

## MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD  
RENAISSANCE TAMPA HOTEL  
INTERNATIONAL PLAZA  
4200 JIM WALTER BOULEVARD  
TAMPA, FL 33607  
AUGUST 12, 13, 14, & 15, 2008

AUGUST 12, 2008-9:00 A.M.

### APPLICATION REVIEW COMMITTEE CALL TO ORDER

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

#### Members Present

Nick Sasso, Chair  
Bob Kymalainen  
Bob McCormick

#### Others Present

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Julie Rowland, Administrative Assistant  
Leigh Grosvenor  
Darryl Dempsey  
Joseph Levrault  
Frank Figueroa  
Robert Perry  
Brian Pitts

### REVIEW OF APPLICATIONS

#### Joseph Levrault – Coastal Construction Inspector

Mr. Levrault was present at the meeting and the Committee approved his application.

#### Robert Caryle Perry – Electrical Inspector

Mr. Perry was present at the meeting and the Committee approved his application.

#### Leigh Ann Grosvenor – Building Inspector

Ms. Grosvenor was present at the meeting and the Committee approved her application.

#### Frank Figueroa – Plumbing Inspector & Plumbing Plans Examiner

Mr. Figueroa was present at the meeting and the Committee approved his applications.

#### Gerald Hindman – Plumbing Inspector

Mr. Joseph Levrault was present on behalf of Mr. Hindman. The Committee approved the application.

#### Darryl Dempsey – Electrical Plans Examiner & Provisional Electrical Plans Examiner

Mr. Dempsey was present at the meeting and the Committee denied the applications because of pending action and because he was not newly hired or promoted into the position.

At this time, the Committee continued to review applications.

**RECESS**

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

**AUGUST 13, 2008-9:00 A.M.**

**APPLICATION REVIEW COMMITTEE**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME**

Mr. Sasso, Chair of the Committee, called the meeting to order at 9:02 a.m.

**Members Present**

Nick Sasso, Chair  
Bob Kymalainen  
Bob McCormick

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Julie Rowland, Administrative Assistant  
Ann Cocheu, Board Counsel  
Philip Morretta  
Samuel Powell  
John A. Connelly, III  
Shannon W. McComas  
Dwight Bryan  
James Stanley  
Fred Reodica  
Jean Aubanel Joseph  
Steve Tobias  
Harold Lukert  
Peter Lehmann  
Lanny R. Walker  
Jeremy Swart  
Jason Wagner  
John Ruley  
Andres Quintant  
Doug Wise  
Fred Morton  
George Diaz  
Ed Winogrodzki  
Tim Cerio, Esquire  
Patricia K. Gough,  
Beverly Hunter, Court Reporter for Lanny R. Walker  
Brian Pitts

**REQUEST FOR RECONSIDERATION**

**Lanny R. Walker – Plumbing Inspector**

Mr. Walker was present at the meeting and was sworn in by the court reporter. Mr. Tim Cerio, Esquire, was also present.

Ms. Cocheu informed the Committee that Mr. Walker appeared before the Committee previously for an informal hearing. The Committee upheld the denial which Mr. Walker appealed to the First District Court of Appeal. Ms. Cocheu stated that she and Mr. Cerio agreed to temporarily relinquish jurisdiction to let the Board/Committee hear the matter. If they approve the application, the case will be dismissed, however, if they uphold the denial, then the case would go back to the court if Mr. Walker so desires.

Mr. Walker presented his mechanical inspector application for the record. Mr. Cerio stated that Mr. Walker has the combined experience as spelled out in Rule 61G14-6.0035(1)c, Florida Administrative Code. He stated that if the Committee did not vote to approve the application, they respectfully request that they be permitted to come back tomorrow before the full Board.

Mr. McCormick asked if the Committee upholds the denial, would the same information be presented tomorrow, and if so why present information today. He stated that Mr. Walker did not demonstrate five years of experience in the category and still has not demonstrated today that he has the five years of experience.

In discussion, Mr. Kymalainen stated that the mechanical and plumbing categories are not the same and there is an area of crossover. He stated he had been given credit for mechanical experience.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial for the original reasons.

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

#### **REQUEST FOR HEARINGS**

##### **Paul Beauchene – Mechanical Plans Examiner**

Mr. Beauchene was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted for the Committee's consideration and also provided at the meeting.

Following discussion, the following action was taken.

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

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

##### **Dwight Anthony Bryan – Electrical Inspector**

Mr. Bryan was present at the meeting and was sworn in by the court reporter. Additional information was provided 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. Kymalainen seconded the motion and it passed unanimously.

##### **Randall L. Cole – Plumbing Inspector**

Mr. Cole was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted 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. Kymalainen seconded the motion and it passed unanimously.

**John A. Connelly, III – 1&2 Family Dwelling Plans Examiner – Voluntary**

Mr. Connelly was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted 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. Kymalainen seconded the motion and it passed unanimously.

**Jean Aubanel Joseph – Mechanical Plans Examiner**

Mr. Joseph was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted 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. Kymalainen seconded the motion and it passed unanimously.

**Thomas Patrick Knappman – Plumbing Inspector**

Mr. Skip Lukert was present at the meeting on behalf of Mr. Knappman, and he was sworn in by the court reporter. 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.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**Peter Raymond Lehmann – Mechanical Inspector, Mechanical Plans Examiner & Plumbing Plans Examiner**

Mr. Lehmann was present at the meeting and was sworn in by the court reporter. 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. Kymalainen seconded the motion and it passed unanimously.

**Joseph Lepore – Building Plans Examiner**

Mr. Lepore was present at the meeting and was sworn in by the court reporter.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Board uphold the denial as originally stated.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**Fred E. Martin – Plumbing Plans Examiner & Mechanical Plans Examiner**

Mr. Martin was present at the meeting and was sworn in by the court reporter.

Following discussion, the following action was taken.

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

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

**Shannon Wayne McComas – Building Code Administrator**

Mr. McComas was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted for the Committee's review.

Following discussion, the following action was taken.

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

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

**Philip Steven Moretta – Plumbing Inspector, Mechanical Inspector & Provisional Mechanical Inspector**

Mr. Moretta was present at the meeting and was sworn in by the court reporter. Additional information was provided at the meeting.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the provisional mechanical inspector application for the reasons originally stated.

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

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee uphold the denial of the plumbing inspector and mechanical inspector applications for the reasons originally stated.

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

**Samuel E. Powell – Electrical Inspector**

Mr. Powell was present at the meeting and was sworn in by the court reporter. 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. Kymalainen seconded the motion which passed with Mr. Kymalainen voting against the motion.

**Justo Andres Quintana – Plumbing Inspector**

Mr. Quintana was present at the meeting along with Mr. Doug Wise, Building Official for Palm Beach Gardens. They were both sworn in by the court reporter. Additional information was previously submitted 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.

**Fred N. Reodica – Building Plans Examiner**

Mr. Reodica was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted 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. Kymalainen seconded the motion and it passed unanimously.

**John J. Ruley – Building Plans Examiner**

Mr. Ruley was present at the meeting and was sworn in by the court reporter along with Mr. Stan DeAngelis, Building Official.

During discussion, Mr. McCormick stated that Mr. Ruley works for the fire department, not the building department.

MOTION: Mr. Sasso made a motion that the Committee uphold the denial as originally stated.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**James C. Stanley, II – Provisional Mechanical Inspector**

Mr. Stanley was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted for the Committee's review and information was also provided at the meeting.

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the application based on the additional information.  
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

**Jeremy Mark Swart – Electrical Inspector and Electrical Plans Examiner**

Mr. Swart was present at the meeting and was sworn in by the court reporter. 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 applications based on the information provided and oral testimony.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**Steven Barry Tobias – Building Code Administrator**

Mr. Tobias was present at the meeting and was sworn in by the court reporter along with Mr. George Diaz. Additional information was previously submitted for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the Committee approve the application.

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

**Jason Angelo Wagner – Building Inspector**

Mr. Wagner was present at the meeting and was sworn in by the court reporter. During discussion, Mr. Wagner informed the Committee that he was a home inspector, not an inspector for compliance for building codes.

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

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

**Edward Winogrodzki – 1&2 Family Dwelling Inspector**

Mr. Winogrodzki was present at the meeting and was sworn in by the court reporter. Additional information had been provided for the Committee's review.

Following discussion, the following action was taken.

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

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

**ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 12:50 p.m.

**AUGUST 14, 2008**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME**

Chair McCormick called the meeting to order at 9:05 a.m.

**Members Present**

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

**Members Not Present**

Dennis Franklin

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Julie Rowland, Administrative Assistant  
Ann Cocheu, Board Counsel  
Elizabeth Duffy, Prosecuting Attorney  
Don Fuchs  
Richard Noles  
Luther Council, Jr.  
John Farinelli  
Rob von Kampen  
Karen Johnson

Fayez Ismail  
Rafael Abela  
Joe Dimina  
William Ward  
Pete Quintela  
Joe Rebuck  
Jane Waddel

#### **HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT**

##### **Rafael J. Abela – Provisional Building Inspector & Building Inspector**

Mr. Abela was present at the meeting. He supplied additional information for the Board's review.

Mr. Abela informed the Board that he only wanted to proceed with the building inspector application.

Ms. Cocheu stated that Mr. Abela's application for the standard building inspector license was denied for a lack of experience.

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

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

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

SECOND: The motion died for lack of a second.

Following discussion, the following action was taken.

MOTION: Vice-Chair Sasso made a motion that the Board uphold the denial as originally stated.

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

##### **Scott A. Berg – Mechanical Inspector & Electrical Plans Examiner – Endorsement, Plumbing Inspector, Building Inspector, Plumbing Plans Examiner, Building Plans Examiner, Mechanical Plans Examiner – Endorsement**

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

MOTION: Mr. Dudley made a motion that the Board uphold the denials as originally stated.

SECOND: Vice-Chair Sasso seconded the motion and it passed unanimously.

##### **Jack Boothe – 1&2 Family Dwelling Inspector**

Mr. Booth was not present at the meeting, however, additional information had been provided for the Board's review.

Following discussion, the following action was taken.

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

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

##### **Kory Allen Bush – Provisional Building Inspector**

Mr. Bush was not present at the meeting, however, additional information had been submitted for the Board's review.

Following discussion, the following action was taken.

MOTION: Vice-Chair Sasso made a motion that the Board uphold the denial as originally stated.  
SECOND: Mr. Dudley seconded the motion and it passed unanimously.

**Joseph G. Dimina – Building Code Administrator**

Mr. Dimina was present at the meeting and was sworn in by the court reporter. Additional information was previously submitted for the Board's consideration.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board uphold the denial as originally stated.  
SECOND: Mr. Kymalainen seconded the motion which passed with Chair McCormick voting against the motion.

**Ben Hargreaves – Building Inspector**

Mr. Hargreaves was not present at the meeting, however, additional information had been submitted for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board uphold the denial as originally stated.  
SECOND: Chair McCormick seconded the motion and it passed unanimously.

**Fayez F. Ismail – Building Inspector**

Mr. Ismail was present at meeting and was sworn in by the court reporter. Additional information was provided for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the Board approve the application based on the additional information provided.  
SECOND: Mr. Dudley seconded the motion which failed with Chair McCormick, Vice-Chair Sasso, Mr. Gathright and Mr. Kymalainen voting against the motion.

MOTION: Mr. Kymalainen made a motion that the Board uphold the denial as originally stated.  
SECOND: Mr. Gathright seconded the motion and it passed with Mr. Dudley voting against the motion.

**Douglas Maples – Building Code Administrator**

Mr. Maples was not present at the meeting, however, additional information had been provided for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the application based on the additional information.

SECOND: Chair McCormick seconded the motion which failed with Vice-Chair Sasso, Mr. Gathright, Mr. Kymalainen and Mr. Nagin voting against the motion.

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

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

**John R. McConnell, Jr. – Plumbing Inspector, Mechanical Inspector & Electrical Inspector**

Mr. McConnell was not present at the meeting and no additional information had been provided for the Board's review.

MOTION: Mr. Dudley made a motion that the Board uphold the denials as originally stated.

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

**Richard Larry Noles – Provisional Electrical Inspector**

Mr. Noles was present at the meeting along with Mr. Luther Council, Building Official. They were both sworn in by the court reporter. Additional information had been submitted previously for the Board's review.

During discussion, Vice-Chair Sasso asked if Mr. Noles had taken the examination for the standard license. Mr. Noles responded that he had taken the examination twice.

Following discussion, the following action was taken.

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

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

**Tedsan Timberlake – 1&2 Family Dwelling Inspector**

Mr. Timberlake was not present at the meeting, however, additional information had been submitted for the Board's review.

Following discussion, the following action was taken.

MOTION: Vice-Chair Sasso made a motion that the Board uphold the denial as originally stated.

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

**William R. Ward – Plumbing Inspector, Building Inspector, Building Plans Examiner & 1&2 Family Dwelling Inspector**

Mr. Ward was present at the meeting and provided additional information for the Board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve all of the applications with the exception of the plumbing inspector application.

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

Mr. Ward informed the Board that he wished to withdraw his plumbing inspector application from consideration.

**MOTION OF WAIVER AND FINAL RIGHTS**

**John Schmidt, Case #2007-068204**

**PCP – Nagin, Dudley, Council, Bertolami & Rogers**

Ms. Duffy introduced herself to the Board as their new prosecuting attorney. Ms. Duffy informed the Board that Mr. Schmidt was served on June 11, 2008, and should have responded by July, however, no response has been received.

Ms. Duffy stated that Mr. Schmidt falsified documents and did not have the authorization to do the inspections. She stated that he has been terminated from his job. Ms. Duffy informed the Board that

the Department recommended revocation of Mr. Schmidt's licenses because of the severity of the case.

Mr. Schmidt was present at the hearing and was sworn in by the court reporter. Mr. Schmidt said that he did know the home owner. During discussion, Ms. Cocheu informed the Board that Mr. Schmidt had waived his rights for a defense since he did not respond to the complaint.

**MOTION:** Vice-Chair Sasso made a motion that the Board grant the waiver and adopt the findings of fact as outlined in the Administrative Complaint.

**SECOND:** Mr. Gathright seconded the motion which passed unanimously.

Ms. Cocheu informed the Board that the license numbers referenced in the Administrative Complaint were PX 2298 and BN 4643. Mr. Schmidt informed the Board that he currently works for an electrical contractor.

Ms. Duffy stated that the Department recommended revocation of the licenses and, imposition of \$325.65 costs.

Following discussion, the following action was taken.

**MOTION:** Mr. Kymalainen made a motion that the Board revoke license numbers PX2298 and BN4643 in this case and assess \$325.65 in costs in this case.

**SECOND:** Vice-Chair Sasso seconded the motion and it passed unanimously.

#### **PROSECUTING ATTORNEY REPORT – LIBBY DUFFY**

Ms. Duffy informed the Board that there were 24 new complaints in legal. She stated that there will be a probable cause panel meeting when she has a sufficient number of cases for presentation. Ms. Duffy informed the Board that she would have a more detailed report at the next meeting.

#### **RECESS**

There being no further business to come before the Board at this time, the meeting was recessed at 12:30 p.m.

#### **RULES AND LEGISLATION COMMITTEE**

##### **CALL TO ORDER**

Mr. Nagin, Chair of the Committee, called the meeting to order at 1:30 p.m.

##### **Members Present**

Rob Nagin, Chair

Fred Dudley

Bob Kymalainen

##### **Others Present**

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Julie Rowland, Administrative Assistant

Ann Cocheu, Board Counsel

Bob McCormick, Board Member

Nick Sasso, Board Member

Richard Gathright, Board Member

Don Fuchs

John Farinelli

Rob von Kampen  
Karen Johnson  
Pete Quintela  
Joe Rebuck  
Jane Waddel

### **LEGISLATIVE REPORT – ROB NAGIN**

Mr. Nagin stated that he did not have anything to report at this time as there was no legislation that had a direct impact on this Board.

### **RULES REPORT – ANN COCHEU**

#### **House Bill 7109**

Ms. Cocheu informed the Committee that legislation was passed that requires an economic impact statement be prepared for all rules that are proposed and amended. She stated that she just wanted to make them aware of this and that they were working on how it is going to impact the boards.

Mr. Dudley stated that on many occasions people are adversely affected by a rule and the small businesses will be considered when changes are made to a rule in the future.

### **WORKSHOP DISCUSSION – ENERGY CODE PLANS REVIEW**

Mr. McCormick stated that the Committee agreed at the last meeting to have a workshop to discuss the declaratory statement that had been submitted by Mr. Pete Quintela.

Mr. Dudley stated that a declaratory statement cannot be used to make general statements. He also indicated that the statement was not in the proper form.

Mr. McCormick stated that Mr. Pete Quintela asked two questions in his declaratory statement request. Ms. Cocheu stated that if there was general applicability and will be repeated around the state, then it is a non-rule policy. If they want to answer it, then they need to move forward with rule making.

During discussion, it was stated that Chapter 468.604, Florida Statutes, answered the questions.

**MOTION:** Mr. Dudley made a motion that that the Committee deny the petition as it does not comply with the requirements and Chapter 468.604, Florida Statutes, addresses the concerns that are raised.

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

Mr. Quintela stated that he disagreed with the motion that was made as they have not answered his questions and are not offering guidance. Ms. Cocheu responded that he could appeal this statement to the courts.

### **NEW BUSINESS**

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

### **OLD BUSINESS**

#### **Category Specific Continuing Education**

Mr. Nagin stated that it was obvious they do not have the quantity of courses for the specific trades and did not know what could be done other than to ask the providers to provide more courses.

Mr. Sasso suggested that licensees be required to take 14 continuing education hours per year. Mr. Nagin responded that would take a statutory change.

Following discussion, no action was taken.

### **Building Department Recordkeeping Requirements**

Mr. Nagin stated that the Board ruled on a disciplinary case earlier in the day and that was the case that brought this issue before the Committee.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Committee recommend to the Board that they seek legal advice regarding the best avenue to accomplish having every licensee personally verify every inspection that they have done with the building department.

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

### **Petition For Declaratory Statement, Ds2008-026, Regarding Chapter 468, Florida Statutes – Pete Quintela**

Mr. Nagin stated that the Committee already addressed this issue.

### **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 3:43 p.m.

### **EXAMINATION AND CONTINUING EDUCATION COMMITTEE CALL TO ORDER**

Mr. McCormick, due to the absence of Mr. Franklin, called the meeting to order at 3:43 p.m.

#### **Members Present**

Richard Gathright  
Bob McCormick  
Nick Sasso

#### **Members Not Present**

Dennis Franklin, Chair

#### **Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Julie Rowland, Administrative Assistant  
Ann Cocheu, Board Counsel  
Rob Nagin, Board Member  
Fred Dudley, Board Member  
Bob Kymalainen, Board Member  
Don Fuchs  
John Farinelli  
Rob von Kampen  
Karen Johnson  
Pete Quintela  
Joe Rebuck  
Jane Waddel

**CONTINUING EDUCATION COURSES FOR REVIEW  
BUILDING OFFICIALS ASSOCIATION OF FLORIDA**

**New Courses**

1. Specification & Installation Recommendations for Non-Structural Wall Framing  
Requesting 1 hour GENERAL credit
2. Ethics in Construction  
Requesting 1 hour ETHICS credit

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

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

**BROWARD COUNTY BOARD OF RULES AND APPEALS**

**New Courses**

1. Advanced Hurricane Mitigation Retrofits  
Requesting 1 hour GENERAL credit
2. Ethics for Building Code Professionals  
Requesting 1 hour of ETHICS credit

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

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

**CUTSTONE LEARNING LLC**

**New Courses**

1. Wind Mitigation Methodologies  
Requesting 1 hour GENERAL credit
2. Ethics for Building Code Professionals  
Requesting 1 hour ETHICS credit

Following discussion, the following action was taken.

MOITON: Mr. Sasso made a motion that the Committee approve the courses as submitted.

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

**GOLD COAST SCHOOL OF CONSTRUCTION, INC.**

**New Courses**

1. Ethics in the Construction Industry (Classroom)  
Requesting 2 hours ETHICS credit
2. Ethics in the Construction Industry (Internet)  
Requesting 2 hours ETHICS credit

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

MOTION: Mr. Gathright made a motion that the Committee deny the courses as they are too general and do not meet the rule requirements.

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

**PALM BEACH COUNTY PLANNING, ZONING AND BUILDING**

**New Courses**

1. Residential Swimming Pools  
Requesting 2 hours GENERAL credit
2. Ethics Training for the Florida Code Officials

Requesting 1 hour ETHICS credit

Mr. Gathright recused himself as Palm Beach County Planning, Zoning and Building is his employer.

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

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

#### **T. ERIC STAFFORD ASSOCIATES LLC**

##### **New Course**

1. Ethics and the Professional  
Requesting 1 hour ETHICS credit

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee deny the course for a lack of specificity.

SECOND: Mr. Sasso 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 1 hour GENERAL credit

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

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

#### **GORDON DON BRINDLEY**

##### **Renewal Course**

1. Proper Mounting Heights for Fixtures, Outlets, Alarms and Elevator Controls in accordance with Florida Accessibility Code (0007050)  
Requesting 2 hours ACCESSIBILITY credit

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee deny the course as the time table does not agree with the credit requested.

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

#### **MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE**

##### **Renewal Courses**

1. Florida Accessibility F.S. 760 and Federal Fair Housing (0002493)  
Requesting 2 hours ACCESSIBILITY credit
2. Florida Accessibility and ADA Requirements (0002494)  
Requesting 2 hours ACCESSIBILITY credit
3. Legal Aspects of Code Enforcement (0002521)  
Requesting 4 hours GENERAL credit
4. Chapter 10, Contractors Code of Dade County (0002522)  
Requesting 2 hours GENERAL credit
5. The Florida Building Code External Fire Resistance Requirements For Roof Systems (0006234)  
Requesting 2 hours GENERAL credit
6. The Florida Building Code RAS 115 (0006235)

- 7. Requesting 2 hours GENERAL credit  
The Florida Building Code RAS 117 (0006236)  
Requesting 2 hours GENERAL credit
- 8. The Florida Building Code RAS 118, 119 and 120 (0006237)  
Requesting 3 hours GENERAL credit
- 9. The Florida Building Code RAS 130 (0006238)  
Requesting 2 hours GENERAL credit
- 10. The Florida Building Code RAS 133 (0006239)  
Requesting 2 hours GENERAL credit
- 11. Florida Plumbing Code for South Florida Plumbing Code Users – Part I (0006241)  
Requesting 2 hours GENERAL credit
- 12. Florida Plumbing Code for South Florida Plumbing Code Users – Part II (0006242)  
Requesting 2 hours GENERAL credit
- 13. The Florida Building Code Load Requirements for Roof Systems (0006579)  
Requesting 2 hours GENERAL credit

MOTION: Mr. Gathright made a motion that the Committee approve course numbers 1 and 2 and 5 through 13 as submitted.

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

Following discussion regarding course #3, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve course #3 as submitted.

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

Following discussion regarding course #4, the following action was taken.

MOTION: Mr. Gathright made a motion approve course #4 as submitted.

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

### **SMART VENT PRODUCTS, INC.**

#### **New Course**

- 1. Understanding Foundation Flood Vents  
Requesting 1 hour GENERAL credit

Following discussion, the following action was taken.

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

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

### **BRB CODE EDUCATORS, INC.**

#### **New Courses**

- 1. Ethics for Building Code Administrators and Inspectors  
Requesting 1 hour ETHICS credit
- 2. Asphalt Shingles: Wind Testing Update  
Requesting 1 hour GENERAL credit

Following discussion, the following action was taken.

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

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

## **FIRST COAST CHAPTER ICC-BOAF**

### **New Courses**

1. Ethics for Public Officials and Employees Professionals  
Requesting 1 hour ETHICS credit
2. Introduction to Chapter 1 of the 2007 FBC  
Requesting 1 hour GENERAL credit
3. Introduction to Chapter 2 and 3 of the 2007 FBC  
Requesting 1 hour GENERAL credit
4. Introduction to Chapter 4 of the 2007 FBC  
Requesting 3 hours GENERAL credit
5. Introduction to Chapter 5 of the 2007 FBC  
Requesting 2 hours GENERAL credit
6. Introduction to Chapter 6 of the 2007 FBC  
Requesting 1 hour GENERAL credit
7. Introduction to Chapter 7 of the 2007 FBC  
Requesting 3 hours GENERAL credit
8. Introduction to Chapter 8 of the 2007 FBC  
Requesting 1 hour GENERAL credit
9. Introduction to Chapter 9 of the 2007 FBC  
Requesting 2 hours GENERAL credit

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

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

### **Renewal Course**

1. Fair Housing and the ADA (0007086)  
Requesting 4 hours ACCESSIBILITY credit

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

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

## **ENGLAND ENTERPRISES, INC.**

### **New Courses**

Mr. England was present at the meeting.

1. Ethics (Inspectors Do's and Don'ts) (Classroom)  
Requesting 1 hour ETHICS credit
2. Ethics (Inspectors Do's and Don'ts) (Internet)  
Requesting 1 hour ETHICS credit
3. Residential Gas (Internet)  
Requesting 12 hours GENERAL credit
4. Residential Plumbing (Internet)  
Requesting 12 hours GENERAL credit
5. Building Codes (Associated Codes and Standards) (Internet)  
Requesting 1 hour GENERAL credit

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee continue course #'s 1 thru 5 until the next meeting.

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

6. Rated Construction (Walls and Ceiling)  
Requesting 6 hours GENERAL credit

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

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

7. Accessibility Inspector/Plan Reviewer  
Requesting 12 hours ACCESSIBILITY credit

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the course for four hours only, two hours of Accessibility credit and two hours of general credit.

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

8. Housing Rehab/Property Maintenance Inspector  
Requesting 12 hours GENERAL credit
9. Permit Technician  
Requesting 12 hours GENERAL credit

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee deny course #8 and course #9 as they were not relevant.

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

10. Coastal and Floodplain Inspector  
Requesting 12 hours GENERAL credit

Following discussion, the following action was taken.

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

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

11. Changes to the Residential Code  
Requesting 6 hours GENERAL credit
12. Changes to the Building Code  
Requesting 6 hours GENERAL credit

In discussion, the Committee requested that the referenced codes be changed to state "Florida applicable codes."

MOTION: Mr. Sasso made a motion that the Committee approve course numbers 11 and 12 with the requested changes.

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

### **Renewal Courses**

1. Commercial Electrical Inspector (0006143)  
Requesting 18 hours GENERAL credit

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve the course as submitted.  
SECOND: Mr. McCormick seconded the motion which passed with Mr. Sasso voting against the motion.

2. Commercial Building Inspector (0006139)  
Requesting 18 hours GENERAL credit
3. CBO Legal and Management (0006145)  
Requesting 12 hours GENERAL credit
4. CBO Technology Overview (0006146)  
Requesting 18 hours GENERAL credit
7. Residential Building Inspector (0006806)  
Requesting 18 hours GENERAL credit
9. Residential Building Plan Review (0006809)  
Requesting 6 hours GENERAL credit
13. Residential/Commercial Plumbing Inspector (0006810)  
Requesting 18 hours GENERAL credit
14. Residential/Commercial Mechanical Inspector (0006813)  
Requesting 18 hours GENERAL credit

MOTION: Mr. Sasso made a motion that the Committee approve course numbers 2, 3, 4, 7, 9, 13, and 14 as submitted.  
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

5. Building Plan Examiner (0006140)  
Requesting 18 hours GENERAL credit

In discussion, Mr. McCormick questioned the timetable. Mr. England informed the Committee that seismic had been removed from the course.

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

6. Residential Electrical Inspector (0006825)  
Requesting 18 hours GENERAL credit

In discussion, Mr. Sasso stated that the course did not cite the code and the hours requested was excessive.

MOTION: Mr. McCormick made a motion that the Committee continue the course until the next meeting.  
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

8. Hotel/Apartment Accessibility Inspector/Review (0006807)  
Requesting 3 hours ACCESSIBILITY credit

In discussion, Mr. Sasso commented that he thought the hours should be two instead of three.

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

10. Building Accessibility Inspector/Review (0006824)  
Requesting 3 hours ACCESSIBILITY credit

In discussion, Mr. Sasso stated that only the international building code is referenced in this course, and it should reference the Florida building code. Mr. England responded that he will change the course to reflect the Florida building code.

MOTION: Mr. Sasso made a motion that the course be changed to state the Florida building code in the outline and that the course be continued until the next meeting.

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

11. Commercial Electrical Plan Review (0006822)  
Requesting 18 hours GENERAL credit

Following discussion, the following action was taken.

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

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

12. Electrical Accessibility Inspector/Review (0006823)  
Requesting 2 hours ACCESSIBILITY credit

Mr. Sasso stated that this was the same as the situation with course #10.

MOTION: Mr. McCormick made a motion that the Committee approve the course, however, the Florida building code is to be referenced in the course.

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

15. Plumbing Accessibility Inspector/Review (0006811)  
Requesting 3 hours ACCESSIBILITY credit

MOTION: Mr. Sasso made a motion that the Committee approve the course, however, the correct codes are to be referenced.

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

16. Florida Principles and Practice (0006821)  
Requesting 12 hours (GENERAL, LAWS & RULES) credit

Following discussion, the following action was taken.

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

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

17. Florida Law Update (0006808)  
Requesting 3 hours LAWS & RULES credit

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee continue this course until the next meeting for the content to be refined.

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

18. Means of Egress (0006814)  
Requesting 6 hours GENERAL credit

Following discussion, the following action was taken.

- MOTION: Mr. McCormick made a motion that the Committee continue this course until the next meeting for more information.  
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Mr. England agreed with the continuance of the courses to give him time to correct the deficiencies.

### **INTERNATIONAL CODE COUNCIL**

Ms. Karen Johnson and Mr. John Farinelli were present.

1. 2006 IBC Fire Safety Provisions  
Requesting 2 hours GENERAL credit  
The Committee was informed that this was an on-line course.

2. 2006 IBC Building Planning (Renewal 0007120)  
Requesting 6 hours GENERAL credit
3. 2006 IEBC Fundamentals (Renewal 0007121)  
Requesting 6 hours GENERAL credit

- MOTION: Mr. Sasso made a motion that the Committee approve course numbers 1, 2 & 3 as submitted.  
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

4. 2008 Webinar-2006 IBC Accessibility  
Requesting 3 hours AOA credit

Following discussion, the following action was taken.

- MOTION: Mr. McCormick made a motion that the Committee approve the course for general credit, not accessibility.  
SECOND: Mr. Gathright seconded the motion and it passed with Mr. Sasso voting against the motion.

5. 2008 Webinar-Fire and Smoke Dampers  
Requesting 3 hours GENERAL credit

Following discussion, the following action was taken.

- MOTION: Mr. Gathright made a motion that the Committee approve the course as submitted.  
SECOND: Mr. McCormick seconded the motion and it passed with Mr. Sasso voting against the motion.

6. 2006 IBC Residential (Group I & R) Accessibility Provisions (Internet)  
Requesting 2 hours of General credit

- MOTION: Mr. Gathright made a motion that the Board approve the course as submitted.  
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

7. 2008 Webinar-2006 IPC Backflow & Cross Connection Requirements  
Requesting 3 hours of GENERAL credit

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

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

8. Intricacies of Residential Mechanical Inspections  
Requesting 3 hours of GENERAL credit
10. Intricacies of Residential Plumbing Inspections  
Requesting 3 hours of GENERAL credit
11. 2006 IPC Backflow and Cross Connection Requirements  
Requesting 3 hours of GENERAL credit
12. Wall Bracing Using the 2006 IRC  
Requesting 3 hours of GENERAL credit
14. Updated FEMA Bldg Science Resources: Flooding, High Winds & Seismic  
Requesting 3 hours of GENERAL credit
15. Intricacies of Commercial Mechanical Inspections  
Requesting 3 hours of GENERAL credit
16. Intricacies of Commercial Plumbing Inspections  
Requesting 3 hours of GENERAL credit
18. 2006 IBC Fundamentals Structural Provisions  
Requesting 3 hours of GENERAL credit
19. Performing Residential Electrical Inspections  
Requesting 3 hours of GENERAL credit

MOTION: Mr. Gathright made a motion that the Committee approve course numbers 8, 10, 11, 12, 14, 15, 16, 18, and 19 as submitted.

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

9. Understanding the HVAC Design Process to Enforce & Comply  
Requesting 3 hours of GENERAL credit

In discussion, Mr. Farinelli informed the Committee that the course would be based on the 2006 codes. Mr. Sasso stated that this should be listed in the application.

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

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

13. Introduction to the National Green Building Standard  
Requesting 3 hours of GENERAL credit

Following discussion, the following action was taken.

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

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

17. Developing a Local Green Building Ordinance  
Requesting 3 hours of GENERAL credit

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.  
SECOND: Mr. Gathright seconded the motion and it passed with Mr. Sasso voting against the motion.

20. Communication of Code Administration  
Requesting 3 hours of GENERAL credit

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the course as submitted.  
SECOND: Mr. Gathright seconded the motion and it passed with Mr. Sasso voting against the motion.

### **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 6:53 p.m.

**August 15, 2008**

### **EXECUTIVE COMMITTEE**

#### **CALL TO ORDER**

Chair McCormick called the meeting to order 9:05 a.m. on August 15, 2008.

#### **Members Present**

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

#### **Members Not Present**

Dennis Franklin

#### **Others Present**

Elise Rice, Government Analyst  
Julie Rowland, Administrative Assistant  
Ann Cocheu, Board Counsel  
Rob von Kampen, International Code Council  
Pete Quintela

### **OLD BUSINESS**

Chair McCormick stated that Mr. Dudley raised an issue earlier regarding whether or not it was legal for the Application Review Committee, rather than the full Board, to hear and make a determination relative to informal hearings.

Ms. Cocheu explained that if an individual has an attorney, she will discuss the process and options with their attorney. She stated that the individuals are given the option of which day to appear. Ms. Cocheu informed the Committee that if the Board decides to conduct all of the hearings as a full Board, it will require additional days for the meeting.

Mr. Dudley responded that his was not a concern over the legal issues, but that his concern is a broader concern, the responsibility of each of the members as Board members. He stated that he did not have a problem delegating the responsibility of determining eligibility. His concern was where the Committee believes the applicant should be rejected and that is action that the full Board should take. He stated that his concern was that a final order is issued, which is a legal document, and he has not had the opportunity to vote on it. If someone is denied by the Committee, they should be given the option to come before the full Board.

Ms. Cocheu responded that she can give an opening statement at the beginning of the meeting that if someone wishes, they can stay until the Thursday meeting and appear before the full Board. Ms. Rice also stated that when the individuals call the office, they are told that they have this option.

### **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 9:31 a.m.

### **CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME**

Chair McCormick, called the meeting to order at 9:31 a.m.

#### **Members Present**

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

#### **Members Not Present**

Dennis Franklin

#### **Others Present**

Elise Rice, Government Analyst  
Julie Rowland, Administrative Assistant  
Ann Cocheu, Board Counsel  
Rob von Kampen, International Code Council  
Pete Quintela

Chair McCormick informed the Board that Mr. Franklin had a work commitment and was unable to attend the meeting.

MOTION: Mr. Nagin made a motion that Mr. Franklin's absence be excused.

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

### **APPROVAL OF THE JUNE 10 - 13, 2008, MINUTES OF THE MEETING**

MOTION: Mr. Nagin made a motion that the Board approve the minutes as submitted.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

### **DISCUSSION REGARDING BUILDING CODE ADMINISTRATOR SERVICES – BOB MCCORMICK**

Chair McCormick stated that he recently became aware of the fact that private provider agencies are providing building code administrator services in more than one small community using the same building code administrator. He wanted the Board's thoughts on this issue.

Following discussion, Chair McCormick asked that if the members had any suggestions to bring it up at the next meeting. This topic should be on the October agenda for the Legislative Committee under Old Business.

### **REPORTS**

#### **Chair's Report – Bob McCormick, Chair**

Chair McCormick informed the Board that he recently had the opportunity to meet with Secretary Chuck Drago. He stated that they have a very pleasant lunch and felt that they could call on him if there was a need.

Mr. Dudley commented on the e-mail regarding home inspectors that Chair McCormick sent e-mail to Mr. G. W. Harrell, Executive Director for the Construction Industry Licensing Board. He mentioned that if this Board feels they should license home inspectors, they should make the case to Secretary Drago and Mr. Tim Vaccaro, Director, Division of Professions.

Chair McCormick stated that a decision had not been made, and the e-mail to Mr. Harrell stated that this Board had concerns and would like the opportunity to participate in rule/program development if the Construction Industry Licensing Board agreed.

Mr. Dudley commented that he thought this issue is important and does not like the idea that another board would be making the determination if there was a code violation.

Mr. Gathright stated that home inspectors indicate that they are code experts. Mr. Quintela informed the Board that he was a home inspector previously, and he feels that they should be under this Board.

Vice-Chair Sasso stated that he did not think this Board should take this on, as they have enough to do with the current licensees. He stated that home inspectors were normally visual inspections, and they should have their own peers on the board that regulates them.

Mr. Kymalainen commented that home inspectors quote the current codes and that is a problem. He stated that he would go with majority on this issue.

Chair McCormick stated that he did not care either way, and he stated that he thought that this Board was the most logical to regulate home inspectors when he was asked about it and feels they should have input.

Mr. Nagin commented that the real estate industry created the home inspectors and sales are being lost because of the home inspections. If it is put under this Board, they would be confused with the current inspectors, and he did not want to see them under this Board.

Mr. Dudley commented that there were problems with the law and this Board needs to be at the table and involved with the discussions.

Chair McCormick stated that he needed to know which board the members felt was the most appropriate board for home inspectors to fall under.

Vice-Chair Sasso – Real Estate

Mr. Kymalainen – Building Code

Mr. Dudley – Building Code

Mr. Gathright – Building Code

Mr. Nagin – this Board needs to be at the table, however, he did not know which board they should be under.

Mr. Dudley suggested it be on the agenda for the next Legislative Committee meeting and they be provided a copy of the law to see if the Committee has any concerns that need to go before the full Board.

### **Application Review Committee – Nick Sasso**

#### **Ratification List**

Vice-Chair Sasso informed the Board that the ratification list was in the hand out materials. He reported that the Committee reviewed a total of 119 applications, of which 61 were denied and 58 were approved.

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

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

### **Rules and Legislation Committee – Rob Nagin**

Mr. Nagin reported that the Committee met yesterday and he gave an update on the legislation. He reported that Ms. Cocheu discussed HB7109.

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

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

Mr. Nagin reported that the Committee denied the Declaratory Statement request from Mr. Quintela as it did not comply with the requirements, it was too general, and the present statutes already address the issues.

Mr. Dudley stated that the Committee should defer this part to the full Board to take it up under old business.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the actions of the Committee regarding the declaratory statement.

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

Mr. Nagin reported that they discussed category specific continuing education and after discussion, no action was taken.

Mr. Nagin reported that the Committee discussed the building department record keeping and recommended that the Board seek legal advice on how best to have the licensees personally verify their inspection information.

MOTION: Chair McCormick made a motion that the Board request Board Counsel to research this issue.

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

#### **Examination and Continuing Education Committee – Bob McCormick**

Chair McCormick reported that the Committee reviewed 89 course applications. Of these, 74 were approved, six were denied, and nine were continued until the October meeting.

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

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

#### **Executive Committee – Bob McCormick, Chair**

Chair McCormick reported that the Committee met this morning and discussed the issue regarding the appropriateness for the Application Review Committee to preside over hearings. The decision was made for an announcement at the beginning of the Committee meetings on Wednesday that individuals whose denial is upheld can appear before the full Board the following day if they so desire. The Board office will continue to provide this information in advance of the meeting as well.

#### **Board Counsel – Ann Cocheu**

Ms. Cocheu did not have a report to give at this time.

#### **Executive Director – Robyn Barineau**

##### **Financial Report**

Ms. Barineau informed the Board that the final financial report will be included in the October meeting materials. She also stated that an e-mail will be sent to the members regarding a new post office box address for them to use to send information to the Board office.

Ms. Barineau informed the Board that the document imaging process is moving forward and each member will be assigned their own computer which they will have to bring to each meeting. She stated that they will be able to make notes and bookmark pages of the Board agendas. Ms. Barineau stated that the Board office will be involved in the development starting September 11. She stated that the Construction Industry Licensing Board was the pilot program.

Mr. Nagin asked if the statutes and rules will be available on the computers. Ms. Barineau responded that she would research that information.

Mr. Dudley asked if they could use their own laptop. Ms. Barineau responded that they could not for the meeting materials. Mr. Dudley asked if they needed to make arrangements for the computer to be covered under their own insurance and what their responsibilities would be if it was lost, stolen, or if it breaks. Ms. Barineau responded that she would report back on Mr. Dudley's questions.

#### **ICC Update – Rob von Kampen, Ph.D.**

Dr. von Kampen reported that both computer based testing and paper and pencil examinations were still being offered. He stated that the number of paper and pencil examinations continues to decrease.

In discussion, Ms. Barineau asked if the Board agreed to offer only computer based testing, would there be more opportunities for an applicant to examine. Dr. von Kampen responded that currently they can take the examination twice in six months because of the exam form. He stated that if they decided to only offer the computer based testing, he would see if they could create more forms in order for the examination to be offered more often.

Chair McCormick stated that he made some statements at the last meeting and some offense was taken by individuals with the International Code Council. He stated that he appreciates the professional representation at each meeting and has never had a single complaint about the service that they provide. He hopes that Dr. von Kampen will relay that information.

#### **CORRESPONDENCE**

**Home Inspectors – Bob McCormick**

**2008 Legislative Session – Chuck Drago, Interim Secretary, Department of Business and Professional Regulation**

This was provided for informational purposes.

#### **OLD BUSINESS**

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

#### **NEW BUSINESS**

Mr. Nagin informed the Board that he will be retiring as of September 30, however, he will continue to serve on the Board until he is replaced.

Chair McCormick stated that Mr. Nagin has been one of the most active leaders in code enforcement and wished him well.

#### **ELECTION OF OFFICERS**

**MOTION:** Mr. Kymalainen made a motion that the Board nominate Bob McCormick as Chair and Nick Sasso as Vice-Chair of the Board.

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

Chair McCormick thanked the Board and stated that it was an honor to serve as Chair.

#### **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 11:56 p.m.