

MINUTES

BUILDING CODE ADMINISTRATORS AND INSPECTORS EMBASSY SUITES BY HILTON ORLANDO NORTH 225 SHORECREST DRIVE ALTAMONTE SPRINGS, FLORIDA 32701

June 13, 2017 –Tuesday – 8:30 A.M.

APPLICATION REVIEW COMMITTEE CALL TO ORDER

The Building Code Administrators and Inspectors Board meeting was called to order at approximately 8:30 a.m., by Chair Richard Gathright.

Members Present

Richard Gathright, Chair
Art Barthlow
Tim Bolduc
Bob McCormick
Peter Jones

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Clark Jennings, Assistant Attorney General, Office of the Attorney General (OAG)
Linda Gray, Government Analyst, DBPR
Diana Garcia, American Court Reporting

Others Present

Henry Gerraro	Alexander Schyrawel
Brett Carlton	Brian Dowling
Oscar Rodriguez	Walter Williams
Kevin Adams	Kevin Bowen
Mark A. Grenier	Ed Bartlett
Jeffrey Moore	Herbert James
Gerard P. Roussin, Jr.	Richard Nixon
Marcelo Velasquez	James Kohler
Darrel Fasano	David Thompson
John G. Fairbanks	James Zimmerman
John L. Miller	Dana M. Foster
Lisa Godwin	Guillermo Lopez
David J. Meyer	James V. Wingate
Eric Munoz	Carmen Di Paula
Robert J. Parker	Gerald Solenski
Ryan Wiggins	Bridgelall Arjune
Bill Nolan	John G. Gallo
Matthew Butler	Lance Wilkinson
David Olivieri	Lynn Clifton Shiferdek
Vince Seijas	Shelly McCarthy
Jaime Garcia	Christopher Ryan Wiedman

David Sanchez
Corey Stripling
Rodney Grant
Gerald W. Dunn
Reinhold Guzman
James E. Marshall
Craig Lear
Michael Boyle
Peter A. Beaudée
Scottie Brown
William D. Lane
Otto J. Letzelter
David G. White
Paul Coleman
Roberto Hamp
Oson D. Ferguson
Kurt Rose
Regina Strickland-West
Michael Cheslock

Mark Owens
Jeffrey Burnam
David Scott Treaster
Albert Edward Smythe
Andre Faison
Michael Singh
Alexander De Armas
Thomas Brennan
Homero Diaz
Joseph Esposito
Juan Arevalo
Robin Gawel
Jason Engel
James E. Moore
Scott Kunes
Mark Shepherd
Michael Fox
James Haynes

REVIEW OF APPLICATIONS

The following applicants were present at the meeting and were sworn in by the court reporter. Those offering testimony on behalf of the applicants were present at the meeting and sworn in by the court reporter. After discussion, the below listed applications were approved by the Committee.

Daniel Michael Olivieri – Building Code Administrator
Jeffrey Steve Burnam – Building Inspector, Building Plans Examiner, Provisional Building Inspector, Provisional Building Plans Examiner
Jaime Garcia – Electrical Inspector, Provisional Electrical Inspector
Gerard P. Roussin, Jr. – Building Code Administrator, Provisional Building Inspector
Homero Garcia Diaz – Provisional Plumbing Inspector, Plumbing Inspector
William David Lane – Building Inspector, Building Plans Examiner, Provisional Building Inspector, Provisional Building Plans Examiner
Walter H. Williams, IV – Building Inspector, Building Plans Examiner
Otto John Letzelter – Building Plans Examiner
Kevin John Bowen – Building Inspector, Building Plans Examiner, Provisional Building Inspector, Provisional Building Plans Examiner
David Greer White – 1&2 Family Dwelling Inspector, Provisional 1&2 Family Dwelling Inspector
Herbert Ernest James, Jr. – Plumbing Plans Examiner
Richard Robert Nixon – Provisional Building Code Administrator
James P. Zimmerman with David Thompson, Chief Building Inspector, City of Orlando – Plumbing Inspector, Provisional Plumbing Inspector
Robin Lynn Gawel – Building Code Administrator
James Edward Moore – Plumbing Inspector, Mechanical Inspector, Provisional Mechanical Inspector
Shelly Ann McCarthy – Mechanical Inspector
Scottie Darrel Brown – Building Inspector, Building Plans Examiner, Provisional Building Inspector, Provisional Building Plans Examiner
Christopher Ryan Wiedman – 1&2 Family Dwelling Inspector

The following applicant was present at the meeting and was sworn in by the court reporter. After discussion, the application listed below was denied by the Committee.
Gerald Wayne Dunn – Electrical Inspector

The following applicant was present at the meeting and was sworn in by the court reporter. Those offering testimony on behalf of the applicant were present at the meeting and sworn in by the court reporter. After discussion, the application listed below was withdrawn by the applicant.
James P. Zimmerman with David Thompson, Chief Building Inspector, City of Orlando – Mechanical Inspector

The following applicant was present at the meeting and was sworn in by the court reporter. After discussion, the application listed below was changed from endorsement to exam by the applicant.
David Gabriel Sanchez – Electrical Inspector, Electrical Plans Examiner

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.

RECESS

There being no further business to come before the Committee, the meeting was adjourned at approximately 2:58 p.m.

PROBABLE CAUSE PANEL

The meeting began at approximately 3:00 p.m., and adjourned at approximately 4:09 p.m.

June 14, 2017 - Wednesday – 8:30 A.M.

BOARD MEETING RULES & LEGISLATION CALL TO ORDER

Chair McCormick called the meeting to order at approximately 8:30 a.m.

The Board cited the Pledge of Allegiance.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Tim Bolduc
Tony Lopresto
Andrew Raines
Herman White

Members Not Present

Wayne Francis

Other Persons Present

Robyn Barineau, Executive Director, DBPR
Clark Jennings, Board Counsel, OAG
Ramsey Revell, Assistant General Counsel, DBPR
Sally Raines, Assistant General Counsel, DBPR
Linda Gray, Government Analyst, DBPR
Diana Garcia, American Court Reporting

Others Present

Allen Johnson, Building Officials Association of Florida
John England, England Enterprises Training Division, LLC
Wayne Barnhill, England Enterprises Training Division, LLC
Marie Faw, England Enterprises Training Division, LLC

LEGISLATION

Mr. McCormick informed the Board that this meeting was agendad to discuss and develop rules that would address internship programs created by HB 1021. The Board's Rules Committee met in Tallahassee and drafted proposed rules to implement HB 1021.

DISCUSSION OF RULES

The Board invited those individuals present to be sworn in by the court reporter. The following individuals were sworn in by the court reporter to provide testimony related to the rules discussion.

- Mr. Allen Johnson, Building Official Association of Florida
- Mr. John England, England Enterprises Training Division, LLC
- Mr. Wayne Barnhill, England Enterprises Training Division, LCC

The Board approved the following language as presented at this meeting.

61G19-1.009 Definitions.

- (1) "Board" means the Florida Building Code Administrators and Inspectors Board.
- (2) "Department" means the Department of Business and Professional Regulation.
- (3) "Voluntary certification program" means those certification programs operated by the Southern Building Code Congress International, Building Officials Association of Florida, Council of American Building Officials, South Florida Building Code (Dade and Broward), and the voluntary certification program formerly operated by the Florida Department of Community Affairs.
- (4) "Certificate" means a certificate issued by the Department as provided in this part.
- (5) "Course" means an educational class, lesson, seminar, conference, program, or demonstration, whether taught by personal appearance, correspondence, electronic media, or other means.
- (6) "Certificate" or "Certificate holder" shall for the purposes of Chapter 61G19, F.A.C., be synonymous with the terms "License" and "Licensee" respectively.
- (7) "Employee" means a person who receives compensation from, and is under supervision and control of, an employer who regularly deducts the F.I.C.A. and withholding tax and provides workers' compensation, all as prescribed by law.
- (8) "Experience" means practical working experience as a trade person or construction, design or inspection industry professional, for compensation.

(9) "Supervisory Experience" means that an applicant meets the supervisory experience requirement, an applicant for certification under this part shall have performed management or supervisory responsibilities that shall have included operational control and direction of persons in the production of construction design, actual construction, or construction inspection, or other category of work acceptable to the board.

(10) "Verifiable Experience" means experience which can be confirmed and/or substantiated by board-approved attestation, evidence or testimony. Postsecondary education substituted in lieu of verifiable experience shall be documented through copies of official transcripts.

(11) "Cross Training" means board-approved training provided to individuals already certified in at least one discipline by this board or as a firesafety inspector and providing an alternative to the typical prerequisite experience/education.

(12) "Initial Training" means board-approved training provided to individuals not already certified by this board in any category or as a firesafety inspector, and providing an alternative to the typical prerequisite experience/education.

(13) "Internship Certification as an Intern Building Inspector or Plans Examiner Program" means a board-approved program or programs for individuals employed full-time by a governmental jurisdiction, which emphasizes on-the-job-training and provides an alternative to the typical prerequisite experience/education for licensure as an inspector or plans examiner.

61G19-7.005 Approval of Internship Training Programs.

(1) Each participating jurisdiction shall apply for approval of an internship training program. The application must be submitted on Board-approved form DBPR BCAIB 5, Application for Training Program Course and Provider, effective July 10, 2012, incorporated in DBPR Rule 61-35.008, F.A.C., copies of which may be obtained from the Department. The application for approval shall demonstrate the educational and on-the-job-training (OJT) content sufficient to bring the intern's inspection or plans examiner skills and technical skills to qualify the individual for licensure in the category sought. On-the-job training will be provided by individuals who hold the requisite standard license in the training category.

(2) Program approval shall be valid for ten (10) years from the date of approval barring any modifications in applicable law or failure on the part of the jurisdiction to administer the program consistent with Board-approval. All training shall be consistent with the current code cycle.

(3) The Board shall approve or deny any application for program approval at the first Board meeting held more than thirty days after the date the application is received by the Department.

(4) Any internship program which has been rejected by the Board may be resubmitted with modifications.

(5) If an internship program is approved, the Department shall assign the program a number. The assigned number must be included on all documentation used in connection with the program.

(6) Applicants seeking a standard certification as an inspector or plans examiner shall satisfactorily complete a comprehensive internship program comprised of no fewer than 40 hours of code training in the certification category sought.

(7) The Building Official shall be responsible for verification of an applicant's experience prior to admission into a program and shall provide attestation verifying compliance with the approved internship application.

61G19-6.012 Provisional Certificates.

(1) The Board shall issue a provisional certificate to any newly employed or newly promoted building code administrator, plans examiner, or building code inspector subject to the provisions of Section 468.609, F.S., and the provisions of this rule. The board shall issue a provisional

certificate to any building code inspector or plans examiner who meets the eligibility requirements subject to the provisions of Section 468.609, F.S., and the provisions of this rule.

(2) Provisional inspector or plans examiner certificates shall only be issued to applicants who demonstrate at the time of their application that they possess all of the standards and eligibility requirements for standard certification as set forth in Section 468.609(2), F.S. Provisional building code administrator certificates shall only be issued to applicants who demonstrate at the time of their application that they possess all of the standards and eligibility requirements for standard certification as set forth in Section 468.609(3), F.S.

(3) 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.

(a) Provisional certificates for building code inspectors or plans examiners may be issued for the duration of a sponsored internship with a maximum length of four years.

(b) When an internship is partially completed with multiple jurisdictions, the intern must apply to the Board notifying the Board of the new employer and for the continuance of the provisional license with the new Building Official within 30 days of change of employment.

(4) The Board shall restrict provisional certificate holders by limiting their work, when such restrictions are determined by the Board's evaluation of the facts of each application to be necessary to protect the public health, safety and welfare. (5) Following the submission of an application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in the category for which the application has been submitted for up to a maximum of one hundred twenty (120) days from the date the application is submitted, and subject to the following conditions:

(a) Prior to beginning the performance of duties under this rule, the building code administrator for the agency employing the applicant shall have determined that the applicant possesses the qualifications for a provisional certificate.

(b) All duties performed by the applicant under this exception shall be performed under the direct supervision of the building code administrator for the agency employing the applicant. The building code administrator shall hold a current, valid standard certificate as a building code administrator at all times when he or she is supervising the applicant. However, direct supervision may be provided by a building code administrator who holds a limited or provisional certificate in any county with population of less than 75,000 and in any municipality located within such a county.

(c) Prior to beginning the performance of duties under this exception, applicants for plans examiner and inspector shall provide the building code administrator for the agency which employs them a copy of the completed application for provisional certification submitted to the Board by the applicant.

(d) Upon being notified that he or she has been determined by the Board to be not qualified for a provisional certificate in the category sought, an applicant shall immediately cease performing duties as a plans examiner or building code inspector under this exception.

Mr. Jennings stated that Rule 61G19-6.0035, F.A.C., will be modified to change the word "affidavit" to "attestation."

61G19-6.0035 Application for Provisional and/or Standard Certification.

(1) Each individual who wishes to obtain a provisional and/or standard certificate in any certificate category shall submit the following to the Board:

(a) No change.

(b) An attestation affidavit describing in detail each separate period of work experience listed in

the application form, signed by a licensed architect, engineer, contractor, fire marshal, or building code administrator who has knowledge of the applicant's duties and responsibilities during the period indicated. The form that shall be used for this purpose shall be provided by the Department and available on the Department's website. Each attestation affidavit must include the name and address of the applicant's employer during the work experience period, the dates of employment, and a description of the applicant's duties and responsibilities during the employment including any supervisory responsibilities, in sufficient detail to enable the Board to determine whether or not the applicant has the experience required for certification.

(c) No change.

(d) Each applicant seeking to qualify for certification through a combination of postsecondary education and work experience shall submit an official copy of all college or university transcripts which document the applicant's education in addition to all required attestations affidavits of work experience.

(e) through (f) No change.

(2) through (3) No change.

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 Committee, the meeting was adjourned at approximately 11:01 a.m.

June 15, 2017 - Thursday – 8:30 A.M.

BOARD MEETING CALL TO ORDER

Chair McCormick called the meeting to order at approximately 8:30 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Tim Bolduc
Tony Lopresto
Andrew Raines
Herman White

Members Not Present

Wayne Francis

Other Persons Present

Robyn Barineau, Executive Director, DBPR
Clark Jennings, Board Counsel, OAG
Ramsey Revell, Assistant General Counsel, DBPR
Sally Raines, Assistant General Counsel, DBPR

Linda Gray, Government Analyst, DBPR
Diana Garcia, American Court Reporting

Others Present

Burton Federman
Yasser Duran
Daniel L. Burrows
Edwin L. Wilking
Norm Bruhn
Tomas Perez
Joe Rebuck – Gold Coast Schools
Jose Rodriguez
Cary Ramsay
Jay Daigneault, Esquire, on behalf of Rune Lero
Erica Augello, Esquire, on behalf of Rune Lero
Bovell Richards

Frank Fernandez
Sanjeev Mangolt – Gold Coast Schools
Michelle Porter – International Code Council
Enrique G. Martinez – City of Lake Mary
Ellen Sakamoto – RedVector
Marie Faw - England Enterprises Training Division, LLC
John England - England Enterprises Training Division, LLC
Wayne Barnhill - England Enterprises Training Division, LLC
Jean Rohrer – Court Reporting Specialists, LLC
Michael Rickabaugh, Reedy Creek Improvement District

The Board cited the Pledge of Allegiance.

DISCIPLINARY ACTION

**Carl Mills – 2016-006610
(PCP – Demers, Dudley & Gathright – 6/21/2016)**

Informal Hearing

Mr. Mills was present at the meeting and was sworn in by the court reporter. The Board reviewed the matter and discussed the Department’s proposed penalty which included license revocation, never to reapply for licensure, payment of a fine of \$10,000 and costs of \$208.26.

Mr. Gathright recused himself from this matter since he served on the Probable Cause Panel.

After discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion to adopt the findings of fact outlined in the administrative complaint.

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

Mr. Mills read a letter into the record and asked for a continuance.

MOTION: Mr. Bolduc made a motion to deny the request for continuance.

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

MOTION: Mr. Bolduc made a motion to adopt the conclusions of law outlined in the administrative complaint.

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

MOTION: Mr. Lopresto made a motion to accept the proposed penalty of license revocation; never to reapply for licensure and payment of fine of \$10,000 fine and costs of \$208.26.

SECOND: Mr. Bolduc seconded the motion and it passed with Mr. Jones voting against the motion.

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT
Daniel Lee Burrows – 1&2 Family Dwelling Inspector, Building Inspector,
Building Plans Examiner

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

Ms. Michelle Porter with the International Code Council was present at the meeting and was sworn in by the court reporter.

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to continue the building inspector and building plans examiner hearings until the August meeting.

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

MOTION: Mr. Bolduc made a motion for the Board to uphold the denial of the 1&2 family dwelling inspector application.

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

Yasser Duran – Provisional Electrical Inspector

Mr. Duran was present at the meeting and was sworn in by the court reporter. Mr. Duran provided additional information for the Board's review. After discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion for the Board to overturn the denial and approve the provisional electrical inspector application.

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

Burton S. Federman – Building Inspector

Mr. Federman was present at the meeting and was sworn in by the court reporter. After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion for the Board to uphold the denial of the building inspector application.

SECOND: Mr. Barthlow seconded the motion and the motion failed with Mr. Bolduc, Mr. Jones, and Mr. Lopresto voting against the motion.

MOTION: Mr. Bolduc made a motion for the Board to overturn the denial and approve the building inspector application.

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

Cary Jonathan Ramsay – Building Inspector

Mr. Ramsay was present at the meeting and was sworn in by the court reporter. Mr. Ramsay provided additional information for the Board's review. After discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion for the Board to overturn the denial and approve the building inspector application.

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

Bovell Augustus Richards, Provisional Building Code Administrator

Mr. Richards was present at the meeting and was sworn in by the court reporter. After discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion for the Board to uphold the denial of the provisional building code administrator application.

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

Jose Nestor Rodriguez – Electrical Inspector, Electrical Plans Examiner, Mechanical Plans Examiner, Mechanical Inspector

Mr. Rodriguez was present at the meeting and was sworn in by the court reporter. Mr. Rodriguez provided additional information for the Board's review. After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion for the Board to uphold the denial of the electrical inspector application.

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

MOTION: Mr. Gathright made a motion for the Board to uphold the denial of the electrical plans examiner application.

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

MOTION: Mr. Gathright made a motion for the Board to uphold the denial of the mechanical plans examiner application.

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

MOTION: Mr. Gathright made a motion for the Board to uphold the denial of the mechanical inspector application.

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

Edwin L. Wilking – Provisional Building Inspector, Building Inspector

Mr. Wilking was present at the meeting and was sworn in by the court reporter. Mr. Wilking provided additional information for the Board's review. After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion for the Board to overturn the denial and approve the provisional building inspector and building inspector applications.

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

REQUEST FOR EXTENSION OF PROVISIONAL LICENSE

Enrique G. Martinez – Provisional Building Plans Examiner, Provisional Electrical Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Plumbing Plans Examiner

Mr. Martinez was present at the meeting and was sworn in by the court reporter. Mr. Martinez provided additional information for the Board's review. After discussion, the following action was taken.

MOTION: Mr. Raines made a motion to grant the request for an extension of the provisional licenses until October 31, 2017.

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

Tomas M. Perez – Provisional Mechanical Inspector

Mr. Perez was present at the meeting and was sworn in by the court reporter. After discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion to grant the request for an extension of the provisional mechanical inspector license for six-months from the expiration date.

SECOND: Mr. Raines seconded the motion and it passed with Mr. Barthlow voting against the motion.

RECESS

The Board adjourned for lunch and reconvened at 1:00 p.m.

PETITION FOR DECLARATORY STATEMENT

Rune Lero, Innovative Construction Inspections, Inc.

Mr. Lero was present at the meeting with his attorneys, Mr. Jay Daigneault and Ms. Erica Augello. Mr. Lero was sworn in by the court reporter. The Board reviewed the Petition for Declaratory Statement. After discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the requestor has standing to petition for a Declaratory Statement.

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

Based upon the questions read into the record by Mr. Daigneault, Mr. Daigneault asked if Mr. Lero would be subject to disciplinary action by the Building Code Administrators and Inspectors Board.

MOTION: Mr. Bolduc made a motion that the Petition for Declaratory Statement as modified would not subject Mr. Lero to disciplinary action.

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

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.

RULES & LEGISLATION COMMITTEE

LEGISLATIVE REPORT

There was no legislative report at this meeting.

RULES REPORT – CLARK JENNINGS

Mr. Jennings provided the Board with an overview of the Rules Report.

61G19-6.0035 Application for Provisional and/or Standard Certification.

Mr. Jennings stated that he received a letter from the Joint Administrative Procedures Committee requesting that Rule 61G19-6.0035, F.A.C., be modified to change the word “affidavit” to “attestation.” After discussion, the following action was taken.

MOTION: Mr. Bolduc moved to have Mr. Jennings make the appropriate changes to open Rule 61G19-6.0035, F.A.C., for development and rulemaking.

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

The Board addressed the Statement of Estimated Regulatory Costs (SERC). The Board determined that these rule amendments would not have an adverse impact on small business nor will it be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule amendments. All members agreed that no SERC was necessary for the development of the proposed rule amendments.

OLD BUSINESS

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

NEW BUSINESS

Mr. Gathright suggested changes to Rule 61G19-9.001, F.A.C., Continuing Education for Biennial Renewal. This matter will be reviewed at the August meeting of the Board.

Mr. England provided the Board with suggested changes to Rule 61G19, Florida Administrative Code. This matter will be continued until the August meeting.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE Continuing Education Courses for Review

FRSA EDUCATIONAL & RESEARCH FOUNDATION (0000910)

New Course(s)

- A1. 2017 Sixth Edition FBC (Live)
Requesting 2 hours GEN credit (F-3016, A-3689)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to approve A1.

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

AAA CONSTRUCTION SCHOOL (0000972)

New Course(s)

- B1. Ethics (Live)
Requesting 1 hour ETHICS credit (F-3021, A-3709)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to approve B1.

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

REEDY CREEK IMPROVEMENT DISTRICT (0001079)

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

Renewal Course(s)

- C1. EPCOT Accessibility Code based on the Florida Accessibility Code (0002672) (Live)
Requesting 2 hours AOA credit (F-339, A-3680)

After discussion, the following action was taken.

MOTION: Mr. McCormick made a motion to approve C1.

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

- C2. EPCOT Plumbing Code – Plumbing Fixtures (0002671) (Live)
Requesting 2 hours GEN credit (F-338, A-3681)

After discussion, the following action was taken.

MOTION: Mr. McCormick made a motion to approve C2.

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

- C3. EPCOT Building Code for Safety Construction Requirements (0002673) (Live)
Requesting 3 hours GEN credit (F-340, A-3682)

After discussion, the following action was taken.

MOTION: Mr. Jones made a motion to approve C3.

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

- C4. Energy Efficiency Code for Building Construction and it's Relationship with the EPCOT Mechanical Code (0002674) (Live)
Requesting 3 hours GEN credit (F-341, A-3683)

After discussion, the following action was taken.

MOTION: Mr. McCormick made a motion to approve C4.

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

- C5. Electrical Codes and Applications (0002884) (Live)
Requesting 3 hours GEN credit (F-345, A-3684)

After discussion, course C5 was continued until the August meeting.

- C6. Laws and Rules (0006960) (Live)
Requesting 2 hours L&R credit (F-1090, A-3685)
- C7. Ethics in Public Service (5007415) (Live)
Requesting 1 hour ETHICS credit (F-1864, A-3686)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to approve C6 and C7.

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

- C8. EPCOT Building Code for Occupancy & Type of Construction

(0002670) (Live)
Requesting 3 hours GEN credit (F-337, A-3687)

After discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion to approve C8.

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

SANTA ROSA COUNTY INSPECTION DEPARTMENT (0001245)

Renewal Course(s)

D1. Means of Egress (0007452) (Live)
Requesting 2 hours GEN credit (F-1779, A-3701)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to approve D1.

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

D2. Types of Construction & Fire Resistance (0007453) (Live)
Requesting 2 hours GEN credit (F-1780, A-3702)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to deny D2 for lack of a detailed outline.

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

D3. Coastal Construction in Florida (0007454) (Live)
Requesting 2 hours GEN credit (F-1781, A-3700)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to deny D3 for lack of a detailed outline.

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

D4. Florida Accessibility Code (0007455) (Live)
Requesting 2 hours AOA credit (F-1783, A-3703)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to deny D4 for lack of a detailed outline.

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

D5. Ethics for Public Officers & Employees (0007456) (Live)
Requesting 1 hour ETHICS credit (F-1784, A-3693)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to approve D5.

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

- D6. Laws and Rules for Code Professionals (0007458) (Live)
Requesting 2 hours L&R credit (F-1832, A-3704)

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to deny D6 for lack of a detailed outline.

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

GOLD COAST SCHOOL OF CONSTRUCTION, INC. (0000983)

Mr. Joe Rebeck and Mr. Sanjeev Mangoli were present at this meeting and were sworn in by the court reporter.

Renewal Course(s)

- E1. Ethics I the Construction Industry (5007428) (Internet)
Requesting 2 hours ETHICS credit (F-1906, A-3690)

MOTION: Mr. McCormick made a motion to approve E1.

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

PALM BEACH COUNTY PLANNING, ZONING AND BUILDING (0001300)

Renewal Course(s)

- F1. A/C Equipment and Control Wiring Methods (0007323) (Live)
Requesting 2 hours GEN credit (F-1570, A-3231)
F2. Residential Electrical Blueprint Reading (0007322) (Live)
Requesting 2 hours GEN credit (F-1569, A-3232)
F3. Florida Building Code Fuel Gas, Related LP Gas & NFPA 58 Session I (5007424) (Live)
Requesting 2 hours GEN credit (F-1872, A-3240)
F4. N.E.C. Review of Commercial & Industrial for Special Occupancies (0007330) (Live)
Requesting 2 hours GEN credit (F-1577, A-3234)
F5. N.E.C. Review of Residential & Commercial Pools & Spas (0007326) (Live)
Requesting 2 hours GEN credit (F-1573, A-3233)

MOTION: Mr. McCormick made a motion to approve F1-F5.

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

REDVECTOR.COM, INC. (0001771)

Ms. Ellen Sakamoto was present at the meeting and was sworn in by the court reporter.

Renewal Course(s)

- G1. Florida Building Inspector's Laws & Rules (0006894) (Internet)
Requesting 2 hours L&R credit (F-1023, A-3691)

MOTION: Mr. McCormick made a motion to approve G1.

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

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 Committee, the meeting was adjourned at approximately 3:42 p.m.

June 16, 2017 - Friday - 8:30 A.M.

BOARD MEETING

CALL TO ORDER

Chair McCormick called the meeting to order at approximately 8:30 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Tony Lopresto
Andrew Raines
Herman White

Members Not Present

Tim Bolduc
Wayne Francis
Peter Jones

Other Persons Present

Robyn Barineau, Executive Director, DBPR
Clark Jennings, Assistant Attorney General, OAG
Ramsey Revell, Assistant General Counsel, DBPR
Sally Raines, Assistant General Counsel, DBPR
Linda Gray, Government Analyst, DBPR
Diana Gracia, American Court Reporting

Others Present

Michelle Porter, International Code Council

ATTENDANCE

Chair McCormick informed the Board that Mr. Bolduc and Mr. Jones had requested to be excused from the Board meeting.

APPROVAL OF THE APRIL 26-28, 2017, MINUTES OF THE MEETING

After discussion, the following action was taken.

MOTION: Mr. Gathright made a motion to approve the minutes as amended.

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

APPROVAL OF THE JUNE 1, 2017, MINUTES OF THE RULES COMMITTEE MEETING

MOTION: Mr. Gathright made a motion to approve the minutes.

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

REPORTS

CHAIR'S REPORT – BOB MCCORMICK

Mr. McCormick expressed his gratitude to the Board members for their service and participation as well as the Board staff.

Mr. McCormick and Mr. Gathright requested that Board staff inform Central Intake Unit of their appreciation for the great job they are doing for the Application Review Committee.

APPLICATION REVIEW COMMITTEE – RICHARD GATHRIGHT

Vice-Chair Gathright reported that the Committee reviewed 222 applications, of which, 196 were approved, and 25 denied and one was withdrawn. He read the denials into the record at this time.

John Delwin Adams – Mechanical Inspector – Mechanical Plans Examiner - Lack of Experience; Robert Douglas Bitgood – Provisional Building Plans Examiner – Invalid Affidavits; Adam Christopher Brinsley – Endorsement – No Equivalent Exam - Lack of Experience; Donald L. Cote – 1&2 Family Dwelling Inspector – Lack of Experience; Gerald Wayne Dunn – Electrical Inspector – Lack of Experience; Julian Mack Hyatt – Building Inspector – Lack of Experience; Salvatore Anthony Incorvaia – Plumbing Inspector – Lack of Experience; Katrina Meneses – Building Plans Examiner – Lack of Experience; Kathleen Anne Mitchell – Modular Plans Examiner – Lack of Experience; Christopher Peter O’Neil – Building Inspector – Lack of Experience; Alexis Riverson – Electrical Inspector – Plumbing Inspector – Mechanical Inspector – Electrical Plans Examiner – Plumbing Plans Examiner – Mechanical Plans Examiner – Lack of Experience; Rajiv Sachdeva – Building Inspector – Lack of Experience; Wade Alton Slater – Electrical Inspector – Provisional Electrical Inspector – Lack of Experience; Jarod Paul Wallick – Building Inspector – Lack of Experience; Alphanette Waters – Mechanical Plans Examiner – Lack of Experience; Michael J. Wolfe – 1&2 Family Dwelling Inspector – Lack of Experience Maro Anthony Zaccaria – Mechanical Plans Examiner – Provisional Mechanical Plans Examiner – Lack of Experience.

RATIFICATION LIST

MOTION: Mr. Gathright made a motion to approve the Ratification List as submitted.

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

PROSECUTING ATTORNEY REPORT – RAMSEY REVELL

Ms. Revell provided the Board with a copy of the prosecuting attorney report. She stated that there was a total of seven private cases, five were handled by the Probable Cause Panel this week. One public case was handled by the Board at this meeting.

RULES AND LEGISLATION COMMITTEE

61G19-6.0035 Application for Provisional and/or Standard Certification.

Mr. Jennings reiterated that he received a letter from the Joint Administrative Procedure Committee requesting that Rule 61G19-6.0035, F.A.C., be modified to change the word “affidavit” to “attestation.” After discussion the following action was taken.

61G19-6.0035 Application for Provisional and/or Standard Certification.

(1) Each individual who wishes to obtain a provisional and/or standard certificate in any certificate category shall submit the following to the Board:

(a) No change.

(b) An attestation affidavit describing in detail each separate period of work experience listed in the application form, signed by a licensed architect, engineer, contractor, fire marshal, or building code administrator who has knowledge of the applicant’s duties and responsibilities during the period indicated. The form that shall be used for this purpose shall be provided by the

Department and available on the Department's website. Each attestation affidavit must include the name and address of the applicant's employer during the work experience period, the dates of employment, and a description of the applicant's duties and responsibilities during the employment including any supervisory responsibilities, in sufficient detail to enable the Board to determine whether or not the applicant has the experience required for certification.

(c) No change.

(d) Each applicant seeking to qualify for certification through a combination of postsecondary education and work experience shall submit an official copy of all college or university transcripts which document the applicant's education in addition to all required attestations affidavits of work experience.

(e) through (f) No change.

(2) through (3) No change.

Rulemaking Authority 468.606, 468.609 FS. Law Implemented 468.609 FS. History--New 11-28-95, Amended 10-1-97, 2-23-99, 6-3-03, 2-6-07, 10-4-07, 12-17-12.

MOTION: Mr. Gathright moved to notice Rule 61G19-6.0035, F.A.C., for development and rulemaking.

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

The Board inquired about draft language presented to the Board by Mr. Robert Nagin and Mr. Cosmo Toryese. After discussion, it was determined that Mr. Jennings would draft and present new rule language as discussed related to Rule 61G19-9.004(9), F.A.C.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE – TIM BOLDUC

Mr. Jennings reported that the Committee reviewed 23 courses, 18 courses were approved, four were denied and one was continued until the August meeting.

BOARD COUNSEL – CLARK JENNINGS

Mr. Jennings had no additional information to provide to the Board.

EXECUTIVE DIRECTOR – ROBYN BARINEAU

Financial Report – March 31, 2017

Ms. Barineau reported that the balance in the Board's operating account was \$9,026,289. The unlicensed activity account balance was \$426,386.

Licenses Issued from Null & Void

Ms. Barineau reported that there were two licenses issued since the last meeting

Future Meeting Dates

August 16-18, 2017 – Celebration
October 18-20, 2017 – Stuart
December 6-8, 2017 – Miramar Beach
February 21-23, 2018 – Howey-In-the-Hills
April 18-20, 2018 – Altamonte Springs
June 20-22, 2018 – Fernandina Beach
August 22-24, 2018 – Orlando/Lake Mary
October 10-12, 2018 – Daytona Beach
December 5-7, 2018 – Fernandina Beach
February 5-8, 2019 – Gainesville

The Board discussed the military bill and the impact it would have upon the Board. Ms. Barineau will provide the Board with additional information related to the bill at the next meeting.

ICC – MICHELLE PORTER

Ms. Porter reported that ICC administered 203 Florida exams in May 2017. They have already administered 922 Florida exams, year-to-date. ICC will soon launch online proctored testing through Yardstick. ICC may ask Florida to consider this type of testing in the future. She added that the Candidate Information Booklets (CIBs) are too lengthy and not being read by customers. She is going to submit a mock-up CIB for review and comment. Ms. Porter informed the Board that beginning July 1, 2017, ICC will allow candidates coming directly to them to take the exam (those not authorized by Florida) six times in six months. This is an increase from their current two times in six months. The latest code version will be incorporated into technical exams beginning January 1, 2018.

OLD BUSINESS

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

NEW BUSINESS

Mr. Douglas Wise was elected President of BOAF and Mr. Jim Schock was elected Vice-President.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:48 a.m.