

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD
AMEILA ISLAND HAMPTON INN & SUITES
19 S. SECOND STREET
FERNANDINA BEACH, FL 32034
FEBRUARY 19-22, 2008

FEBRUARY 19, 2008 – 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

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

Members Present

Nick Sasso, Chair
Bob McCormick

Members Not Present

Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ann Cocheu, Board Counsel
Douglas Tillery
John Lamar
Richard Mihalich
Johnnie M. Green
Peter Ringle
Kevin M. Burnette
Cris W. McConnell
Burt Ford
Susan Knopf
Larry Woodrome

REVIEW OF APPLICATIONS

At this time, the Committee reviewed applications of individuals present.

Peter Ringle – Building Code Administrator and 1&2 Family Dwelling Plans Examiner – Voluntary

Mr. Ringle was present at the meeting. The Committee approved his building code administrator application and denied his 1&2 family dwelling plans examiner application as he did not meet the requirements.

John M. Lamar – Provisional Electrical Inspector, Provisional Plumbing Inspector, Provisional Mechanical Inspector.

Mr. Lamar was present at the meeting. The Committee approved his provisional mechanical inspector application and denied his provisional electrical inspector and provisional plumbing inspector applications for lack of experience.

Douglas Alan Tillery – Building Code Administrator

Mr. Tillery was present at the meeting. The Committee approved his building code administrator application.

Richard A. Mihalich – Provisional Building Code Administrator

Mr. Mihalich was present at the meeting. The Committee denied the application as he was not newly hired or promoted into the position of building code administrator.

Kevin Burnette – Provisional and Standard Building Code Administrator

Mr. Burnette was present at the meeting. The Committee approved the applications after additional information was provided.

Elbridge B. Ford, III – Provisional and Standard Building Inspector

Mr. Ford was present at the meeting. The Committee approved the applications.

Susan Knopf – Provisional and Standard Electrical Plans Examiner

Ms. Knopf was present at the meeting. The Committee approved the applications.

Johnnie Michael Green – Provisional and Standard Mechanical Plans Examiner, Provisional and Standard Electrical Plans Examiner and Mechanical Inspector

Mr. Green was present at the meeting. The Committee approved the applications.

At this time, the Committee continued to review applications.

RECESS

At this time, the Committee recessed the meeting at 7:00 p.m.

FEBRUARY 20, 2008 – 9:00 A.M.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME

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

Members Present

Nick Sasso

Bob McCormick

Members Not Present

Bob Kymalainen

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Ann Cocheu, Board Counsel
Ronald Rowe
Matthew Rush
Jeff Shellhammer
Gary Hiatt
Jose L. Casas
Marissis Gandert
Dwight A. (Tony) Bryan
Patrick Henry
Stephen Fagan
Daniel Greenberg
Leigh Grosvenor
Charles E. White
Scott Noethlich
Alphanette Waters
Anton O. Perez-Guerra
Koert Van Wormer
Ryan Morgan
Carl L. Jones

REQUEST FOR HEARINGS

Dwight Bryan – Modular Plans Examiner – Voluntary

Mr. Bryan was present at the meeting and was sworn in by Ms. Ann Cocheu, Assistant Attorney General. Additional information was provided at the meeting for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on the additional information provided.

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

Jose Luis Casas – Electrical Inspector & Electrical Plans Examiner – Endorsement

Mr. Casas was present at the meeting and was sworn in by Ms. Cocheu. During discussion, Mr. McCormick informed Mr. Casas that in order to qualify for a license by endorsement, you have to have passed an examination.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Richard Elkins – Provisional 1&2 Family Dwelling Inspector

Mr. Gary Hiatt, Building Official for Flagler County, was present on behalf of Mr. Elkins. He was sworn in by Ms. Cocheu. Additional information was provided at the meeting for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Stephen Fagan – Provisional Building Plans Examiner

Mr. Fagan was present at the meeting and was sworn in by Ms. Cocheu. Mr. John Hager was also present and was sworn in by Ms. Cocheu.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on the additional information, however, the provisional license is restricted to the City of Orlando.

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

Marissis H. Gandert – Provisional & Standard Building Plans Examiner

Ms. Gandert was present at the meeting and was sworn in by Ms. Cocheu. Additional information was provided at the meeting for the Committee's review.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on the additional information provided.

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

Daniel Greenberg – Building Inspector

Mr. Greenberg was present at the meeting and was sworn in by Ms. Cocheu. He provided additional information 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 as originally stated.

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

Leigh Grosvenor – Provisional Building Inspector

Ms. Grosvenor was present at the meeting and was sworn in by Ms. Cocheu. Additional information was provided at the meeting for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Preston L. Halstead – Building Inspector

Mr. Halstead sent in a request for a continuance which was granted until the April meeting.

Patrick Henry – Provisional & Standard Electrical Inspector

Mr. Henry was present at the meeting and was sworn in by Ms. Cocheu. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Ryan E. Morgan – Provisional Building Plans Examiner & 1&2 Family Dwelling Plans Examiner – Voluntary

Mr. Morgan was present along with Mr. Carl Jones and Mr. Koert VonWarmer, and they were all sworn in by Ms. Cocheu.

Following discussion regarding the 1&2 Family Dwelling Plans Examiner application, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Mr. Morgan discussed his experience with the Committee regarding his Provisional Building Plans Examiner application. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on testimony, however, the license is to be limited to the City of Melbourne.

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

Ronald Rowe – Building Code Administrator

Mr. Rowe was present at the meeting along with Mr. David Braum, Jr., Building Official. They were both sworn in by Ms. Cocheu. Additional information was provided at the meeting for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on the additional information and testimony.

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

Matthew Rush – Electrical Inspector

Mr. Rush was present at the meeting and was sworn in by Ms. Cocheu. Additional information was provided at the meeting for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Jeffrey Shellhammer – Provisional & Standard Mechanical Plans Examiner

Mr. Shellhammer was present at the meeting along with Mr. Alan Plante, Building Official. They were both sworn in by Ms. Cocheu. Mr. Plante explained the problem with the original affidavits to the Committee.

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the application based on the additional information provided.

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

Alphanette Waters – Mechanical Inspector

Ms. Waters was present at the meeting and was sworn in by Ms. Cocheu. Additional information was provided at the meeting for the Committee's review. Mr. Sasso commented that Ms. Waters was using the same time frame for experience as used previously for other licenses.

Following discussion, the following action was take.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial as originally stated.

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

Charles E. White – Provisional Building Code Administrator

Mr. White was present at the meeting along with Mr. Scott Noethlich, Assistant City Manager, City of Sebring. They were both sworn in by Ms. Cocheu. Mr. Noethlich provided testimony that Mr. White was newly hired as the building code administrator.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the application based on the testimony.

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

REVIEW OF THE APPLICATION PROCESS

The Committee members stated that they were satisfied with the current application process and did not see any need to make any changes.

Anton Perez-Guerra – Standard and Provisional Mechanical Inspector, Plumbing Inspector, and Electrical Inspector

Mr. Perez-Guerra was present at the meeting. The Committee denied the applications as he did not have the required experience.

OLD BUSINESS

E-Mail from Bob McCormick Regarding the BOAF Training Program

Mr. McCormick stated that the October minutes reflected a statement that the requirements for plans examiner and inspector were the same and the Building Officials Association of Florida

Training Program would count for both, however, they are not the same. He stated that if an applicant has a certificate of completion for the building inspector training program from the Building Officials Association of Florida and then they apply for the plans examiner category using the building inspector certificate, they are not qualified for the plans examiner license. The Building Officials Association of Florida will provide a list at every board meeting of those individuals that have completed their training program.

APPLICATION REVIEW

Victor Blanco – Building Inspector and Provisional Building Inspector

Mr. Blanco was present and asked the Board to review his applications which were denied by the Committee yesterday.

The Committee discussed his applications and based on the additional information provided, approved the applications.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 4:00 p.m.

FEBRUARY 21, 2008

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME

Chair McCormick, called the meeting to order 9:00 a.m.

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin
Richard Gathright
Rob Nagin

Members Not Present

Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jessica Leigh, Prosecuting Attorney
Ann Cocheu, Board Counsel
Robert von Kampen, International Code Council
Doug Harvey, Building Officials Association of Florida
Joseph Rebuck
John Farinelli
Thomas Dalton
Karen Johnson, International Code Council
Jane Waddel
Stan DeAngelis, St. John's County

REQUEST FOR HEARINGS

Thomas Dalton – Building Code Administrator

Mr. Dalton was present at the meeting and was sworn in by Ms. Cocheu. Mr. Sasso commented that he was denied for a lack of supervisory experience.

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board uphold the denial as originally stated.

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

John Eratostene – Building Code Administrator

Mr. Eratostene was not present at the meeting, however, additional information was submitted for the Board's consideration. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board uphold the denial as originally stated.

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

Eddie Phillips – Building Inspector

Mr. Phillips was not present at the meeting and no additional information had been submitted. During discussion, Ms. Cocheu reminded the Board that the respondent had the opportunity to be present.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board uphold the denial as originally stated.

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

SETTLEMENT STIPULATION

Nicanor Andrade, Case No. 2006.045343

PCP – Nagin, Dudley, Council, Bertolami & Rogers

Ms. Leigh informed the Board that this case will be continued until the next meeting due to the lack of a quorum, and Mr. Sasso would have to be recused from the disciplinary matter.

PROSECUTING ATTORNEY REPORT – JESSICA LEIGH

Ms. Leigh provided the Board with an updated report and discussed the report with them. She stated that there were 19 cases currently open in Legal.

Closed Cases from October – December 2007

Ms. Leigh provided the Board with a report on closed cases as requested by the Board.

RECESS

There being no further business to come before the Board at this time, the meeting was recessed at 10:18 a.m.

RULES AND LEGISLATION COMMITTEE CALL TO ORDER

Mr. Nagin, Chair of the Committee, called the meeting to order at 10:30 a.m.

Members Present

Rob Nagin, Chair
Fred Dudley

Members Not Present

Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jessica Leigh, Prosecuting Attorney
Ann Cocheu, Board Counsel
Bob McCormick, Board Member
Nick Sasso, Board Member
Richard Gathright, Board Member
Dennis Franklin, Board Member
Robert von Kampen, International Code Council
Doug Harvey, Building Officials Association of Florida

LEGISLATIVE REPORT – ROB NAGIN

Mr. Nagin informed the Board that a rules update was included in the agenda. Ms. Cocheu informed the Committee that there were two rules that she needed to follow up on after the meeting, and she would provide Ms. Barineau with a status. She assured the Board that she will do whatever necessary to finalize them.

Mr. Sasso stated that he was not comfortable with the hours that were set forth in the proposed rules for the training academy. He stated that no one category was less important than another.

Mr. McCormick stated that as for the new training academy rules, they should not be expedited. He wants them to come back to the Board as this was the first time they had seen the language.

Mr. Nagin commented that getting the proposed language at the time of the meeting made it difficult to absorb the verbiage. Ms. Cocheu informed the Committee that they can schedule a rules workshop if they have concerns about the rules and can take their time to draft and file the rules.

Mr. Dudley suggested the Board have a workshop and that Ms. Cocheu could notice the draft language for the workshop.

Mr. Dudley questioned the disciplinary guideline rule as to why they need to reference Chapter 455, Florida Statutes, and Rule 61G19, Florida Administrative Code. He stated that there were also references to Chapter 120, Florida Statutes. Ms. Cocheu responded that she thought it was probably necessary but would check and see why this was done.

Ms. Cocheu stated that she would check and see if the Disciplinary Guidelines Rule, 61G19-5.002, Florida Administrative Code, had been noticed. Ms. Leigh stated that on some of the recommendations there was still a range for the penalties and she thought they wanted the disciplinary guidelines to say up to \$5,000.

MOTION: Mr. Dudley made a motion that the Committee recommend the penalty changes to Rule 61G-19.5002, Florida Administrative Code, to the Board.

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

Mr. Nagin asked for any discussion on the training program rules, 61G19-7.001, 7.0015 & 7.004 & 7.005, Florida Administrative Code.

Mr. Harvey stated that Rule 61G19-7.005(3), Florida Administrative Code, in the second sentence, the word "training" should be stricken. He expressed concern with bringing this rule back for a workshop as it has been under consideration for quite some time. He noted that the cross training program established different hours for training. Mr. Harvey stated that the hours were previously discussed and asked for consideration that this be presented to the Board to move ahead with the rule making process. He informed the Board that a program cannot be developed until there is a rule in place. The hours in the rules are a minimum requirement. Mr. Harvey asked that the rules not go back for work shopping.

Mr. Franklin agreed with Mr. Harvey.

Mr. McCormick commented that the hours requirements are in addition to the core hours. He commented that he was not sure all the recommended changes to the rules had been made. Mr. McCormick stated that because this was such an important issue, he wants to refer to his notes to ensure everything they all agreed upon was in the draft.

Mr. Sasso pointed out that the new rule was a result of language that was lobbied for by the Building Officials Association of Florida and it lowers the amount of experience and replaces it with the training academy. Mr. Sasso again stated that he was not comfortable with the hours. He commented that the classroom hours take the place of experience, which he is unsure of, and felt they need to review the hours.

Mr. Dudley agreed and felt they should have another workshop on this matter.

Mr. Nagin commented that they were not assured that the Building Officials Association of Florida will be the only applicant and, therefore, the rules need to be specific. He agreed that another workshop should be conducted.

MOTION: Mr. Franklin made a motion that the Board move forward with a rules workshop at the April meeting.

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

Mr. Harvey asked that the Building Officials Association of Florida receive information on the rules prior to the meeting.

Mr. Sasso suggested that the academy be open to all qualified applicants regardless of their place of employment. Government employees are the only ones allowed to take the cross training program.

It was decided that the Rules Workshop would begin at 9:00 on Thursday.

Mr. Harvey asked if following the workshop they could be provided with a timeline of the estimated progression of the rule. Ms. Cocheu responded that it depends on what happens at the workshop.

Mr. Sasso stated that in the disciplinary guideline rule, one of the violations states "willful" and asked what if the violation was not willful. Ms. Cocheu responded that was a statutory requirement. Mr. Dudley suggested that Ms. Leigh review the rules for some of the other boards and see if they have something that this Board needs.

Ms. Cocheu responded that the prosecuting attorney was in a better position to review this matter. Ms. Leigh stated that she will review this for the next meeting, however, she normally links it to a violation of Chapter 455, Florida Statutes.

Ms. Leigh and Ms. Cocheu stated that they would review this for the next meeting.

OLD BUSINESS

Core Course Compliance

Ms. Barineau stated that they needed to have additional discussion on the Board's position for those licensees that have not complied with the core course requirement. Some of the licensees hold a license with another board and took the course prior to licensure with this Board.

Mr. McCormick stated that it may not be possible to track and asked if they should do something for non-compliance. The Board took no further action.

LEGISLATIVE REPORT

Mr. Nagin provided a report on the bills that had been filed and discussed their progression with the Committee. He stated that he would continue to track the bills and provide updates.

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:26 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. Franklin, Chair of the Committee, called the meeting to order at 12:27 p.m.

Members Present

Dennis Franklin, Chair
Bob McCormick
Nick Sasso
Richard Gathright

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jessica Leigh, Prosecuting Attorney
Ann Cocheu, Board Counsel
Rob Nagin, Board Member
Fred Dudley, Board Member
Robert von Kampen, International Code Council
Doug Harvey, Building Officials Association of Florida

**CONTINUING EDUCATION COURSES FOR REVIEW
UNIVERSAL INSPECTION SERVICE, INC.**

New Course

1. Wind Mitigation
Requesting 2 hours GENERAL credit

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

SECOND: Mr. Gathright seconded the motion.

Following discussion, Mr. Sasso withdrew his motion.

MOTION: Mr. Sasso made a motion that the Committee deny the course as one of the instructors was unqualified and further clarification was needed on the course outline.

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

JC CODE & CONSTRUCTION CONSULTANTS, INC.

New Course

1. Advanced Training: The Florida Energy Code: Reading and Interpreting 600A Compliance Forms
Requesting 4 hours GENERAL credit

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

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

DEPARTMENT OF COMMUNITY AFFAIRS

New Course

1. Florida Accessibility Code for Building Construction
Requesting 2 hours ACCESSIBILITY credit

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

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

Mr. McCormick stated that he would talk to Department of Community Affairs staff about the concern with "Advanced" being in the package.

MARION COUNTY BUILDING DEPARTMENT

New Course

1. Implementation of an Electronic Permitting System
Requesting 2 hours GENERAL credit

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

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

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE

New Course

1. Hurricane Mitigation Retrofits for Existing Site-Built Single Family Residential Structures
Requesting 2 hours GENERAL credit
2. The Use of Roofing Fasteners and the Florida Building Code
Requesting 2 hours GENERAL 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.

POLK COUNTY BOCC BUILDING DIVISION

New Courses

1. Building Fundamentals, FBC Building, Chapters 1-2
Requesting 2 hours GENERAL credit
2. Building Planning, FBC Building, Chapters 3-6
Requesting 4 hours GENERAL credit
3. Fire Protection, FBC Building, Chapters 7-9
Requesting 2 hours GENERAL credit
4. Occupant Use, FBC Building, Chapters 10 and 12
Requesting 2 hours GENERAL credit
5. Building Envelope, FBC Building, Chapters 13-15
Requesting 2 hours GENERAL credit
6. Structural, FBC Building, Chapters 16-18
Requesting 2 hours GENERAL credit
7. Structural Materials, FBC Building, Chapters 19-23
Requesting 4 hours GENERAL credit
8. Non-Structural Materials, FBC Building, Chapters 24-26
Requesting 2 hours GENERAL credit
9. Special Conditions, FBC Building, Chapters 30-35
Requesting 4 hours GENERAL credit

MOTION: Mr. McCormick made a motion that the Committee approve all of the courses as submitted.

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

INTERNATIONAL CODE COUNCIL

Course Renewals

1. 2006 IFGC Update (0007041)
Requesting 3 hours GENERAL credit
2. 2006 IMC Update (0007042)
Requesting 3 hours GENERAL credit
3. 2006 IPC Update (0007039)
Requesting 3 hours GENERAL credit
4. 2006 IPMC Update (0007049)
Requesting 3 hours GENERAL credit

Ms. Karen Johnson was present on behalf of International Code Council. She informed the Committee that courses 1-3 were renewals, however, 4 was a new course.

MOTION: Mr. McCormick made a motion that the Committee approve course numbers 1, 2, and 3 as submitted.

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

MOTION: Mr. McCormick made a motion that the Committee deny course 4 as it was not relevant.

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

GOLD COAST SCHOOL OF CONSTRUCTION, INC.

Course Renewals

1. The Plan Review Process (0006708)
Requesting 7 hours GENERAL credit
2. The Practitioner's Guide to the Florida Building Code - Classroom (0006721)
Requesting 7 hours GENERAL, ACCESSIBILITY credit

Mr. Joe Rebeck was present on behalf of Gold Coast School of Construction, Inc.

Mr. Sasso stated that information needs to be on the approved forms and asked that staff be informed to return any applications on outdated forms.

MOTION: Mr. Nagin made a motion that the Committee deny course 1 as the material was outdated.

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

MOTION: Mr. Gathright made a motion that the Committee deny course 2 as the material was outdated.

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

New Courses

1. The Florida Building Code: Overview and Updates – Classroom
Requesting 4 hours GENERAL credit
2. The Florida Building Code: Overview and Updates – Internet
Requesting 4 hours GENERAL credit
3. The Principles of Florida Statutes and Rules – Classroom
Requesting 2 hours LAWS & RULES credit
4. The Principles of Florida Statutes and Rules – Internet
Requesting 2 hours LAWS & RULES credit
5. Wind Mitigation: Strengthening the Roofing System – Classroom
Requesting 1 hour GENERAL credit
6. Wind Mitigation: Strengthening the Roofing System – Internet
Requesting 1 hour GENERAL credit
7. The Principles of Florida Statutes and Rules – Classroom
Requesting 2 hours LAWS & RULES credit
8. The Principles of Florida Statutes and Rules – Internet
Requesting 2 hours LAWS & RULES credit

MOTION: Mr. Gathright made a motion that the Committee approve courses 1 & 2 as submitted.

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

MOTION: Mr. McCormick made a motion that the Committee approve courses 3 & 4 as submitted.

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

MOTION: Mr. Gathright made a motion that the Committee approve courses 5 & 6 with the addition of HVAZ in the title.

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

Mr. Rebeck informed the Committee that the title for courses 7 & 8 should be “An Overview of Florida Statutes and Rules.”

MOTION: Mr. Dudley made a motion that the Committee approve courses 7 & 8 and the title be changed as requested.

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA

Course Renewals

1. Permit Technician Roles and Responsibilities (0007097)
Requesting 4 hours GENERAL credit
**WANTS TO REVISE COURSE TITLE
(OLD TITLE: PERMIT TECHNICIAN)**

2. Records Management as a Business Practice (0007096)
Requesting 2 hours GENERAL credit

Mr. Doug Harvey was present on behalf of the Building Officials Association of Florida.

MOTION: Mr. Gathright made a motion that the Committee deny course 1 as it was not relevant.

SECOND: Mr. Nagin seconded the motion which passed with Mr. McCormick and Mr. Dudley voting against the motion.

Mr. Harvey asked if the Committee would reopen course 1, would they consider the course if they reduced the number of hours to two.

MOTION: Mr. Sasso made a motion that the Committee reopen course 1 for consideration.

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

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the Committee approve course #1 for two hours of credit.

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

MOTION: Mr. McCormick made a motion that the Committee deny course 2 as it was not relevant.

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

Mr. Harvey asked if they can update an outline for a renewal course. Ms. Cocheu responded that substantive changes have to be resubmitted to the Board.

New Courses

1. NSSA Shelter Requirements
Requesting 1 hour GENERAL credit
2. Dealing with Floodplains
Requesting 2 hours GENERAL credit
3. Hurricane Code 101
Requesting 1 hour GENERAL credit
4. Electronic Document Technology
Requesting 2 hours GENERAL credit
5. Public Outreach for Building Departments
Requesting 2 hours GENERAL credit
6. Wind Mitigation
Requesting 1 hour GENERAL credit

MOTION: Mr. Sasso made a motion that the Committee approve courses 1, 2, 3, and 6.

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

MOTION: Mr. Sasso made a motion that the Committee deny course 4 as not relevant & course 5 for too much marketing related material.

SECOND: Mr. Gathright seconded the motion which failed with Mr. McCormick, Mr. Dudley, Mr. Nagin and Mr. Franklin voting against the motion.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Committee approve course 4 as submitted.

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

MOTION: Mr. McCormick made a motion that the Committee approve course 5 as submitted.

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

BUILDING OFFICIALS AND INSPECTORS EDUCATIONAL ASSOCIATION (BOIEA)

Course Renewals

1. Florida Building Code Updates (0006836)
Requesting 1 hour GENERAL credit
2. Florida Accessibility Code (0007076)
Requesting 2 hours ACCESSIBILITY credit
3. Jobsite Safety and Workers' Compensation (0007071)
Requesting 2 hours GENERAL credit
4. Florida Laws and Rules for Code Professionals (0007070)
Requesting 2 hours LAWS & RULES credit
5. BCAIB Updates (0006839)
Requesting 1 hour GENERAL credit

MOTION: Mr. Sasso made a motion that the Committee approve all of the courses as submitted.

SECOND: Mr. Dudley seconded the motion.

Following discussion, the motion failed with all members voting against the motion.

MOTION: Mr. Dudley made a motion that the Committee approve courses 1, 2, 3, and 5 as submitted.

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

MOTION: Mr. Dudley made a motion that the Committee deny course 4 based on the outline as it was not relevant.

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

New Courses

1. Ethics for Code Professionals and Public Perception
Requesting 2 hours LAWS & RULES credit
2. Hurricane Mitigation Retrofits per FS 553.844
Requesting 2 hours GENERAL credit
3. Inspecting and Installing Photovoltaic Systems
Requesting 4 hours GENERAL credit
4. An Introduction to Drycleaning Facilities
Requesting 2 hours GENERAL credit

5. Floodplain Management and the Building Department
Requesting 2 hours GENERAL credit
6. Amendments, Changes and Interpretations to the Florida
Plumbing Code
Requesting 2 hours GENERAL credit

MOTION: Mr. McCormick made a motion that the Committee approve all of the courses as submitted.

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

FIRST COAST CHAPTER ICC-BOAF

New Course

1. So You Want to be an Inspector F.S. 468 and Rule 61G19
Requesting 2 hours LAWS & RULES credit

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

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

Letter from JC Code & Construction Consultants, Inc.

Mr. John Farnelli was present at the meeting. He stated that he had a course approved by the Committee at the December meeting and received a letter that the word "Advanced" could not be included in the title. He then sent a letter on January 8, 2008, to the Board office regarding this issue.

MOTION: Mr. Dudley made a motion that the Committee reconsider the course as requested.

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

Mr. McCormick stated that he appreciated him coming to the meeting. He stated that he asked that the title be modified because there was no evidence in the file that the course was an accredited course by the Department of Community Affairs.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the word "Advanced" be added back in the title.

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

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1:51 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Mr. McCormick, Chair of the Committee, called the meeting to order at 2:00 p.m.

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin
Richard Gathright
Rob Nagin

Members Not Present

Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jessica Leigh, Prosecuting Attorney
Ann Cocheu, Board Counsel
Robert von Kampen, International Code Council
Doug Harvey, Building Officials Association of Florida

STANDARDS OF PRACTICE – NICK SASSO

Mr. Sasso commented that the Board could add standards of practice to the rules as needed. He inquired if other Board members favored such a rule.

Ms. Cocheu informed the Committee that other boards have tried to do this and the Joint Administrative Procedures Committee has objected stating there was no statutory authority for such a rule.

Mr. Dudley stated that he thought it was a great idea, but he was not sure if this is the best way to approach it. Perhaps it should be referred to the Legislative Committee to draft additional disciplinary language and considered on a case-by-case basis. Mr. Dudley stated that they use an expert to review disciplinary cases to determine negligence and, why not use the expert to evaluate the normal cases to give an opinion if they have failed to meet the standards. He felt that Mr. Sasso was on the right track but deferred to counsel. He further stated that they could statutorily seek the authority and suggested they look at the possibility of adding grounds for disciplinary action.

Ms. Cocheu responded that if they were considering a new violation, they would have to change the statute. Mr. Dudley suggested that Ms. Cocheu and Ms. Leigh work on this with Mr. Sasso.

LETTER FROM MARION COUNTY PUBLIC SCHOOLS REGARDING A REQUEST FOR A RULE REVISION

Following discussion, Mr. McCormick stated that the Board would not be issuing provisional licenses to individuals that are qualifying for licensure by completing the cross training program.

Mr. McCormick stated that he will respond to the letter and send it to Ms. Barineau for review and mailing.

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 2:16 p.m.

FEBRUARY 22, 2008 – 9:00 A.M.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME

Chair McCormick, called the meeting to order at 9:00 a.m.

MEMBERS PRESENT

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Fred Dudley
Dennis Franklin
Richard Gathright
Rob Nagin

Members Not Present

Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Ann Cocheu, Board Counsel
Rob von Kampen, International Code Council
Doug Harvey, Building Officials Association of Florida
Stan DiAngelis, St. Johns County
David Hodges

Mr. McCormick stated that Mr. Kymalainen's absence should be excused by the Board.

MOTION: Mr. Franklin made a motion that the Board excuse Mr. Kymalainen's absence.

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

APPROVAL OF THE DECEMBER 11-14, 2007, MINUTES OF THE MEETING

MOTION: Mr. Franklin made a motion that the Board approve the minutes as submitted.

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

INVITATIONS TO CONFERENCES

South Florida Building Code Conference

Chair McCormick stated that the conference would be held March 19 and 20, 2008. He stated that he would like to attend and asked if any other members were available to attend.

Mr. Franklin stated that he would tentatively plan to attend. Mr. Gathright stated that he would attend.

Building Officials Association of Florida

Chair McCormick stated that the panel presentation coincides with the Application Review Committee. He stated that he would be in attendance, along with the other Committee members, Vice-Chair Sasso and Mr. Kymalainen. Chair McCormick stated that if any of the members were already going to be present at the Conference and wanted to participate, they were welcome to participate.

Mr. Nagin and Mr. Gathright stated they wanted to participate.

REPORTS

Chair's Report – Bob McCormick, Chair

Chair McCormick informed the Board that Ms. Barineau was working to make arrangements for him to attend board meetings for Construction, Electrical Contractors and Architecture and Interior Design to address these boards regarding continuing education reciprocity. He stated that he would keep everyone informed.

Application Review Committee – Nick Sasso

Ratification List

Vice-Chair Sasso reported that the Committee reviewed 201 applications. Of this number, 97 applications were approved and 104 were denied. Vice-Chair Sasso reported that there was a total of 19 application informal hearings of these, seven were approved, 11 denials were upheld, and one hearing was continued to the next meeting.

Chair McCormick commented that his observation was that current applicants appear to lack required qualifications for licensure. Vice-Chair Sasso commented that his observation was that some of the education that was being submitted was not valid, and he wanted to discuss this with the Board. He stated that if the education was not in the field they were applying for and was not relevant, he did not believe this should be counted toward licensure.

Ms. Cocheu informed the Board that anybody can ask for consideration, but, hopefully, the word will spread that such education will not be accepted for licensure.

Vice-Chair Sasso informed the Board that the Ratification List was in the hand-out folder.

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

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

Rules and Legislation Committee – Rob Nagin

Mr. Nagin reported that the Committee met yesterday. He reported that the Committee agreed to conduct a Rules Workshop in conjunction with the April meeting on the alternative experience rule, 61G19-7.0015, 7.004, 7.002, and 7.005, Florida Administrative Code.

Mr. Nagin reported that Board Counsel and the Prosecuting Attorney are going to provide a report on misconduct as to willing or knowingly. He stated that they discussed the core course requirement and no further action was needed.

Mr. Nagin stated that he reported on 28 bills. He reported that Board Counsel will report back on the standards of practice.

MOTION: Mr. Franklin made a motion that the Board approve the report of the Committee.

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

Examination and Continuing Education Committee – Dennis Franklin

Chair McCormick stated that Mr. Harvey has asked the Board if would reconsider their denial of the renewal course for “Records Management as a Business Practice.”

MOTION: Mr. Dudley made a motion that the Board reconsider the Building Officials Association of Florida’s renewal course 2 “Records Management as a Business Practice.”

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

Mr. Franklin asked the Board to approve the actions of the Examination and Continuing Education Committee with the exception of the Building Officials Association of Florida’s renewal course 2 “Records Management as a Business Practice.”

MOTION: Mr. Dudley made a motion that the Board approve the actions of the Examination and Continuing Education Committee with the exception of the Building Officials Association of Florida’s renewal course 2 “Records Management as a Business Practice.”

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

Mr. Harvey stated that he believed there was value to this course and disagreed with the Committee’s decision. Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that based on the information provided to the Board, they approve course 2, “Records Management as a Business Practice,” as submitted.

SECOND: Mr. Nagin seconded the motion for discussion.

Mr. Nagin commented that he did not believe this course fit the parameters of the licensees. Mr. Dudley agreed with Mr. Harvey about the importance regarding contractors, but did not see the

importance for licensees of this Board. He stated that records management should be taught to employees but in a different context.

Vice-Chair Sasso stated that this goes back to the rules. The courses have to improve inspectors' technical ability and that they should approve classes that better the professionals. He stated that they are seeing more and more overview classes with five minute increments.

Mr. Franklin commented that any information they can get on records management is a benefit to for the building official, perhaps not the inspector or plans examiner, and felt this was a good course.

Mr. Harvey responded that they do not want to water down courses. They are trying to work within the parameters of the laws and rules so all of the information goes industry wide. As a part of that, they are bringing this type of course to the Committee. He stated that it was difficult with only 14 hours of continuing education being required.

Chair McCormick stated that he did not think this course was relevant. Mr. Harvey stated that this course was a renewal course which had previously been approved. Ms. Cocheu responded that the Board does not have to approve renewal courses.

After discussion, the motion failed with Chair McCormick, Vice-Chair Sasso, Mr. Dudley, Mr. Nagin and Mr. Gathright voting against the motion.

MOTION: Mr. Dudley made a motion that the Board deny course 2, "Records Management as a Business Practice," as submitted.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

Executive Committee – Bob McCormick, Chair

Chair McCormick stated that he did not have a report at this time.

Board Counsel – Ann Cocheu

Chair McCormick stated that Mr. Jones was no longer associated with this board, and he thanked Ms. Cocheu for being present.

Ms. Cocheu thanked everyone for being accommodating, and she would get with staff to make sure they are appropriately represented.

Executive Director – Robyn Barineau

Update on Continuing Education Compliance

Ms. Barineau reported that the last renewal compliance report she received showed that the licensees were in the ninety plus percentage range. She felt this was good with this being the first 100% monitoring for continuing education.

Update on Building-Related Boards' Regarding the Core Course Requirement

Ms. Barineau stated that this was reported on yesterday.

Research Outcome Regarding Reduction In Costs

Ms. Barineau reported that she is still in the process of researching this item and will keep the Board posted.

Letter Received from the Florida Prosecuting Attorneys Association

Ms. Barineau informed the Board that these cases are now being pursued and, hopefully, Ms. Leigh will be able to provide a status report soon.

Complaints and Investigative Statistics July 07 – December 07

This was provided for informational purposes only.

Ms. Barineau informed the Board that Mr. Mike Green, Unlicensed Activity Administrator, will be attending the April meeting to discuss the unlicensed activity plan.

ICC Update – Rob von Kampen, Ph.D.

Dr. von Kampen informed the Board that International Code Council would be continuing with paper and pencil examinations into next year. He reported that the roofing examination will be offered beginning in March and is offered by computer-based testing also.

Dr. von Kampen reported that the modular exams were being updated next month, and they will be administered by both computer based and pencil and paper testing.

Mr. Nagin stated that he had heard that the building commission may be asking for Florida specific exams to be administered. He stated that they had asked in the past if the International Code Council could develop a Florida-specific examination. Dr. von Kampen responded that it would be costly. Ms. Barineau agreed that it would be costly and time consuming.

Mr. Nagin asked if they could be developed. Dr. von Kampen stated that he would look into this matter and report back to the Board.

Following discussion, Chair McCormick asked that the information be provided so they can be prepared if they are approached on this issue.

OLD BUSINESS

E-Mail from Bob McCormick Regarding the BOAF Training Program

Chair McCormick stated that during the October Application Review Committee meeting, there was discussion about the cross training program for inspector and plans examiners. He stated that the programs are not the same and if someone takes the inspector training program and then applies for the plans examiner license in the same category, it will not be accepted. He stated that the minutes were incorrect and wanted to make the members aware of this error.

NEW BUSINESS

Mr. Nagin commented that they had been developing a rule on the ethics requirement and expressed concern as it was not in effect at this time. Ms. Cocheu responded that she would be discussing these issues with Ms. Barineau and Ms. Rice to bring the outstanding issues up-to-date.

Mr. Dudley commented that he was personally saddened to see Secretary Benson moving on, and he would like for Chair McCormick to send a letter from the Board thanking her for her service to the Department and her support to the boards. Chair McCormick responded that he would be pleased to do this.

Mr. David Hodges thanked everyone for their service to the citizens of the State of Florida. He informed the Board that he had problems with a tape he received from Board staff and requested that the Board have staff test the equipment prior to each meeting.

Mr. Hodges wanted to discuss the requirement for building officials to determine licensure and that the information should be in a newsletter. Ms. Cocheu responded that it was the licensees' responsibility to know the rules. Chair McCormick stated that they will consider including this in a newsletter.

Mr. Hodges stated that probable cause should be found and mitigation should be offered after probable cause has been found. He stated that mitigation is being offered before probable cause. Ms. Cocheu responded there was a process called a letter of guidance that can be used in lieu of investigations. She stated that this informs the licensees of their wrong-doing and this information is confidential.

Mr. Dudley commented that he was not sure any of this was relevant to any item on the agenda.

Mr. Hodges stated that if a provisional license is issued, then that person must utilize the license. Ms. Cocheu responded that you can get a license if you are qualified and you can choose to use the license or not. There is no obligation to use a license. Chair McCormick commented that they have no control about using the license after the license has been issued.

Mr. Hodges asked about permits by affidavit. Chair McCormick stated that this was not appropriate for discussion at this time. Ms. Dudley stated that he needs to file a petition for a declaratory statement. Ms. Cocheu stated that he can only petition for laws and rules, and he is looking beyond their jurisdiction.

Mr. Dudley stated that they were not in the position to give legal advice. It should only be done through a formal process.

After discussion, Ms. Cocheu stated that Mr. Hodges did not have standing for declaratory statements because he is not a licensee.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:22.