

**EXECUTIVE SUMMARY**  
**Florida Building Code Administrators and Inspectors Board**

**I. General Information**

Meeting Type: Application Committee, Examination and Continuing Education Committee, Legislation and Rules Committee, and General Business Meeting  
Meeting Date: Wednesday, December 5, 2012, through Friday, December 7, 2012  
Meeting Location: Hyatt Regency Tampa  
211 North Tampa Street  
Tampa, Florida

Attendees:

Bob McCormick, Chair  
Richard Gathright, Vice Chair  
Art Barthlow  
Tim Bolduc  
Fred Dudley  
Wayne Francis  
Rick Holmes

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Elise Rice, Government Analyst, DBPR  
Clark Jennings, Assistant Attorney General, Office of the Attorney General (OAG)  
Dustin Metz, Assistant General Counsel, Office of the General Counsel (OGC), DBPR  
Sonja Bonanno, Court Reporter  
Other Interested Parties

**II. Major Issues/Actions**

- The board excused the absences of Mr. Orlando Lamas and Mr. Dennis Carpenter from the meeting.
- The Application Review Committee approved 56 applications for licensure and denied 38 licensure applications. Vice Chair Richard Gathright read a list of all licensure applications denied by the Application Review Committee and any limitations placed on approved provisional licenses. The board approved the actions of the Application Review Committee. The board approved 43 continuing education courses, denied four continuing education courses, and tabled one course application to the February 2013 meeting.
- The board conducted nine informal hearings for licensure, and tabled two for the February 2013 meeting. They overturned ten and upheld six previous denials.
- In case number 2011.050965 against Mr. Clarence Thomas Gibson, the board rejected the original Settlement Stipulation and all parties agreed to impose the following disciplinary action: fine of \$100 and costs of \$319.50, to be paid within 30 days, two years probation, license revocation, ten additional continuing education hours in the areas of laws and rules

and ethics within two years, and attendance at two board meetings within the next two years (Thursday session only).

- Mr. Dustin Metz, Assistant General Counsel, informed the board that as of December 4, 2012, there were seven private Building Code Administrators and Inspectors Board cases in the Office of the General Counsel and 12 public Building Code Administrators and Inspectors Board cases in the Office of the General Counsel.
- The board welcomed Mr. Metz as their new prosecutor.
- Mr. Fred Dudley provided the board with the Chair and Vice Chair of the House Business and Professional Regulation Subcommittee, the Senate Commerce and Tourism Committee, and the Senate Regulated Industries Committee. He encouraged all members to get to know their local officials.
- Mr. Dudley mentioned to proposed amendments to the Board of Professional Engineers' rules, 61G15-35.004(1) and 61G15-35.003(1), Florida Administrative Code. Mr. Dudley asked Mr. Clark Jennings, Assistant Attorney General, to provide Ms. Robyn Barineau, Executive Director, with drafts of these amendments should they adversely impact the Building Code Administrators and Inspectors Board so that they can be included in a future agenda and provided to all members.
- Chair Bob McCormick informed the board that the board's pro-business legislative initiatives submitted to the Department for consideration will not be include in a Department bill during the 2013 legislative session. He added that these proposals may be included in the Department's 2014 legislative package. The Department's focus during the 2013 session is the gaming industry. Chair McCormick mentioned that the Department will propose language to transfer the overage in the board's operating account to the Homeowner's Recovery Fund.
- The board agreed to discuss the continuing education provider and course rules at their February 2013 meeting.
- Chair McCormick mentioned that Vice Chair Gathright participated in a Department webinar with the various investigative field offices and gave an overview of the permitting process and other board-related issues. His attendance and presentation were very well-received.
- Ms. Barineau reported that no licenses have been issued by the Department through the hardship mechanism since the last meeting.
- Ms. Barineau reported that the Department continues to work with Division of State Fire Marshal (DSFM) on automating the DSFM process for continuing education reciprocity. She added that the DSFM indicated that their process should be fully automated and operational by January 1, 2013.
- Ms. Barineau informed the board that as of September 30, 2012, the board's operating account balance was over \$3.035 million and the board's unlicensed activity account balance for the same period was over \$313,000. She added that the Department projects the board's accounts to maintain a positive cash balance at least through June 30, 2016.
- Ms. Barineau indicated that she again contacted the Department of Revenue on the one-stop permitting process required by HB 5501. She added that the contract for the project will be awarded to EGovernment Solutions. She will keep the board apprised of any developments.
- At the February 2013 meeting, Ms. Barineau will advise the board of who the Department will approve to attend the Building Code Administrators and Inspectors Board panel discussion at the 2013 annual conference of the Building Officials Association of Florida in Daytona Beach.

- Ms. Barineau provided the board with tentative future meeting dates as follows:
  - February 6-8, 2013 – Orlando
  - April 10-12, 2013 – Tampa
  - June 5-7, 2013 – Orlando
  - August 14-16, 2013 – St. Augustine
  - October 23-25-, 2013 – Altamonte Springs
  - December 4-6, 2013 - Orlando
- Ms. Michelle Porter, International Code Council (ICC), informed the board that ICC has recently reduced its workforce by 15 percent. As a cost savings measure, she will only attend the board's June and December meetings. She added that effective July 2013, the ICC score reports will no longer be provided to candidates on security paper. She added that online score report verifications will be available at that time.

### **III. Legislation/Rule Promulgations**

- There was no legislation or rule promulgation at this meeting.

### **IV. Action Required**

- Mr. Jennings will prepare final orders and notices of intent to deny and forward them to board staff for filing with the Agency Clerk.
- Mr. Jennings will provide Ms. Barineau with copies of proposed amendments to the Board of Professional Engineers' rules, 61G15-35.004(1) and 61G15-35.003(1), Florida Administrative Code, should they have an adverse impact on the Building Code Administrators and Inspectors.
- The board will discuss their continuing education provider and course rules at the February 2013 meeting.
- Ms. Barineau will provide the board with an update on the one-stop permitting process at the next meeting.
- Ms. Barineau will provide the board with who has been approved by the Department to attend the 2013 BOAF conference.

---

Robyn Barineau  
Executive Director  
December 10, 2012