

## **EXECUTIVE SUMMARY**

### **Florida Building Code Administrators and Inspectors Board**

#### **I. General Information**

Meeting Type: Application Committee, Examination and Continuing Education Committee, Rules and Legislation Committee, Executive Committee, and General Business Meeting

Meeting Date: Wednesday, December 7, 2005, through Friday, December 9, 2005

Meeting Location: Department of Business and Professional Regulation  
Board Room  
1940 North Monroe Street  
Tallahassee, Florida 32399

#### Attendees:

Bob Kymalainen, Vice Chair  
Bob McCormick  
Rob Nagin  
Margaret Pass  
Nick Sasso  
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Elise Rice, Government Analyst, DBPR  
Jessica Leigh, Assistant General Counsel, DBPR  
Juanita Chastain, Executive Director, DBPR  
Gus Ashoo, Bureau Chief, DBPR  
George Ayrish, Senior Management Analyst II, DBPR  
Ron Safford, Senior Management Analyst II, DBPR  
Della Brabson, DBPR  
Winnifred Christian, DBPR  
Robin Herring, DBPR  
Jeffrey Jones, Assistant Attorney General, Department of Legal Affairs (DLA)

Antonio Vasquez  
Brad Bailey  
Brian Izydorczak  
Charles Barr  
Charles Stanton  
David Branum  
David Horton  
David Vines  
Debbie Board  
Delmos Wilkinson  
Diego Manzano  
Don Fuchs, Building Officials Association of Florida (BOAF)  
Ed Babik  
Frank Piccirilli

Gary Borgman  
Harold Owens  
Ivan Alspuagh  
James Korgel  
James Lund  
Jane Waddel, Contractors Institute  
John Myers  
John O'Connor  
John Salter, Esquire  
Jorge Monserrat  
Joseph Apriesti  
Joseph D. Smallwood  
Ken Thivierge  
Lee Collinsworth  
Michael Kraftsow  
Patrick Shuhler  
Paul Bess  
Randall Cole  
Richard Noles  
Richard T. Baker  
Rita G. Valenti  
Rob von Kampen, International Code Council (ICC)  
Robert Goforth  
Robert Sasser  
Susan Willis, Court Reporter  
Ted Timberlake  
Thomas Cox  
Tim Tolbert  
Tom Allen  
Tom Deckory  
Tony E. Colvin  
Wayne Butler  
Wayne Francis  
William G. Nagy

## **II. Major Issues/Actions**

- The board considered and approved 229 licensure applications and denied 115 licensure applications as reviewed by the Application Review Committee; the board considered and approved, by ratification, 143 completed licensure applications
- The board agreed to table until the February 2006 board meeting the Provisional Mechanical Inspector, Provisional Mechanical Plans Examiner, and Provisional Plumbing Plans Examiner applications for David Horton
- The board considered and approved the following continuing education course applications:

- International Code Council (New Courses)
  1. 2004 FBC Accessibility & Usability (Florida Requirements)
  2. 2006 IRC Update
  3. 2006 IPC Update
  4. 2006 IBC Update
  5. 2006 IFGC Update
  6. 2006 IMC Update
  7. 2003 IBC Performing Structural Plan Reviews
  8. 2006 IPMC Update
- Contractors Institute (New Courses)
  1. FBC: Building/Structural
  2. FBC: Indoor Environment Quality Overview
  3. FBC: Advanced Training - Termites
  4. FBC: Plumbing/Fuel Gas Summary
  5. FBC: Mechanical/Energy Technical Core Summary
- Gordon Don Brindley (New Provider and New Course) – *approved with contingency that the provider assign times to the course outlines*
  1. Proper Mounting Heights for Fixtures, Outlets, Alarms & Elevator Controls In Accordance with Florida Accessibility Code
- The board considered and denied the following continuing education course applications:
  - School for Contractors & Trades (New Courses)
    1. Continuing Education Essentials
    2. Technical Modules of Construction
  - Inspection Depot Training Institute (New Provider and New Courses)
    1. Understanding Building Code Violations for Residential Construction Today
    2. Home Inspection Training Program with Field Work
    3. Home Inspection Training Program (Enhanced Skills)
    4. Home Inspection Training Program (Basic Skills)
    5. Defect Recognition and Diagnosis Training
- Ms. Jessica Leigh, Assistant General Counsel, distributed a Prosecuting Attorney Report which indicated that there are currently 17 building code cases in the Legal Section
- The board agreed to table the discussion of the proposed required experience rule until the building code related associations were contacted for their input and comment; the board agreed that if the associations offered no comment, there would be no action taken on this proposed rule; Mr. Bob McCormick offered to be the liaison between the board and the associations, and he will contact the associations explaining the board's interest in their comments
- Mr. Rob Nagin informed the board about SB552 and his concerns with the language as he believes the language is extreme; he added that he has been involved in discussions with the bill proponents
- The board was provided with the performance of the Principles and Practices examination since its last update; in addition, Ms. Robyn Barineau, Executive Director, informed the board that pursuant to her conversation with the Bureau of Education and Testing (BET), the reference list included with the Candidate Information Booklet (CIB) has been revised and BET is reviewing the sample questions included in the CIB for possible update

- Mr. Robert von Kampen, International Code Council (ICC), reminded the board that Promissor has been awarded the contract as the computer-based testing (CBT) vendor for the technical examinations administered through ICC; he added that there are 21 CBT sites in Florida and 277 nationwide; he informed the board that pursuant to their request, there will be four pencil and paper examination administration during 2006 at 11 examination sites; he also informed the board that ICC will update the modular inspector and modular plans examiner examinations at no cost to the department or the board so long as the department provides the subject matter experts for the item writing sessions
- Ms. Ila Jones, Department of Community Affairs (DCA), gave a brief overview of the DCA role in approving advanced courses; she informed the board that advanced courses are required to be reviewed by a DCA approved accreditor and taken to the Florida Building Commission for approval before they are submitted to a professional board for review; the DCA does offer a course that can be purchased by a provider that can automatically be submitted to a board for review
- The board agreed that core courses should be taken by building code licensees within two years after initial licensure; they agreed that sections 468.609(2)(d) and (3)(d), F.S., requiring that core courses be taken prior to taking the licensure examination should be stricken from the current practice act; Ms. Barineau reminded the board that they should seek sponsorship for this legislative change as the department will pursue legislative initiatives that affect the entire department; Mr. John O'Connor, Marion County Building Official and representative of the Building Officials Association of Florida (BOAF), indicated a willingness for BOAF to tack this language on their training program legislative proposal
- The board discussed the concept of the creation of a roofing inspector examination in lieu of the current requirement that roofing inspector applicants hold a roofing contractor's license; the board tabled this matter for further discussion at the next board meeting
- Mr. O'Connor reminded the board about the BOAF proposal to create an intensive 80 hour vocational training program for new and existing licensees in all areas of inspection and plans examining, but not to building officials; he added that Rep. Larry Cretul and Senator Carey Baker have expressed interest in sponsoring this legislation and the proposal should be in house and senate bill drafting very soon; Mr. McCormick, Mr. Nagin, Mr. Dennis Franklin, Mr. Nick Sasso and Mr. Bill Weber support the concept of the training program and feel that it would generate new licensees, but they are not supportive of the current language; Vice Chair Bob Kymalainen and Ms. Margaret Pass were not supportive of the concept as they feel it lessens the intended requirements for licensure and would be a step backwards for the quality of inspectors and plans examiners; Mr. O'Connor noted the board's comments and indicated that BOAF would move forward with the legislation
- Mr. Ron Safford, Division of Professions and Regulation, made a presentation to the board regarding the department's Alternative Dispute Resolution (ADR) Program; he informed the board that the department has been successful in handling disciplinary cases through the ADR Program recovering over \$29 million for customers and saving the department over \$3 million in costs
- Ms. Pass informed the board of the training session she conducted with the department's Division of Service Operations staff assigned to building code applications; she thanked the department for the opportunity to assist, and she also thanked the City of Tallahassee Building Department for their assistance in the field

- trip activities; she added that she is confident that the new processors will do a great job reviewing and processing applications and feels they are eager to learn
- Deputy Secretary Dennis Yecke introduced himself and gave a brief overview of his professional background; he expressed his appreciation to the board members for their service on the board; he added that the department continues to seek ways of improving customer service and he welcomes the board's input in this regard
  - Mr. Jeffrey Jones, Assistant Attorney General, informed the board about legislation that passed during the 2005 legislative session (CS for SB1012) statement of null and void licenses for licensees who could document a hardship; he suggested the board establish an application fee and develop an application form to be compliant with the requirements of CS for SB1012
  - Ms. Barineau reminded the board and others present of the 100 percent continuing education monitoring initiative and that all continuing education requirements must be completed prior to license renewal
  - Ms. Barineau solicited the board members' assistance with board and commission membership positions; she asked that should members know of an individual interested in serving on a board or commission, that they encourage the individual to complete a Gubernatorial Questionnaire and forward it to the Governor's Appointments Office for consideration or they may contact the board office for further assistance
  - Mr. Sasso asked the board for their position on whether or not a private provider could participate in the existing BOAF training program; all board members agreed that this issue should be handled between the private provider and BOAF as it was not something the board would be involved in
  - Ms. Barineau advised the board that the letter from Mr. Weber, the press release regarding DBPR staff announcements, the information relating to a supplemental order waiving licensing fees for displaced professionals, the Complaints and Investigative Statistics Report for July 2005 – October 2005, and the Financial Report for the period ending September 30, 2005, were included in the agenda for informational purposes
  - Vice Chair Kymalainen presented Mr. Weber a plaque honoring his years of service on the Florida Building Code Administrators and Inspectors Board and thanked him for his dedication to the board and the citizens of Florida
  - The board agreed to conduct its meetings as follows: February 15-17, 2006 Orlando; April 26-28, 2006 – Pensacola; June 7-9, 2006 – St. Augustine; August 2-4, 2006 – Coral Gables/Miami; October 4-6, 2006 – Jacksonville; and December 6-8, 2006 - Tallahassee

### **III. Legislation/Rule Promulgation**

- The board agreed to table for discussion at a future meeting the proposed rule 61G19-XXXX, F.A.C. – Required Experience – until associations were contacted for review and comment on the rule
- The board asked Mr. Jones to proceed with rule development for a rule allowing board members to identify themselves and sit in on a continuing education course as a means for auditing the course

- The board agreed that core courses should be taken by building code licensees within two years after initial licensure; they agreed that sections 468.609(2)(d) and (3)(d), F.S., requiring that core courses be taken prior to taking the licensure examination should be stricken from the current practice act and will pursue this initiative during the 2006 legislative session; Mr. O'Connor indicated a willingness for BOAF to tack this language on their training program legislative proposal
- The board asked Mr. Jones to proceed with rule development for a rule creating an application and fee for reinstatement of a null and void license

#### **IV. Action Required**

- Mr. Tunncliff and Mr. Jones will prepare final orders and forward to board staff for filing with the Agency Clerk
- Mr. Nagin asked Ms. Barineau to include in the next newsletter a reminder to licensees that core courses must be completed by all licensees and that advanced courses should include current course material; Mr. Don Fuchs, Building Officials Association of Florida (BOAF), is also preparing a newsletter to BOAF members and will include this same language in his newsletter
- The board asked Ms. Barineau to explore the costs associated with creating and administering a roofing inspector examination with ICC, including the contract amendment requirements, and report her findings at the next board meeting
- The board asked Mr. Jones to explore the necessary rule changes to facilitate the implementation of a roofing inspector examination in lieu of the requirement that roofing inspector applicants hold a roofing contractor's license and be prepared to discuss his findings at the next board meeting
- Mr. Sasso asked that Ms. Leigh provide copies of resumes for department expert witnesses used in building code cases for inclusion in the next board meeting agenda
- Mr. Safford will email the board members additional information regarding the ADR Program
- Ms. Barineau will provide the board with a pulse report indicating the continuing education compliance rate for the November 30, 2005, renewal cycle at the next board meeting

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Robyn Barineau  
Executive Director  
December 13, 2005