

EXECUTIVE SUMMARY
Florida Building Code Administrators and Inspectors Board

I. General Information

Meeting Type: Probable Cause Panel, Application Committee, Examination and Continuing Education Committee, Legislation and Rules Committee, and General Business Meeting
Meeting Date: Wednesday, October 10, 2012, through Friday, October 12, 2012
Meeting Location: Residence Inn Marriott – Amelia Island
2301 Sadler Road
Fernandina Beach, Florida

Attendees:

Bob McCormick, Chair
Richard Gathright, Vice Chair
Art Barthlow
Tim Bolduc
Dennis Carpenter
Wayne Francis
Rick Holmes
Orlando Lamas

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)
Libby Henderson, Assistant General Counsel, Office of the General Counsel (OGC), DBPR
Beth Masters, Court Reporter
Lisa Beauchamp, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- The board excused the absence of Mr. Fred Dudley from the meeting.
- The Application Review Committee approved 23 applications for licensure and denied 18 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 also approved two applications included on the October 2012 Ratification List.
- The board approved 36 continuing education course applications and denied one continuing education course application.
- The board conducted seven informal hearings for licensure, and tabled one for a future meeting. They overturned nine and upheld seven previous denials.

- In case number 2012.009990 against Mr. Jay Abel, the board agreed to impose the following disciplinary action: fine of \$500, to be paid within 12 months, costs of \$163.48, one year probation, reprimand, and two additional continuing education hours in the area of ethics within 12 months.
- In case number 2012.010072 against Mr. Matt Adair, the board agreed to impose the following disciplinary action: fine of \$1, costs of \$527.14, and appearance before the board.
- In case number 2009.002301 against Mr. Vito Di Benedetto, the board agreed to impose the following disciplinary action: fine of \$2,500, costs of \$643.38, and permanent revocation of his standard inspector license.
- Ms. Libby Henderson, Assistant General Counsel, informed the board that as of October 10, 2012, there were 11 private Building Code Administrators and Inspectors Board cases in the Office of the General Counsel and 14 public Building Code Administrators and Inspectors Board cases in the Office of the General Counsel.
- Ms. Henderson informed the board that Ms. LeChea Parson is being reassigned to other professions and that her replacement will be Mr. Dustin Metz. Ms. Parson and Mr. Metz will be present at the December board meeting.
- After discussion, the board agreed to forego seeking legislation to remove the references to the Standard Building Code and the South Florida Building Code currently contained in section 468.603(1), Florida Statutes, as the references remain relevant.
- Ms. Robyn Barineau, Executive Director, and Mr. Clark Jennings, Assistant Attorney General, reported that there is no need to seek legislation to allow individuals to take the Principle and Practices (P&P) examination before applying for a license. They also met with Department staff to determine the feasibility of an individual being able to take the P&P examination before submitting an application for licensure. Ms. Barineau indicated that PearsonVUE is currently undergoing some major system changes, and she asked for an extension to report back on this issue until spring 2013.
- Ms. Barineau reported that one license was issued by the Department through the hardship mechanism since October 1, 2012.
- 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.
- Ms. Barineau informed the board that as of June 30, 2012, the board's operating account balance was over \$2.6 million and the board's unlicensed activity account balance for the same period was over \$311,000. She added that the Department projects the board's accounts to maintain a positive cash balance at least through June 30, 2016.
- At Mr. Dudley's request, Ms. Barineau contacted the Department of Revenue on the one-stop permitting process required by HB 5501. She added that the project is currently moving through the Request for Proposal process. She added that the agencies impacted by the new process are the Department of Business and Professional Regulation, the Department of Revenue, the Department of Lottery, the Department of Management Services, and the Department of State. She will keep the board apprised of any developments.
- The board approved the following individuals 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:
 - Bob McCormick, Chair; Richard Gathright, Vice Chair; Tim Bolduc; Rick Holmes; Wayne Francis; Art Barthlow; Robyn Barineau, Executive Director; Elise Rice, Government Analyst; Clark Jennings, Assistant Attorney General; and Dustin Metz, Assistant General Counsel.

Ms. Barineau informed the board that she would submit the authorization to incur travel for the Department's consideration.

- Ms. Barineau provided the board with tentative future meeting dates as follows:
 - December 5-7, 2012 – Tampa
 - 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
- The board unanimously re-elected Mr. Bob McCormick and Mr. Richard Gathright, Chair and Vice Chair, respectively, of the Building Code Administrators and Inspectors Board.

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.
- In spring 2013, Ms. Barineau will provide the board with an update as to whether or not it would be feasible for an applicant can take the P&P examination prior to making application for licensure.
- Ms. Barineau will provide the board with an update on the one-stop permitting process at the next meeting.

Robyn Barineau
Executive Director
October 15, 2012