APPLICATION REVIEW COMMITTEE
Call To Order
Mr. McCormick called the meeting to order at 9:00 a.m.

Members Present
Bob Kymalainen
Bob McCormick
Nick Sasso

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey French
Robert Berki
Donald Rampersand
Michael Hunt
William Evans
James Gasgne
Robert Light
David Conch
Paul Fontaine
Arthur C. Wade, Sr.
Ronald Farris
Ed Schweran
Kyle Whitehead
Cosmo Tornese
Don Fuchs
Ernesto F. Fernandez
Douglas Harvey
David Rovell-Rixx
Richard Elkins
Mark Boice
Jack Spivey
Glenn Dodson
William J. Hammond
Training Session 9:00 a.m. – 11:00 a.m.
At this time, the Committee discussed the application process with the audience.

Review Of Applications
At this time, the Committee reviewed applications of individuals that were present.

Stanley Dean Arnold – 1&2 Family Dwelling Inspector
Mr. Arnold was present at the meeting and the Committee approved the application.

Robert Alexander Berki – Provisional 1&2 Family Dwelling Inspector & 1&2 Family Dwelling Inspector
Mr. Berki was present at the meeting and the Committee approved the applications, however, the provisional application was approved for Osceola County only.

Gerry Allen Demers – Roofing Inspector – Voluntary
Mr. Demers was present at the meeting and the Committee approved the application.

William Duane Doering – Provisional Electrical Inspector, Provisional Plumbing Inspector, Provisional Mechanical Inspector, Plumbing Inspector, Mechanical Inspector, Electrical Inspector
Mr. Doering was present at the meeting and the Committee denied the applications due to a lack of experience.

Richard Elkins – Provisional Building Inspector, Provisional Plumbing Inspector, Provisional Building Plans Examiner, Provisional Plumbing Plans Examiner, Provisional 1&2 Family Dwelling Inspector
Mr. Elkins was present at the meeting and the Committee approved the applications with the exception of the provisional 1&2 family dwelling inspector application which was denied for lack of electrical experience.
William H Evans - Provisional 1&2 Family Dwelling Inspector & 1&2 Family Dwelling Inspector
Mr. Evans was present at the meeting and the Committee approved the applications, however, the provisional application was approved for Osceola County only.

Jeffrey James French – Provisional Building Inspector
Mr. French was present at the meeting and the Committee approved the application.

James Tolan Gasque, III – Provisional 1&2 Family Dwelling Inspector & 1&2 Family Dwelling Inspector
Mr. Gasque was present at the meeting and the Committee approved the applications, however, the provisional license was approved for Osceola County only.

Donald Rampersaud – Electrical Inspector, Electrical Plans Examiner, Provisional Electrical Inspector And Provisional Electrical Plans Examiner
Mr. Rampersaud was present at the meeting and the Committee approved the applications.

Ernesto Fidel Fernandez – 1&2 Family Dwelling Inspector
Mr. Fernandez was present at the meeting and the Committee approved the applications.

John M. Stone, Sr. – Building Code Administrator & Provisional Building Code Administrator
Mr. Stone was present at the meeting and the Committee approved the applications.

At this time, the Committee reviewed applications.

RECESS
There being no further business to come before the Committee at this time, the meeting was recessed at 7:30 p.m.

DECEMBER 13, 2006-9:00 A.M.

APPLICATION REVIEW COMMITTEE
CALL TO ORDER
Mr. McCormick called the meeting to order at 9:00 a.m.
Members Present
Bob Kymalainen
Bob McCormick
Nick Sasso

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Robert Light
Michael Hunt
Lawrence Murphy
William Moore
William E. Neary, III
Gerry Faircloth
Kenneth D. Hafner
Bill LeMaster
Richard McDaniel
Benjamin Herrera
Douglas Harvey
Robert Barbee
Gerald Engles
Michael German
John Desnoyer
Christopher Cole
Patrick Murphy
Abdulaziz A. Al-Khabbaz
Don Fuchs
Lee Tolar
Ken Lubecki
Wayne Francis
John T. Berry
Larry Fuhrman
David Lake
Donald Lambert
Linda Lambert
Robert Faulkner
Roy Oakes
Robert Burkett
Robert Metcalf
Matthew Kilgour
Robert Wood
Alphanette Waters
Arlene Forbing, DBPR
Suzanne Lee, DBPR
Josefina Tamayo, DBPR
REVIEW OF APPLICATIONS AND REQUESTS FOR HEARINGS

Abdulaziz A. Al-Khabbaz – Provisional Building Plans Examiner
Mr. Al-Khabbaz was present along with Mr. Bill Hammond, Building Official. Additional information had 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 Plans Examiner application with the submission of an affidavit by the Building Official.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Robert S. Barbee – 1&2 Family Dwelling Inspector
Mr. Barbee was present at the meeting along with Mr. Jerry Engle, CBO, and Mr. Michael German. Additional information had been submitted for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the 1&2 family dwelling inspector application based on his meeting the requirements of Rule 61G19-6.017(2)(d), Florida Administrative Code (F.A.C.).
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

David L. Benninghoff – Provisional: Electrical Inspector, Mechanical Inspector, Building Inspector & Plumbing Inspector
Mr. Larry Fuhrman, Building Official for the City of Titusville, was present on behalf of Mr. Benninghoff. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the provisional electrical inspector application and uphold the denial of the provisional mechanical, plumbing and building inspector applications.
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

John T. Berry - Provisional Building Inspector
Mr. Berry was present at the meeting along with Mrs. Berry, his wife. 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.

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

Robert B. Burkett – Building Code Administrator
Mr. Burkett was present at the meeting and provided additional information for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Board approve the building code administrator application.

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

Christopher Cole – Building Plans Examiner & Building Inspector
Mr. Cole was present at the meeting along with Mr. John Desnoyer. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the building plans examiner and building inspector applications.

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

Gerald Faircloth – Provisional: Electrical Inspector, Mechanical Inspector & Plumbing Inspector
Mr. Faircloth was present at the meeting along with Mr. Bill LeMaster, Okaloosa County. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the Provisional Electrical Inspector and Provisional Mechanical Inspector applications and uphold the denial of the Provisional Plumbing Inspector application.

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

Robert Faulkner – Provisional Mechanical Inspector
Mr. Faulkner was present at the meeting and additional information had been submitted for the Committee’s review. Following discussion, the following action was taken.

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

SECOND: Mr. Kymalainen seconded the motion which passed unanimously.
Michael Goldfarb – Building Inspector
Mr. McCormick stated that a letter had been submitted withdrawing his request for a hearing.

Noel Graham – Provisional Building Inspector –
Mr. Michael Hunt informed the Committee that the request for a hearing was being withdrawn as Mr. Graham did not have the required experience.

Kenneth Hafner – Endorsement: Mechanical Inspector, Mechanical Plans Examiner & Plumbing Inspector
Mr. Hafner was present at the meeting and additional information had been submitted for the Committee’s review. He stated that the endorsement portion was checked in error. He should have checked examination as he had taken all the exams.

Mr. Kymalainen recused himself as he knew Mr. Hafner, and he previously worked for him.

MOTION: Mr. Sasso made a motion that the Committee uphold the denial of the mechanical inspector, mechanical plans examiner and plumbing inspector applications by endorsement as he does not meet the requirements.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Benjamin Herrera – Provisional Building Inspector
Mr. Herrera was present at the meeting and provided additional information 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.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Matthew Kilgour – Building Inspector & Provisional Building Inspector
Mr. Kilgour was present at the meeting along with Mr. Robert Metcalf, his supervisor. Additional information had been provided for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the building inspector and provisional building inspector applications with the submission of the additional experience affidavit.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

David Lee Lake – Electrical Inspector – Endorsement
Mr. Lake was present at the meeting and provided additional information for the Committee’s review. During discussion, it was noted that Mr. Lake had not taken equivalent examinations.
MOTION: Mr. Sasso made a motion that the Committee uphold the denial of the electrical inspector application by endorsement.
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

Donald R. Lambert – Building Inspector
Mr. Lambert was present at the meeting and additional information had been submitted for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion to approve the building inspector application.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Robert E. Light – Building Inspector, Mechanical Inspector, Plumbing Inspector, Provisional Building Inspector, Provisional Mechanical Inspector & Provisional Plumbing Inspector
Mr. Light was present along with Mr. Michael Hunt. Additional information was submitted for the Committee’s review. Mr. Light informed the Committee that he was withdrawing his provisional and standard mechanical and plumbing inspector applications and the provisional building inspector application. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the building inspector application based on the supplemental information provided.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Kenneth Lubecki – Provisional Electrical Inspector, Electrical Inspector, 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector, Provisional Mechanical Inspector, Mechanical Inspector & Provisional Plumbing Inspector
Mr. Lubecki was present along with Mr. Patrick Murphy, Building Official. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the provisional & standard 1&2 family dwelling inspector applications and uphold the denial for the provisional electrical inspector, electrical inspector, provisional mechanical inspector, mechanical inspector and provisional plumbing inspector applications.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.
Richard B. McDaniel – Provisional: Electrical Plans Examiner & Mechanical Plans Examiner
Mr. McDaniel was present at the meeting along with Mr. Bill LeMaster. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the provisional electrical plans examiner application and uphold the denial of the mechanical plans examiner application.
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

William B. Moore – 1&2 Family Dwelling Inspector
Mr. Moore was present at the meeting and provided additional information for the Committee’s review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee uphold the denial of the 1&2 family dwelling inspector application.
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

Lawrence P. Murphy – 1&2 Family Dwelling Inspector, Building Inspector, Plumbing Inspector & Mechanical Inspector
Mr. Murphy was present and additional information had been submitted for the Committee’s review. Mr. Murphy informed the Committee that he had already passed the plumbing and building examinations. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the 1&2 family dwelling inspector application and uphold the denial for the building inspector, plumbing inspector and mechanical inspector applications.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee reconsider the applications.
SECOND: Mr. Kymalainen seconded the motion which failed with Mr. Kymalainen and Mr. McCormick voting against the motion.

William Neary – Modular Plans Examiner - Voluntary
Mr. Neary 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 modular plans examiner – voluntary application.
SECOND:  Mr. Kymalainen seconded the motion and it passed unanimously.

Ray Oakes – Building Inspector
Mr. Oakes 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 building inspector application.
SECOND:  Mr. Kymalainen seconded the motion and it passed unanimously.

Lester L. Tolar – Provisional Building Inspector
Mr. Tolar was present at the meeting and provided additional information for the Committee’s review. Following discussion, the following action was taken.

MOTION:  Mr. Sasso made a motion that the Committee uphold the denial of the provisional building inspector application.
SECOND:  Mr. Kymalainen seconded the motion and it passed unanimously.

Alphanette Waters – Building Inspector, Mechanical Inspector & Plumbing Inspector
Ms. Waters was present at the meeting along with Mr. Bob Sasser, Nassau County. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION:  Mr. Sasso made a motion that the Committee uphold the denial of the building inspector, mechanical inspector and plumbing inspector applications.
SECOND:  Mr. Kymalainen seconded the motion and it passed unanimously.

Robert E. Wood – Electrical Inspector
Mr. Wood was present at the meeting along with Mr. Bob Sasser, Nassau County. Additional information was provided at the meeting for the Committee’s review. Following discussion, the following action was taken.

MOTION:  Mr. Sasso made a motion that the Committee uphold the denial of the electrical inspector application.
SECOND:  Mr. Kymalainen seconded the motion and it passed unanimously.

At this time, the Committee reviewed applications.

RECESS
There being no further business to come before the Committee at this time, the meeting as recessed at 7:30 p.m.
CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME
Vice-Chair McCormick called the meeting to order at 9:15 a.m. He informed the
Board that he would chair the meeting at the request of Chair Kymalainen.

Members Present
Bob Kymalainen, Chair
Linda Armstrong
Dennis Franklin
Bob McCormick, Vice-Chair
Rob Nagin
Nick Sasso
Charles Sheridan

Members Not Present
Fred Dudley

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Dennis Yecke, Deputy Secretary of Professional Regulation, DBPR
Josefina Tamayo, General Counsel, DBPR
Jessica Leigh, Prosecuting Attorney
Tim Vaccaro, Director, Division of Professions, DBPR
Maria Mattheu, Administrative Assistant, DBPR
George Ayrish, Bureau of Education and Testing (BET), DBPR
Alexandra Auguste-Toussaint, BET
Kasandra Broadnax, BET
Ed Bayo, Esquire
Don Fuchs, BOAF
Douglas Harvey, BOAF
Ronnie Spooner, BOAF
John O’Connor, BOAF
Rob von Kampen, ICC
Luther Council, City of Tallahassee and former BCAIB member
Connie Butler, Court Reporter
John Rush Crockett
Dan Peterson, B&F Technical Code Services
Tom Panger, Duval County School System
Wayne Francis
David Hodges, FTCI
E. Gary Early
Ms. Barineau informed the Board that Mr. Dudley had a conflict with the meeting dates and would not be able to attend.

**MOTION:** Mr. Franklin made a motion that the Board excuse Mr. Dudley’s absence.

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

**John Rush Crockett – Provisional Building Inspector**

Mr. Crockett was present and sworn in along with Ed Bayo, Esquire. Additional information had been submitted for the Board’s review. Following discussion, the following action was taken.

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

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

**Jose Cueto – Provisional Plumbing Inspector**

Mr. Cueto was not present at the meeting and no additional information had been submitted for the Board’s review.

**MOTION:** Mr. Sasso made a motion that the Board uphold the denial of the provisional plumbing inspector application.

**SECOND:** Mr. Kymalainen seconded the motion and it passed with Mr. Sheridan voting against the motion.

**Frank DeVoll – Provisional Building Inspector**

Mr. DeVoll was present at the meeting and sworn in by the court reporter. Additional information had been submitted for the Board’s review. Following discussion, the following action was taken.

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

**SECOND:** Mr. Sheridan seconded the motion which passed with Mr. Sasso voting against the motion.

Chair Kymalainen commented that the Board had, in the past, considered supervision as hands-on experience, and they needed to clarify their position.

Vice-Chair McCormick commented that they could address that issue later in the meeting.

**Dan Divan – Electrical Inspector – Endorsement**

Mr. Divan was not present at the meeting and no additional information had been submitted.
MOTION: Mr. Sasso made a motion that the Board uphold the denial of the electrical inspector – endorsement application.
SECOND: Mr. Sheridan seconded the motion and it passed unanimously.

Russell H. Hammond – 1&2 Family Dwelling Inspector
Mr. Hammond was not present at the meeting and no additional information had been submitted.

MOTION: Mr. Sasso made a motion that the Board uphold the denial of the 1&2 family dwelling inspector application.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

Michael D. Jones – Provisional: Mechanical Inspector, Plumbing Inspector & Electrical Inspector
Mr. Jones was not present at the meeting, however, additional information had been submitted for the Board’s review.

MOTION: Mr. Sheridan made a motion that the Board approve the provisional applications for mechanical inspector, plumbing inspector and electrical inspector based on the affidavits submitted.
SECOND: Mr. Franklin seconded the motion which failed with Chair Kymalainen, Vice-Chair McCormick, Mr. Sasso, Mr. Nagin and Ms. Armstrong voting against the motion.

MOTION: Mr. Sasso made a motion that the Board uphold the denial of the provisional applications for mechanical inspector, plumbing inspector and electrical inspector.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

Michael A. Martz – Provisional Plumbing Inspector
Mr. Martz was not present at the meeting, however, additional information had been submitted for the Board’s review.

MOTION: Mr. Sasso made a motion that the Board uphold the denial of the provisional plumbing inspector application.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

Gene L. Osburn – Provisional Building Code Administrator
Mr. Osburn was not present at the meeting, however, additional information had been submitted for the Board’s review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board uphold the denial of the provisional building code administrator application.
SECOND: Mr. Franklin seconded the motion.
Following discussion, a vote was taken on the motion which failed with all members voting against the motion.

MOTION: Mr. Franklin made a motion that the Board approve the provisional building code administrator application.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

Thomas F. Panger – Provisional: Mechanical Inspector & Plumbing Inspector
Mr. Panger was present and was sworn in by the court reporter. Additional information was submitted for the Board’s review. Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Board approve the provisional applications for mechanical inspector and plumbing inspector.
SECOND: Mr. Franklin seconded the motion which failed with Vice-Chair McCormick, Mr. Nagin, Mr. Sasso, and Ms. Armstrong voting against the motion.

MOTION: Mr. Nagin made a motion that the Board approve the plumbing application for a standard license and uphold denial on the provisional mechanical inspector application.
SECOND: Mr. Sheridan seconded the motion and it passed with Vice-Chair McCormick voting against the motion.

Mr. Panger informed the Board that he did not have an objection to changing the application from provisional to standard. Mr. Jones stated that this had been done in the past.

HEARINGS NOT INVOLVING ISSUES OF DISPUTED MATERIAL FACTS
B&F Technical Code Services, Inc.
Mr. Daniel Peterson, Manager, was present on behalf of B&F Technical Code Services, Inc., and was sworn in by the court reporter.

In discussion, Mr. Peterson informed the Board that the courses will be updated as new information is received on the building code.

MOTION: Mr. Nagin made a motion that the Board approve B&F Technical Code Services, Inc.
SECOND: Mr. Franklin seconded the motion and it passed unanimously.

SETTLEMENT STIPULATIONS
Timothy C. Griffith, Case # 2006-017255
Mr. Nagin PCP
Mr. Griffith was not present at the meeting. Ms. Leigh presented the case to the Board. She stated that the Administrative Complaint charged Mr. Griffith with a
violation of obtaining a license by fraud or deceit. Ms. Leigh informed the Board that Mr. Griffith had agreed to a Stipulation imposing an administrative fine in the amount of $1500.00, costs in the amount of $147.70, license number BN 3225 be suspended for one year, and would then be placed on probation for a period of one year following suspension.

Mr. Franklin stated that the suspension should be longer, perhaps three years. Ms. Leigh responded that he did not have any previous violations and the information may not have affected his licensure status if he had disclosed the information.

Mr. Sheridan stated that he did not think that Mr. Griffith should have the license and would like to see it revoked. Ms. Leigh commented that the incident was 25 years ago when he was 18 years old and his girlfriend was 16 years old. Ms. Armstrong asked Ms. Leigh to follow-up on the filing of a false affidavit.

Following discussion, the following action was taken.

MOTION: Chair Kymalainen made a motion that the Board accept the Stipulation as presented.
SECOND: Mr. Sasso seconded the motion which failed with Vice-Chair McCormick, Mr. Nagin, Mr. Franklin, Mr. Sasso, Mr. Sheridan and Ms. Armstrong voting against the motion.

Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Board offer a Counter Stipulation to relinquish or revoke license BN3225, and that he never be allowed to apply for licensure under this Board.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Mr. Jones stated that the usual action of the Board for this violation is a fine of $1500.00 and revocation of the license(s).

Charles Edward Taylor, Case # 2005-048219
Mr. Nagin on PCP
Mr. Taylor was not present at the meeting, however, he was represented by Gary Early, Esquire.

Ms. Leigh presented the case. The Administrative Complaint charged Mr. Taylor with knowing or assisting a person practicing contrary to the provisions of the statutes. Ms. Leigh informed the Board that Mr. Taylor had agreed to a Stipulation imposing an administrative fine in the amount of $1000.00, costs in the amount of $210.00, he would be on probation for one year, and he would be required to complete an additional 14 hours of continuing education.
In discussion, Mr. Early explained the circumstances of the case and informed the Board that Mr. Taylor had already paid the fine and taken the additional continuing education hours.

**MOTION:** Mr. Franklin made a motion that the Board approve the Stipulation as presented.

**SEDOND:** Mr. Sasso seconded the motion and it passed unanimously.

**PROSECUTING ATTORNEY REPORT – JESSICA LEIGH**

Ms. Leigh introduced her assistant, Maria Mattheu, to the Board. She provided an updated report on the cases for the Board. Ms. Leigh informed the Board that there were 11 cases ready for the probable cause panel, six had requested a formal hearing, one case had been sent to the expert, two were presented to Board, for a total of nine public cases.

**RECESS**

There being no further business to come before the Board at this time, the meeting was recessed at 11:10 a.m.

**RULES AND LEGISLATION COMMITTEE**

**CALL TO ORDER**

Mr. Nagin, Chair of the Rules and Legislation Committee, called the meeting to order at 11:24 a.m.

**Members Present**

Rob Nagin, Chair
Bob Kymalainen
Charles Sheridan

**Members Not Present**

Fred Dudley

**Others Present**

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Linda Armstrong, Board Member
Dennis Franklin, Board Member
Bob McCormick, Board Member
Nick Sasso, Board Member
Tim Vaccaro, Director, Division of Professions, DBPR
John McBride, Office of Legislative Affairs Director, DBPR
George Ayrish, DBPR
Kasandra Broadnax, DBPR
Alex Toussaint, DBPR
Don Fuchs, BOAF
DISCUSSION OF RULE 61G19-9.002, F.A.C., CONTINUING EDUCATION COURSE PROVIDERS – JEFFREY JONES

Mr. Jones stated that he received an inquiry from the Vice-Chair regarding a question concerning CE course providers and if the rule provided a means by which courses that are submitted are automatically approved. Mr. Jones stated that the language was not clear, and to answer the question he had to go outside of that section and look to the approval of courses section. He stated that he concluded that the registration requirement requires that a course be approved by the Board.

During discussion, Mr. Nagin stated that he thought the rule was going to be changed to state that you have to be duly licensed to take a course that was approved by another Board. Mr. Jones stated that he would research that.

Mr. Nagin stated that this issue should be tabled at this time.

PROPOSED LANGUAGE FOR RULE 61G19-5.002, F.A.C., DISCIPLINARY GUIDELINES – NICK SASSO

Mr. Sasso stated that the basis for this proposal was to impose a stronger penalty after the second offense. Following discussion, Ms. Leigh stated that all of this was already in the rules and his concerns were also addressed.

Mr. Sasso withdrew his proposed language.

PROPOSED LANGUAGE FOR RULE 61G16-9.006, F.A.C., COURSE SYLLABUS – NICK SASSO

Mr. Sasso stated that the current language requires that prior to starting the course, providers are to give a copy of the syllabus to the attendees.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the changes and proceed with rulemaking for Rule 61G16-9.006(1), F.A.C.

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

Mr. Jones informed the Committee that Rule 61G19-10.003, F.A.C., dealt with the fees and would delete the reference to the form since the form has not been developed. He stated that when the form is adopted, the rule could be changed to include this.

MOTION: Mr. Franklin made a motion that Mr. Jones be authorized to proceed with Rule 61G19-10.003, F.A.C.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Mr. Jones informed the Committee that Rule 61G19-5.007, F.A.C., added “plans examination” and a comma.

MOTION: Mr. McCormick made a motion that the Mr. Jones be authorized to proceed with Rule 61G19-5.007, F.A.C.
SECOND: Mr. Franklin seconded the motion and it passed unanimously.

Mr. Jones stated that Rule 61G19-9.004, F.A.C., was complicated, as the objection to the rule was that the authority to audit is not provided. The Board can approve the courses, however, the question was if they have the authority to audit a course which had already been approved. He stated that the other issue was the use of “may” as it is considered to be broad and they would need a standard or criteria that would be used in making a determination as to when attending the CE course would occur.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee not pursue changing Rule 61G19-9.004, F.A.C.
SECOND: Mr. Franklin seconded the motion which passed with Mr. Sasso voting against the motion.

DRAFT OF RULE 61G19-6.016, F.A.C., RELATING TO ROOFING INSPECTORS – JEFFREY JONES

Mr. Jones stated that he was instructed to draft this rule and provided a draft for the Committee’s review. He stated that the proposal required four years of experience.

Dr. Rob von Kampen informed the Committee that he sent out 82 letters requesting subject matter experts to work with ICC on the roofing examination. He stated that they had received ten responses and three commitments to be SMEs.
Mr. Sasso asked that “Florida” general contractor be inserted in the rule. Mr. Nagin suggested a change to the reference “1973” and it should be “1974” according to the CILB statutes. Mr. Nagin stated that the rule also refers to “SBCCI” and it should be changed to “ICC.”

Mr. Jones informed the Committee that he would bring the changes back to the next meeting.

**BOAF LEGISLATIVE PROPOSAL**

Mr. Ronnie Spooner stated that they were asked to bring BOAF’s proposal to this meeting and he provided copies for the Board. He stated that the proposal was a continuation from last year to develop a training program. He informed the Board that this was being sponsored by Senator Baker. Mr. Spooner stated that on page 3, item 5, a change was made to two years of experience and 300 hours and there was a change from 20 hours of ethics to 20 hours in state laws and ethics. This caused a change in the continuing education portion on page 6, section (5), to three hours of state laws and ethics. Mr. Spooner stated that there were changes to the bill of rights in that if an individual’s BCAIB license is disciplined and they are also licensed by another board, the discipline only applies to BCAIB license. Also, building code licensees cannot accept reduced cost or free materials or labor from any person under their enforcement authority.

Mr. Nagin commented that he thought that the issue regarding limited licenses had been dropped. Mr. Spooner responded that this was to solve the problems small communities have at times. He stated that a small community has a defined population of fewer than 150,000.

Mr. McCormick stated that it was intended to allow help in an emergency. Mr. Nagin suggested they add “during declared emergency or during a 30 day time frame.”

Mr. Kymalainen stated that he would like “in the category sought” added at the end of the first paragraph.

Mr. Vaccaro discussed the Department’s current outlook on legislation at this time. He stated that currently no comment is being made on any board legislation. Ms. Barineau asked that Mr. Fuchs and Mr. Spooner speak with Mr. John McBride from the Department’s Legislative Office about the BOAF legislation.

Mr. McCormick questioned line 31 on page 3, where BOAF is referenced. Mr. Jones stated that this speaks of coordinating with BOAF, however, the Board would have the final decision. Mr. Spooner stated that it was clear that the Board is the final authority. Mr. Jones stated that this section could be deleted, as it was not needed.
Mr. Spooner stated that they did not have a House sponsor at this time.

PROVISIONAL CERTIFICATES – BOB MCCORMICK
Discussion of Time Frame for Certificates To Be Valid
Discussion of Time Allowed To Work Once an Application Has Been Submitted

Mr. McCormick stated that he had been informed that the 90 days allowance for provisional applicants to work once their application is submitted is often not enough time to obtain the license. He questioned if the Board should consider extending the time frame to 120 days. Ms. Barineau commented that would take a statutory change.

Mr. Franklin commented that he had concern that individuals are put out in the field that may not have the qualifications, and he would rather leave it at 90 days rather than change to 120 days.

Mr. Sasso commented that with safety and need issues aside, this would require a statutory change.

Mr. Nagin suggested that the Board pursue changing the time frame from 90 days to 120 days for provisional applicants to work and asked the members if they would support such a change. Mr. McCormick and Mr. Nagin were in favor while Ms. Armstrong, Mr. Sasso and Mr. Franklin were not.

OLD BUSINESS
This was provided for information purposes only.

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 1:55 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER
Mr. Franklin, Chair of the Committee, called the meeting to order at 3:25 p.m.

Members Present
Dennis Franklin, Chair
Bob McCormick
Nick Sasso
OUTCOME OF RESEARCH REGARDING THE ISSUANCE OF FINAL ORDERS AND NOTICES OF INTENT TO DENY FOR CONTINUING EDUCATION COURSES – JEFFREY JONES

Mr. Jones stated that he was asked to research this issue. He stated that he did look into this and the provisions of Chapter 120, Florida Statutes, would be applicable, and the current process is correct.

CONTINUING EDUCATION COURSES FOR REVIEW
Lynam & Co, Inc
New Course
1. Medical Gas Installer Certification Course
   Requesting 40 hrs GEN credit

MOTON: Mr. McCormick made a motion that the Committee approve the course as submitted.
SECOND: Mr. Franklin seconded the motion which passed by Mr. Sasso voting against the motion.

Ilevel By Weyerhaeuser (Formerly Trus Joist)
Renewal Courses
1. Engineered Lumber in Residential Construction
   Requesting 4 hrs GEN credit
2. Fundamentals of Engineered Lumber
   Requesting 14 hrs GEN credit
MOTION: Mr. McCormick made a motion that the Committee approve the courses as submitted.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

**Department Of Community Affairs**

**New Courses**

1. FBC Training: Plumbing Code & Accessibility  
   Requesting 2 hrs AOA credit
2. FBC Training: Residential Roofing - Tiles  
   Requesting 2 hrs GEN credit

MOTION: Mr. McCormick made a motion that the Committee approve the courses as submitted.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

**Gold Coast School Of Construction, Inc.**

**Renewal Courses**

1. The Practitioners Guide to the FBC: Accessibility Code & Fair Housing Act (0006622)  
   Requesting 2 hrs AOA credit
2. The Practitioners Guide to the FBC: Accessibility Code & Fair Housing Act - Internet (0006733)  
   Requesting 2 hrs AOA credit

MOTION: Mr. McCormick made a motion that the Committee approve the courses as submitted.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

**Building Officials Association Of Florida (BOAF)**

**New Courses**

   Requesting 2 hrs GEN credit
2. 2004 FBC Accessibility and Usability  
   Requesting 2 hrs AOA credit
3. 2007 Florida Laws and Rules  
   Requesting 2 hrs L&R credit
4. 2004 Florida Building Code – Chapter 5, 6 and 7  
   Requesting 3 hrs GEN credit
5. 2007 Workers Compensation  
   Requesting 1 hr L&R credit
6. 2007 Florida Job Site Safety  
   Requesting 1 hr GEN credit
7. 2006 Florida Building Code Supplement  
   Requesting 3 hrs GEN credit
MOTION: Mr. Sasso made a motion that the Committee approve the courses as submitted.
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Miami-Dade County Building Code Compliance Office Renewal Courses
1. Comparisons between the South Florida Building Code and all Associated Codes and Laws – 0006617 Requesting 2 hrs GEN credit
   Mr. Sasso stated that the title was misleading as there is no indication of which national code they are using.
   MOTION: Mr. Sasso made a motion that the Committee deny Course #1 as the title does not reflect the course content and the code they are using is not cited.
   SECOND: Mr. McCormick seconded the motion and it passed unanimously.

2. Chapter 11 Storm Drainage - 0006618 Requesting 1 hr GEN credit
3. Chapter 7 Sanitary Drainage - 0006619 Requesting 1 hr GEN credit
4. Arc Fault Circuit Interrupter (AFCI) - 0006620 Requesting 1 hr GEN credit
   MOTION: Mr. Sasso made a motion that the Committee deny Course #4 as the national electrical code is not cited
   SECOND: The motion died for lack of a second.
   MOTION: Mr. McCormick made motion that the Committee approve Course #4 as submitted.
   SECOND: Mr. Franklin seconded the motion and it passed unanimously.

5. An Overview of the Florida Mechanical Code - 0006621 Requesting 1 hr GEN credit
   MOTION: Mr. Sasso made a motion that the Committee approve Course #’s 2, 3 & 5 as submitted.
   SECOND: Mr. McCormick seconded the motion and it passed unanimously.

OLD BUSINESS
There was no old business to come before the Committee at this time.
NEW BUSINESS
Mr. Fuchs informed the Committee that the Educational Outreach Council and Florida Building Commission were going to recommend having one place to do continuing education. He stated that they did not care if it was DCA or DBPR.

Mr. McCormick stated that he had a copy of the proposal and would forward it to Ms. Barineau.

ADJOURNMENT
There being no further business to come before the Committee at this time, the meeting was adjourned at 4:05 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER
Vice-Chair McCormick called the meeting to order at 4:05 p.m. Vice-Chair McCormick informed the Committee that Chair Kymalainen was ill and would not be in attendance this afternoon.

Members Present
Linda Armstrong
Bob McCormick, Vice-Chair
Rob Nagin
Nick Sasso
Charles Sheridan

Members Not Present
Bob Kymalainen, Chair
Fred Dudley

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Don Fuchs, BOAF
Doug Harvey, BOAF
Rob von Kampen, ICC
Wayne Francis
Luther Council

REVIEW OF CHANGES MADE TO THE APPLICATION FOR LICENSURE
Ms. Barineau informed the Board that the draft of the application changes was distributed at the last meeting. She stated as a means for streamlining the application process and using the affidavits on file for that trade, there would be a statement placed on the affidavit of experience.
Mr. Nagin requested that on the affidavit form we put for the individuals to please print. It was also suggested that Ms. Barineau check to see if one of the signature blocks could be removed from the attest statement.

Ms. Barineau informed the Committee that she would bring the changes to the next meeting.

OUT OF STATE EXPERIENCE QUALIFICATIONS
The Committee agreed that the experience had to be verified by an engineer, contractor, building official, or architect even if the applicant was from out of state.

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

NEW BUSINESS
Mr. Nagin informed the Committee that he had been requested by the Probable Cause Panel to bring the issue before the Board of electrical final inspections and whether or not the power should be hot or cold. The request was to bring to the Board as perhaps a recommendation to the FBC to have hot electrical inspections.

After discussion, the Committee did not make any recommendations and agreed not to pursue this issue.

ADJOURNMENT
There being no further business to come before the Committee, the meeting was adjourned at 4:40 p.m.

APPLICATION REVIEW

CALL TO ORDER
Mr. McCormick called the Application Review Committee meeting to order at 4:40 p.m.

Members Present
Bob McCormick
Nick Sasso
Rob Nagin

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst

At this time the Committee reviewed applications.
ADJOURNMENT
There being no further business to come before the Committee, the meeting was adjourned at 7:40 p.m.

DECEMBER 15, 2006

CALL TO ORDER
Vice-Chair McCormick, on behalf of Chair Kymalainen, called the meeting to order at 9:00 a.m.

Members Present
Bob Kymalainen, Chair
Linda Armstrong
Dennis Franklin
Bob McCormick, Vice-Chair
Rob Nagin
Nick Sasso
Charles Sheridan

Members Not Present
Fred Dudley

Others Present
Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Michael Ashworth, Department of Community Affairs
Don Fuchs, BOAF
Doug Harvey, BOAF
Rob von Kampen, ICC
Wayne Francis
Mark Reddinger, DBPR
Kristen Ploska, DPBR

APPROVAL OF THE OCTOBER 3, 4, 5, & 6, 2006, MINUTES OF THE MEETING
MOTION: Mr. Franklin made a motion that the Board approve the October 3, 4, 5 & 6, 2006, minutes of the meeting as submitted.
SECOND: Chair Kymalainen seconded the motion and it passed unanimously.

REVISED RULE 61G19-6.016, F.A.C. – MICHAEL ASHWORTH & JEFFREY JONES
Mr. Ashworth provided a copy of the rule as requested at last meeting. Following discussion, the following action was taken.
MOTION: Ms. Nagin made a motion that the Board move forward with rulemaking for Rule 61G19-6.016, F.A.C.
SECOND: Mr. Sheridan seconded the motion and it passed unanimously.

REPORTS
Chair’s Report – Bob Kymalainen
Chair Kymalainen did not have a report to give at this time.

Application Review Committee – Bob Kymalainen
Ratification and Denial Lists
Vice-Chair McCormick informed the Board that Terrance Blake, provisional plumbing inspector, had been added to the Ratification List. He reported that the Application Review Committee had met since Tuesday and reviewed over 300 applications. He asked that the Board approve the actions of the Committee.

MOTION: Mr. Franklin made a motion that the Board approve the actions of the Application Review Committee & the Ratification List.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

Rules and Legislation Committee – Rob Nagin
Mr. Nagin reported that the Committee met yesterday and provided the following information:
- Rule 61G19-9.002, F.A.C., approval of courses – no action was taken
- Rule 61G19-9.004(11), F.A.C., – Mr. Jones will provide language at the next meeting
- Rule 61G19-9.006, F.A.C., – the rule was amended and Mr. Jones will move forward with rulemaking
- JAPC letters regarding Rule 61G19-10.003, F.A.C., and 61G19-5.007, F.A.C., will be corrected, and Rule 61G19-9.004, F.A.C., will be withdrawn
- Rule 61G19-6.016, F.A.C., language will be provided at the next meeting
- BOAF legislative proposal – the Board agreed on the education language and made suggestions for language related to the portability of limited licenses
- There was discussion regarding the 90 day time frame for provisional licenses and no action was taken

MOTION: Vice-Chair McCormick made a motion that the Board approve the actions of the Rules and Legislation Committee.
SECOND: Chair Kymalainen seconded the motion and it passed unanimously.

Examination and Continuing Education Committee – Dennis Franklin
Mr. Franklin reported that the Committee met yesterday. He stated that Mr. Jones discussed the procedures for the notices of intent to deny for continuing education.
Mr. Franklin reported on the approval and denial of the continuing education courses that had been submitted.

**MOTION:** Vice-Chair McCormick made a motion that the Board approve the actions of the Examination and Continuing Education Committee.

**SECOND:** Chair Kymalainen seconded the motion and it passed unanimously.

**Executive Committee - Bob Kymalainen**
Vice-Chair McCormick stated that he did not have a report to give at this time.

**Building Code Education and Outreach Council – Charles Sheridan**

**Draft Minutes – October 31, 2006**
Mr. Sheridan informed the Board that he had not received a copy of the universal continuing education application that has been discussed by the Council. He stated that by October 2007, they want to have one application for all boards.

Mr. Nagin stated that he would like for the courses being prepared by the University of West Florida to be reviewed by building code professionals before they are approved to ensure the content is suitable and applicable for licensees.

Mr. Nagin commented that he was glad to hear that they are looking at one application for continuing education.

**Board Counsel – Jeffrey Jones**

**Update on Pending DOAH Cases**
Mr. Jones provided the Board with an update on the DOAH cases. He stated that there were seven cases pending. The Recommended Order for Jan Varga had been received and was ready to be heard by the Board.

Ms. Barineau stated that the Board has to take action on the Recommended Order within 45 days of the issuance. It was decided that there would be a conference call on January 18, 2007, at 10:00 a.m. Mr. Jones informed the Board that another attorney may have to present the case to the Board and he would work that out, if necessary.

Mr. Jones stated that Glenn Brown came before the Board as an informal hearing and Mr. Brown has exercised his appellate rights to go to the Fifth Circuit Court of Appeals. He is disputing the analyzing of experience and he believes it should be viewed concurrently, not separately. They are also questioning whether his hearing should have been terminated. They have submitted his initial brief. Mr. Jones will respond to Mr. Brown’s brief.

**Research Regarding Licensure by Trade**
Mr. Jones stated that this could not be done.
Executive Director – Robyn Barineau
- Update on Streamlining the Application Process
  Ms. Barineau stated that this was discussed yesterday.
- Licensure Letter
  Ms. Barineau provided the Board with a copy of the licensure letter that is currently being used when an additional category is added to a standard license.
- Financial Report
  Ms. Barineau informed the Board that they had a balance of $2.4 million in their operating account and $130,000 in the unlicensed activity account.
- Complaints & Investigative Statistics – July 06 – October 06 –
  This was provided for informational purposes.
- DBPR Newsflash – Informational Purposes Only
- Board Membership.
  Ms. Barineau stated that the Department was continuing to address the issue of board member vacancies. She asked if anyone knew of individuals interested in serving, to please contact the Department of the Governor’s Appointments Office for an application.

Ms. Barineau informed the Board that a copy of the e-mail Ms. Pass sent to the Governor’s office resigning from the Board was included in their handouts. She stated that a plaque would be ordered for her service on the Board. Chair Kymalainen asked that she be invited to the next meeting.

ICC Update – Rob von Kampen, Ph.D.
Dr. von Kampen informed the Board that they now have enough subject matter experts to start the development of the roofing examination. He also informed the Board that the trend toward the computer based testing was increasing.

Unlicensed Activity Campaign – Mark Reddinger
Mr. Reddinger presented a DVD that is being provided to all building departments to be shown in their waiting rooms. He stated that he has been traveling around the state to meet with building departments and he is also providing flyers relating to unlicensed activity.

The Board asked Mr. Reddinger to have a brochure specific to this Board. Chair Kymalainen expressed his concern that unwarranted complaints could be generated with some of the information in the flyers. The Board will discuss this further at the next meeting.

Board Member Training
At this time, Ms. Barineau, Mr. Jones and Ms. Leigh provided training.

New Business
There was no new business to come before the Board at this time.
Old Business
There was no old business to come before the Board at this time.

Adjournment
There being no further business to come before the Board, the meeting was adjourned at 12:00.