

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS & INSPECTORS BOARD
Department of Business and Professional Regulation
Board Conference Room
1940 North Monroe Street
Tallahassee, FL 32399

December 7, 2005 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

Ms. Pass, Chair of the Committee, called the Application Review Committee meeting to order at 9:03 a.m.

Members Present

Margaret Pass, Chair
Bob Kymalainen
Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Joseph Smallwood
Brian Izydorczak
Robert Goforth
Thomas Grove
Joe Agriesti
Bill Aubin
Frank Picirilli
David Vines
Diego Manzano
Charles Stanton
Gary Borgmann
James Korgel
Dave Branum
John Myers
Ted Timberlake
Ken Thivierge
Paul Bess
James Lund
Jorge Monserrat

Landall Cole
Robert Sasser
Charles Barr, Jr.
Ivan Alspaugh
Michael E. Myers
Michael Kraftsow
Debbie Board
John Salter
Don Fuchs
Brad Bailey
Tony E. Colvin
Tom Decker
Lee Collinsworth
Ed Babik
William G. Nagy
Richard Noles
Richard T. Baker
Wayne Butler
Thomas Cox
Delmus Wilkinson
Harold Owens
Patrick M. Shuler
Wayne Francis

REVIEW OF APPLICATIONS AND REQUESTS FOR HEARINGS

Brian Izydorczak - Provisional Building Plans Examiner

Mr. Izydorczak was present at the meeting and provided additional information for the Committee's review. The Committee discussed with Mr. Izydorczak his work experience.

MOTION: Ms. Pass made a motion that the Committee approve the provisional building plans examiner application.

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

Thomas Grove – Provisional & Standard Building Inspector

Mr. Grove was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the provisional and standard building inspector applications.

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

Joseph L. Agresti – Mechanical Inspector

Mr. Agresti was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the mechanical inspector application.

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

Diego L. Manzano – Provisional Building Inspector

Mr. Manzano was present at the meeting and provided additional information for the Committee's review. Following discussion, Mr. Manzano agreed to change his application from provisional to standard as he would meet the qualifications. Ms. Pass stated that he should change the application to endorsement and he should be licensed.

MOTION: Mr. McCormick made a motion that the Committee approve Mr. Manzano for licensure as a building inspector by endorsement

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

Sharon Freeman – Building Plans Examiner

Mr. Frank Picirilli was present on behalf of Ms. Freeman. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the building plans examiner application.

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

Charles C. Stanton – Provisional Mechanical Inspector

Mr. Stanton was present at the meeting. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the mechanical inspector application as a standard application rather than a provisional and that Mr. Stanton be required to take the examination for licensure.

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

Gary Lee Borgmann – Provisional Building Inspector

Mr. Borgmann was present at the meeting. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the building inspector application as a standard application rather than a provisional and that Mr. Borgmann be required to take the examination for licensure.

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

James Korgel – Provisional Building Inspector

Mr. Korgel was present at the meeting and provided additional work experience information. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the building inspector application as a standard application rather than a provisional and that Mr. Korgel be required to take the examination for licensure.

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

John Robert Myers – Provisional Building Inspector, Provisional Mechanical Inspector & Provisional Plumbing Inspector

Mr. Myers was present at the meeting along with Mr. David Brannon. Additional information had been submitted for the Committee's review.

Following discussion, the Committee tabled the hearing until the full Board was present on Thursday to discuss Mr. Myers' experience. The Committee stated that they were satisfied with the moral character issue.

Ken Thivierge – 1&2 Family Dwelling Inspector – Endorsement

Mr. Thivierge was present at the meeting. He informed the Board that he had taken the building officials examination but he had not taken the examination for the 1&2 family dwelling inspector.

Ms. Pass commented that he could change his application from endorsement to standard. ICC was contacted to determine if they would accept the examination for the 1&2 family inspector category. ICC indicated that they would accept the test for the building portion only.

MOTION: Mr. McCormick made a motion that the Committee approve the 1&2 family dwelling inspector application as a standard application rather than by endorsement, and that Mr. Thivierge be required to take all of the examination with the exception of the building portion.

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

James William Lund – Provisional Building Inspector, Provisional Plumbing Inspector & Provisional 1&2 Family Dwelling Inspector

Mr. Lund was present at the meeting and additional information had been submitted.

MOTION: Mr. McCormick made a motion that the Committee approve the provisional building inspector application.

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

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the provisional plumbing inspector and provisional 1&2 family dwelling inspector applications.

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

Jorge Monserrat – Provisional Building Inspector

Mr. Monserrat was present at the meeting along with Mr. Randy Cole, building official. Additional information had been submitted for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the provisional building inspector application for roofing only in Punta Gorda.

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

Michael E. Myers – Provisional Building Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Plumbing Plans Examiner & Provisional Electrical Plans Examiner

Mr. Myers was present at the meeting along with Mr. Michael Kraftsow. Additional information was provided at the meeting. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the provisional building plans examiner application and uphold the denial on the provisional mechanical plans examiner, provisional plumbing plans examiner and provisional electrical plans examiner applications.

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

Edward Babik – Provisional Building Code Administrator

Mr. Babik was present at the meeting. Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Committee approve the provisional building code administrator application.

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

Debbie Board – 1&2 Family Dwelling Inspector

Ms. Board was present along with Mr. John Salter, Esquire. Additional information had been submitted for the Committee's review. Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Committee approve the 1&2 family dwelling inspector application.

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

Paul E. Bess – Building Inspector

Mr. Bess was present at the meeting and additional information was provided for the Committee's review.

MOTION: Mr. McCormick made a motion that the Committee approve the building inspector application.

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

Tony Colvin – Plumbing Inspector, Electrical Inspector, Mechanical Plans Examiner, Plumbing Plans Examiner, Electrical Plans Examiner, Mechanical Inspector, Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Provisional Electrical Inspector, Provisional Plumbing Inspector, Provisional Mechanical Inspector

Mr. Colvin was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the mechanical inspector, mechanical plans examiner, provisional mechanical plans examiner and provisional mechanical inspector applications be approved.

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

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the plumbing inspector, electrical inspector, plumbing plans examiner, electrical plans examiner, provisional electrical plans examiner, provisional electrical inspector and provisional plumbing inspector applications.

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

Robert Collinsworth – Provisional & Standard Building Code Administrator

Mr. Collinsworth was present at the meeting along with Mr. Brad Bailey. Corrected affidavits were provided for the Committee's review.

MOTION: Mr. McCormick made a motion that the Committee approve the provisional and standard building code administrator applications.

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

Richard L. Noles – Plumbing Inspector, Provisional Mechanical Inspector, Mechanical Inspector, Provisional Plumbing Inspector

Mr. Noles was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the plumbing inspector, provisional mechanical inspector, mechanical inspector and provisional plumbing inspector applications based on the oral testimony.

SECOND: Ms. Pass seconded the motion and it passed unanimously.

William Nagy – Building Plans Examiner – Endorsement

Mr. Nagy was present at the meeting and provided additional information. Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Committee approve the building plans examiner by endorsement application based on his testimony, however, he will be required to take and pass the principles and practice examination.

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

Ivan Alspuagh – Provisional Electrical Inspector & Provisional Plumbing Inspector

Mr. Alspuagh was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the provisional electrical inspector and provisional plumbing inspector applications.

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

Richard T. Baker - Provisional Mechanical Inspector, Mechanical Inspector, Provisional Plumbing Plans Examiner, 1&2 Family Dwelling Inspector, Plumbing Inspector, Electrical Inspector and Provisional Electrical Inspector

Mr. Baker was present at the meeting and discussed his experience with the Committee. Mr. Baker stated that he wanted to delete the provisional plumbing plans examiner application as he did not want this license. Following discussion, the Committee tabled the hearing on the applications until the February meeting.

Charles F. Barr, Jr. – Standard & Provisional: Mechanical Plans Examiner, Plumbing Plans Examiner, Electrical Plans Examiner

Mr. Barr was present at the meeting along with Mr. Bob Sasser. Additional information was provided for the Committee's review at the meeting. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the standard and provisional mechanical plans examiner, plumbing plans examiner and electrical plans examiner applications.

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

At this time, the Committee reviewed applications.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned on December 8, 2005, at 12:33 a.m.

December 8, 2005 9:00 A.M.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Members Present

Dennis Franklin
Robert Kymalainen, Vice-Chair
Bob McCormick
Robert Nagin
Margaret Pass
Nick Sasso
Bill Weber

Members Not Present

Charles Sheridan, Chair

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Ronnie Spooner
Don Fuchs, BOAF
John Myers
Fred Lindes
Rob Von Kampen, ICC
Wayne Francis
Tom Allen
David Horton
Antonio Vazquez
John O'Connor
Rita Valenti
Jane Waddel

REQUEST FOR HEARING NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Dexter Bleasdell – Provisional Building Inspector

Mr. Bleasdell was not present at the meeting, however, additional information had been submitted.

MOTION: Mr. Franklin made a motion that the Board approve the provisional building inspector application.

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

Wendy Horency – Provisional Mechanical Plans Examiner & Provisional Plumbing Plans Examiner

Ms. Horency was not present at the meeting, however, additional information had been submitted.

MOTION: Mr. Weber made a motion that the Board approve the provisional mechanical plans examiner and provisional plumbing plans examiner applications.

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

David Horton – Provisional Mechanical Inspector, Provisional Mechanical Plans Examiner, Provisional Plumbing Plans Examiner

Mr. Horton was present at the meeting and was sworn in by the court reporter. Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board table the hearing until the February meeting.

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

John Robert Myers – Provisional Building Inspector, Provisional Mechanical Inspector, Provisional Plumbing Inspector

Mr. Myers was present at the meeting along with Mr. David Brannam, building official. Ms. Pass informed the Board that moral character was no longer an issue as that was resolved at the Committee meeting yesterday. Additional information was provided for the members review.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board approve the provisional building inspector, provisional mechanical inspector and provisional plumbing inspector applications.

SECOND: Mr. Weber seconded the motion which passed with Mr. McCormick and Mr. Sasso voting against the motion.

Antonio Vazquez - Standard: Building Plans Examiner, Plumbing Plans Examiner, Plumbing Inspector, Coastal Construction Inspector, 1&2 Family Dwelling Inspector, Electrical Inspector, Mechanical Inspector, Building Inspector, Electrical Plans Examiner, Mechanical Plans Examiner; Provisional: Mechanical Plans Examiner, Electrical Plans Examiner, Plumbing Plans Examiner, Building Inspector & Building Plans Examiner

Mr. Vazquez was present at the meeting and was sworn in. Mr. John O'Connor and Ms. Valente, from Mr. Vazquez's attorney's office, were present on Mr. Vazquez's behalf and were sworn in by the court reporter.

Following discussion, Mr. Jones stated that Mr. Vazquez needed to convince the Board that the matter involving his contractor's license was resolved up as they have not heard evidence that this matter has been resolved.

Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Board uphold the denial of the applications and when the issues with the contractor's license are resolved, he can reapply and prove to the Board that he has the required experience.

SECOND: Mr. Nagin seconded the motion and it passed with Mr. Franklin voting against the motion.

Michael A. Carter – Provisional Building Inspector

Mr. Carter was not present at the meeting, however, additional information had been submitted. Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board approve the provisional building inspector application.

SECOND: Mr. Nagin seconded the motion and it passed with Mr. Weber voting against the motion.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 10:40 a.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Nagin, Chair of the Committee, called the meeting to order at 10:45 a.m.

Members Present

Robert Nagin, Chair
Bob Kymalainen

Members Not Present

Charles Sheridan

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Margaret Pass, Board Member
Bill Weber, Board Member
Nick Sasso, Board Member
Bob McCormick, Board Member
Dennis Franklin, Board Member

Ronnie Spooner
Don Fuchs, BOAF
Rob Von Kampen, ICC
Wayne Francis
Tom Allen

**PROPOSED RULE FOR DISCUSSION REGARDING THE BOARD'S DISCIPLINARY
AUTHORITY PURSUANT TO SB442
AMENDMENT TO RULE 61G19-6.016, F.A.C.**

Mr. Jones stated that these were updates from the last meeting. The rules have been filed and are progressing through the adoption process.

**DISCUSSION OF PROPOSED RULE 61G19-X.OOX REQUIRED EXPERIENCE OF
STANDARD INSPECTOR**

Mr. Nagin stated that a proposal was included in the agenda and which suggested minimum experience requirements for each classification of licensure.

Mr. Jones stated that this was written as a rule, however in the alternative, it could be used only as a guide to aid staff in processing applications.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee table this discussion until feedback has been received from various groups to see what recommendations they have for this proposal.

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

Mr. McCormick volunteered to contact various individuals for their input and bring the information back to the Board for discussion.

**DISCUSSION OF RULE TO ALLOW MEMBERS TO AUDIT CONTINUING EDUCATION
COURSES – JEFFREY JONES**

Mr. Jones stated that this was not really an issue. Mr. Nagin stated that the Construction Industry Licensing Board has a rule for board members to audit CE courses and he did not know if this Board wanted to adopt a similar rule.

Mr. Jones stated that he was not sure they would need a rule. He added that if a board member wanted to review a course, there should not be a problem.

MOTION: Mr. Franklin made a motion that Mr. Jones prepare a draft rule to allow Board members to audit continuing education courses.

SECOND: Mr. Weber seconded the motion which passed with Ms. Pass voting against the motion.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:03 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. Franklin, Chair of the Committee, called the meeting to order at 12:03 P.M.

Members Present

Dennis Franklin, Chair
Bob McCormick
Nick Sasso
Bill Weber

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Margaret Pass, Board Member
Rob Nagin, Board Member
Dennis Franklin, Board Member
Ronnie Spooner
Don Fuchs, BOAF
Rob Von Kampen, ICC
Wayne Francis
Tom Allen
Ila Jones, DCA
Juanita Chastain, DBPR
George Ayrish, BET
Gus Ashoo, BET

Mr. McCormick stated that Ms. Ila Jones, Department of Community Affairs (DCA), would be present at the meeting later, and they would discuss the advanced courses with her at that time.

NEW CONTINUING EDUCATION COURSES FOR REVIEW

International Code Council

1. 2004 FBC Accessibility & Usability (Florida Requirements) (6 hrs)
2. 2006 IRC Update (3 hrs)
3. 2006 IPC Update (3 hrs)
4. 2006 IBC Update (3 hrs)
5. 2006 IFGC Update (3 hrs)
6. 2006 IMC Update (3 hrs)
7. 2003 IBC Performing Structural Plan Reviews (12 hrs)

8. 2006 IPMC Update (3 hrs)

MOTION: Mr. McCormick made a motion that the Committee approve courses #2 through #8.

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

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve course #1.

SECOND: Mr. Nagin seconded the motion which passed with Mr. Weber voting against the motion.

Contractors Institute

1. FBC: Building/Structural (1 hr)
2. FBC: Indoor Environmental Quality Overview (2 hrs)
3. FBC: Advanced Training - Termites (2 hrs)
4. FBC: Plumbing/Fuel Gas Summary (1 hr)
5. FBC: Mechanical/Energy Technical Core Summary (1 hr)

Mr. McCormick stated that courses #1 through #5 all imply that they are advanced core courses. He stated that the Committee could approve them as general education courses but would not recommend that they approve them as advanced courses because those courses have to be submitted to DCA.

MOTION: Mr. Sasso made a motion that the Committee table these courses until this afternoon when Ms. Jones is present.

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

MOTION: Mr. McCormick made a motion that the Committee approve the courses for general credit and that "advanced" be removed from the title of the courses.

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

School For Contractors & Trades

1. Continuing Education Essentials (7 hrs)
2. Technical Modules of Construction (7 hrs)

MOTION: Mr. McCormick made a motion that the Committee table these courses until this afternoon as they are advanced courses.

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

MOTION: Mr. McCormick made a motion that the Committee deny the courses as they are advanced courses.

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

Gordon Don Brindley – New Provider

1. Proper Mounting Heights for Fixtures, Outlets, Alarms & Elevator Controls in Accordance with Florida Accessibility Code (2 hrs)

MOTION: Mr. McCormick made a motion that the Committee approve the course in the accessibility category provided times are assigned to the course outline.

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

Inspection Depot Training Institute – New Provider

1. Understanding Building Code Violations for Residential Construction Today (30 hrs)
2. Home Inspection Training Program With Field Work (120 hrs)
3. Home Inspection Training Program (Enhanced Skills) (90 hrs)
4. Home Inspection Training Program (Basic Skills) (66 hrs)
5. Defect Recognition and Diagnosis Training (16 hrs)

Mr. Nagin stated that these courses were not relevant.

MOTION: Mr. McCormick made a motion that the Committee deny all of the courses submitted as they were not relevant.

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

PERFORMANCE OF THE P&P EXAMINATION – BET

Ms. Barineau stated that information regarding the examination performance was included in the handout folders. She stated that the reference list had been updated recently, and she was told that the Bureau of Education and Testing (BET) is reviewing the sample questions to see if they need to be updated.

ICC UPDATE

Mr. Robert von Kampen was present. He informed the Board that the contract was being finalized with Promissor. Mr. von Kampen stated that Promissor has 21 computer-based test sites in Florida and 277 nationwide. He stated that the pen and paper examination will be given four (4) times next year.

Mr. von Kampen stated that ICC would be willing to assist with the examination for roofing however they have not taken any action on the letter received from John O'Connor. He stated that the Modular exams will be updated at the February meeting.

Ms. Ila Jones was present at this time.

DISCUSSION REGARDING THE ADVANCED CORE COURSES REQUIREMENT

Ms. Jones discussed the core courses and the advanced courses. She stated that the Department of Community Affairs developed advanced courses and also some private providers developed advanced courses. Boards were required to develop rules regarding the number of hours they would require for the advanced courses. She stated that the statute requires all licensees to complete the core course within two (2) years from the date of initial licensure.

Ms. Jones stated that the advanced courses were set up differently and as a part of the CE for license renewal, however, the building section is different in that it says prior to licensure. Ms. Jones explained the reason for this was because of the provisional licenses and that the intent was that individuals take the course prior to taking the examination for licensure.

Ms. Jones stated that the advanced courses were to cover specialized areas. The advanced course requirement developed by the Florida Building Commission and they were encouraging private providers to develop courses. She stated that the Commission was the only approved provider for the core course, however, the advanced courses are submitted by the provider directly to DBPR.

Ms. Jones informed the Board that some advanced courses had been approved by the Commission and have been submitted to the individual boards for approval. She stated that the Commission courses are for sale to all, including private providers. The course is submitted by the Commission and then they get a certificate that is submitted to the board.

Mr. Nagin commented that they did not have a requirement for the advanced courses. He stated that the requirement was still in effect and advanced courses are required under other boards, not just this board. He asked Ms. Barineau and Mr. Don Fuchs to include information on this issue in the next newsletter.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:57 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Mr. Kymalainen, Vice-Chair, called the meeting to order at 2:57 p.m.

Members Present

Dennis Franklin
Robert Kymalainen, Vice-Chair
Bob McCormick
Robert Nagin
Margaret Pass
Nick Sasso
Bill Weber

Members Not Present

Charles Sheridan, Chair

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Ronnie Spooner
Don Fuchs, BOAF
Rob Von Kampen, ICC
Wayne Francis
Tom Allen

MEMORANDUM FROM DENNIS FRANKLIN

Mr. Franklin apologized for not notifying staff to postpone this item at the last meeting. He stated that there had been previous discussion regarding the elimination of the provisional building code administrator license, and he wanted to know the outcome. Mr. Jones responded that there was no motion to take any action. He stated that the statute speaks to provisional licenses and says “may” so there is flexibility if the Board decided to do anything.

LETTER FROM JOHN O’CONNOR REGARDING ROOFING INSPECTOR EXAMINATION AND TRAINEE CERTIFICATION PROPOSAL

Mr. O’Connor stated that a contractor’s license is required to obtain the voluntary category for roofing. He commented that there is no examination for this license and that is the reason for the requirement to have the contractor’s license. He thought, however, that requiring the test would be a good alternative.

Mr. McCormick commented that he supported the concept of the examination. He added that the requirement for a contractor’s license should not be removed but that an examination could be another option.

Ms. Barineau stated that the idea could be explored and see what could be done with the contract with ICC.

MOTION: Mr. Weber made a motion that the Committee table the issue until the February meeting.

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

Ms. Pass commented that the requirements did not need to be watered down; they would still have to have 5 years hands-on experience. Mr. McCormick stated that the roofing license should remain a voluntary category.

Mr. O’Connor informed the Board that language had been developed for the upcoming Legislative session to allow for training in lieu of experience and would apply only to inspectors and plans examiners. Mr. Kymalainen asked what kind of background would be required to enter the training program. Mr. O’Connor responded the requirement would be two (2) years experience – 1 year in the field and a minimum of 300 hours of course work.

Following discussion, Mr. Kymalainen stated that the requirement was less stringent than the statute currently requires. Mr. Jones informed the Board that if the statute was changed, this could be done.

Mr. McCormick stated that the Board could require more than the proposed 300 hours. He stated that they also needed to discuss how this would apply to both public and private entities. Mr. O'Connor responded that the proposal was not written to exclude anyone. Mr. McCormick commented that he could see where it can be used in public sector, however, he had a greater concern on how the structure would be done in the private sector. Mr. Franklin stated that the Board needs to take a strong look at this regarding the licensees and not whether it is public or private.

Ms. Pass stated that she was against the program because it diluted the current requirements. She stated that she also had concerns with the private industry as well.

Mr. Sasso commented that he was probably in favor of the language, however, it states that a "training certificate" will be issued, and he did not like the word "training."

Mr. McCormick questioned Mr. O'Connor if he was going to say the board supports the proposed language. Mr. O'Connor responded that he would not say that the Board supports this since they have not yet, but if the Board was supportive, he would like a letter of their support.

Following discussion, Mr. McCormick stated that he was supportive of the concept, but he did not support the current language. Ms. Pass stated that she could not support the training program; individuals need to have 5 years of experience in order to sign off on any inspection. Mr. Sasso stated that he thought the hours could be changed to address Ms. Pass's concerns. Ms. Pass responded that the basic concept of the training is what she opposed.

Mr. Kymalainen commented that the proposal dilutes the current requirements, and he did not support the concept as it was too weak and it was a step backwards.

Mr. Franklin stated that he liked the concept as they need to look at new, innovative ways to get younger individuals in the profession. Mr. Weber commented that he was fine with the program and agreed with Mr. McCormick's comments.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 4:18 p.m.

APPLICATION REVIEW COMMITTEE

The Application Review Committee reconvened at 4:18 p.m. to review the remaining applications.

The Committee adjourned at 5:30 p.m.

December 9, 2005 9:00 A.M.

CALL TO ORDER

Mr. Kymalainen, Vice-Chair of the Board, called the meeting to order at 9:02 a.m.

Members Present

Dennis Franklin
Robert Kymalainen, Vice-Chair
Bob McCormick
Robert Nagin
Margaret Pass
Nick Sasso
Bill Weber

Members Not Present

Charles Sheridan, Chair

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Ron Safford, DBPR
Jessica Leigh, Prosecuting Attorney
Ronnie Spooner
Don Fuchs, BOAF
Ron Van Kampen, ICC
Tom Allen
Wayne Francis
John O'Connor

APPROVAL OF THE OCTOBER 12, 13 & 14, 2005 MINUTES OF THE MEETING

MOTION: Mr. Franklin made a motion that the Board approve the minutes of the October 12, 13 & 14, 2005, meeting as submitted.

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

JESSICA LEIGH, PROSECUTING ATTORNEY'S REPORT

Ms. Leigh provided the Board with a copy of her report.

Mr. Sasso asked Ms. Leigh if she had the resumes for the experts he had requested. Ms. Leigh responded that she would provide a copy to the members at the next meeting.

OPPAGA RECOMMENDATIONS FOR ALTERNATIVE DISPUTE RESOLUTION (ADR)– RONALD SAFFORD, DBPR COORDINATOR

Mr. Safford was present at the meeting. He informed the Board that an audit was conducted by OPPAGA and they liked the Department's ADR Program. OPPAGA did suggest the Department expand their ADR Program. He will attend board meetings to see if/how the ADR Program can be expanded. Mr. Safford provided an activity report for the Board's review.

Mr. Safford was requested to provide additional information to the members which he stated he would do electronically.

REPORTS

Chair's Report – Charles Sheridan

Mr. Sheridan was not present and no report was presented.

Application Committee – Margaret Pass

- Ratification and Denial List

Ms. Pass stated that the ratification list was included in the handout materials and asked that the Board approve the applications reviewed by the Committee.

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

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

Ms. Pass informed the Board that she met with the Central Intake Staff and took them on a field trip to visit building sites to see actual building construction. Ms. Pass thanked Ronnie Spooner, City of Tallahassee, for allowing the visit their building department. She stated that this will help the processors to understand what they are looking for when reviewing applications. Ms. Pass commented that she thought they had a good group, and they were doing a good job.

Ms. Barineau commended Ms. Pass for volunteering to do the field trip.

Mr. Kymalainen stated that the Board would amend the agenda at this time. Ms. Barineau introduced Mr. Dennis Yecke, Deputy Secretary for Professions and Regulation.

Mr. Yecke thanked the members for their service and commented that he heard about the late night application reviews. He provided the board with his background and stated that it was a pleasure to be in Florida. He commented that he had a tremendous staff and would be looking at things that could be improved. He stated that the Secretary's goal is to improve Department customer service. Deputy Secretary Yecke solicited suggestions and comments from the Board members and asked that they send them to Ms. Barineau for forwarding to him.

Rules and Legislation Committee – Rob Nagin

Mr. Nagin reported that the Committee met yesterday. He stated that Ila Jones was present at the meeting, and they discussed the advanced core courses. He stated that language will be drafted to delete some language regarding the core courses. He reported that the rule amendments were moving forward.

Mr. Nagin reported that they discussed SB552 regarding discipline of building officials and inspectors and BOAF was taking an active part in following the bill.

Mr. McCormick commented that he was out of the room during the discussion with John O'Connor regarding the building code academy and wanted to make sure he understood the positions of the members. He stated that language was being written at this time and Mr. O'Connor had asked for support from the Board. There were four members that offered support for the concept and two who did not support the initiative.

Mr. Nagin commented that he was in favor of the concept, however, the language was not strong enough.

Mr. Franklin stated that some of his concerns were that the current licensure requirements and responsibilities should not be lowered as they move forward with the training program. He stated that they also needed to recognize that many in the industry will be retiring in the next 10-15 years and they will need some new blood in the profession. Mr. Franklin stated that they have to be cautious in how they proceed.

Examination and Continuing Education Committee – Dennis Franklin

Mr. Franklin reported that the Committee met yesterday and reviewed courses for continuing education.

Board Counsel - Jeffrey Jones

- CS for SB1012

Mr. Jones informed the members that in the handouts was the null and void language that was discussed at the last meeting that created a null and void license. The consensus of the Board was not to pursue reinstatement of a null and void license. Mr. Jones stated that to make the Board compliant with the requirements of CS for SB102 he created rule language. An application and a fee will need to be created. He stated that he was asking the Board to allow him to initiate the (rule making) process, and he will develop the language. He informed the Board that he would not submit the language he proposed because the Department was looking at creating a single form for all boards. He stated that he would bring the language to the next meeting for discussion.

MOTION: Mr. Franklin made a motion that the Board authorize Mr. Jones to begin the (rule making) process.

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

Executive Director – Robyn Barineau

Ms. Barineau stated that the renewal cycle concluded 11/30/05, and the Department will move forward with 100% CE compliance. She will update the Board at the February meeting on this initiative. She advised the members that if they knew someone who would like to serve on a professional board to ask them to complete a Gubernatorial Appointments Questionnaire and submit it to the Governor's Office for consideration.

CORRESPONDENCE

Letter From Bill Weber

Mr. Kymalainen informed the Board that Mr. Weber was resigning from the Board as of this meeting and it will be difficult to replace him. Mr. Weber said that it had been a pleasure to serve. Mr. Kymalainen presented Mr. Weber with a plaque of appreciation.

The following information was provided for informational purposes.

DBPR Staff Announcements

Supplemental Order Waives Licensing Fees for Displaced Professionals

Complaints and Investigative Statistics July 05 – October 05

OLD BUSINESS

There was no old business at this time.

NEW BUSINESS

Mr. Sasso asked for an opinion from the Board. He stated that he had reviewed the BOAF training program and did not see anything to preclude the private sector from participating. Mr. Kymalainen responded that this was a BOAF issue, not a Board issue. Mr. McCormick stated that the training program was developed without the private providers in mind and it states in the objectives the requirements.

Mr. Franklin stated that he believed this was a BOAF issue because they are the only organization that is approved for the course. Therefore, you have to assume that it is their issue and not a Board issue.

Mr. McCormick stated the private sector could address this issue with BOAF or develop a parallel program.

Mr. Sasso responded that when this was developed it was not with private providers in mind, but he could not find in the statutes or rules where they are excluded.

Mr. O'Connor commented that he would invite Mr. Sasso to speak to the committee that oversees the training program and discuss the issue with them.

Mr. Fuchs commented that BOAF applied and submitted a program to the Board. He commented that anyone could apply for approval of a training program.

Mr. Kymalainen commented that the issue is not with the Board. The problem is that the industry has not submitted a course.

NEXT MEETING DATES & LOCATION

Ms. Barineau provided the Board with proposed meeting date and asked that they schedule the meetings a year in advance because of problems securing meeting sites.

February 15-17 - Orlando

April 26-28 – Pensacola or Panama City

June 7-9 - St. Augustine

August 2-4 – Coral Gables/Miami

October 4-6 – Jacksonville

December 6-8 Tallahassee

MOTION: Mr. McCormick made a motion that the Board approve the proposed dates.

SECOND: Ms. Pass seconded the motion and it passed unanimously.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:15 a.m.