

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

Floridays Resort
12550 Floridays Resort Drive
Orlando, FL 32821
December 7, 8 & 9, 2011

December 7, 2011

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

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

Members Present

Richard Gathright, Chair
Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Robert R. Bogart, Jr.
Terry Summerell
Robert McLarnon
Bob Bass
George Hoyt
Glenn Stambaugh
George Desharnais
Gary Snodgrass
Thomas Rumboli
Heather Howard, Court Reporter

REVIEW OF APPLICATIONS

Robert R. Bogart – Mechanical Inspector

Mr. Bogart was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied.

George Edward Hoyt – 1&2 Family Dwelling Inspector, Building Plans Examiner, Building Code Administrator, Building Inspector, Plumbing Inspector, Electrical Inspector, Commercial Pool Inspector, Residential Pool Inspector, Roofing Inspector, Mechanical Plans Examiner, Plumbing Plans Examiner, Electrical Plans Examiner, Mechanical Inspector

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

Thomas Albert Romboli – Electrical Plans Examiner

Mr. Romboli was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied.

Terry Lee Summerell – Electrical Plans Examiner, Electrical Inspector

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

Robert Raymond McLarnon – Building Code Administrator, Building Plans Examiner, Plumbing Plans Examiner, Building Inspector, Mechanical Inspector, Plumbing Inspector, 1&2 Family Dwelling Inspector

Mr. McLarnon was present at the meeting and was sworn in by the court reporter. In discussion, it was noted that he would not qualify for endorsement for the building code administrator. He was asked if he was willing to change his application to examination, which he agreed to. Following discussion, his remaining applications were denied.

George William Desharnais, Jr. – Building Code Administrator

Mr. Desharnais was present at the meeting, and his application was approved.

Gary Wayne Snodgrass – 1&2 Family Dwelling Inspector

Mr. Snodgrass was present at the meeting, and his application was approved.

Glenn B. Stambaugh – Electrical Inspector

Mr. Stambaugh was present at the meeting, and his application was approved.

At this time, the Committee continued to review applications.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:50 p.m.

December 8, 2011

CALL TO ORDER

Chair McCormick called the meeting to order at 9:10 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Fred Dudley
Wayne Francis
Orlando Lamas

Members Not Present

Dennis Carpenter

Gerry Demers
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Marco Antonio Gorrin
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
Joe Rebuck, Gold Coast
Heather Howard, Court Reporter

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Marco Antonio Gorrin – Building Inspector

Mr. Gorrin was present at the meeting and was sworn in by the court reporter. Mr. Gorrin provided additional information for the Board's consideration along with oral testimony regarding his experience. Following discussion, the following action was taken.

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

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

MOTION FOR WAIVER OF RIGHTS

Robert Fought – DBPR Case No. 2010-059715

PCP – McCormick & Gathright

This matter was removed from the agenda.

PROSECUTING ATTORNEY REPORT – LECHEA PARSON

Ms. Parson informed the Board that she did not have a copy of her report to provide to the members. Mr. Dudley asked that this be postponed until tomorrow.

RECESS

There being no further business to come before the Board at this time, the meeting was recessed at 9:45 a.m.

RULES & LEGISLATION COMMITTEE

CALL TO ORDER

Mr. McCormick, Chair of the Board, called the meeting to order at 9:45 a.m.

Members Present

Fred Dudley

Members Not Present

Nick Sasso, Chair

Gerry Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Bob McCormick, Board Member
Richard Gathright, Board Member
Art Barthlow, Board Member
Wayne Francis, Board Member
Orlando Lamas, Board Member
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
Joe Rebuck, Gold Coast
Heather Howard, Court Reporter

LEGISLATIVE REPORT

Mr. Dudley reported that he was tracking 63 construction-related bills that have been filed. He discussed the bills and informed the members if the bill had been heard or not at this time.

OLD BUSINESS

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

NEW BUSINESS

Mr. McCormick stated that there had been discussion at the Application Review Committee meeting regarding provisional license applicants. He stated that when an application for a provisional license is approved, the Committee is restricting the license to the jurisdiction that sponsored the application. Mr. McCormick informed the members that there had been a suggestion that the Board modify the rule to reflect this change .

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that Mr. Jennings draft a proposed rule and bring it to next meeting for review.

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

The members discussed the National Fire Prevention Act being referenced in the rules. Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board move forward with the rule making process without reference to the National Fire Prevention Act.

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

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 10:52 a.m.

**EXAMINATION AND CONTINUING EDUCATION COMMITTEE
CALL TO ORDER**

Mr. Lamas, Chair of the Committee, called the meeting to order at 11:10 a.m.

Members Present

Orlando Lamas, Chair
Art Barthlow

Members Not Present

Dennis Carpenter
Gerry Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Bob McCormick, Board Member
Richard Gathright, Board Member
Wayne Francis, Board Member
Doug Harvey, Building Officials Association of Florida
Michelle Porter, International Code Council
Joe Rebuck, Gold Coast
Heather Howard, Court Reporter

CONTINUING EDUCATION COURSES FOR REVIEW

A. COLLIER COUNTY BUILDING DEPARTMENT (0004687)

New Courses

01. Collier County Government Code of Ethics
Requesting 1 hour ETHICS credit (F-2277, A-2417)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee deny the course as submitted as it does not mention the practice act as required.

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

02. Florida's Sunshine and Public Records Laws
Requesting 2 hours LAWS & RULES credit (F-2278, A-2418)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee deny the course as submitted as it is not relevant to the rules.

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

B. GOLD COAST SCHOOL OF CONSTRUCTION, INC. (0000983)

New Courses

01. Advanced Training-Florida Accessibility Code Update (Classroom)
Requesting 2 hours ACCESSIBILITY credit (F-2291, A-2452)
02. Advanced Training-Florida Accessibility Code Update (Internet)
Requesting 2 hours ACCESSIBILITY credit (F-2292, A-2453)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve courses 1 and 2.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Renewal Courses

01. Know Your Building Code (Classroom) (5007461)
Requesting 3 hours GENERAL credit (F-1946, A-2444)
02. Know Your Building Code (Internet) (5007462)
Requesting 3 hours GENERAL credit (F-1947, A-2445)
03. The Florida Building Code: Overview & Updates (Classroom) (0007287)
Requesting 4 hours GENERAL credit (F-1518, A-2446)
04. The Florida Building Code: Overview & Updates (Internet) (0007288)
Requesting 4 hours GENERAL credit (F-1519, A-2447)
05. Principles of Florida Statutes & Rules (Classroom) (0007289)
Requesting 2 hours LAWS & RULES credit (F-1516, A-2448)
06. Principles of Florida Statutes & Rules (Internet) (0007290)
Requesting 2 hours LAWS & RULES credit (F-1517, A-2449)
07. Wind Mitigation: Strengthening the Roofing System (Classroom) (0007291)
Requesting 1 hour GENERAL credit (F-1508, A-2450)
08. Wind Mitigation: Strengthening the Roofing System (Internet) (0007292)
Requesting 1 hour GENERAL credit (F-1509, A-2451)

MOTION: Mr. Gathright made a motion that the Committee approve all of the renewal courses.
SECOND: Mr. Lamas seconded the motion and it passed unanimously.

C. BOAF-FHBA CONSTRUCTION TRAINING (0004764)

Renewal Courses

01. Florida Laws & Rules (Classroom) (5007454)
Requesting 2 hours LAWS & RULES credit (F-1942, A-2464)

In discussion, Mr. Harvey informed the Committee that he would include the specific statutes in the outline.

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

D. BUILDING OFFICIALS ASSOCIATION OF FLORIDA, INC. (0001001)

Renewal Course

01. Florida Accessibility Code & Fair Housing Guidelines (Classroom)
Requesting 2 hours ACCESSIBILITY credit (F-1970, A-2454) (5007473)

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

SECOND: Mr. Dudley seconded the motion.

In discussion, Mr. Dudley withdrew his second, therefore, the motion died.

There was discussion regarding the renewal of the course since it was based on the 2007 accessibility code. Mr. Harvey informed the Committee that he will be resubmitting the course at a later date with the updated code.

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

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

New Courses

01. Wind Provisions of 2010 FBC and ASCE 7-10 (Classroom)
Requesting 4 hours GENERAL credit (F-2293, A-2455)

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

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

02. Common Code Violations (Internet)
Requesting 2 hours GENERAL credit (F-2294, A-2456)

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

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

03. Area of Accessibility (Internet)
Requesting 2 hours ACCESSIBILITY credit (F-2295, A-2457)

MOTION: Mr. Dudley made a motion that the Committee approve the course.

SECOND: Mr. McCormick seconded the motion.

In discussion, Mr. Gathright stated that he did not have a concern with the course as long as the attendees knew the course was based on the 2007 codes.

MOTION: Mr. Dudley accepted the amendment to his motion.

SECOND: Mr. McCormick accepted the amendment, and the motion passed unanimously.

04. Ethics in Construction (Internet)
Requesting 1 hour ETHICS credit (F-2296, A-2458)

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Committee approve the course with the condition that the outline be amended to include Chapter 468, Part XII, Florida Statutes.

SECOND: Mr. McCormick seconded the motion.

Following discussion, Mr. McCormick withdrew his second.

MOTION: Mr. McCormick made a motion that the Committee deny the course as it does not meet the requirements of Rule 61G19-19.001(4), FAC.

SECOND: Mr. Gathright seconded the motion and it passed with Mr. Dudley voting against the motion.

05. Solar Permitting and Inspection (Internet)
Requesting 1 hour GENERAL credit (F-2297, A-2459)

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

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

06. Introduction to Solar PV Systems (Internet)
Requesting 1 hour GENERAL credit (F-2298, A-2460)

07. Required Laws & Rules (Internet)
Requesting 2 hours LAWS & RULES credit (F-2299, A-2461)

08. Introduction to Green Building (Classroom)
Requesting 1 hour GENERAL credit (F-2300, A-2462)

09. Introduction to the Wood Frame Construction Manual (Classroom)
Requesting 4 hours GENERAL credit (F-2301, A-2463)

MOTION: Mr. McCormick made a motion that the Committee approve the remaining courses.

SECOND: Mr. Dudley seconded the motion which passed with Mr. Gathright 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 at this time, the meeting was adjourned at 12:34 p.m.

December 9, 2011

CALL TO ORDER

Chair McCormick called the meeting to order at 9:02 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Fred Dudley
Wayne Francis
Orlando Lamas

Members Not Present

Dennis Carpenter
Gerry Demers
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Doug Harvey, BOAF
Michelle Porter, ICC
Heather Howard, Court Reporter

Chair McCormick informed the Board that Mr. Demers notified staff he would be unable to attend this meeting, and Mr. Carpenter notified staff that he was unable to attend because of illness. Mr. Dudley notified Chair McCormick at beginning of the meetings this week that he would not be able to attend the meeting today due to a conflict.

MOTION: Vice-Chair Gathright made a motion that the Board excuse the absences of Mr. Demers, Mr. Carpenter and Mr. Dudley.

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

Chair McCormick stated that Mr. Sasso was not present, that he was notified of the meeting, and he has not responded. He suggested that his absence his be unexcused.

MOTION: Vice-Chair Gathright made a motion that the Board not excuse the absence of Mr. Sasso.

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

APPROVAL OF THE OCTOBER 26, 27 & 28, 2011, MINUTES OF THE MEETING

There were two corrections to the minutes.

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

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

DISCUSSION OF PROPOSED APPLICATION CHANGES

Ms. Barineau stated that each member was provided a copy of the proposed application forms for the Department's ApplyNow! project. She stated that these were drafts for the members to review and if anyone had any comments, she asked that they be provided by December 13.

REPORTS

Prosecuting Attorneys Report – LeChea Parson

Ms. Parson reported that there had been two cases received in Legal, 9 cases were set for probable cause, and one case was sent for expert review.

Ms. Parson reported that for the public cases there were three cases in settlement negotiations, one case for reconsideration which was heard at this meeting, nine cases were set for Board presentation and two had been heard.

In discussion, Ms. Parson informed the Board that she will provide them with a memorandum that describes all of the status codes.

Chair's Report – Bob McCormick

Report on Ad-Hoc Committee for Reciprocity with the Division of State Fire Marshal for Continuing Education Hours

Draft of Rule 61G19-9.004(11)

Chair McCormick informed the Board that the Ad-Hoc Committee did not materialize. He crafted the rule language which was discussed at the Rules Committee meeting this week. Chair McCormick stated that the rule making process will begin at the next meeting.

Application Review Committee – Richard Gathright

Ratification of Actions Taken by the Committee

Vice-Chair Gathright reported that the Committee reviewed 64 applications, of which 31 were approved and 33 were denied. He read denials and the approved provisional licenses, with the limitations, into the record at this time.

Approved Provisional Licenses:

Doyle, James Stephen – Provisional Electrical Inspector – limited to Plan City; Malone, Michael Brett, Jr., - Provisional Electrical Inspector – limited to the City of Hialeah; Roberts, Ronald Lynn – Provisional Building Code Administrator – limited to the City of Daytona Beach; Tetlak, Stephen Paul – Provisional Electrical Plans Examiner – limited to Manatee County

Denials:

Bogart, Robert R., Jr. – mechanical Inspector – lack of experience; Fiorey, Steven Joseph – Plumbing Inspector, Electrical Inspector – lack of experience; Genson, Barrett Paul – Building Code Administrator – no equivalent examination submitted for endorsement; Hoyt, George Edward – 1&2 Family Dwelling Inspector – does not meet requirements of 61G19-6.017; Building Plans Examiner, Building Inspector, Plumbing Inspector, Electrical Inspector, Mechanical Plans Examiner, Plumbing Plans Examiner, Electrical Plans Examiner, Mechanical Inspector – Building Code Administrator – 468.609(3)(c) and 61G19-6.0035(b), Commercial Pool Inspector – 61G19-6.016(2), Residential Pool Inspector – 61G19-6.016(1), Roofing Inspector – 61G19-6.016(3); Hruda, Joseph P., Jr., - Plumbing Inspector – lack of experience; Massanet, Milton – 1&2 Family Dwelling Inspector – 61G19-6.017; McLarnon, Robert Raymond – Building Plans Examiner, Plumbing Plans Examiner, Building Inspector, Mechanical Inspector, Plumbing Inspector – lack of experience, 1&2 Family Dwelling Inspector – lack of experience and does not qualify for endorsement; Romboli, Thomas Albert – Electrical Plans Examiner –

lack of experience; Rosenkoff, Gilbert R. – Provisional Building Code Administrator – not new hired or promoted into the position; Tischler, Allan H. – Plumbing Inspector – lack of experience; Walsh, Jonathan D. – Provisional Coastal Construction Inspector, Provisional 1&2 Family Dwelling Inspector, Provisional Building Inspector – not newly hired or promoted into the position, 1&2 Family Dwelling Inspector – lack of experience; Wenzel, Patrick Lynn – Provisional 1&2 family dwelling Inspector – failed to demonstrate compliance with 61G19-6.017.

MOTION: Chair McCormick made a motion that the Board approve the actions of the Committee.

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

Ratification List

MOTION: Chair McCormick made a motion that the Board approve the Ratification List as submitted.

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

Rules and Legislation Committee –

Chair McCormick reported that the Committee discussed and directed Mr. Jennings to draft language for a rule to codify the limitation of the jurisdiction when a provisional applicant is awarded a license. He also stated that Mr. Jennings was going to draft and notice rule making for reciprocity with the State Fire Marshal's Office. Chair McCormick stated that Mr. Dudley gave a report on the bills that would be of interest to this Board.

Examination and Continuing Education Committee – Orlando Lamas

Mr. Lamas reported that the Committee reviewed 23 applications, of which, 20 were approved and three were denied.

Board Counsel – Clark Jennings

Update on Minimum Recordkeeping Requirements Research

Mr. Jennings reported that there was no basis for a rule on this issue.

Mr. Harvey stated that he would discuss this issue with the BOAF board of directors.

Executive Director – Robyn Barineau

November Ratification List

Ms. Barineau reported that the list contained two names which were both approved.

Financial Report – September 30, 2011

Ms. Barineau reported that as of September 30, 2011, the Board had a balance of approximately 1.5 million dollars in their operating account and over \$288,000 in their unlicensed activity account.

2012 Meeting dates

February 6-10 Jacksonville

April 4 - 6 Daytona Beach

June 5 - 7 Orlando

August 15 -17 Panama City

October – pending
Dec 5 - 7 Tampa

ICC Update – Michelle Porter

Ms. Porter provided a report for the Board's review regarding the examinations and discussed the report with the Board.

Ms. Porter informed the Board of changes that will take place in 2012. She stated that the computer-based testing vendor's, PearsonVue, platform will be upgraded and should be more user friendly. Ms. Porter also discussed the reference changes for some of the examinations.

MOTION: Vice-Chair Gathright made a motion that the ICC examinations continue to be based on 2009 ICC codes.

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

PUBLIC COMMENTS

Mr. Harvey informed the Board that there is an extensive amount of time spent during the laws and rules portion of the classes relating to applications. They also try and encourage building departments to have one person review all applications prior to them being submitted to the Board.

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 at this time, the meeting was adjourned at 10:08 a.m.