

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS & INSPECTORS BOARD

CARIBE ROYALE

8101 WORLD CENTER DRIVE

ORLANDO, FL 32821

FEBRUARY 15, 16 & 17, 2006 9:00 A.M.

February 15, 2006 9:00 a.m.

APPLICATION REVIEW COMMITTEE

Call To Order

Ms. Pass, Chair of the Committee, called the meeting to order at 9:10 a.m. on February 15, 2006.

Members Present

Margaret Pass, Chair

Bob Kymalainen

Bob McCormick

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

David Nardin, City of Clearwater

Fred Lindes, City of Fernandina Beach

Carol Cowan, Hernando County School Board

Jerry Cavender, City of Lake Alfred

Robert Shepherd, Brevard County

Adib Saheen, Hendry County

Nick Batzek, Hendry County

Jay Mesquita, City of Palm Beach Gardens

Don Fuchs, BOAF

Lawrence Pernell, Okaloosa County

Harold Owens, Okaloosa County

Edward Fox, Orange County

Randy Lamb, City of Lake Mary

Joe Hatten, City of Miami

Elvin Miranda, City of Temple Terrace

Larry Hilton, Glades County

Robert Johnson, Lafayette County

Billy Tyson, Clemen & Rutherford & Assoc.

James Grant, Jackson County

Ron Schwab, Lake County Building Services
Paula Fisher, Lake County Building Services
Roger Caran, Orange County Building & Safety
Ricci Todd, Orange County Building & Safety
Craig Waldron
James S. Young, Suwannee County Building Department
James D. Robinson, City of Rockledge
John A. Connelly, City of Palm Bay
Cathy Stafford, City of Palm Bay
Vernon Ogden, Orange County, Division of Building Safety
Jason Abbott, Orange County, Division of Building Safety
Dennis Hebert, Palm Bay Building Department
Douglas Tillery, Walton County Building Department
Jonathan Bilby, Walton County Building Department
John Miles, Orange County Building
Tom Hayes, Orange County Building
Tom Allen, Port Orange
Carlton Meng, Putman County
John A. Fahey, Pinellas County
Barbara Jefferies, Charlotte County
Sam Baxter, Charlotte County
Vince LaPorta, Charlotte County
Ray Byron, Charlotte County
Gary Hiatt
Chad Sutton
Wayne Francis

REVIEW OF APPLICATIONS AND REQUESTS FOR HEARINGS

David G. Nardin – Provisional Mechanical Inspector

Mr. Nardin 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 mechanical inspector application based on the additional information provided.

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

Frederick Keith Lindes – 1&2 Family Dwelling Inspector

Mr. Lindes was present at the meeting and additional information had been submitted. Following discussion, the Committee informed Mr. Lindes that he still lacked the required electrical experience.

MOTION: Mr. Kymalainen made a motion that the Committee table the review until Friday in order for Mr. Lindes to obtain additional experience verifications.

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

Mr. Lindes appeared later in the day and presented the Committee with additional experience verifications. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the 1&2 family dwelling inspector application based on the additional information provided.

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

Carol Cowan – Provisional Building Inspector

Ms. Cowan 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 building inspector application based on the additional information provided.

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

Robert Shepherd – Provisional 1&2 Family Dwelling Inspector

Mr. Shepherd 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 1&2 family dwelling inspector application based on the additional information provided.

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

Jay Mesquita – Provisional Plumbing Inspector & Provisional Electrical Inspector

Mr. Mesquita 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 plumbing inspector and provisional electrical inspector applications.

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

Lawrence Pernell – Provisional Building Code Administrator & Provisional Coastal Construction Inspector

Mr. Pernell was present at the meeting along with Mr. Harold Owens. Mr. Owens informed the Committee that the applications needed to be changed from provisional applications to standard applications. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the building code administrator and coastal construction inspector applications as standard applications.

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

Joseph M. Hatten – 1&2 Family Dwelling Inspector

Mr. Hatten was present at the meeting along with Mr. Louis Hatten. Mr. Hatten 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 1&2 family dwelling inspector application based on the additional information submitted.

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

Elvin Miranda – Provisional Electrical Inspector

Mr. Miranda 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 electrical inspector application based on the additional information submitted.

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

James Grant – Provisional Mechanical Inspector, Provisional Plumbing Inspector, Provisional Electrical Inspector & Provisional Building Inspector

Mr. Grant was present at the meeting along with his father. Mr. Grant 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 mechanical inspector, provisional plumbing inspector, provisional electrical inspector and provisional building inspector applications as Mr. Grant was no longer employed with the municipality.

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

Paula Fisher – Provisional Building Inspector

Ms. Fisher was present at the meeting along with Mr. Ron Schwab. Ms. Fisher 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 building inspector application based on the additional information submitted.

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

Craig S. Waldron – Provisional Building Inspector

Mr. Waldron 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 building inspector application as Mr. Waldron was not currently employed with a municipality.

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

James Scott Young – Mechanical Inspector, Plumbing Inspector & Electrical Inspector

Mr. Young 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 mechanical inspector, plumbing inspector and electrical inspector applications.

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

James D. Robinson – Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Provisional Electrical Inspector, Provisional Plumbing Inspector & Provisional Mechanical Inspector

Mr. Robinson was present at the meeting along with Mr. Carl Jones. Mr. Robinson 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 plumbing plans examiner, provisional mechanical plans examiner, provisional electrical plans examiner, provisional electrical inspector, provisional plumbing inspector & provisional mechanical inspector applications.

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

John A. Connelly, III – Provisional & Standard: Electrical Inspector, Plumbing Inspector and Mechanical Inspector

Mr. Connelly 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 & standard electrical inspector, plumbing inspector and mechanical inspector applications.

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

Dennis Hebert – Provisional & Standard Building Code Administrator

Mr. Hebert was present at the meeting along with Ms. Cathy Stafford. Mr. Hebert 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 and standard building code administrator applications based on the additional information submitted.

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

Carlton Meng – Mechanical Inspector, Plumbing Inspector, Provisional Plumbing Inspector, Provisional Electrical Inspector & Provisional Mechanical Inspector

Mr. Meng was present at the meeting along with Mr. Paul Myers, Jr. Mr. Meng 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 mechanical inspector, plumbing inspector, provisional plumbing inspector, provisional electrical inspector and provisional mechanical inspector applications.

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

John A. Fahey, III – 1&2 Family Dwelling Inspector

Mr. Fahey 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 1&2 family dwelling inspector application based on the additional information submitted.

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

Barbara L. Jefferies – Provisional Building Plans Examiner

Ms. Jefferies was present at the meeting along with Mr. Vince LaPorta and Mr. Ray Byron. Ms. Jefferies provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Committee approve the provisional building plans examiner application based on the additional information submitted.

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

Sam Baxter – Provisional Plumbing Plans Examiner, Provisional Building Plans Examiner, Provisional Mechanical Plans Examiner

Mr. Baxter was present at the meeting along with Vince LaPorta and Ray Byron. Mr. Baxter 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 mechanical plans examiner and provisional plumbing plans examiner applications based on the additional information submitted.

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

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the provisional building plans examiner application.

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

Chad Sutter – Provisional Building Inspector

Mr. Sutter 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 building inspector application based on the additional information submitted.

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

Ms. Pass stated that no one else was present for a hearing and at this time, the Committee would review the applications for the individuals present.

Jerry Cavender – Provisional Electrical Inspector and Provisional 1&2 Family Dwelling Inspector

Mr. Cavender was present at the meeting. Following discussion, the Committee approved the applications.

Adib A. Shaheed – Provisional 1&2 Family Dwelling Inspector, Provisional Building Plans Examiner, Provisional Building Inspector

Mr. Shaheed was present at the meeting. Following discussion, the Committee denied the applications due to a lack of experience.

Nicholas Batzek – Provisional Building Plans Examiner and Provisional Building Inspector

Mr. Batzek was present at the meeting. Following discussion, the Committee approved the applications.

Randy Lamb – Building Code Administrator – Endorsement, Provisional Building Code Administrator, Provisional Building Plans Examiner, Building Plans Examiner – Endorsement

Mr. Lamb was present at the meeting along with Mr. Tom Allen. Following discussion, the Committee approved the provisional building plans examiner and building plans examiner – endorsement applications. The Committee denied the building code administrator – endorsement and provisional building code administrator applications for a lack of supervisory experience and proof of experience.

Billy Tyson – Building Inspector and Building Plans Examiner

Mr. Tyson was present at the meeting. Following discussion, the Committee approved the building inspector and building plans examiner applications.

Ricci S. Todd, Jr. – Building Inspector and Provisional Building Inspector
Mr. Todd was present at the meeting. The Committee approved the building inspector and provisional building inspector applications.

Roger Caban – Building Inspector and Provisional Building Inspector
Mr. Caban was present at the meeting. Following discussion, the Committee approved the building inspector and provisional building inspector applications.

Jason Ryan Abbott – Provisional Electrical Inspector
Mr. Abbott was present at the meeting. Following discussion, the Committee approved the provisional electrical inspector application.

Douglas Alan Tillery – Electrical Plans Examiner, Mechanical Plans Examiner, Building Plans Examiner, Plumbing Plans Examiner, Mechanical Inspector, Plumbing Inspector, 1&2 Family Dwelling Inspector, Electrical Inspector, Coastal Construction Inspector, Building Inspector, Provisional Plumbing Plans Examiner, Provisional Building Inspector, Provisional Coastal Construction Inspector, Provisional Electrical Inspector, Provisional 1&2 Family Dwelling Inspector, Provisional Mechanical Inspector, Provisional Building Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Plumbing Inspector and Provisional Electrical Plans Examiner

Mr. Tillery was present at the meeting. Following discussion, the Committee approved the following applications: building plans examiner, plumbing plans examiner, plumbing inspector, 1&2 family dwelling inspector, coastal construction inspector, building inspector, provisional plumbing plans examiner, provisional building inspector, provisional coastal construction inspector, provisional 1&2 family dwelling inspector, provisional building plans examiner.

The Committee denied the following applications due to a lack of experience: electrical plans examiner, mechanical plans examiner, mechanical inspector, electrical inspector, provisional electrical inspector, provisional mechanical inspector, provisional mechanical plans examiner and provisional electrical plans examiner.

Jonathan Bilby – Building Inspector, Mechanical Inspector, Plumbing Inspector, Electrical Inspector, Coastal Construction Inspector, Electrical Plans Examiner, mechanical Plans Examiner, Provisional Electrical Inspector, Provisional Coastal Construction inspector, Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Building Plans Examiner, Provisional 1&2 Family Dwelling Inspector, Provisional mechanical Inspector, Provisional Building Inspector, Provisional Electrical Plans Examiner, Provisional Plumbing Inspector, Plumbing Plans Examiner and Building Plans Examiner

Mr. Bilby was present at the meeting. Following discussion, the Committee approved the following applications: building inspector, mechanical inspector,

coastal construction inspector, mechanical plans examiner, provisional coastal construction inspector, provisional mechanical plans examiner, provisional building plans examiner, provisional mechanical inspector, provisional building inspector and building plans examiner.

The Committee denied the following applications due to a lack of experience: 1&2 family dwelling inspector, plumbing inspector, electrical inspector, electrical plans examiner, provisional electrical inspector, provisional plumbing plans examiner, provisional 1&2 family dwelling inspector, provisional electrical plans examiner, provisional plumbing inspector and plumbing plans examiner.

Tom Hayes – Plumbing Inspector

Mr. Hayes was present at the meeting. The Committee approved the application.

Thomas Fisher – Provisional 1&2 Family Dwelling Inspector

Mr. Larry Hilton was present on behalf of Mr. Fisher. Following discussion, the Committee approved the application.

Francis E. Davidge – Provisional Building Inspector, Plumbing Inspector, Mechanical Inspector, 1&2 Family Dwelling Inspector, Building Inspector, Building Plans Examiner, Mechanical Plans Examiner, Plumbing Plans Examiner, Provisional Building Plans Examiner, Provisional 1&2 Family Dwelling Inspector, Provisional mechanical Inspector, Provisional mechanical Plans Examiner, Provisional Plumbing Inspector and Provisional Plumbing Plans Examiner

Mr. Gary Hiatt was present on behalf of Mr. Davidge. The Committee approved the applications.

Joseph Burl Russell – Provisional Mechanical Inspector and Provisional Mechanical Plans Examiner

Mr. Wayne Francis was present on behalf of Mr. Russell. The Committee approved the applications.

Robert S. Lowe – Electrical Plans Examiner, Electrical Inspector, Provisional Electrical Plans Examiner and provisional Electrical Inspector

Mr. Wayne Francis was present on behalf of Mr. Lowe. The Committee approved the applications.

At this time, the Committee reviewed applications for approval or denial.

ADJOURNMENT

There being no further business to come before the Committee, the meeting adjourned at 2:30 a.m.

FEBRUARY 16, 2006 9:00 A.M.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME

Mr. Sheridan, Chair of the Board, called the meeting to order at 9:00 a.m.

Members Present

Charles Sheridan, Chair
Dennis Franklin
Robert Kymalainen, Vice-Chair
Bob McCormick
Robert Nagin
Margaret Pass
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Joseph D. Smallwood
Richard L. Noles
Robert von Kampen, Ph.D., ICC
John Connelly, City of Palm Bay
Michael Chbat, School for Contractors & Trades
Debbie Chbat
Wayne Francis
Don Fuchs, BOAF
Tom Allen, Port Orange
Kenneth M. Steinke, City of St. Petersburg
Angel Perez, City of Doral
Dale Greiner, Lake County
Sharon Mignardi, Code Consulting Services, Inc.
Jane Wadell, Contractors Institute
William Dumbaugh, BOIEA/BOAF

REQUEST FOR HEARING NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

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 not present at the meeting and did not submitted additional information.

MOTION: Mr. McCormick made a motion that the Board uphold the denial of the provisional mechanical inspector, mechanical inspector, provisional plumbing plans examiner, 1&2 family dwelling inspector,

plumbing inspector, electrical inspector and provisional electrical inspector applications.

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

John A. Connelly, III – Provisional & Standard: Electrical Inspector, Plumbing Inspector and Mechanical Inspector

Ms. Pass informed the Board that Mr. Connelly appeared before the Application Review Committee on the 15th and the Committee upheld the denial of his applications. Mr. Connelly was present on the 16th to provide additional information for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board uphold the denials on the provisional and standard: electrical inspector, plumbing inspector and mechanical inspector applications.

SECOND: Mr. McCormick seconded the motion which passed with Ms. Pass, Mr. Franklin and Mr. Sheridan voting against the motion.

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

Mr. Horton was not present at the meeting. Following discussion, the following action was taken.

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

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

Stephen Naumann – Electrical Inspector – Endorsement

Mr. Naumann was not present at the meeting. Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board uphold the denial of the electrical inspector by endorsement application.

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

Richard L. Noles – Electrical Inspector, Mechanical Inspector & Provisional Electrical Inspector

Mr. Noles was present at the meeting and sworn in by the court reporter. Mr. Noles informed the Board that he had already been issued a mechanical inspector license. He stated that his experience was verified on a DD214 form he received from the US Army. Mr. Franklin stated that the experience had to be affirmed by certain individuals and the DD214 did verify the experience requirements.

Following discussion, Mr. Jones informed the Board that they could toll this application to the next meeting to allow Mr. Noles time to obtain the required documentation, however, Mr. Noles would have to waive the time limits.

Mr. Noles requested a waiver of the time constraints so that his hearing could be tabled until the next meeting.

MOTION: Mr. Franklin made a motion that the Board table the hearing for Mr. Noles until the April meeting.

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

Angel Perez – Provisional Electrical Inspector

Mr. Perez was present at the meeting and sworn in by the court reporter. He provided additional information for the Board's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Board approve the provisional electrical inspector application.

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

Diane Silva – Provisional Building Inspector

Ms. Silva was not present at the meeting. During discussion, it was noted that a provisional building code administrator cannot supervise a provisional license holder and her experience had not been proven.

MOTION: Ms. Pass made a motion that the Board uphold the denial of the provisional building inspector application.

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

Joseph Smallwood – Provisional 1&2 Family Dwelling Inspector & Provisional Building Inspector

Mr. Smallwood was present at the meeting and sworn in by the court reporter. Mr. Smallwood provided additional information at the meeting for the Board's consideration.

MOTION: Mr. Franklin made a motion that the Board approve the provisional 1&2 family dwelling inspector and provisional building inspector applications.

SECOND: Mr. Nagin seconded the motion.

Following discussion, the motion failed with Mr. Franklin being the only member voting in favor of the motion.

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

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

Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Board table the hearing for the provisional 1&2 family dwelling inspector application until the afternoon.

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

Kenneth Steinke - Building Code Administrator – Endorsement

Mr. Steinke was present at the meeting and sworn in by the court reporter. Mr. Steinke provided additional information at the meeting for the Board's consideration.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Board uphold the denial of the building code administrator application.

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

REQUEST FOR HEARING FOR DENIED CONTINUING EDUCATION COURSES

School for Contractors and Trades

Mr. Michael Chbat was present at the meeting and sworn in by the court reporter. During discussion, Ms. Sharon Mignardi, an approved DCA provider, informed the Board that the course had been updated and the approval should be sent to Mr. Chbat soon.

Mr. Nagin stated that the laws and rules courses should be specific to BCAIB. Mr. Sheridan agreed.

MOTION: Mr. Franklin made a motion that the Board uphold the denial of the School for Contractors and Trades course.

SECOND: Mr. Sheridan seconded the motion.

In discussion, Mr. Chbat stated that he was not sure why the accessibility courses were not accepted and stated that he included ethics because he felt it was appropriate. Mr. Sheridan commented that the courses were well written for the construction board. Following discussion, the motion failed with Ms. Pass, Mr. Kymalainen, Mr. McCormick and Mr. Sasso voting against the motion.

MOTION: Mr. McCormick made a motion that the Board approve the courses for School for Contractors and Trades as submitted.

SECOND: Ms. Pass seconded the motion and it passed with Mr. Sheridan, Mr. Franklin and Mr. Nagin voting against the motion.

Joseph Smallwood – Provisional 1&2 Family Dwelling Inspector

Mr. Smallwood informed the Board that he had a fax regarding his employment for the Board's review. He stated that it was from his employer's business manager because the building official was on vacation.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board approve the provisional 1&2 family dwelling inspector application pending receipt of a letter from the building official verifying that Mr. Smallwood is a 1&2 family dwelling inspector.

SECOND: Mr. McCormick seconded the motion and it passed with Mr. Kymalainen and Mr. Sasso voting against the motion.

RULES AND LEGISLATION COMMITTEE

Call To Order

Mr. Nagin, Chair of the Committee, called the meeting to order at 11:23 a.m.

Members Present

Robert Nagin, Chair
Bob Kymalainen
Charles Sheridan

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Dennis Franklin, Board Member
Margaret Pass, Board Member
Bob McCormick, Board Member
Nick Sasso, Board Member
Robert von Kampen, Ph.D., ICC
Wayne Francis
Don Fuchs, BOAF
Tom Allen, Port Orange
Dale Greiner, Lake County
Sharon Mignardi, Code Consulting Services, Inc.
Jane Wadell, Contractors Institute
William Dumbaugh, BOIEA/BOAF

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

Mr. Sasso commented that this rule needed to be amended to include plans examiner.

MOTION: Mr. Nagin made a motion that Mr. Jones proceed with making the change to Rule 61G19-5.002, F.A.C.

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

DISCUSSION OF RULE 61G19-9.004(9), F.A.C. – APPROVAL OF COURSES

Ms. Barineau commented that this rule was on the agenda as the Board had requested, at the last meeting, to address who long continuing education course completion certificates should be kept by licensees. She stated that the rule does not currently address this issue.

Mr. Nagin responded that they should be kept for at least three years. Mr. McCormick agreed as that was consistent with the provider rule.

MOTION: Mr. Franklin made a motion that Mr. Jones proceed with the rule making process for Rule 61G19-9.004, F.A.C.

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

Mr. Nagin asked Mr. Jones to provide a draft of the rule at the next meeting.

Mr. Jones stated that he had been asked to research the possibility of board members auditing continuing education classes and if there was a need for rulemaking. He stated that he reviewed the rules and there are currently provisions related to board member compensation in Rule 61G19-2.007(f), F.A.C., regarding auditing continuing education courses. He stated that members would have to be approved prior to attending a course.

Mr. Nagin stated that he would like to have the prior approval portion removed so members could audit classes without prior approval. Mr. Jones responded that the rule would require an amendment to effectuate such a change. Mr. Jones informed the Committee that he would draft the rules and bring them to the next meeting for the committee's review.

DISCUSSION OF PROPOSED RULE REGARDING NULL AND VOID APPLICATIONS – JEFF JONES

Mr. Jones informed the Committee that the rule has not been finalized at this time.

OLD BUSINESS

Mr. Sasso voiced concern over the fines that the Board can impose. He felt that the Board should have the ability to fine a licensee up to \$5000 for a first occurrence.

Ms. Jessica Leigh, Prosecuting Attorney, expressed concern over the penalty for a first offense being the maximum amount. Mr. Sasso responded that the penalties should be higher to be a deterrent to licensees violating the law.

NEW BUSINESS

Mr. Nagin suggested that the Board define the laws and rules portion of the continuing education requirement to pertain to BCAIB laws and rules and BCAIB

licensees. He stated that this change was made in the rules to delete the requirement for taking the principles and practice examination every 2 years and he would like better direction as to what the Board would accept. Mr. Nagin commented that Chapters 468, 553, 471, 481, 489, and 713, Florida Statutes, were some suggestions that could be inserted in the rule further defining what would be required for the 2 hour laws and rules continuing education requirement.

Mr. McCormick stated that it should be related to the reference list for the principles and practice examination.

Mr. Jones responded that this approach would put them in a box, and they would be taking away their flexibility.

Mr. McCormick stated that the market place would take care of the courses that were not relevant to the laws and rules. He suggested that the Board review the courses and determine if they are appropriate.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that Mr. Jones draft language regarding the laws and rules continuing education for consideration at the next meeting.

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

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:18 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. Franklin, Chair of the Committee, called the meeting to order at 1:44 p.m.

Members Present

Dennis Franklin, Chair

Bob McCormick

Nick Sasso

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Jeffrey Jones, Board Counsel

Jessica Leigh, Prosecuting Attorney

Bob Kymalainen, Board Member

Margaret Pass, Board Member

Rob Nagin, Board Member

Charles Sheridan, Board Member
Robert von Kampen, Ph.D., ICC
Wayne Francis
Don Fuchs, BOAF
Tom Allen, Port Orange
Dale Greiner, Lake County
Sharon Mignardi, Code Consulting Services, Inc.
Jane Wadell, Contractors Institute
William Dumbaugh, BOIEA/BOAF

CONTINUING EDUCATIONS COURSES FOR REVIEW

Building Officials Association Of Florida Training Course Renewals

Building Inspector Training Program (200 hrs)
Building Plan Review Training Program (200 hrs)
Electrical Inspector Training Program (200 hrs)
Electrical Plan Review Training Program (200 hrs)
Mechanical Inspector Training Program (200 hrs)
Mechanical Plan Review Training Program (200 hrs)
Plumbing Inspector Training Program (200 hrs)
Plumbing Plan Review Training Program (200 hrs)
1 & 2 Family Dwelling Inspector Training Program (200 hrs)

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve all of the training courses for renewal as submitted by the Building Officials Association of Florida.

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

First Coast Chapter ICC-BOAF – New Provider - New Course

Building Code Top Gun Competition (2 hrs)

Mr. Sasso commented that no instructional materials were included and he would like to see what information is being presented. Mr. Nagin stated that he did not see how the Board could support this course.

Mr. McCormick responded that this was set up to make continuing education more interesting and thought it is a great idea. He stated that this was tailored to the licensees of this Board and they would not know all of the questions that will be presented at courses.

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

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

Building Officials Association Of Florida - Renewal Course

Florida Construction Laws and Rules (2 hrs) – Course #0006727 **requesting 2 hours of credit instead of the previous approval for 3 hours.

Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee approve the course as submitted.

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

New Courses

Florida Business Practices (1 hr)

Fair Housing and ADA Requirements (2 hrs)

Florida Roofing – Low Sloped (2 hrs)

Florida Roofing – High Sloped (2 hrs)

MOTION: Mr. Nagin made a motion that the Committee approve the new courses as submitted.

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

Broward County Board Of Rules & Appeals

New Course

Wall Footings Cast Monolithic With Slab (3 hrs)

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

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

ADAAG Consulting Services, LLC – New Provider

New Course

ADA Title II Federal Regulations. How To Stay Out of Court? (1 hr)

Mr. Nagin commented that this course appeared to be for consultants.

Following discussion, the following action was taken.

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

SECOND: Mr. Sheridan seconded the motion which failed with Mr. Nagin, Mr. Franklin, Ms. Pass, Mr. Kymalainen and Mr. Sasso voting against the motion.

MOTION: Mr. Nagin made a motion that the Committee deny the course as submitted as it was not relevant.

SECOND: Ms. Pass seconded the motion and it passed with Mr. McCormick voting against the motion.

**The University Of West Florida – New Provider
New Course**

FBC Chapter 11 – Florida Accessibility Code (2 hrs)

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

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

**City Of Jacksonville
New Courses**

6FBC10.8 The 2004 Florida Building Code (Life Safety Concepts) (8 hrs)

6FBC5.8 The 2004 Florida Building Code (Allowable Heights and Area) (8 hrs)

MOTION: Mr. Sasso made a motion that the Committee approve the 6FBC10.8 The 2004 Florida Building Code (Life Safety Concepts) course as submitted.

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

MOTION: Mr. Sasso made a motion that the Committee approve the 6FBC5.8 The 2004 Florida Building Code (Allowable Heights and Area) course as submitted.

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

**International Association Of Electrical Inspectors
New Courses**

Analysis of Changes Based on 2005 NEC (8 hrs)

One and Two Family Dwelling of Electrical Systems (8 hrs)

Soares Grounding and Bonding of Electrical Systems (8 hrs)

NEC 2005 Hazardous (Classified) Locations (8 hrs)

NEC 2005 Health Care Facilities (8 hrs)

MOTION: Mr. Nagin made a motion that the Committee approve the courses as submitted.

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

**Building Officials & Inspectors Educational Association
New Courses**

Storm Damaged Equipment Repair and Inspection (2 hrs)

Introduction to the 2004 Florida Plumbing Code (4 hrs)

Florida Mechanical Code 2004 (2 hrs)

Electrical Transformers Installation and Inspection (2 hrs)

Smoke Control (2 hrs)

Florida Laws and Rules for Code Professionals (2 hrs)

Jobsite Safety and Workers Compensation (2 hrs)

Florida Energy Code (2 hrs)

Residential Plumbing Code (2 hrs)

Electrical Services Installation and Inspection (2 hrs)

2004 Building Code Changes (2 hrs)
Florida Accessibility Code (2 hrs)

Mr. Nagin stated that the course, "Storm Damaged Equipment Repair and Inspector," have the word "Electrical" inserted before "Equipment."

MOTION: Mr. Nagin made a motion that the Committee approve the courses as amended.

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

NEW BUSINESS

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

OLD BUSINESS

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

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 2:27 p.m.

EXECUTIVE COMMITTEE

Call To Order

Mr. Sheridan, Chair of the Committee, called the meeting to order at 2:27 p.m.

Members Present

Charles Sheridan, Chair
Dennis Franklin
Robert Kymalainen, Vice-Chair
Bob McCormick
Robert Nagin
Margaret Pass
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Robert von Kampen, Ph.D., ICC
Wayne Francis
Don Fuchs, BOAF
Tom Allen, Port Orange
Dale Greiner, Lake County
Sharon Mignardi, Code Consulting Services, Inc.
Jane Wadell, Contractors Institute
William Dumbaugh, BOIEA/BOAF

MEMORANDUM FROM NICK SASSO REGARDING THE “AFFIDAVIT OF EXPERIENCE”

Mr. Sasso stated that the affidavit of experience was confusing to applicants. Mr. Sasso prepared an amended affidavit of experience for the Board’s review.

Mr. McCormick commented that this problem was discussed during the Application Committee meeting and he supported the change to the affidavit.

Mr. Nagin suggested that there be instructions to direct the applicant to either circle or check a box to indicate if the affidavit is for experience or employment.

MOTION: Mr. McCormick made a motion that the Board approve the modifications to the experience affidavit and add check boxes as suggested.

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

NEW BUSINESS

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

OLD BUSINESS

There was no old 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 2:40 p.m.

FEBRUARY 17, 2006 – BOARD MEETING

CALL TO ORDER

Mr. Sheridan, Chair of the Board, called the meeting to order at 9:06 am.

Members Present

Charles Sheridan, Chair
Dennis Franklin
Robert Kymalainen, Vice-Chair
Bob McCormick
Robert Nagin
Margaret Pass
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Robert von Kampen, Ph.D., ICC

Wayne Francis
Don Fuchs, BOAF
Tom Allen, Port Orange
Dale Greiner, Lake County
William Dumbaugh, BOIEA/BOAF
John O'Connor, BOAF

APPROVAL OF THE DECEMBER 7, 8 & 9, 2005 MINUTES OF THE MEETING

MOTION: Mr. Franklin made a motion that the Board approve the December 7, 8 & 9, 2005, Minutes as submitted.

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

JESSICA LEIGH, PROSECUTING ATTORNEY'S REPORT

Ms. Leigh provided the Board with a summary of cases report. She reported that there were ten cases pending and there were three cases that were a year old.

Ms. Leigh stated that a copy of the resume for this Board's expert with the Department was provided in the agenda materials. Mr. Sasso thanked Ms. Leigh for providing the resume and commented that he felt the expert should be licensed as building code administrator.

REQUEST FROM PAUL OCHMAN FOR EXTENSION OF HIS PROVISIONAL LICENSES

MOTION: Mr. Franklin made a motion that the Board deny the request for the extension.

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

PRESENTATION ON BOAF SAFETY ACADEMY – JOHN O'CONNOR

Mr. John O'Connor informed the Board that legislation was drafted and filed by BOAF to have a bill presented during the 2006 legislative session. He stated that they have a senate sponsor but no house sponsor. Mr. O'Connor stated that the language was preliminary, and they want to find language that is satisfactory to the Board.

Mr. Don Fuchs informed the Board that this would not be for individuals that were currently working for a jurisdiction. It would be set up as an apprenticeship type program prior to performing the job. Mr. Fuchs said that they wanted to consider this program as a method for an associates degree. The training program would offer 400 hours of training and then trainees would also be required to have two years of experience to qualify for examination.

Mr. O'Connor commented that they envisioned a week of training for various areas, such as, principles and practice, how to be inspector and plans examiner, three weeks of in-field training, a week of review and examination. He also stated that they proposed that the individuals would take the examination before applying for a license.

Mr. Jones stated that the Board does not feel comfortable with the current structure. He commented that in looking at the proposed language, the concept allows the Board to establish rules in conjunction with BOAF.

Mr. Fuchs responded that BOAF would like to work with the Board to develop the program and assumed that the members of the Board would have a trust factor with BOAF. He stated that it was not a problem to have BOAF named.

Ms. Pass stated that she is concerned with the way the language is written. She stated that she did not think BOAF should be included in the statute.

Mr. McCormick commented that he thought something needed to happen with respect to training. He stated that they hear talk about how difficult it is to find someone that has training and for that reason, something needs to happen. Mr. McCormick stated that it appears the qualifications may be reduced, however, that could be solved by changing the language to delete the reference to BOAF.

Following discussion, Mr. Fuchs stated BOAF wanted a proposal that the majority of the Board felt comfortable with; they could delete the two year requirement, the reference to BOAF, and bring back a new proposal.

Mr. Sheridan commented that they already have authority and the proposed language was taking away from what is already in the statute. Mr. Sasso agreed that they already have rule making authority.

Following discussion, Mr. Kymalainen stated that he would like to see the proposed language dropped this year and the time taken to work on the language for future presentation to the Legislature. He stated that the concept is acceptable, however BOAF is pushing too fast and they need to wait at least a year.

Mr. Franklin agreed and stated he supports the concept but wants to make sure the program is done properly. He suggested that workshops be held to review the language.

Mr. McCormick asked for a straw poll to determine the thoughts of each member. Ms. Pass did not understand the urgency. Mr. Franklin supported the program and holding workshops. He preferred they take their time with this process. Mr. Kymalainen was not pleased that this went to the Legislature and had concerns with the proposed language. Mr. Nagin felt the concept was good, but at this point, this language was not acceptable. Mr. Sasso felt that the Board had gone above and beyond in working with BOAF on this and did not want the Board to write the language.

MOTION: Mr. Nagin made a motion that the Board arrange to have a workshop in conjunction with the April meeting.

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

Mr. Fuchs stated that one of the legislative changes was to delete the requirement for the building code training program.

MOTION: Mr. Nagin made a motion that the Board approve only the proposal to strike the requirement regarding the building code training program for the core curriculum course to be taken and that Southern Building Code Congress International and the Council of American Building Officials be changed to International Code Council.

SECOND: Mr. McCormick seconded the motion and it passed with Ms. Pass and Mr. Sheridan voting against the motion.

REPORTS

Chairs Report – Charles Sheridan

Mr. Sheridan reported that the Outreach Council would be meeting on the 28th of February.

Mr. Sheridan stated that the Board would not be attending the South FL Building Officials meeting this year, and Mr. Dumbaugh has asked if any of the members could attend. Mr. Franklin, Mr. McCormick and Mr. Sasso expressed interest in attending.

Mr. Sheridan informed the Board that he had surgery in December and that was the reason he was unable to attend the December meeting. He thanked Mr. Kymalainen for chairing in his absence.

Application Committee – Margaret Pass

Ms. Pass reported that the Committee reviewed 430 applications at this meeting.

Ms. Pass informed the Board that Douglas Tillery was present at the meeting today and he had additional information for review. Ms. Pass informed the Board that he was present at the Committee meeting and had been denied.

Following discussion with Mr. Tillery, his applications remained denied.

Ms. Pass informed the Board that the Ratification List was in their folder.

MOTION: Mr. Franklin made a motion that the Board approve the actions of the Application Committee and approve the Ratification List as submitted.

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

Ms. Pass thanked members on the Committee for their hard work.

Rules and Legislation Committee – Rob Nagin

Mr. Nagin reported that the Committee met yesterday. Rule 61G19-5.002, F.A.C., will be amended to add plans examiner to the rule. Rule 61G19- 9.004, F.A.C., will be amended to add the requirement that records be kept for a period of three years.

Mr. Nagin reported that the Board does have authority to audit continuing education courses. He stated that Mr. Jones will draft language to remove prior board approval, however, they may want to move the language to the provider rule regarding the Board's ability to audit courses.

Mr. Nagin reported that at the next meeting, Mr. Jones will provide a rule draft defining the laws and rules continuing education requirement.

MOTION: Mr. Franklin made a motion that the Board approve the actions of the Rules and Legislation Committee.

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

Examination and Continuing Education Committee – Dennis Franklin

Mr. Franklin reported that the Committee met yesterday. The Committee approved all of the continuing education courses submitted with the exception of ADAAG Consulting Services, LLC, as their course was not relevant.

MOTION: Mr. McCormick made a motion that the Board approve the actions of the Examination and Continuing Education Committee.

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

Executive Committee – Charles Sheridan

Mr. Sheridan requested Mr. Jones provide direction for the Board at the next meeting regarding the new language for the gift law.

Mr. Sheridan asked if there was any information on the bill regarding home inspectors. Mr. Nagin responded that he had seen the proposal and it was a compromise from last year. He stated that currently it was not under this Board but said DBPR. Mr. Nagin indicated he would provide Ms. Barineau with the bill number.

Board Counsel – Jeffrey Jones

Mr. Jones informed the Board that he had provided a handout which related to denials based on an individual's lack of restoration of civil rights. He stated that because of a recent decision of the Fifth District Court of Appeals, they have rejected the analysis of civil rights not being restored as a reason to deny an application. He recommended that the Board not use civil rights restoration as the only basis of denial.

Executive Director – Robyn Barineau

Ms. Barineau informed the Board that one of the initiatives of the Department was to have all board member vacancies filled as soon as possible. She suggested that should an Board member know of an individual that might be interested in serving to have them submit an application to the Governor's Appointments Office. Ms. Barineau informed the Board that appointment applications were provided on the sign-in table.

Ms. Barineau reported that the continuing education project letters were mailed last week to licensees that did not have their continuing education for the renewal period. She will keep the Board informed of the progress of this initiative.

CORRESPONDENCE

Ms. Barineau stated that this was included for informational purposes only.

OLD BUSINESS

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

NEW BUSINESS

Mr. Rob van Kampen, ICC, reported that the contract was in place with the Department. He stated that the CBT exams were ready to go, however, there were technical issues with the Department. Mr. van Kampen informed the Board that Promissor was recently purchased by a reputable company, Pearson Vue. He stated that he felt this was a good move and overall has not found anyone that is unhappy with them. The examination sites will not be changed at this time.

Mr. Sheridan thanked everyone for their help during his year as Chair.

ELECTION OF OFFICERS

MOTION: Mr. Sheridan made a motion that the Board elect Bob Kymalainen as Chair and Bob McCormick as Vice-Chair.

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

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:11 p.m.