

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

Hampton Inn & Suites

101 SE 1st Avenue

Gainesville, FL 32601

October 27 – 29, 2010

October 27, 2010

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

Mr. Sasso, Chair of the committee, called the meeting to order at 9:00 a.m.

Members Present

Nick Sasso, Chair

Bob Kymalainen

Bob McCormick

Richard Gathright

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Tim Dennis, Board Counsel

Carl L. Scott

Lee Davis

Enrique Gaston

Wayne Cameron

Tim Bolduc

Joshua Stevens

Darcy Chaney

Matthew Decker

REVIEW OF APPLICATIONS

Wayne Cameron –Building Code Administrator

Mr. Cameron was present at the meeting and following discussion, his application was approved by the committee.

Darcy Chaney – Provisional Building Code Administrator

Mr. Chaney was present at the meeting. Following discussion and the submission of additional information, his application was approved by the committee.

Lee J. Davis, Provisional Building Plans Examiner, Provisional Building Inspector, Building Inspector, Building Plans Examiner

Mr. Davis was present at the meeting. Following discussion and the submission of additional information, his applications were approved by the committee.

Matthew Decker – Building Inspector and Building Plans Examiner

Mr. Decker was present at the meeting. Following discussion, his applications were approved by the committee.

Enrique Gaston – Building Inspector & Building Plans Examiner

Mr. Gaston was present at the meeting. Following discussion, his applications were approved by the committee.

Carl L. Scott – Provisional Building Plans Examiner, Provisional Building Code Administrator, Provisional 1 & 2 Family Dwelling Inspector, Provisional Building Inspector, Building Code Administrator, Building Plans Examiner, Building Inspector, 1&2 Family Dwelling Inspector

Mr. Scott was present at the meeting. Following discussion, his applications for Building Code Administrator and Provisional Building Code Administrator were denied for lack of experience. His applications for Provisional Building Plans Examiner, Provisional 1 & 2 Family Dwelling Inspector, Provisional Building Inspector, Building Plans Examiner, Building Inspector, and 1&2 Family Dwelling Inspector were approved by the committee.

Joshua Zechariah Stevens – Provisional 1&2 Family Dwelling Inspector, 1&2 Family Dwelling Inspector, Building Inspector

Mr. Stevens was present at the meeting along with Mr. Tim Boldoc, Building Code Administrator. The committee accepted verbal testimony from Mr. Boldoc and approved the applications.

At this time, the committee continued to review applications.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 1:00 p.m.

October 28, 2010

BOARD MEETING

CALL TO ORDER

Chair McCormick called the meeting to order at 9:03 a.m.

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Art Barthlow
Gerry Demers
Fred Dudley
Richard Gathright
Bob Kymalainen

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
David Gilson
Robert Fought
Tim Harbuck
Kevin Singley
John Mills
George L. Cancio
Henry Stobaugh
David Liming
Bill Dumbaugh
David Hodges
Linda Patrick
Jim Patton
Sharon Philman
Dan Dickhaus
Sheldon Dash
Bertram Leward
Steve Kirker
Matthew Decker
Marlin Feagle
Randy Jones
M. Troy Crews
Kelvin Williams
Joe Rebuck

Vice-Chair Sasso stated that he was recusing himself from all of the disciplinary cases. Mr. Dudley stated that he was recusing himself from the Robin Brinkley case as his law firm was handling related cases.

SETTLEMENT STIPULATIONS**Robin Brinkley, Case #2005-034904
(PCP Counsel, Nagin & Bertalomi)**

Ms. Duffy informed the board that she was notified yesterday that Mr. Brinkley was ill and asked that this case be continued to December meeting.

MOTION: Mr. Barthlow made a motion that the board continue the case to the December meeting.

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

**Steven Kirker, Case #2009-051577
(PCP McCormick & Gathright)**

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

Mr. Dudley was the Chair for this hearing.

Ms. Duffy presented the facts. Mr. Dudley stated that there was no quorum for the board to hear this case as three members were recused and two members were absent. He stated that the case would have to be continued to the December meeting and if Mr. Kirker preferred he could provide testimony today and not be required to attend the meeting in December. Mr. Kirker asked to be heard at this meeting.

Mr. Dudley stated that the only participants in this case were Mr. Kymalainen, Mr. Barthlow, Mr. Demers, and Mr. Dudley.

Mr. Barthlow stated that he went to fire college with Mr. Kirker, however, that would not influence his decision in this matter.

Mr. Kirker commented that he was put in a tight position and he made the wrong decision. He informed the board that he has also lost his job.

In discussion, Mr. Kirker asked that the fine be decreased. Mr. Kirker stated that he was in a tight situation and made a wrong decision. He was told to do inspections, and if he did not do them, he would have lost job. He stated that he was not employed as a Building Inspector at this time. He is employed as a Fire Inspector in St. Johns County.

Mr. Dudley stated that there was an error in the Stipulation as it states Limited Building Code Administrator. He asked Mr. Kirker if he would object to the Prosecutor changing the Stipulation to state "Building Inspector." Mr. Kirker had no objection.

Mr. Demers stated that it was also incorrect in the Administrative Complaint. Mr. Dudley stated that it will be corrected in the Administrative Complaint and the Stipulation as Mr. Kirker has no objection.

Mr. Dudley reminded the members that should Mr. Kirker not attend the December, he is excused, and he relinquished the Chair back to Chair McCormick.

INFORMAL HEARING

Andres Villareal, Case # 2008-020415

(PCP Dudley, Nagin & Bertolami)

Mr. Villareal was not present at the meeting. Ms. Duffy stated that the board previously reviewed this case and it was before them as an Informal Hearing as he has been convicted of the allegations. She stated that the department recommended the following penalty be imposed: \$239.34 in costs, revocation as this was a felony, and a \$1500 fine.

Mr. Gathright stated that this case was sent back to the Probable Cause Panel which would cause Chair McCormick and himself to also be recused.

MOTION: Mr. Kymalainen made a motion that this case be continued to the December meeting.

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

PROSECUTING ATTORNEY REPORT – LIBBY DUFFY

Ms. Duffy discussed her report with the board. She informed them that there would be nine hearings for the December meeting. One case has been heard at the Division of Administrative Hearings and another was scheduled for hearing next week. There were 11 cases heard by the Probable Cause Panel, one case was awaiting supplemental information, and two were awaiting outside action.

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

George L. Cancio – Mechanical Inspector, Mechanical Plans Examiner, Plumbing Inspector & Plumbing Plans Examiner

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

Following discussion, the following action was taken.

MOTION: Mr. Demers made a motion that the applications be approved based on the affidavits provided.

SECOND: Mr. Kymalainen seconded the motion which failed with Mr. Gathright, Chair McCormick, Vice-Chair Sasso and Mr. Barthlow voting against the motion.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board uphold the denials on all four applications as originally stated.

SECOND: Mr. Barthlow seconded the motion which passed with Mr. Demers, Mr. Kymalainen, and Mr. Dudley voting against the motion.

Sheldon Dash – Provisional Building Inspector & Provisional Building Plans Examiner

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

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve both applications based on the supplemental information and testimony.

SECOND: Mr. Gathright seconded the motion and it passed with Vice-Chair Sasso voting against the motion.

Matthew B. Decker – Provisional Building Inspector and Provisional Building Plans Examiner

Mr. Decker was present at the meeting and was sworn in by the court reporter. Additional information had been provided for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the applications based on the additional information.

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

Dale R. Fineran - Mechanical Inspector

Mr. Fineran was not present at the meeting, however, additional information was submitted for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board approve the application based on the additional information.

SECOND: Mr. Demers seconded the motion which failed with Vice-Chair Sasso, Mr. Dudley, Mr. Kymalainen, Mr. Barthlow and Chair McCormick voting against the motion.

MOTION: Mr. Dudley made a motion that the board uphold the denial as originally stated.

SECOND: Mr. Kymalainen seconded the motion which passed with Mr. Gathright voting against the motion.

Eugene Brian Giambra – Building Inspector

Mr. Giambra was not present at the meeting and no additional information had been submitted for the board's review.

MOTION: Mr. Demers made a motion that the board uphold the denial as originally stated.

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

Steven Gonzalez – Building Inspector

Mr. Gonzalez 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: Mr. Dudley made a motion that the board uphold the denial as originally stated.

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

Randy Thomas Jones – Provisional Building Code Administrator

Mr. Jones was present at the meeting and was sworn in by the court reporter. Mr. Marlin Feagle, Attorney for Columbia County, was also present. Additional information was submitted for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Demers made a motion that the board approve the application based on the additional information.

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

Bertram C. Lewars – Provisional Building Plans Examiner

Mr. Lewars was present at the meeting and was sworn in by the court reporter. Additional information had been submitted and additional information was provided at the meeting for the board's review.

MOTION: Mr. Demers made a motion that the board approve the application based on the additional information.

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

David Liming – Electrical Plans Examiner

Mr. Liming was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the application based on the additional information.

SECOND: Mr. Demers seconded the motion which passed with Vice-Chair Sasso, Mr. Kymalainen, and Mr. Barthlow voting against the motion.

Michael J. Marchetti – Provisional Building Inspector & Provisional Building Plans Examiner

Mr. Decker, who works with Mr. Marchetti, stated that Mr. Marchetti was out of the country and unable to attend the meeting. Additional information had been submitted for the board's review.

In discussion, Mr. Decker stated that Mr. Marchetti wanted to be present and could be present at the December meeting to answer the board's questions.

MOTION: Mr. Dudley made a motion that the board continue the hearing until the December meeting.

SECOND: Mr. Demers seconded the motion which passed with Vice-Chair Sasso and Mr. Barthlow voting against the motion.

John Mills – Plumbing Plans Examiner

Mr. Mills 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. Gathright made a motion that the board uphold the denial as originally stated.

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

Ronald Gerald Raybon – Plumbing Inspector & Provisional Plumbing Inspector

Mr. Raybon was not present at the meeting, however, a letter had been submitted for the board's consideration.

MOTION: Mr. Demers made a motion that the board uphold the denial as originally stated.

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

Matthew Bruce Rush – Provisional Building Plans Examiner

The hearing request was withdrawn.

Kevin Singley – Building Code Administrator

Mr. Singley was present at the meeting and was sworn in by the court reporter. Additional information had been submitted and additional information was provided at the meeting for the board's review

In discussion, Vice-Chair Sasso suggested that a hot topic be placed on web that applicants have to provide experience details even if they are a licensed general contractor.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the application based on the additional information provided and the testimony.

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

Oscar Torres – Building Inspector

Mr. Torres 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: Mr. Demers made a motion that the board uphold the denial as originally stated.

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

Kelvin Williams – Building Inspector

Mr. Williams was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the application based on the additional information.

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

Broward County Board of Rules and Appeals – Understanding Product Approvals

Mr. Bill Dumbaugh was present at the meeting and was sworn in by the court reporter. He presented additional information for the board's review.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the course based on the additional information.

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

OLD BUSINESS

Discussion Regarding the Elimination of the Provisional Building Code Administrator Licenses

Vice-Chair Sasso stated that he felt it was time to amend the rule regarding Provisional Building Code Administrators. He commented that with a small amendment to the rule, then Provisional Building Code Administrator licenses would no longer be issued. Vice-Chair Sasso stated that it was never the intention to issue this license forever as the head of the building department should have to take a test in order to get the license.

In discussion, Ms. Barineau informed the board that she relayed their concerns to the department and also did some research. She stated that the department would not support the elimination of this license as it would take away the opportunity for someone to be employed. Ms. Barineau informed the board that since 1996, there have been 35 complaints filed; as of October 19, 2010, there were 33 licensed Provisional Building Code Administrators, and 1,034 licensed Building Code Administrators. Of the 15 cases that went to probable cause, discipline was imposed three times. Ms. Barineau also stated that the average time for a Provisional Building Code Administrator to obtain a standard license is 14 months.

Vice Chair Sasso stated that "I appreciate that information and would not expect the department to support that, I understand they want to sell as many licenses as possible. There is no way a rational person can state that having someone who has never taken a test, should be put in charge of a building department. It is just not safe. Now we know complaint wise, for every 10 that are brought in there are probably 100 that you don't see, I mean we catch them by accident, we don't go out looking. I can't really go by that. You know there are a lot that get away that we don't even know about, for every one that we do know about. But, I believe they should be tested and it is a good thing to do for the public. Now maybe this is the wrong timing, maybe we need to have a change of composition on the board, maybe the new governor will move some people out and new people will come in but I would like to continue to bring this up even if we don't do anything today I would like to continue to bring this up. The time is now, it is 2011 there is really no way a provisional building code administrator can really function with today's codes. It is not a good thing, that is my opinion."

Mr. Dudley commented that they perhaps should undertake some discussion about this but do it in a broader context of all provisional licenses. Mr. Dudley stated that perhaps now was not the right time to consider this, and he hopes that there will be a need for more licensed people in the future.

Mr. Kymalainen commented that the provisional licenses were put in the statutes because there were not enough building code licensees. He stated that he did not see the need for the provisional licenses anymore.

Mr. Demers agreed but stated that in the smaller jurisdictions there are not many building officials that will go to work for the salaries small jurisdictions offer. He suggested that restrictions that can be placed on the licenses, and consider changing the length of the license from one to five years to one to three years.

Chair McCormick suggested that they schedule and publish a rules workshop, and notify the Florida League of Counties and the Florida Association of Counties of the workshop.

MOTION: Vice-Chair Sasso made a motion that the board proceed with rule development for the modification of Provisional Building Code Administrator licenses.

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

Ms. Barineau informed the board that she would contact the Florida League of Counties and the Florida Association of Counties.

Mr. Dennis informed the board that the law and rule clearly state that on a case-by-case basis, the board can set limitations and impose restrictions on the license.

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 3:08 p.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Gathright, Chair of the committee, called the meeting to order at 3:09 p.m.

Members Present

Richard Gathright, Chair
Fred Dudley
Gerry Demers
Bob Kymalainen

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
Bill Dumbaugh
David Hodges
Joe Rebuck
Linda Patrick

LEGISLATIVE REPORT

Mr. Gathright informed the committee that there were 35 claims bills that had submitted.

RULES REPORT – TIM DENNIS

Discussion of Rule 61G19-11.001, F.A.C. – Probable Cause Panel

Rule 61G1-12.003 – Probable Cause Panel Hearing Guidelines to Consider Investigating Officer’s Reports – Board of Architecture and Interior Design

Mr. Dennis stated that this material was requested at the last meeting.

In discussion, Mr. Dudley stated that he preferred that every Respondent in a case be given an opportunity to appear before the Probable Cause Panel. Mr. McCormick commented that he did not support this suggestion. Mr. Sasso suggested that even if the Respondent did not appear at the Probable Cause Panel meeting, they would proceed with the case.

Mr. Dudley stated that he would also like for the prosecuting attorney to follow the law concerning the probable cause panel and provide a written recommendation for each case and not have the cursory reviews, which is the current process.

Mr. Dennis responded that he would draft the rule the way the board desired. The reason he did not include strict guidelines was because of the comments that it would take away some of the board’s authority and he thought this was more along the lines of what the board preferred.

Mr. Dudley suggested that they not proceed with the proposed draft as he did not want the attorney or staff to make the decision as to who should appear and who should not.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board’s prosecuting attorney follow the law, and make written recommendations to the Probable Cause Panel at each meeting.

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

OLD BUSINESS

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

NEW BUSINESS

E-Mail from Nick Sasso Regarding Rule 61G19-5.002, F.A.C., - Disciplinary Guidelines

Mr. Sasso stated that this was for informational purposes.

Mr. Dennis informed the committee that the board’s decision was upheld in the case for Mr. Pappalardo and the case for Mr. Abel’s oral argument is currently scheduled for December 9.

Rule 61G19-1.009, F.A.C., - Definitions

Mr. Sasso asked for an update on this rule. Mr. Dennis responded that changes were discussed at the last meeting, however, the Building Officials Association of Florida (BOAF) was to get input from their membership regarding the rule. Mr. Harvey could not be present at the meeting and asked that this discussion be deferred to the December meeting.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 4:07 p.m.

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

Mr. McCormick, Chair of the committee, called the meeting to order at 4:07 p.m.

Members Present

Bob McCormick, Chair
Art Barthlow
Gerry Demers
Fred Dudley
Richard Gathright
Bob Kymalainen
Nick Sasso

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
Bill Dumbaugh
David Hodges
Joe Rebuck
Linda Patrick

**CONTINUING EDUCATION COURSES FOR REVIEW
REDVECTOR.COM, INC. (0001771)**

Renewal Course

1. Ethics for Florida Building Inspectors (Internet) (0007397)
Requesting 1 hour ETHICS credit (F-1754, A-2177)

MOTION: Mr. Demers made a motion that the committee approve the course as submitted.

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

GOLD COAST SCHOOL OF CONSTRUCTION, INC. (0000983)

Renewal Courses

1. Ethics for the Construction Professional (Internet)
Requesting 1 hour ETHICS credit (F-2120, A-2179)
2. Ethics for the Construction Professional (Classroom)
Requesting 1 hour ETHICS credit (F-2119, A-2176)

MOTION: Mr. Gathright made a motion that the committee approve the course as submitted.

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

Renewal Courses

1. Practitioner's Guide to the FBC: Accessibility & Fair Housing (Internet) (0006733)
Requesting 2 hours ACCESSIBILITY credit (F-855, A-2178)

MOTION: Mr. Gathright made a motion that the committee approve the course as submitted.

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

2. Ethics in the Construction Industry (Classroom) (0007384)
Requesting 2 hours ETHICS credit (F-1673, A-2170)

MOTION: Mr. Gathright made a motion that the committee approve the course, however, the credit assigned will be 1 hour of ethics and 1 hour of general.

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

SMART VENT, INC. (0004583)

Renewal Course

1. Understanding Foundation Flood Vents (0007345)
Requesting 1 hour GENERAL credit (F-1606, A-2172)

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the committee deny the course as they did not complete all of the application forms.

SECOND: Mr. Dudley seconded the motion.

Following discussion, Mr. Dudley withdrew his second.

Mr. Dennis informed the committee that if the required information was provided, he would not recommend that they deny the course because they did not complete the form.

MOTION: Mr. Dudley made a motion that the board approve the course as submitted and direct staff to make sure the applications are completed on the proper forms.

SECOND: Mr. Gathright seconded the motion which passed with Mr. Sasso voting against the motion.

NEW PROVIDER: SOLAR EOS (F-293, A-591)

New Course

1. Solar for the Building Inspector
Requesting 5 hours GENERAL credit (F-2118, A-2175)

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the committee deny the course for lack of content, per Rule 61G14-9.004(4), F.A.C.

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

I LEVEL BY WEYERHAEUSER (0001005)

Renewal Courses

1. Engineered Lumber in Residential Construction (0004750)
Requesting 4 hours GENERAL credit (F-196, A-2173)
2. Fundamentals of Engineered Lumber (0004749)
Requesting 14 hours GENERAL credit (F-195, A-2174)

MOTION: Mr. Gathright made a motion that the committee approve the courses as submitted.

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

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE (0001284)

Renewal Courses

1. The Use and Application of the HVHZ Roofing Application Standard (RAS) III Standard Requirements for Attachment of Perimeter Woodblocking and Metal Flashing (0002555)
Requesting 1 hour GENERAL credit (F-430, A-2149)
2. The Florida Building Code High Velocity Hurricane Zone Roofing Applications (0002556)
Requesting 4 hours GENERAL credit (F-431, A-2150)
3. Low Slope and Steep Slope Roofing (0002557)
Requesting 4 hours GENERAL credit (F-432, A-2151)
4. The Use and Application of the Florida Building Code High Velocity Hurricane Zone Roofing Application Standard (RAS) 109 (0002560)
Requesting 2 hours GENERAL credit (F-435, A-2152)
5. Greenroofs and the Florida Building Code (0007335)
Requesting 2 hours GENERAL credit (F-1589, A-2153)
6. The Florida Building Code, Load Requirements for Roof Systems (0006579)
Requesting 2 hours GENERAL credit (F-15, A-2154)
7. The Florida Building Code External Fire Resistance Requirements for Roof Systems (0006234)
Requesting 2 hours GENERAL credit (F-58, A-2155)
8. The Florida Building Code RAS 115 (High Velocity Hurricane Zone) Standard Procedures for Asphaltic Shingle Installation (0006235)
Requesting 2 hours GENERAL credit (F-59, A-2156)
9. The Florida Building Code RAS 117 (High Velocity Hurricane Zone) Insulation Panels, etc. (0006236)
Requesting 2 hours GENERAL credit (F-60, A-2157)
10. The Florida Building Code RAS 118, 119 and 120, etc. (0006237)
Requesting 3 hours GENERAL credit (F-61, A-2158)
11. The Florida Building Code RAS 130, etc. (0006238)
Requesting 2 hours GENERAL credit (F-62, A-2159)
12. The Florida Building Code RAS 133, etc. (0006239)
Requesting 2 hours GENERAL credit (F-63, A-2162)
13. Florida Plumbing Code for South Florida Plumbing Code Users,

- Part I (0006241)
Requesting 2 hours GENERAL credit (F-65, A-2160)
14. Florida Plumbing Code for South Florida Plumbing Code Users,
Part II (0006242)
Requesting 2 hours GENERAL credit (F-66, A-2161)
15. Hurricane Mitigation Retrofits for Existing Site-Built Single Family
Residential Structures (0007344)
Requesting 1 hour GENERAL credit (F-1636, A-2167)
16. Legal Aspects of Code Enforcement (0002521)
Requesting 4 hours GENERAL credit (F-401, A-2163)
17. Chapter 10 Contractor Licensing Code of Miami-Dade County (0002522)
Requesting 2 hours GENERAL credit (F-402, A-2164)
18. Florida Accessibility F.S. 760 and Federal Fair Housing (0002493)
Requesting 2 hours ACCESSIBILITY credit (F-466, A-2165)
19. Florida Accessibility and ADA Requirements (0002494)
Requesting 2 hours ACCESSIBILITY credit (F-467, A-2166)

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the committee approve all of the courses as submitted with the exception of numbers 13, 14, 16, 17.

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

MOTION: Mr. Dudley made a motion that the committee deny course numbers 13, 14, and 17 as they deal with local codes and are not appropriate.

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

MOTION: Mr. Gathright made a motion that the committee deny number 16 as it was not appropriate and had only 10 minutes devoted to Chapter 468, F.S.

SECOND: Mr. Dudley seconded the motion which passed with Mr. McCormick voting against the motion.

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 5:46 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Mr. McCormick, Chair of the committee, called the meeting to order at 5:46 p.m.

Members Present

Bob McCormick, Chair

Art Barthlow

Gerry Demers
Fred Dudley
Richard Gathright
Bob Kymalainen
Nick Sasso

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
Bill Dumbaugh
David Hodges
Joe Rebuck
Linda Patrick

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 5:47 p.m.

October 29, 2010

CALL TO ORDER

Chair McCormick called the meeting to order at 9:02 a.m.

Members Present

Bob McCormick, Chair
Nick Sasso, Vice-Chair
Art Barthlow
Gerry Demers
Fred Dudley
Richard Gathright
Bob Kymalainen

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
David Hodges
Linda Patrick
Thomas R. Panico

Chair McCormick asked that the board excuse Mr. Carpenter and Mr. Lamas from the meeting.

MOTION: Mr. Gathright made a motion that the board excuse Mr. Carpenter and Mr. Lamas from the meeting.

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

APPROVAL OF THE AUGUST 10 - 13, 2010, MINUTES OF THE MEETING

MOTION: Mr. Dudley made a motion that the board approve the minutes as submitted.

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

REPORTS

Chair's Report – Bob McCormick

Chair McCormick stated that he did not have a report to give, however, he stated that he was well and appreciated all of the concerns that have been shared over his health.

Application Review Committee – Nick Sasso Ratification of Actions Taken by the Committee

Vice-Chair Sasso reported that there were 58 applications approved and 46 denied. At this time, he read into the record the denials.

Alvarez, Oscar – Plumbing Inspector – lack of experience; Angeline, Stephen – Building Inspector – lack of experience; Baker, Sherman Dale – Mechanical Inspector and Plans Examiner – lack of experience; Bromley, Bruce Kevin – Building Inspector – lack of experience, must comply with 61G15-35.004, F.A.C., unlicensed activity does not count; Brooks, George J – Building Inspector – lack of experience; Brunette, Ronald Joseph – Mechanical Inspector – lack of experience; Byrne, Robert K – Building Inspector – lack of experience and possible unlicensed activity; Castro Calou, Jorge Ramon – Building Inspector – lack of experience; Cataldo, Richard F – Building Inspector - lack of experience; Collinsworth, Robert Lee – Building Plans Examiner - lack of experience; Connelly, John Andrew – Electrical Inspector - lack of experience; Crawford, Adrian – Building Inspector - lack of experience; Francis, Eric J – Electrical Inspector - lack of experience; Gaudio, Joseph Alan – Mechanical Plans Examiner - lack of experience & can't use BOAF certificate from inspector training; Giametta, Christopher Thomas – plumbing Inspector - lack of experience; Gipson, James Alan – Building Inspector - lack of experience; Greer, Dwayne Miles – Provisional Building Inspector - lack of experience and hands-on experience; Heintzelman, David Edward – Building Inspector - lack of experience, must comply with 61G15-35.004, FAC, unlicensed activity does not count; Ismail, Fayez F. – Building Inspector - lack of experience, must comply with 61G15-35.004, FAC, unlicensed activity does not count; Jetzkewitz, Sven – Building Inspector - lack of experience, must comply with 61G15-35.004, FAC, unlicensed

activity does not count; Johnson, Jeffrey Scott – Provisional 1&2 Family Dwelling Inspector – lack of experience and not newly hired or promoted; Jubb, Allen Francis – Plumbing Inspector – lack of experience; Koschwitz, Stephen Anthony – Electrical Plans Examiner & Electrical Inspector - lack of experience; Large, Geoffrey Stuart – Building Code Administrator - lack of experience; McCully, James Gary – Building Code Administrator – affidavits do not match experience history & no clear supervisory experience; Parker, David W. – Mechanical Inspector, Electrical Inspector, Mechanical Plans Examiner & Electrical Plans Examiner - lack of experience; Pena Arnulfo – Mechanical Inspector & 1&2 Family Dwelling Inspector - lack of experience; Peshek, Stephen Miles – Building Code Administrator - lack of experience; Richmond, Joshua M. – Building Inspector - lack of experience, must comply with 61G15-35.004, FAC, unlicensed activity does not count; Riggins, David Christopher – Electrical Inspector & Electrical Plans Examiner - lack of experience; Rivera, Juanito Abril – 1&2 Family Dwelling Inspector - lack of experience; Scott, Carl L. – Provisional Building Code Administrator & Building Code Administrator - lack of experience; Sellers, Corey Lee – Building Inspector & Building Plans Examiner - lack of experience; Stephenson, Kenneth Ray – Provisional Plumbing Inspector - lack of experience; Tyson, Glynn Keith – Provisional Building Plans Examiner – not newly hired or promoted into the position; Urquhart, Glen D. – Plumbing Inspector - lack of experience; Wardell, Wendell Glenn - &2 Family Dwelling Inspector - lack of verified experience.

MOTION: Mr. Dudley made a motion that the board approve the actions of the committee.

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

Ratification List

MOTION: Mr. Demers made a motion that the board approve the ratification list as submitted.

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

Rules and Legislation Committee – Richard Gathright

Mr. Gathright reported that there were no actual bills pertaining to them at this time. They discussed a proposed rule for probable cause regarding the Respondents appearing before the panel, however, they decided not to pursue the rule change at this time. He also reported that they discussed Chapter 455.225(2), F.S., regarding if the prosecuting attorney should make a recommendation for each case and the committee asked the prosecutor to provide recommendations.

MOTION: Mr. Dudley made a motion that the board approve the recommendation that the prosecuting attorney will present a written recommendation to the panel for each case and approved the report of the committee.

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

Examination and Continuing Education Committee – Bob McCormick

Chair McCormick reported that the committee reviewed 28 courses that were submitted. They approved 23 and denied five courses.

MOTION: Mr. Gathright made a motion that the board approve the report of the committee as presented.

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

Executive Committee – Bob McCormick

Chair McCormick reported that the committee took no action.

Board Counsel – Tim Dennis

Licensing and disciplinary authority over architects and engineers providing private inspection and plans review services to a local government

Mr. Dennis stated that he discussed his report at the Rules Committee meeting yesterday.

Mr. Dennis informed the board that the laws for architects and engineers are similar in that they do not require licensed individuals to be licensed by this board when they are working in departments performing inspections and plans examining. He also stated an architect or engineer would only be subject to a portion of this board's disciplinary statute and any violation would be handled by the board in which they were licensed.

Following discussion, it was requested that Mr. Dennis' memo be included in the newsletter and on the "Hot Topics" section of the web page.

Mr. Dennis reported that the definition of hands-on will be discussed at the December meeting.

Executive Director – Robyn Barineau

Update on Continuing Education Reciprocity with the Division of State Fire Marshal

Ms. Barineau informed the board that department staff has been holding conference calls with the Division of State Fire Marshal (DSFM) and they are moving forward. She stated that she will keep them informed of the process and progress.

Mr. Dudley asked if they could limit the number of hours of credit that the licensees will receive. Mr. Dennis responded that he would review the statute and report his findings.

The board expressed concern with blanket approval of all DSFM courses.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board request Mr. Dennis to notice the publication of a rule development workshop for the earliest available date.

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

Ms. Barineau informed the board that this was discussed with the board as the legislation passed through the Legislative Session. Chair McCormick responded that they were aware of the statutory change but they did not think that everything would be approved.

The board asked that further efforts be deferred until after the workshop.

Report on Applications Ratified Through the E-Mail Process

Ms. Barineau reported that the September list contained 11 names and a request was received to have four reviewed by the committee.

Year-End Financial Report

Ms. Barineau reviewed the financial report with the board. In discussion, Mr. Dudley asked that Ms. Barineau provide them with information on the investigative charges. He wanted to know how many reports they received from investigations. Mr. Dudley also suggested that the board develop training modules and written standards for the department investigators.

ICC Update – Rob von Kampen, Ph.D.

Dr. von Kampen was not present at the meeting and a report had not been submitted.

PUBLIC COMMENTS

There were no public comments.

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.

ELECTION OF OFFICERS

MOTION: Mr. Dudley made a motion to nominate Mr. McCormick Chair and Mr. Gathright Vice-Chair of the board.

SECOND: Mr. Demers seconded the motion.

In discussion, Mr. Dennis suggested that they take the elections one at a time.

Mr. Dudley nominated Mr. McCormick for Chair.

Mr. Barthlow nominated Mr. Sasso for Chair.

MOTION: Mr. Dudley moved that the nominations be closed.

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

Following discussion regarding continuing the elections to the next meeting, the following action was taken.

MOTION: Mr. Barthlow made a motion that the board continue the elections to the next meeting when the full board was available.

SECOND: Vice-Chair Sasso seconded the motion which failed with Mr. Dudley, Mr. Kymalainen, Mr. Demers, Mr. Gathright and Chair McCormick voting against the motion.

At this time a roll call vote was taken on the nominations for Chair and the results are as follows:

Chair:

Bob McCormick – Mr. Dudley, Mr. Demers, Mr. Gathright, Mr. Kymalainen, Mr. McCormick

Nick Sasso – Mr. Barthlow, Mr. Sasso

Chair McCormick thanked the board.

Mr. Dudley nominated Mr. Gathright for Vice-Chair.

Mr. Barthlow nominated Mr. Sasso for Vice-Chair.

MOTION: Mr. Dudley made a motion that the nominations be closed.

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

At this time a roll call vote was taken on the nominations for Vice-Chair and the results are as follows:

Vice-Chair:

Nick Sasso – Mr. Barthlow, Mr. Sasso

Richard Gathright – Mr. Dudley, Mr. Demers, Mr. Gathright, Mr. Kymalainen, Mr. McCormick

ADJOURNMENT

There being no further business to come before the board, the meeting was adjourned at 11:07 a.m.