

# MINUTES OF THE MEETING

## BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

Hilton – Ocala  
3600 SW 36 Avenue  
Ocala, FL 34474  
October 26, 27, & 28, 2011

October 26, 2011 – 9:00 A.M.

### 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  
Mark Scheuer  
Remy Gili  
Mark Ritayik  
Dana Root  
Ronald Schwab  
Jeff Kerr  
Amir Anisi  
Thomas Carrick  
Tommy Matthews  
Katharine Szostak  
Joseph E. Davis  
Gregory H. Young  
Larry Leveritt  
Kevin Kruger  
Michael Gerald  
Mark Gutierrez  
Randy Jones  
Gerardo Lomastro  
Tom Frett  
Peter Hortsman  
Tony Bewley  
Glen Fiorello  
Howard Lane Hamrick  
Dona Fisher, Court Reporter

## **REVIEW OF APPLICATIONS**

### **Mark Scheuer – Building Inspector**

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

### **Remy Gili – Building Inspector**

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

### **Ronald Schwab – Plumbing Inspector**

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

### **Peter Hortsman – Building Plans Examiner and Building Inspector**

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

### **Thomas Frett – Building Inspector**

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

### **Thomas Carrick – Building Code Administrator**

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

### **Michael Morris Geraldts – Mechanical Inspector, 1&2 Family Dwelling Plans Examiner, Mechanical Plans Examiner, Plumbing Plans Examiner and Plumbing Inspector**

Mr. Morris was present at the meeting and was sworn in by the court reporter. Following discussion, his 1&2 family dwelling plans examiner application was approved. The other applications were denied due to a lack of experience.

### **Kevin Paul Kruger – Electrical Inspector**

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

### **Gerardo Lomastro – Provisional Building Plans Examiner**

Mr. Lomastro was present at the meeting and was sworn in by the court reporter. Following discussion, his application was approved, but limited to Cooper City.

### **Thomas Samuel Matthews – Provisional 1&2 Family Dwelling Inspector**

Mr. Matthews was present at the meeting and was sworn in by the court reporter. Following discussion, his application was approved, but limited to Columbia County.

### **Dana Chapin Root – 1&2 Family Dwelling Plans Examiner and Modular Inspector**

Mr. Root was present at the meeting and was sworn in by the court reporter. Following discussion, his applications were approved. He was informed he would be required to take the modular inspector examination.

**Katherine Szostak – Building Plans Examiner**

Ms. Szostak was present at the meeting and was sworn in by the court reporter. Following discussion, the application was denied due to a lack of experience.

**Amir Anisi – Building Code Administrator**

Mr. Anisi was present at the meeting. His application was approved.

**Mark E. Ritayik – 1&2 Family Dwelling Inspector**

Mr. Ritayik was present at the meeting. His application was approved.

**Jeff Kerr – Building Code Administrator**

Mr. Kerr was present at the meeting. His application was approved.

**Howard Lane Hamrick – Plumbing Plans Examiner**

Mr. Hamrick was present at the meeting. His application was approved.

The committee continued to review applications.

**ADJOURNMENT**

There being no further business to come before the committee, the meeting was adjourned at 7:00 p.m.

**October 27, 2011 – 9:00 A.M.**

**BOARD MEETING**

**CALL TO ORDER**

Chair McCormick called the meeting to order at 9:17 a.m.

**Members Present**

Bob McCormick, Chair  
Richard Gathright, Vice-Chair  
Art Barthlow  
Dennis Carpenter  
Gerry Demers  
Fred Dudley  
Wayne Francis

**Members Not Present**

Orlando Lamas  
Nick Sasso

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Clark Jennings, Board Counsel  
Libby Henderson, Prosecuting Attorney  
LeChea Parsons, Prosecuting Attorney  
Doug Harvey, Building Officials Association of Florida  
Steve Terepka  
Meredith Ross  
Ralph Monzo  
Jonathan Walsh  
Frank Brown  
B. Dean Hall, Jr.  
Jim Washington  
Terry Summerell  
Edwin Bayo'  
Nicholas Tullo  
Larry Leveritt  
Gregory H. Young  
Wayne R. Thorne  
David Hodges  
Linda Patrick  
Mark Gutierrez  
Mike Pierro  
Joe Rebuck, Gold Coast Schools  
Sandie Sheppard, Court Reporter

Chair McCormick stated that there had been a request to amend the agenda to have the Prosecuting Attorney's Report on Friday.

MOTION: Mr. Dudley made a motion that the board approve the change to the agenda to have the Prosecuting Attorney's Report on Friday.

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

#### **MOTION FOR RECONSIDERATION**

#### **Raph Monzo –Building Code Administrator, 1&2 Family Dwelling Inspector, and Modular Inspector**

Mr. Monzo was present at the meeting and was sworn in by the court reporter. Mr. Edwin Bayo, Esquire, was also present. Mr. Bayo presented the board with new affidavits for their consideration.

MOTION: Mr. Dudley made a motion that the board approve the reconsideration of the applications.

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

Mr. Bayo informed the board that Mr. Monzo was only requesting that the board consider his building code administrator application as he wanted to withdraw the 1&2 family dwelling inspector and modular inspector applications.

MOTION: Mr. Dudley made a motion that the board reconsider the application for the building code administrator only.

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

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the application for building code administrator.

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

### **HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT**

#### **Raph Monzo – Provisional Building Code Administrator and 1&2 Family Dwelling Plans Examiner**

Mr. Bayo informed the board that Mr. Monzo wished to withdraw these applications.

#### **Frank Brown – Provisional Building Code Administrator**

Mr. Brown was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the board's consideration.

Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the board approve the application based on the new information.

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

#### **Billy Dean Hall – Mechanical Plans Examiner**

#### **Plumbing Plans Examiner**

Mr. Hall was present at the meeting along with Mr. Jim Washington, Building Official. They were both sworn in by the court reporter.

In discussion, Mr. Washington stated that he had provided a new affidavit, however, it was not included in the agenda materials. Mr. Hall informed the board of his experience.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the applications based on testimony at the meeting.

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

#### **Sheila S. Oliver – Provisional Building Code Administrator**

Ms. Oliver was not present at the meeting. Following discussion, the following action was taken.

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

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

### **Wayne R. Thorne – Electrical Inspector**

Mr. Thorne was present at the meeting and was sworn in by the court reporter. Chair McCormick stated that Mr. Thorne obtained his experience for the electrical plans examiner license by going through the BOAF cross training program.

In discussion, Mr. Doug Harvey, BOAF, informed the board that the training programs are different for inspectors and plans examiners.

MOTION: Mr. Dudley made a motion that the board uphold the denial as originally stated.  
SECOND: Vice-Chair Gathright seconded the motion and it passed unanimously.

### **Nicholas Tullo – Provisional Plumbing Inspector**

Mr. Tullo was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the board's consideration.

Following discussion, the following action was taken.

MOTION: Mr. Demers made a motion that the board approve the application based on the additional information and testimony.  
SECOND: Mr. Barthlow seconded the motion and it passed unanimously.

### **Jonathan Walsh – Provisional Building Code Administrator**

Mr. Walsh was present at the meeting and was sworn in by the court reporter. Additional information had been provided for the board's consideration.

During discussion, Mr. Walsh was asked to provide a letter, from the highest ranking person in Collier County, that he will be the building official.

MOTION: Vice-Chair Gathright made a motion that the board table the hearing until the end of business today.  
SECOND: Mr. Dudley seconded the motion and it passed unanimously.

Mr. Walsh returned later in the day with a letter for review by the board.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that sufficient proof had been provided to approve the application and that it be limited to Collier County.  
SECOND: Mr. Barthlow seconded the motion which passed with Chair McCormick and Mr. Francis voting against the motion.

### **Continuing Education Courses**

#### **ON-LINE-CLASSES.COM DBA OF INFINITY LC**

Ms. Meredith Ross and Mr. Steve Terepka were present and sworn in by the court reporter. Additional information had been submitted for the board's consideration for both of the courses.

**Ethical Responsibilities of Public Officials (Internet)  
Requesting 1 hour ETHICS credit (F-2257, A-2396)**

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the course based on the additional information submitted.

SECOND: Mr. Demers seconded the motion which passed with Vice-Chair Gathright voting against the motion.

**Advanced Residential Design Requirements (Internet)  
Requesting 1 hour LAWS & RULES credit (F-2259, A-2398)**

In discussion, it was suggested that the course be approved for general credit, which Ms. Ross and Mr. Terepka agreed to. This course had been approved by Department of Community Affairs as an "Advanced" course.

MOTION: Mr. Dudley made a motion that the board approve the course for general credit based on the additional information submitted.

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

**INFORMAL HEARINGS**

Mr. Jennings stated that some of the hearings would not be conducted at this meeting due to the lack of a quorum. Chair McCormick asked Mr. Demers to chair the meeting at this time.

**Milton Massanet – DBPR Case #2010-031512  
PCP – Dudley, McCormick & Gathright**

This case was not heard due to the lack of a quorum.

**Mark Severson – DBPR Case #2010-031088  
PCP – McCormick & Gathright**

Ms. Henderson presented the facts regarding this case.

MOTION: Mr. Dudley made a motion that the board adopt the Findings of Facts contained in the Administrative Complaint.

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

MOTION: Mr. Dudley made a motion that the board adopt the Conclusions of Law.

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

Ms. Henderson stated that the Department recommended imposing a fine of \$1,500, \$371.70 costs, a reprimand, and probation of six months.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board impose a fine in the amount of \$1,500, costs in the amount of \$371.70, and 12 months probation.

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

## **SETTLEMENT STIPULATIONS**

**Larry Brown – DBPR Case #2010-055675**

**PCP – Dudley, McCormick & Gathright**

**Robert Downs – DBPR Case #2010-034088**

**PCP – Dudley, McCormick & Gathright**

**Donald Ford – DBPR Case #2010-050502**

**PCP – Dudley, McCormick & Gathright**

**George Parker – DBPR Case #2009-016104**

**PCP – Dudley, McCormick & Gathright**

These cases were not heard due to the lack of a quorum.

**Randall Moore – DBPR Case #2011-000826**

**PCP – McCormick & Gathright**

Mr. Moore was present at the meeting and was sworn in by the court reporter. Mr. Mike Fierro, Esquire, was also present.

Ms. Henderson presented the facts in this case. She stated that Mr. Moore had agreed to a Settlement Stipulation imposing an administrative fine in the amount of \$1,500, and costs in the amount of \$262.95 costs. She stated that the requirement for continuing education was not included in this agreement.

Mr. Fierro stated that Mr. Moore agreed with the stipulation and they did not believe that additional continuing education should be required in this matter.

Following discussion, the following action was taken.

**MOTION:** Mr. Dudley made a motion that the board reject the Settlement Stipulation as presented and offer a Counter Stipulation with the addition of six or seven additional continuing education hours in the area of laws and rules.

**SECOND:** Mr. Barthlow seconded the motion.

Discussion followed during which Mr. Dudley withdrew his motion and Mr. Barthlow withdrew his second.

**MOTION:** Mr. Dudley made a motion that the board approve the Settlement Stipulation as presented.

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

**Terry Summerell – DBPR Case #2011-004399**

**PCP – McCormick & Gathright**

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

Ms. Henderson presented the facts of the case. She stated that Mr. Summerell had agreed to a Settlement Stipulation which imposed a reprimand only.

Following discussion, the following action was taken.



MOTION: Mr. Dudley made a motion that the board reject the Settlement Stipulation as presented and direct the prosecutor to renegotiate the Stipulation imposing a penalty according to the guidelines plus costs.

SECOND: Motion died for lack of a second.

During discussion, Ms. Henderson informed the board that his was a technical violation.

MOTION: Mr. Dudley made a motion that the board reject the Settlement Stipulation as presented.

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

Ms. Henderson informed the board that the costs in this case were \$239.20.

MOTION: Mr. Carpenter made a motion that the board offer a Counter Stipulation imposing costs in the amount of \$230.20 and six months of non-reporting probation.

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

Mr. Summerell accepted the Counter Settlement Stipulation.

#### **VOLUNTARY RELINQUISHMENT**

**Mohammed Partovi – DBPR Case #2008-020480**

**PCP – Dudley, McCormick & Gathright**

Mr. Bayo was present at the meeting on behalf of Mr. Partovi.

Ms. Henderson presented the facts in this case and stated that Mr. Partovi had agreed to voluntarily relinquish his license.

Mr. Jennings stated that a quorum is required in order to take action, however, Mr. Partovi is surrendering his license, and Mr. Bayo agree to state on the record that the Respondent is willing to waive a quorum.

Mr. Bayo informed the board that they were willing to waive the quorum issue. Mr. Partovi had signed the voluntary relinquishment document, and was willing to proceed with final action.

Ms. Henderson stated that there was an error in the Administrative Complaint which listed the license as a building code administrator instead of a plans examiner license. She stated that she had discussed this with Mr. Jennings and it will be noted in the Final Order. Mr. Bayo stated that he did not have any objections.

MOTION: Mr. Barthlow made a motion that the board approve the voluntary relinquishment in this case.

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

#### **MOTION FOR WAIVER**

**Ronald Morgan – DBPR Case #2010-051819**

**PCP – Dudley, McCormick & Gathright**

This case was not heard due to the lack of a quorum.

**Robert Fought – DBPR Case #2010-059676  
PCP – McCormick & Gathright**

Mr. Fought was not present at the meeting. Ms. Henderson informed the board that proof of service was included in the agenda materials. She stated that the Respondent failed to report a conviction.

MOTION: Mr. Dudley made a motion that the board find that the Respondent was properly served with the Administrative Complaint and, therefore, has waived their right to a hearing.

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

Ms. Henderson asked that the board approve the findings of fact and conclusions of law as those of the board. She stated that the Department recommended an administrative fine in the amount of \$1,500, costs in the amount of \$250.39, and revocation of his license.

MOTION: Mr. Dudley made a motion that the board approve the findings of fact and conclusions of law as presented.

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

MOTION: Mr. Dudley made a motion that the board revoke the license, impose an administrative fine in the amount of \$1,500, and cost in the amount of \$250.39.

SECOND: Mr. Carpenter seconded the motion.

Following discussion, the following action was taken.

Mr. Carpenter withdrew his second to the motion.

SECOND: Mr. Francis seconded the motion made by Mr. Dudley which passed with Mr. Carpenter voting against the motion.

Ms. Henderson introduced Ms. LeChea Parson as the new prosecutor for the board. Chair McCormick welcomed Ms. Parson.

**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 12:23 p.m.

**RULES & LEGISLATION COMMITTEE  
CALL TO ORDER**

Mr. McCormick, Chair of the board, called the meeting to order at 1:50 p.m.

**Members Present**

Gerry Demers  
Fred Dudley

**Members Not Present**

Nick Sasso, Chair

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Clark Jennings, Board Counsel  
Doug Harvey  
Linda Patrick  
Jeff Rebuck  
David Hodges  
Sandie Sheppard, Court Reporter

**LEGISLATIVE REPORT**

Mr. Dudley discussed bills that had been filed for the upcoming Legislative Session with the committee. He informed the committee that the session will start on January 10, 2012.

**DISCUSSION REGARDING STORAGE OF INFORMATION**

Mr. Harvey informed the committee that he obtained as much information as he could regarding this issue and the results were included in the agenda materials. He stated that he did not receive many responses as he hoped.

Mr. McCormick commented that the results were informative, however, he was unsure as to how the information would be used.

During discussion, Mr. McCormick asked Mr. Jennings to advise the board as to the likelihood of adding recordkeeping language to the Florida Building Code. He stated that there is a list of inspections that have to be done and perhaps that could be used for the maintaining of records requirement.

Mr. Jennings stated that he would research this issue.

**DISCUSSION OF RULE 61G19-5.002, F.A.C. - DISCIPLINARY GUIDELINES**

Mr. Jennings informed the committee that this rule had been noticed.

**OLD BUSINESS**

Mr. McCormick discussed the reciprocity agreement with the State Fire Marshal's Office (SFMO). Mr. McCormick stated that he met with Mr. Karl Thompson, and he provided a 42 page list of courses. Mr. McCormick stated that he had hoped to be able to review the list for reciprocity but that could not be done because there were no course details on the list. He would like to ask BOAF to submit four names of individuals that hold both licenses and Mr.

Thompson will ask the Fire Marshal Association for four qualified individuals. They will pick two from each list and the goal is to have them meet and identify what courses will constitute appropriate training. Mr. McCormick stated that if this could be done, he would like to have it accomplished by next meeting.

MOTION: Mr. Dudley made a motion that the board solicit BOAF for names to participate in the review of the courses.

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

### **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 3:16 p.m.

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

Mr. McCormick called the meeting to order at 3:17 p.m.

#### **Members Present**

Art Barthlow  
Dennis Carpenter  
Gerry Demers

#### **Members Not Present**

Orlando Lamas, Chair

#### **Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Clark Jennings, Board Counsel  
Bob McCormick, Board Member  
Richard Gathright, Board Member  
Fred Dudley, Board Member  
Wayne Francis, Board Member  
Doug Harvey  
Linda Patrick  
Jeff Rebuck  
David Hodges  
Sandie Sheppard, Court Reporter

### **CONTINUING EDUCATION COURSES FOR REVIEW**

#### **A. FIRST COAST CHAPTER ICC-BOAF (0003643)**

##### **New Course**

1. 2010 Rewrite of the Florida ADA  
Requesting 2 hours ACCESSIBILITY credit (F-2288, A-2438)

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

**B. NEW PROVIDER: ON-LINE-CLASSES.COM DBA OF INFINITY LC  
(F-300, A-693)  
New Courses**

Ms. Meredith Ross and Mr. Steve Terepka were present and were sworn in by the court reporter.

Following discussion, the following action was taken.

1. Advanced Wind Mitigation Methodologies, Part 1 (Internet)  
Requesting 1 hour LAWS & RULES credit (F-2284, A-2426)
2. Advanced Wind Mitigation Methodologies, Part 2 (Internet)  
Requesting 1 hour LAWS & RULES credit (F-2285, A-2427)

MOTION: Mr. Demers made a motion that the committee approve the courses for GENERAL credit.  
SECOND: Mr. Dudley seconded the motion and it passed unanimously.

Ms. Ross and Mr. Terepka agreed to the change.

**C. REEDY CREEK IMPROVEMENT DISTRICT (0001079)  
Renewal Courses**

MOTION: Mr. Demers made a motion that the committee approve courses 1 through 8 as submitted.  
SECOND: Motion died for lack of a second.

1. EPCOT Building Code for Occupancy and Type of Construction (0002670)  
Requesting 3 hours GENERAL credit (F-337, A-2430)
2. EPCOT Plumbing Code – Plumbing Fixtures (0002671)  
Requesting 2 hours GENERAL credit (F-338, A-2431)
3. EPCOT Accessibility Code based on the Fla Accessibility Code (0002672)  
Requesting 2 hours ACCESSIBILITY credit (F-339, A-2432)
4. EPCOT Building Code for Safety Construction Requirements (0002673)  
Requesting 3 hours GENERAL credit (F-340, A-2433)
5. Energy Efficiency Code for Building Construction and it's Relationship with the EPCOT Mechanical Code (0002674)  
Requesting 3 hours GENERAL credit (F-341, A-2434)
6. Electrical Codes and Applications (0002884)  
Requesting 2 hours GENERAL credit (F-345, A-2435)

MOTION: Mr. Gathright made a motion that the committee deny courses 1 through 6 as they modify the codes.

SECOND: Mr. Dudley seconded the motion which failed with Mr. Barthlow, Mr. McCormick, Mr. Francis, and Mr. Demers voting against the motion.

MOTION: Mr. Demers made a motion that the committee approve courses 1 through 6 as submitted.

SECOND: Mr. Barthlow seconded the motion which passed with Mr. Gathright, Mr. Dudley, and Mr. Carpenter voting against the motion.

7. Laws and Rules (0006960)  
Requesting 2 hours L&R credit (F-1090, A-2436)
8. Ethics in Public Service (5007415)  
Requesting 1 hour ETHICS credit (F-1864, A-2437)

MOTION: Mr. Gathright made a motion that the committee approve courses 7 and 8 as submitted.

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

#### **D. ELECTRICAL COUNCIL OF FLORIDA (000899)**

##### **Renewal Courses**

1. Overview of Chapter 468.621 & 468.619, Pt. XII, F.S. (5007447)  
Requesting 2 hours LAWS & RULES credit (F-1875, A-2442)

Following discussion, the following action was taken.

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

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

2. Fair Housing Accessibility Guidelines (5007448)  
Requesting 2 hours ACCESSIBILITY credit (F-1877, A-2443)

Following discussion, the following action was taken.

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

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

#### **E. GOLD COAST SCHOOL OF CONSTRUCTION, INC. (0000983)**

##### **New Courses**

Mr. Rebeck was present at the meeting.

1. Green Buildings & The Rating Systems (Classroom)  
Requesting 1 hour GENERAL credit (F-2289, A-2440)
2. Green Buildings & The Rating Systems (Internet)  
Requesting 1 hour GENERAL credit (F-2290, A-2441)

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

SECOND: Mr. Carpenter 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 at this time, the meeting was adjourned at 4:25 p.m.

**October 28, 2011 - 9:00 A.M.**

**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  
Dennis Carpenter  
Gerry Demers  
Fred Dudley  
Wayne Francis

**Members Not Present**

Orlando Lamas  
Nick Sasso

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Clark Jennings, Board Counsel  
Libby Henderson, Prosecuting Attorney  
LeChea Parson, Prosecuting Attorney  
Linda Patrick  
David Hodges

Chair McCormick welcomed Mr. Francis to the board.

Chair McCormick asked that the board excuse the absence of Mr. Lamas as he had notified staff he was unable to attend the meeting.

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

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

Chair McCormick stated that no one had been notified by Mr. Sasso that he would not be in attendance at the meeting.

MOTION: Mr. Dudley made a motion that the board not excuse the absence of Mr. Sasso.

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

### **APPROVAL OF THE AUGUST 9 - 12, 2011, MINUTES OF THE MEETING**

Mr. Demers made a correction to the minutes on page 1802 for the word "believe" to be added.

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

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

### **DISCUSSION OF PROPOSED APPLICATION CHANGES – GERRY DEMERS**

Mr. Demers provided a copy of the proposed changes to the application. He stated that the new application would combine the provisional and examination category, which would be a simple change to the form. There was discussion regarding if someone wanted to only apply for the provisional license if they had already been approved for examination. Mr. Demers stated that he will continue to work on the form and present it once it is complete.

### **REPORTS**

#### **Chair's Report – Bob McCormick**

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

Chair McCormick stated that this was discussed at the committee meeting yesterday and a conference call had been conducted in October to determine what action should be taken. He stated that the State Fire Marshal's Office was in the process of changing some of their procedures and he discussed their process. Chair McCormick stated that BOAF will recommend some licensees and the State Fire Marshal's Office will recommend some of their licensees to identify what education and subjects should be approved for reciprocity.

#### **Application Review Committee – Richard Gathright**

#### **Ratification of Actions Taken by the Committee**

Vice-Chair Gathright reported that the committee reviewed 97 applications, of which 69 were approved and 28 were denied. He read the denials and the approved provisional licenses, with the limitations, into the record at this time.

#### **Approved Provisional Licenses:**

DeGram, Thomas Lee – Provisional Building Plans Examiner – Limited to Collier County; Hunt, Michael Eugene – Provisional Building Plans Examiner – Limited to Osceola County; Lomastro, Gerardo – Provisional Building Plans Examiner – Limited to Cooper City; Matthews, Thomas Samuel – Provisional 1&2 Family Dwelling Inspector – Limited to Columbia County; Pride, Walter D., Sr. – Provisional Electrical Inspector, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Provisional Mechanical Inspector – Limited to St. Lucie County; Vazoulas, John J. – Provisional 1&2 Family Dwelling Inspector – Limited to Marion County



## Denials:

Ayers, Charles Bayless – Provisional Mechanical Inspector – experience not documented by affidavits; Borders, Steve Jay – Plumbing Plans Examiner – lack of experience; Daniels, Benjamin Franklin – lack of experience; Delfino, Salvatore John – building inspector – lack of experience; Ellis, Warren Allen – Electrical Inspector – lack of experience; Galassi, David Q – Building Code Administrator – lack of experience; Garcia, Edwin S. – Provisional Plumbing Inspector, Provisional Mechanical Inspector – lack of experience; Gerald, Michael Morris – Mechanical Inspector, Mechanical Plans Examiner, Plumbing Inspector – lack of experience; Glenn, Joseph Howard – Building Inspector, Provisional Building Inspector – lack of experience; Hammond, Charles P. – Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector – does not meet requirements of 61G19-6.017; Hardy, James K – Roofing Inspector – lack of qualifications; Peterson, Tyler S. – 1&2 Family Dwelling Inspector – lack of experience; Ruggeri, John – Mechanical Inspector, Plumbing Inspector, Electrical Inspector – lack of experience; Sachdeva, Rajiv – Building Inspector – lack of experience; Sharma, Rajesh – 1&2 Family Dwelling Inspector – lack of experience; Sipos, Richard M. – Building Inspector – lack of experience; Sosa, Carlos – Provisional Electrical Plans Examiner – not newly hired or promoted into the position; Szostak, Katherine – Building Plans Examiner – lack of experience; Riech, Harry – Modular Inspector, Modular Plans Examiner – endorsement denied for lack of equivalent examination.

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

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

MOTION: Mr. Dudley made a motion that the board approve the Ratification List as submitted.

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

## **Rules and Legislation Committee –**

Mr. Dudley reported and discussed the bills that had been filed for the upcoming session.

## **Examination and Continuing Education Committee**

Chair McCormick reported that all 15 courses submitted were approved.

## **Board Counsel – Clark Jennings**

Mr. Jennings stated that there was a copy of Executive Order Number 11-211 in the hand-out folders. He stated that the board had to determine if they wanted to notify the Office of Fiscal Accountability and Regulatory Reform (OFARR) one week prior to noticing a rule or once the rule has been noticed. In discussion, Mr. Jennings stated that he did not have a problem with notifying OFARR one week prior to noticing because if there was a problem with the rule, they will know in advance.

MOTION: Mr. Dudley made a motion that legal counsel follow the intent of the revised executive order.

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

## **Executive Director – Robyn Barineau September Ratification List**

Ms. Barineau reported that there were two names on the Ratification List of which one was pulled and reviewed at the meeting.

### **Financial Report**

Ms. Barineau reported that as of June 30, 2011, the board had a balance of approximately 1.3 million dollars in their operating account and \$264,000 in their unlicensed activity account. She stated that the board is projected to stay in the black through 2016.

### **Next Meetings**

December 7 – 9, 2011, in Orlando  
February 8 -10, 2012, in Jacksonville  
April 4 – 6, 2012, in Daytona Beach  
June 5- 7, 2012, in Orlando

### **Tentative Dates**

August 29 – 31, 2012, in Panama City  
October 7 – 9, 2012, in St. Augustine  
December 5 – 7, 2012, in Orlando

Mr. Dudley informed the board that he will probably be asking for an excuse from the February 2012 meeting due to the Legislative Session.

### **ICC Update – Rob von Kampen, Ph.D.**

No report was provided.

### **Prosecuting Attorney Report – Libby Henderson**

Ms. Henderson provided the members with a copy of her report. She informed the board that there was one case for Robert Fought that was not submitted to the board office for this meeting and it will be presented in December.

Ms. Henderson reviewed her report with the board and stated that there was a total of 32 building code cases in the Office of the General Counsel.

Ms. Henderson commented that she had enjoyed working with the board.

Chair McCormick stated that the board had been fortunate to have Ms. Henderson's services since 2005 and that this is probably the best place they have found themselves regarding discipline. He thanked Ms. Henderson for her services and welcomed Ms. Parson.

### **PUBLIC COMMENTS**

There were no public comments at this time.

### **CORRESPONDENCE**

There was no correspondence.

### **OLD BUSINESS**

Mr. Barthlow stated that the board needed to do an inventory of the building officials within the building departments throughout the state. Following discussion, Mr. Barthlow will provide a proposal at the December meeting.

### **NEW BUSINESS**

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

### **ELECTION OF OFFICERS**

#### **Chair**

MOTION: Vice-Chair Gathright made a motion that Mr. McCormick be elected Chair of the board.

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

#### **Vice-Chair**

MOTION: Mr. Carpenter made a motion that Mr. Gathright be elected Vice-Chair of the board.

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

### **ADJOURNMENT**

There being no further business to come before the board, the meeting was adjourned at 10:06 a.m.