

EXECUTIVE SUMMARY
Florida Building Code Administrators and Inspectors Board

I. General Information

Meeting Type: Application Review Committee, Examination and Continuing Education Committee, Legislation and Rules Committee, Probable Cause Panel, and General Business Meeting

Meeting Date: Wednesday, February 5, 2014, through Friday, February 7, 2014

Meeting Location: Marriott Residence Inn – Amelia Island
2301 Sadler Road
Fernandina Beach, Florida

Attendees:

Bob McCormick, Chair
Richard Gathright, Vice Chair
Art Barthlow
Tim Bolduc
Fred Dudley
Rick Holmes
Orlando Lamas
Andrew Raines

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)
Doug Dolan, Assistant Attorney General, OAG
Mark Miller, Assistant General Counsel, OGC, DBPR
Beth Masters, Court Reporter
Cindy Danese, Court Reporter
Denice Taylor, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- The board excused the absence of Mr. Wayne Francis from the meeting.
- The board welcomed Mr. Andrew Raines to the Building Code Administrators and Inspectors Board.
- The Application Review Committee approved 86 applications for licensure and denied 25 licensure applications. Vice Chair Richard Gathright read a list of all licensure applications denied by the Application Review Committee. The board approved the actions of the Application Review Committee. The board also approved the Ratification List.
- Regarding case number 2012.003607 against Mr. E. Bernard Blackburn, the board tabled this matter until the April 2014 meeting.
- Regarding case number 2013.019052 against Mr. Joseph R. Crum, the board agreed to the entry of a settlement stipulation imposing a fine of \$250 and costs of \$432.14.

- The board conducted three informal hearings for previously denied licensure applications. They overturned three previous denials and upheld two previous denials.
- Mr. Mark Miller, Assistant General Counsel, informed the board that as of January 30, 2014, there were six private Building Code Administrators and Inspectors Board cases in the Office of the General Counsel and three public Building Code Administrators and Inspectors Board cases in the Office of the General Counsel.
- Mr. Fred Dudley mentioned that 28 construction-related bills have been filed for consideration during the 2014 legislative session.
- Mr. Tim Bolduc, Chair of the 2015 Legislative Proposals Ad Hoc Committee, reported that the committee met on February 5 and has decided to narrow their 2015 legislative proposals to two. They include:

- Supervision of provisionally certified licensees by a provisional building code administrator

- Recordkeeping requirements

Mr. Bolduc informed the board that the committee has several assignments associated with these initiatives and hopes to have final legislative language for the board's review at the April 2014 meeting.

- The board approved 11 continuing education course applications and denied nine continuing education course applications.
- The board discussed a proposed rule to implement the recent public comments at meeting language contained in SB50 and agreed on the following language:

- **XXXXXX-XXX Public Comment.**

The Building Code Administrators and Inspectors Board invites and encourages all members of the public to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Members of the public shall be limited to two minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Board members, staff or board counsel. The chair of the Board may extend the time to provide comment if time permits.

(3) Members of the public shall notify board staff in writing of his or her interest to be heard on a proposition or matter before the Board. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of five or more persons.

The board agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

- Ms. Robyn Barineau, Executive Director, reported that two licenses have been issued by the Department through the hardship mechanism since the last meeting.
- Ms. Barineau reported that as of September 30, 2013, the board's operating account balance was over \$4.935 million and the unlicensed activity account balance was over \$329,000. The Department projects the board to remain in a positive cash position until at least June 30, 2018.
- The board will discuss the 2014-2015 Annual Regulatory Plan at the April meeting.

III. Legislation/Rule Promulgation

- Mr. Clark Jennings, Assistant Attorney General, will move forward with the development of the public comments rule.

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.

Robyn Barineau
Executive Director
February 13, 2014