

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD Hyatt Regency Jacksonville-Riverfront 225 E. Coastline Drive Jacksonville, FL 32202 February 8 – 10, 2012

February 8, 2012

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

Mr. Gathright, Chair of the Committee, called the meeting to order at 9:04 a.m.

Members Present

Richard Gathright, Chair
Bob McCormick
Art Barthlow

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Arthur Cook
Elisabeth Richter-Belote
Lori Baker
John Johnson
Gary Strait
Wayne Giordano
Lawrence P. Schmidt
Ricky Agee
Lewis Surratt
Joe Crum
Manford Hartman
Tatiana Gust
Denise Taylor, Court Reporter

REVIEW OF APPLICATIONS

Gary W. Strait – Building Plans Examiner, Building Inspector, 1&2 Family Dwelling Inspector

Mr. Strait was present at the meeting and was sworn in by the court reporter. Following discussion, his applications were denied as he did not meet the experience requirements.

Arthur Cook – Building Inspector

Mr. Cook was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied for lack of experience.

Joe Crum – Plumbing Inspector, Plumbing Plans Examiner, Electrical Plans Examiner, Electrical Inspector, 1&2 Family Dwelling Inspector

Mr. Crum was present at the meeting and was sworn in by the court reporter. Mr. Crum provided additional information at the meeting for the Committee's review. Following discussion, his applications were approved.

Elisabeth June Richter-Belote – 1&2 Family Dwelling Inspector

Ms. Richter-Belote was present at the meeting and was sworn in by the court reporter. Following discussion, her application was approved.

Manford Lee Hartman – Commercial Pool Inspector, Residential Pool Inspector, 1&2 Family Dwelling Plans Examiner, Mechanical Inspector

Mr. Hartman was present at the meeting and was sworn in by the court reporter. Following discussion, his applications were denied as he did not meet the requirements.

Lawrence Paul Schmidt – Electrical Inspector

Mr. Schmidt was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied for lack of experience.

John Terrell Johnson – Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector

Mr. Johnson was present at the meeting and was sworn in by the court reporter. Following discussion, his applications were approved. His provisional license was limited to Hardee County.

Ricky Derwood Agee – 1&2 Family Dwelling Inspector

Mr. Agee was present at the meeting and was sworn in by the court reporter. Following discussion, his application was denied for lack of experience.

Lewis P Surratt, Jr. – Building Inspector

Mr. Surratt was present at the meeting and was sworn in by the court reporter. Following discussion, the application was denied for lack of experience.

Lori A. Baker – Building Inspector

Ms. Baker was present at the meeting and her application was approved.

Wayne P Giordano – Provisional plumbing Inspector

Mr. Giordano was present at the meeting and his application was approved for the City of Key West only.

The Committee continued to review applications.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:30 p.m.

February 9, 2012

**BOARD MEETING
CALL TO ORDER**

Chair McCormick called the meeting to order at 9:16 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Dennis Carpenter
Wayne Francis

Members Not Present

Fred Dudley
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida (BOAF)
Salvatore John Delfino
Michelle Porter, International Code Council (ICC)
John Farinelli, JC Code
Rajiv Sachdeva
Edwin Garcia
Charles Hammond
Jackie Watts, Watts Mechanical
Gary Brevort, BOAF
Denise Taylor, Court Reporter

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Salvatore John Delfino – Building Inspector

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

Following discussion, the following action was taken.

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

David Q. Galassi – Building Code Administrator

Chair McCormick stated that a request had been received to postpone the hearing until the April meeting.

MOTION: Vice-Chair Gathright made a motion to defer the hearing to the April meeting.
SECOND: Mr. Barthlow seconded the motion and it passed unanimously.

Edwin Garcia – Provisional Plumbing Inspector

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

Following discussion, the following action was taken.

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

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

Edwin Garcia – Provisional Mechanical Inspector

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

Following discussion, the following action was taken.

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

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

Charles P. Hammond – Provisional 1 & 2 Family Dwelling Inspector

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

Following discussion, the following action was taken.

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

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

Rajiv Sachdeva – Building Inspector

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

During discussion, Mr. Sachdeva asked for a continuance in order to have his education verified.

MOTION: Vice-Chair Gathright made a motion that the Board uphold the denial as originally stated, however, this denial will be stayed until the April meeting to allow Mr. Sachdeva time to have his education verified

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

Chair McCormick informed Mr. Sachdeva that the hearing was continued to the next meeting which would be in April. He also stated that the Board members had agreed that Mr. Sachdeva had provided proof of 2 ½ years of experience.

Rajesh Sharma – 1&2 Family Dwelling Inspector

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

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

PROSECUTING ATTORNEY REPORT – LECHEA PARSON

Ms. Parson provided a copy of her report to the Board for their review. She informed the Board that there were 11 cases set for probable cause, an Administrative Complaint had been filed in one case and she was waiting to receive the Election of Rights form, one case was set for default, three cases were in settlement negotiations, seven cases were set for board presentation, and one request for attorney fees case has been referred to the Division of Administrative Hearings.

Mr. Parson provided the members with the status codes that are used in the Prosecuting Attorneys Report which she reviewed with the members.

Chair McCormick informed the members that there were two individuals present at this time for their hearings. He stated that they were erroneously attending the Construction Industry Licensing Board meeting this morning.

MOTION: Vice-Chair Gathright made a motion that the Board reconsider the hearings involving Edwin Garcia and Charles Hammond.

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

Edwin Garcia – Provisional Plumbing Inspector

Edwin Garcia – Provisional Mechanical Inspector

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

Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board uphold the denials on the Provisional Plumbing Inspector and Provisional Mechanical Inspector applications as originally stated.

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

Charles P. Hammond – Provisional 1 & 2 Family Dwelling Inspector

Mr. Hammond was present and sworn in by the court reporter. He provided additional information for the Board's review.

Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board approve the application based on the additional information provided.

SECOND: Mr. Carpenter seconded the motion which passed with Mr. Francis and Mr. Barthlow voting against the motion.

OLD BUSINESS

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

NEW BUSINESS

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

RECESS

There being no further business to come before the Board at this time, the meeting was recessed at 10:36 a.m.

RULES & LEGISLATION COMMITTEE

CALL TO ORDER

Mr. McCormick called the meeting to order at 10:36 a.m. Mr. McCormick stated that Mr. Dudley was not present at the meeting, therefore, all the members would participate.

Members Present

Art Barthlow
Dennis Carpenter
Wayne Francis
Richard Gathright
Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida (BOAF)
Michelle Porter, International Code Council (ICC)
John Farinelli, JC Code
Gary Brevort, BOAF
Denise Taylor, Court Reporter

LEGISLATIVE REPORT

Mr. McCormick stated that Mr. Dudley had provided the draft language for Senate Bill 704 for the Committee to review. He stated that there was a modification to Section 468.609, Florida Statutes, which includes language for fire safety inspector licenses and requirements.

DRAFT LANGUAGE LIMITING PROVISIONAL LICENSES TO A JURISDICTION – CLARK JENNINGS

Mr. Jennings suggested the following change to Rule 61G19-6.012(4) "Provisional certificates shall only be issued to persons employed by an agency of government [and the authority of the certificate shall be limited to the jurisdiction of the government agency with which the applicant was employed at the time the provisional certificate was originally issued.](#)"

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee accept the draft language and authorize Mr. Jennings to proceed with rulemaking.

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

Senate Bill 206 – Public Meetings – Clark Jennings

Mr. Jennings provided the proposed legislation for informational purposes. He added that should this bill pass, the Board can limit the amount of time the public can speak at a meeting.

**Continuing Education Reciprocity Rule Draft – Clark Jennings
Letter From John Farinelli Regarding Proposed Rule**

Mr. Jennings stated that there was a string of e-mails on this issue included in the agenda materials. He stated that the Committee will have to decide if the rule will have an impact on small businesses.

Mr. John Farinelli stated that he was licensed as a fire inspector and also held licenses under this Board. He stated that the ratio of 20 to one was not good and felt it should be hour for hour.

Mr. McCormick commented that the State Fire Marshalls Office does not review the continuing education courses as other boards do. He also commented that some of the courses for the State Fire Marshalls Office are 40 hours long. Mr. Farinelli said he wanted it to be more equal.

Mr. McCormick stated that the licensees currently have to get the hours for both so there will be no additional cost involved.

Mr. Gathright stated that he also was dually licensed. He takes the responsibility to meet the requirements of both entities. It will help financially if some of the hours are accepted.

MOTION: Mr. Gathright made a motion that the Committee have Mr. Jennings proceed with the rule development process.

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

Letter from the Joint Administrative Procedure Committee Regarding Rule Section 61G19-12.001 and Rule Chapter 61G19-6, F.A.C. – Clark Jennings

Mr. Jennings stated that this was provided for informational purposes only.

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 11:33 a.m.

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

Mr. McCormick called the meeting to order at 2:10 p.m.

Members Present

Art Barthlow

Dennis Carpenter
Bob McCormick
Richard Gathright
Wayne Francis

Members Not Present

Orlando Lamas, Chair

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida (BOAF)
Michelle Porter, International Code Council (ICC)
John Farinelli, JC Code
Gary Brevort, BOAF
Denise Taylor, Court Reporter

**Continuing Education Courses for Review
Informational Resource for Professionals**

1. Structural Evaluation and Restoration in the Event of a Residential Fire
Requesting 2 hours GENERAL credit (F-2304, A-2476)

MOTION: Mr. Gathright made a motion that the Committee deny the course as it does not meet the requirements for our licensees.

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

2. Non-Destructive and Destructive Testing as it Relates to a Structural Investigation
Requesting 2 hours GENERAL credit (F-2305, A-2477)

MOTION: Mr. Gathright made a motion that the Committee deny the course as it does not meet the requirements for our licensees.

SECOND: Mr. Francis 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 12:13 p.m.

February 10, 2012

CALL TO ORDER

Chair McCormick called the meeting to order at 9:10 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Dennis Carpenter
Fred Dudley
Wayne Francis

Members Not Present

Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
LeChea Parson, Prosecuting Attorney
Doug Harvey, BOAF
Gary Brevort, BOAF
Michelle Porter, ICC
Denise Taylor, Court Reporter

MOTION: Vice-Chair Gathright made a motion that the Board excuse the absence of Mr. Lamas and the absence of Mr. Dudley on February 8 and 9.

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

APPROVAL OF THE DECEMBER 7 - 9, 2011, MINUTES OF THE MEETING

MOTION: Vice-Chair Gathright made a motion that the Board approve the minutes as submitted.

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

REPORTS

Chair's Report – Bob McCormick

Chair McCormick stated that six of the members had been recommended for confirmation of their Board appointment in spite of objections raised by Mr. David Hodges. The members recommended for confirmation by the Senate are Vice-Chair Gathright, Mr. Carpenter, Mr. Dudley, Mr. Lamas, Mr. Francis and Chair McCormick.

Mr. Dudley was present at the meeting at this time.

Application Review Committee – Richard Gathright Ratification of Actions Taken by the Committee

Vice-Chair Gathright stated that Mr. Barthlow was now on the Application Review Committee. He reported that the Committee reviewed 82 applications, of which 39 were approved and 43 were denied. He read the denials and the approved provisional licenses, with the limitations, into the record at this time.

Approved Provisional Licenses:

Dawkins, Ronald E. – Provisional Building Plans Examiner - limited to Coral Springs; Giordano, Wayne, P. – Provisional Plumbing Inspector - limited to Key West; Hayes, David A. –

Provisional Electrical Plans Examiner and Provisional Electrical Inspector – Limited to Plant City; Johnson, John Terrell – Provisional 1&2 Family Dwelling Inspector – limited to Hardee County; Lewis, Brian R. – Provisional Electrical Inspector – Limited to Hillsborough County; Stick, timothy Bryan – Provisional Building Plans Examiner – limited to Collier County; Warfield, James Richard – Provisional Mechanical Plans Examiner – limited to Collier County.

Denials:

Agee, Ricky Derwood – 1&2 Family Dwelling Inspector – lack of experience; Beckman, Christian Jon – Building Inspector (endorsement) – lack of experience; Bradley, Carl Joseph, Jr. – Building Inspector – lack of experience; Bruce, Claude Ray – Mechanical Inspector – lack of experience; Conde, Orlando – Building Inspector – lack of experience; Cook, Arthur G. – Building Inspector – lack of experience; Crawford, Adrian – Building Inspector – lack of experience; Dinorscio, Michael Dino – Electrical Plans Examiner – Elg, Kevin Dana – Building Inspector – lack of experience; Gangi, John William – Mechanical Inspector – lack of experience; Greenbaum, David Mark – 1&2 Family Dwelling Inspector – does not meet requirements; Hartman, Manford Lee – Commercial Pool Inspector, Residential Pool Inspector, Mechanical Inspector (endorsement) – does not meet requirements – 1&2 Family Dwelling Inspector – does not hold a coastal construction certificate; Haulstead, Willie J. – Provisional Building Code Administrator – not newly hired or promoted into the position; Mahaney, Jason Benjamin – Building Code Administrator – lack of experience; Rasmussen, Carl E. – Mechanical Plans Examiner and Mechanical Inspector – lack of experience; Raybon, Ronald Gerald – 1&2 Family Dwelling Plans Examiner – does not meet requirements; Reilly, Frank Vincent – Building Inspector, Building Plans Examiner, Building Code Administrator (endorsement) – lack of experience, no endorsement information submitted; Rionda, Carlos S. – Building Code Administrator – no proof of passing examinations; Schmidt, Lawrence Paul – Electrical Inspector – lack of experience; Smith, Michael David – 1&2 Family Dwelling Inspector – lack of experience; Sonzogni, Steven Andrew – Provisional Building Code Administrator – not newly hired or promoted into the position; Sosa, Carlos – Provisional Electrical Plans Examiner – not newly hired or promoted into the position; Stanley, Eddie Richard – 1&2 Family Dwelling Inspector – does not meet requirements; Stephenson, Kenneth Ray – Plumbing Inspector – lack of experience; Strait, Gary W. – Building Plans Examiner, Building Inspector, 1&2 Family Dwelling Inspector – lack of experience; Surratt, Lewis P, Jr., - Building Inspector – lack of experience; Taylor, Daniel Patrick – Building Inspector, Mechanical Inspector, Plumbing Inspector (endorsement) – lack of experience; Valdes, Reimundo Jose – Mechanical Inspector, Building Plans Examiner, Mechanical Plans Examiner – lack of experience; Walker, John a. – Mechanical Inspector – lack of experience; Warfield, James Richard – Provisional Plumbing Plans Examiner – lack of experience; Worrell, Robert – Provisional Plumbing Inspector – lack of experience and not newly hired or promoted into the position.

MOTION: Mr. Dudley made a motion that the Board approve the actions of the Application Review Committee as reported.

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

Ratification List

MOTION: Vice-Chair Gathright made a motion that the Board approve the Ratification List as submitted.

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

Rules and Legislation Committee

Chair McCormick reported that the Committee discussed SB704. They also approved draft language for Mr. Jennings to notice for rule development.

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

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

Examination and Continuing Education Committee

Chair McCormick reported that the Committee reviewed two courses and they were both denied.

Board Counsel – Clark Jennings

Rules Report

Mr. Jennings informed the Board that changes to Rule 61G19-5.002, F.A.C., were effective and the rule repeals were filed for adoption and will be effective March 1, 2012.

Mr. Jennings reported that he had provided draft language for the provisional certificates that will limit certificates to the jurisdiction where working when the certificate is issued.

Mr. Jennings discussed the rule regarding reciprocity with the State Fire Marshal's Office with the members. In discussion, it was decided that Mr. Jennings would work with Mr. Dudley and Mr. Harvey on drafting the rule for presentation at the April meeting.

MOTION: Mr. Dudley made a motion that Mr. Jennings review the current agreements and present his findings at the next meeting regarding reciprocity.

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

Executive Director – Robyn Barineau

January Ratification List

Ms. Barineau reported that there were three names on the January Ratification List and they were all approved.

November 2011 Newsletter

This was provided for informational purposes.

Ms. Barineau informed the Board that the meeting dates were as follows:

April 4 - 6 Daytona Beach

June 5 - 7 Orlando

August 15 - 17 Panama City

October 10 - 12 Fernandina Beach

December 5 - 7 Tampa

Mr. Harvey informed the Board that the BOAF conference dates were June 3 – 6 in Orlando.

ICC Update – Michelle Porter

Mr. Porter informed the Board that in January there were 29 examinations administered and 25 scheduled. She stated that currently there are 118 examinations scheduled for the next 90 days, which is about the same as last year.

Mr. Porter stated that in December they started using electronic plan sets and this does affect a number of this Boards examinations, however, ICC had not received any feedback from Florida candidates. She stated that they have not found any merit to the claims that they have received from other candidates.

Mr. Francis stated that he had heard complaints in the Tampa area about the size of the computer monitor. Ms. Porter responded that they were reviewing the monitors that are being used and also talking to those that have passed the examinations to get their feedback.

Chair McCormick asked if a demonstration could be arranged for the members. He asked Ms. Porter to coordinate this with Ms. Barineau.

PUBLIC COMMENTS

Mr. Harvey stated that there was a previous issue regarding the reporting and handling of continuing education credits and he wanted to update the Board. The double entry issue resulted in him meeting with individuals from the Department to discuss the process. He stated that there was an issue that had been corrected and they discussed other changes that may be necessary. Mr. Harvey stated that the issue will soon be corrected for all providers.

OLD BUSINESS

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

NEW BUSINESS

Mr. Dudley reported that Chair McCormick, Vice-Chair Gathright, Mr. Carpenter, Mr. Lamas, Mr. Francis, and himself were unanimously recommended for Senate confirmation on February 2, and will now go to full rules committee. He stated that on January 10, he received a call that his name, along with the others, were being presented to the committee the next morning. He stated that they do not normally invite the individuals, however, they had received a complaint from Mr. David Hodges and he left packages with each of the Senators' offices. Mr. Dudley stated that he was unable to attend, however, he listened to the hearing and they were all deferred. He stated that the information provided by Mr. Hodges was not accurate and correct information was provided at the February 2 meeting.

Mr. Dudley stated that the vote was unanimous to recommend confirmation of all the members.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:30 a.m.