (0006568)
Requesting 12 hours GENERAL credit (F-72, A-2055)
2. Building Plans Examiner Training Program (0006569)
Requesting 12 hours GENERAL credit (F-73, A-2056)
3. Electrical Inspector Training Program (0006570)
Requesting 12 hours GENERAL credit (F-74, A-2057)
4. Electrical Plans Examiner Training Program (0006571)
Requesting 12 hours GENERAL credit (F-75, A-2058)
5. Mechanical Inspector Training Program (0006572)
Requesting 12 hours GENERAL credit (F-76, A-2059)
6. Mechanical Plans Examiner Training Program (0006573)
Requesting 12 hours GENERAL credit (F-77, A-2060)
7. Plumbing Inspector Training Program (0006574)
Requesting 12 hours GENERAL credit (F-78, A-2061)
8. Plumbing Plans Examiner Training Program (0006575)
Requesting 12 hours GENERAL credit (F-79, A-2062)

9. 1 & 2 Family Dwelling Inspector Training Program (0006576)
Requesting 12 hours GENERAL credit (F-80, A-2063)

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

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

New Corporate Training Program Courses

Mr. Harvey informed the committee that these courses would be available to individuals other than city/county employees. The on-the-job training would be provided by the company, they must have to have an office in Florida, and the affidavit must be notarized.

1. Building Inspector Corporate Training Program
Requesting 12 hours GENERAL credit (F-2062, A-2064)
2. Building Plans Examiner Corporate Training Program
Requesting 12 hours GENERAL credit (F-2063, A-2065)
3. Electrical Inspector Corporate Training Program
Requesting 12 hours GENERAL credit (F-2064, A-2066)
4. Electrical Plans Examiner Corporate Training Program
Requesting 12 hours GENERAL credit (F-2065, A-2067)
5. Mechanical Inspector Corporate Training Program
Requesting 12 hours GENERAL credit (F-2066, A-2068)
6. Mechanical Plans Examiner Corporate Training Program
Requesting 12 hours GENERAL credit (F-2067, A-2069)
7. Plumbing Inspector Corporate Training Program
Requesting 12 hours GENERAL credit (F-2068, A-2070)
8. Plumbing Plans Examiner Corporate Training Program
Requesting 12 hours GENERAL credit (F-2069, A-2071)
9. 1 & 2 Family Dwelling Inspector Corporate Training Program
Requesting 12 hours GENERAL credit (F-2071, A-2072)

Mr. McCormick expressed concern that the person that provides the training is licensed in the category, not the building code administrator. Mr. Harvey indicated that they would be monitoring this closely. In discussion, Mr. McCormick asked if the board could ask to see the first few submittals that are received. Mr. Harvey responded that his request would not be a problem. He stated that BOAF may not approve every company that wants to use the program. Mr. Harvey stated that he would be willing to present to the Application Review Committee the first couple of applications that are submitted.

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

SECOND: Mr. Lamas 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 2:56 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Mr. McCormick, Chair of the committee, called the meeting to order at 2:56 p.m.

Members Present

Bob McCormick, Chair
Art Barthlow
Dennis Carpenter
Gerry Demers
Richard Gathright
Bob Kymalainen
Orlando Lamas

Members Not Present

Fred Dudley
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Doug Harvey
Matthew McDonald
John Farinelli
Jane Waddel
Rob von Kampen, ICC

OLD BUSINESS

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

NEW BUSINESS

Mr. McCormick read into the record the names, types of applications, and the reasons for denial of the applications denied by the committee.

Betcher, Jon Martin – plumbing plans examiner, electrical plans examiner, 1&2 family dwelling inspector – lack of experience; Burdick, Neal Lynn – provisional 1&2 family dwelling inspector – lack of experience; Collins, Jeffery Lee – plumbing plans examiner, plumbing inspector – lack of experience; Coon, Richard Allen – building inspector – lack

of experience; Diaz, Juan Modesto – provisional mechanical plans examiner – BOAF cross-training certificate is only for a standard license not a provisional; Goldberg, William Joseph – building inspector, mechanical inspector, electrical inspector, mechanical plans examiner, building plans examiner – lack of experience; Herr, Frank Thomas – electrical inspector – lack of experience; Innes, Steve – roofing inspector – does not meet requirements of Rule 61G19-6.016(3), F.A.C.; Jenal, Christian Joseph – 1&2 family dwelling inspector – does not meet requirements of Rule 61G19-6.017(2), F.A.C.; Johnson, Larry L. – plumbing inspector – lack of experience; Johnson, Roy Lee – 1&2 family dwelling inspector – lack of experience; Lake, David Lee – provisional building code administrator – lack of experience and not newly hired or promoted into the position; Leatherwood, Steven L. – mechanical inspector – lack of experience; Lind, George F. – electrical inspector – possible unlicensed activity which cannot be used for experience; Miller, Thomas C. – building inspector – lack of experience; Morat, Lawrence S. – plumbing inspector, modular plans examiner, modular inspector, roofing inspector, 1&2 family dwelling plans examiner, plumbing plans examiner – lack of experience; Naumann, Stephen J, Jr. – building plans examiner – lack of experience; Page, Robert Glen – 1&2 family dwelling inspector – does not meet requirements of Rule 61G19-6.017(2), F.A.C.; Powers, Cliff – mechanical inspector – lack of experience; Richart, Michael R. – provisional mechanical inspector, provisional plumbing plans examiner, provisional mechanical plans examiner, provisional electrical plans examiner, provisional plumbing inspector, provisional electrical inspector – lack of experience and not newly hired or promoted into the positions; Ritter, Robert Daniel – provisional 1&2 family dwelling inspector, 1&2 family dwelling inspector – lack of experience; Sellers, Corey Lee – 1&2 family dwelling inspector, 1&2 family dwelling plans examiner, electrical plans examiner, building plans examiner, electrical inspector, building inspector – lack of experience; Siaba, Hiram G. – roofing inspector – does not meet requirements of 61G19-6.016(3), F.A.C.; Sperlongo, Angelo S. – electrical inspector – possible unlicensed activity which cannot be used for experience; Stephenson, Kenneth R. – provisional plumbing inspector – lack of experience; Streder, Steven E – electrical inspector – lack of experience; Tribue, Marvin Luther – building inspector – lack of experience; Turner, Charles T. – roofing inspector – does not meet requirements of 61G19-6.016(3), F.A.C.; Urquhart, Glen D. – mechanical inspector – lack of experience; Walker, Lawrence Mark – provisional plumbing inspector – lack of experience; Wildermuth, Larry Ray – provisional 1&2 family dwelling inspector, 1&2 family dwelling inspector – lack of experience.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 3:10 p.m.

April 16, 2010

CALL TO ORDER

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

Members Present

Bob McCormick, Chair
Art Barthlow
Gerry Demers
Richard Gathright
Bob Kymalainen
Orlando Lamas

Members Not Present

Nick Sasso, Vice-Chair
Dennis Carpenter
Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Todd Wax
Robert Hill
Joe Crum
Doug Harvey
Rob von Kampen

Chair McCormick informed the members that Mr. Carpenter had a conflict with attending Friday's meeting, Mr. Dudley had advised previously that would not be able to attend this meeting because of the legislative session, and Vice-Chair Sasso advised late that he would not be able to attend.

MOTION: Mr. Kymalainen made a motion that they all be excused.

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

APPROVAL OF THE FEBRUARY 9 – 12, 2010, MINUTES OF THE MEETING

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

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

LETTER FROM THE BUILDING OFFICIALS ASSOCIATION OF FLORIDA REGARDING A REQUEST FOR RULE MAKING HEARING FOR RULE 61G19-6.0035, F.A.C., APPLICATION FOR PROVISIONAL AND/OR STANDARD CERTIFICATION

Chair McCormick stated that this letter was provided at the end of the February meeting and he agreed to have it reviewed and placed on the April agenda. He asked Mr. Harvey if BOAF understood that the requirement was five years. He also asked if BOAF would like to suggest rules on this issue. He added that they were welcome to present some proposed language, with the understanding that the requirement is five years in the discipline sought.

Mr. Dennis stated that the request involved Rule 61G19-6.0035, F.A.C., regarding experience and other requirements. He stated that he had previously spoken to Chair McCormick about opening the rule. The issue is that over time, some applicants have had difficulty understanding the one year hands-on requirement versus the five-year requirement in the statute. Mr. Dennis commented that based on arguments and license challenges, it might be advisable to amend the rule. The issues may not be exactly the same but the main issue might help clarify the requirement. He stated that the issue regarding the affidavit of experience may need to be tweaked in the application form based on similar issues with the Construction Industry Licensing Board. Mr. Dennis recommended that the board authorize staff to notice the rule for development and schedule a workshop at the next meeting. It will provide individuals the opportunity to appear, however, the board is not required to make any changes.

Chair McCormick asked Mr. Dennis to provide language for the board's review. Mr. Dennis responded that he would provide a draft at the next meeting.

Mr. Harvey informed the board that the reason for this request was there is some misunderstanding in the industry regarding the requirements for licensure. He stated that he will get with the BOAF membership and they will request revised wording. Mr. Harvey stated that he will ask that individuals not attend the meeting to complain about issues. He did request a time certain for the workshop of Thursday at 1:00 p.m. due to the BOAF annual conference.

MOTION: Mr. Kymalainen made a motion that the board authorize a rules workshop to be held on June 10, 2010, at 1:00 p.m. and the rules be noticed for same.

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

LETTER FROM THE CITY OF BRISTOL REGARDING OBTAINING A BUILDING CODE ADMINISTRATOR/BUILDING INSPECTOR

Mr. Dennis informed the board that there was a response letter in the hand-outs. He stated that he spoke with the Chair and Ms. Barineau about the letter and sent the response. Mr. Dennis advised them that it would be inappropriate to issue a ruling to the city at this time. No further response is needed.

REQUEST FOR REINSTATEMENT OF LIMITED LICENSES FROM ROLANDO NECUZE

Mr. Necuze was not present at the meeting. Mr. Dennis stated that the limited license had expired, and he had a hardship due to family illness. The license has gone null and void, and he was requesting the board reinstate his license. Mr. Dennis stated that the historical practice has been not to extend the limited license.

MOTION: Mr. Barthlow made a motion that the board deny the request to reinstate the license as requested.

SECOND: Motion died for lack of a second.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board deny the request to reinstate the license as requested.

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

REQUEST FOR EXTENSION OF PROVISIONAL LICENSES FROM TODD WAX

Mr. Wax was present at the meeting along with Mr. Robert Hill, Building Official for Village of Royal Palm Beach.

Following discussion, the following action was taken.

MOTION: Mr. Demers made a motion that the board deny the request for an extension of Mr. Wax's provisional licenses.

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

REPORTS

Chair's Report – Bob McCormick

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

Application Review Committee – Bob McCormick

Ratification List

Chair McCormick reported that the committee reviewed 105 applications, of which 57 were denied and 48 were approved.

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

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

Rules and Legislation Committee – Richard Gathright

Mr. Gathright reported on bills that he was tracking that were related to the profession.

Examination and Continuing Education Committee – Bob McCormick

Chair McCormick reported that the committee reviewed 62 courses, of which 54 were approved and eight were denied.

MOTION: Mr. Kymalainen made a motion that the board approve the actions of the committee.

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

Executive Committee – Bob McCormick

Chair McCormick did not have a report at this time.

Board Counsel – Tim Dennis

Michael Krill Final Order – DOAH Case No. 10-0328

Mr. Dennis reported that the rules were addressed at the committee meeting. He informed the board that he had provided a copy of a notice from Mr. Krill withdrawing his request for a formal hearing. He asked the board to review the order he drafted regarding this matter.

MOTION: Mr. Demers made a motion that the board approve the final order as drafted for Michael Krill.

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

**Executive Director – Robyn Barineau
Financial Report – December 31, 2009**

Ms. Barineau reviewed the financial report with the board and informed them that they had an operating account balance of \$1.1 million and in their unlicensed activity account, there was a balance of \$252,000. She stated that she should have the 3rd quarter report in the June agenda.

ICC Update – Rob von Kampen, Ph.D.

Dr. von Kampen provided information about the examination process and discussed each category with the board.

PUBLIC COMMENTS

There were no comments from the public.

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the board, the meeting was adjourned at 11:04 a.m.