

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

**InterContinental Hotel Tampa
4860 West Kennedy Boulevard
Tampa, FL 33609-2524.
April 6, 7, & 8, 2011**

April 6, 2011 – 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

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

Members Present

Richard Gathright, Chair
Bob Kymalainen
Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Bob Sasser
Donald Kukla
David Herron
Jerry Peck
John Schmidt
Jay Abel
Matt Adair

REVIEW OF APPLICATIONS

Jay Abel – Electrical Inspector, Mechanical Inspector, Plumbing Inspector

Mr. Abel and Mr. Matt Adair were present for the meeting. The committee reviewed and discussed his applications. Mr. Adair stated that they would like to withdraw the plumbing inspector application and asked that the committee only consider the electrical and mechanical inspector applications. Following discussion, the committee approved the electrical and mechanical inspector applications.

David Herron – Building Code Administrator

Mr. Herron was present at the meeting. Following discussion, his application was approved.

Donald Paul Kukla – Building Code Administrator

Mr. Kukla was present at the meeting. Following discussion, his application was approved.

Jerry Wayne Peck – 1&2 Family Dwelling Plans Examiner

Mr. Peck was present at the meeting and his application was approved.

Carl E. Rasmussen – Plumbing Plans Examiner and Plumbing Inspector

Mr. Rasmussen was present at the meeting and his applications were approved.

John Frederick Schmidt – Building Code Administrator

Mr. Schmidt was present at the meeting and his application was approved.

Daniel Grant Stack – Provisional 1&2 Family Dwelling Inspector

Mr. Stack was present at the meeting. Following discussion, the application was denied as he was not newly hired or promoted into the position.

Billy R. Turner – Roofing Inspector

Mr. Turner was present at the meeting and his application was approved.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 4:45 p.m.

April 7, 2011 – 9:00 A.M.

BOARD MEETING

CALL TO ORDER

Chair McCormick called the meeting to order at 9:04 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Fred Dudley
Bob Kymalainen
Orlando Lamas
Nick Sasso

Members Not Present

Dennis Carpenter
Gary Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Libby Henderson, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida (BOAF)
Rob Nagin
James Gipson
M. E. Hunt
Patricia Gough, Court Reporter

MOTION: Vice-Chair Gathright made a motion that the board excuse the absences of Mr. Carpenter and Mr. Demers.

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

Mr. Dudley informed the board that he was requesting to be excused from the meeting on Friday due to his appearance before the House of Representatives on Friday morning.

MOTION: Vice-Chair Gathright made a motion that the board excuse Mr. Dudley from the meeting on Friday.

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

Hearings Not Involving Disputed Issues of Material Fact

James Alan Gipson – Building Inspector

Mr. Gipson was present at the meeting and was sworn in by the court reporter. He provided additional information for the board’s consideration. Mr. M. E. Hunt was also sworn in by the court reporter.

Following discussion, the following action was taken.

Mr. Sasso was out of the meeting room at this time.

MOTION: Mr. Dudley made a motion that the board defer this hearing to the next meeting, if Mr. Gipson waived the deemer provision, to allow him to obtain additional work experience affidavits for the building inspector application.

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

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

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

Geoffrey S. Large – Building Code Administrator

Mr. Large was not present at the meeting, however, he had submitted additional information for the board's consideration.

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

SECOND: Mr. Lamas seconded the motion which passed with Mr. Barthlow and Mr. Kymalainen voting against the motion.

Mr. Sasso returned to the meeting room at this time.

Glen D. Urquhart – Plumbing Inspector

Mr. Urquhart was not present at the meeting.

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. Kymalainen seconded the motion which passed with Mr. Dudley voting against the motion.

PROSECUTING ATTORNEY REPORT – LIBBY HENDERSON

Ms. Henderson had provided the board with a copy of her report. She informed the board that several cases were deferred to the June meeting since there was not a quorum present at this meeting. She stated that she was pleased with the way discipline is moving.

Mr. Dudley commented on the good case management.

Chair McCormick recognized Mr. Rob Nagin, Expert Witness and former board member, who was present at the meeting. Mr. Dudley commented that they need recommendations or rules for record keeping and asked Mr. Nagin for his assistance regarding this matter.

In discussion, Mr. Harvey stated that BOAF was willing to assist the board regarding the record keeping requirements.

OLD BUSINESS

Update on Jay Douglas Abel Appeal to the Fifth District Court – Tim Dennis

Mr. Dennis informed the board that oral argument on this appeal was held on February 15, 2011. He reported that the court upheld the final order of the board. Mr. Dudley commented that he was pleased that the court agreed with the requirement of five separate years of experience per category.

Mr. Dennis informed the board that Mr. Abel filed new applications, which were reviewed by the Application Review Committee, and Mr. Abel provided five years of experience for the electrical and mechanical categories.

Follow-up on Discussion on Unlicensed Activity or Practicing Outside the Scope of a Professional's License – Libby Henderson and Tim Dennis

Mr. Dennis reported that he had discussed this with Ms. Henderson and the purpose of deciding to charge a case as unlicensed activity versus outside of the scope is an administrative function of the department. Ms. Henderson stated that there is no official rule or decision, but in talking with investigations, unlicensed activity section and the construction attorneys, if a case can be opened as practicing outside the scope of a license, that is the preferred method as the board has the ability to address the licensee. She stated that there is more power by a board that prosecutes a licensee rather than an unlicensed activity claim.

Following discussion, no action was taken on this matter.

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 11:31 a.m.

LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Sasso, Chair of the committee, called the meeting to order at 11:31 a.m.

Members Present

Nick Sasso, Chair
Fred Dudley

Members Not Present

Gary Demers
Dennis Carpenter

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Libby Henderson, Prosecuting Attorney
Bob McCormick
Bob Kymalainen
Richard Gathright
Orlando Lamas
Art Barthlow

Doug Harvey
Rob Nagin

LEGISLATIVE REPORT

Mr. Sasso stated that he had not tracked any bills for this meeting, however Mr. Dudley has given insight to him. He stated that he would like to track bills as they affect the licensees and the public.

Mr. Dudley stated that there were some bills that could impact this profession and discussed them with the committee.

DISCUSSION OF DISCONTINUING ISSUANCE OF PROVISIONAL BUILDING CODE ADMINISTRATOR LICENSES – NICK SASSO

Mr. Sasso stated that a request to table this discussion had been received from Mr. Demers and he stated that he would table it to the next meeting. Mr. Sasso stated that he saw this issue as the most important issue facing the board today. He did not think any citizen deserves an untested building code administrator to be in charge of a building department and it was never the intent of the law for this to continue.

OLD BUSINESS

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

NEW BUSINESS

Mr. Harvey stated that he had been informed that legislative language was being drafted to allow for multiple building code administrators in a single jurisdiction. Mr. Harvey informed the members that BOAF was opposed to this proposal.

In discussion, Mr. McCormick expressed concern that if there is draft bill language, and they find a sponsor, it may be a new law before the board could respond.

MOTION: Mr. Dudley made a motion that the committee recommend that the board oppose the proposed legislation.

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

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 12:16 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. Lamas, Chair of the committee, called the meeting to order at 1:43 p.m.

Members Present

Orlando Lamas, Chair
Art Barthlow

Members Not Present

Dennis Carpenter
Gerry Demers
Fred Dudley
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Libby Henderson, Prosecuting Attorney
Bob McCormick
Bob Kymalainen
Richard Gathright
Ron May, Cutstone Learning

CONTINUING EDUCATION COURSES FOR REVIEW CUTSTONE LEARNING LLC (0004209)

Mr. May was present at the meeting on behalf of Cutstone Learning.

New Course

1. Advanced FBC Understanding the Florida Energy Code (Internet)
Requesting 2 hours GENERAL credit (F-2210, A-2298)

MOTION: Mr. Gathright made a motion that the committee deny the course as there was no information to support it being an advanced course and the outline was vague.

SECOND: Mr. Kymalainen seconded the motion which failed with Mr. McCormick, Mr. Lamas, and Mr. Barthlow voting against the motion.

Mr. Kymalainen was out of the meeting room at this time. Following discussion, the following action was taken.

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

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

Renewal Courses

1. Advanced FBC Permits and Applications (Internet) (0007176)
Requesting 1 hour LAWS & RULES credit (F-1392, A-2290)

MOTION: Mr. McCormick made a motion that the committee approve course #1 as submitted.

SECOND: Mr. Lamas seconded the motion which failed with Mr. Gathright and Mr. Barthlow voting against the motion.

Mr. Kymalainen returned to the meeting room at this time.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee approve course #1 as submitted.

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

2. Florida Existing Building Code-An Overview (Internet) (0007463)
Requesting 3 hours GENERAL credit (F-1822, A-2288)
3. Application of the Florida Residential Code (Internet) (0007464)
Requesting 3 hours GENERAL credit (F-1823, A-2289)
4. Advanced Florida Building Code (Internet) (0007177)
Requesting 1 hour LAWS & RULES credit (F-1393, A-2291)
5. Advanced FBC The Florida Building Commission (Internet) (0007178)
Requesting 1 hour LAWS & RULES credit (F-1394, A-2292)
6. Advanced FBC Enforcement & Education (Internet) (0007179)
Requesting 1 hour LAWS & RULES credit (F-1395, A-2293)
7. Fair Housing: An In Depth Study of Accessible Routes and Accessible Public and Common Use Areas (Internet) (0007217)
Requesting 1 hour ACCESSIBILITY credit (F-1429, A-2294)
8. Fair Housing: An In Depth Study of Kitchens & Bathrooms (Internet) (0007218)
Requesting 1 hour ACCESSIBILITY credit (F-1430, A-2295)
9. An Overview of the Fair Housing Act (Internet) (0007219)
Requesting 2 hours ACCESSIBILITY credit (F-1431, A-2296)
10. Ethics for Building Code Professionals (Internet) (0007362)
Requesting 1 hour ETHICS credit (F-1611, A-2297)

MOTION: Mr. McCormick made a motion that the committee approve course #s 2, 3, 4, 5, 6, 7, 8, and 9 as submitted.

SECOND: The motion died for lack of a second.

MOTION: Mr. Gathright made a motion that the committee approve course #s 8 and 9 as submitted.

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

MOTION: Mr. McCormick made a motion that the board approve course #s 2, 3, 4, 5, 6, and 7 as submitted.

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

MOTION: Mr. McCormick made a motion that the committee approve course #10 as submitted.

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

ATKINS ENGINEERS (0002725)

Renewal Course

1. Design and Construction of Single Family Homes (0006647)
Requesting 7 hours GENERAL credit (F-759, A-2279)

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

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

REDVECTOR.COM, INC. (0001771)

Renewal Course

1. Florida Building Inspectors Laws and Rules (0006894)
Requesting 2 hours LAWS & RULES credit (F-1023, A-2322)

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

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

KONING ENTERPRISES, INC. DBA CONTRACTORS INSTITUTE (0001189)

Renewal Courses

Ms. Koning was present at the meeting.

1. 2-Hour BCAI Laws and Rules (Classroom) (0007461)
Requesting 2 hours LAWS & RULES credit (F-1841, A-2320)
2. 2-Hour BCAI Laws and Rules (Internet) (0007462)
Requesting 2 hours LAWS & RULES credit (F-1842, A-2321)
3. Ethics and F.S. 112 Part III (Classroom) (0007402)
Requesting 1 hour ETHICS credit (F-1706, A-2318)
4. Ethics and F.S. 112 Part III (Internet) (0007403)
Requesting 1 hour ETHICS credit (F-1707, A2319)

MOTION: Mr. McCormick made a motion that the committee approve course #s 1, 3, and 4 as submitted.

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

Mr. Gathright stated that course #2 should be a 120 minute course, however, the outline is only for 100 minutes. Ms. Koning said that she would correct this for the future as the course was actually 130 minutes.

MOTION: Mr. Gathright made a motion that the committee approve course #2 as a 120 minute course.

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA, INC. (0001001)

New Courses

1. Building Green and the Energy Code
Requesting 2 hours GENERAL credit (F-2219, A-2307)
2. Building Green – An Introduction
Requesting 2 hours GENERAL credit (F-2220, A-2308)
3. Chapter 10 – Means of Egress
Requesting 2 hours GENERAL credit (F-2221, A-2309)
4. Duct Testing Methods and Calculations
Requesting 1 hour GENERAL credit (F-2222, A-2310)
5. Duct Testing and Inspection Requirements in the 2010 FBC
Requesting 1 hour GENERAL credit (F-2223, A-2311)
6. National Electric Code Update
Requesting 2 hours GENERAL credit (F-2224, A-2312)
7. Dealing with Floodplains
Requesting 2 hours GENERAL credit (F-2225, A-2313)
8. Energy Code Update
Requesting 2 hours GENERAL credit (F-2226, A-2314)
9. Applying the Existing Building Code
Requesting 2 hours GENERAL credit (F-2227, A-2315)
10. The Role of the Building Official in Enforcing the Lien Law
Requesting 1 hour LAWS & RULES credit (F-2228, A-2316)
11. Plumbing Code Update
Requesting 2 hours GENERAL credit (F-2229, A-2317)

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee approve course #s 1, 2, 3, 4, and 5 as submitted.

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

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee approve course #s 6, 7, 8, 9, 10, and 11 as submitted.

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

BOAF-FHBA JOINT CONSTRUCTION TRAINING (0004764)

New Courses

1. Advanced Florida Code Update - Building
Requesting 2 hours GENERAL credit (F-2215, A-2303)
2. Advanced Florida Code Update - Residential
Requesting 1 hour GENERAL credit (F-2216, A-2304)

3. Advanced Florida Code Update – Module 3
Requesting 1 hour GENERAL credit (F-2217, A-2305)
4. Mitigation Techniques, Inspection & DFS/DIR Form B1-1802
Requesting 3 hours GENERAL credit (F-2218, A-2306)

Mr. Harvey informed the committee that the advanced classes had all been approved.

MOTION: Mr. Gathright made a motion that the committee approve course #1 as submitted.

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

Following discussion on course #2, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee approve course #2 as a one hour course.

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

MOTION: Mr. Gathright made a motion that the committee approve course #s 3 and 4 as submitted.

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

**DEVELOPMENT SERVICES SARASOTA COUNTY (0001275)
Renewal Courses**

1. The Residential Plumbing Rough-In Inspection (0007473)
Requesting 1 hour GENERAL credit (F-1826, A-2323)
2. The Lintel, Tie Beam and Column Inspection (0004741)
Requesting 2 hours GENERAL credit (F-190, A-2324)
3. The Framing Inspection (0004740)
Requesting 4 hours GENERAL credit (F-189, A-2325)
4. The Footing Inspection (0004744)
Requesting 1 hour GENERAL credit (F-193, A-2326)
5. Florida Accessibility for Building Construction (0004737)
Requesting 2 hours ACCESSIBILITY credit (F-238, A-2327)
6. The Floor Inspection (0004742)
Requesting 1 hour GENERAL credit (F-191, A-2328)
7. The Monolithic Slab Inspection (0004739)
Requesting 1 hour GENERAL credit (F-188, A-2329)
8. Occupancy Separation, Florida Code vs Tenant Separation (0007000)
Requesting 2 hours GENERAL credit (F-1133, A-2330)
9. The Electrical Rough Inspection (5007444)
Requesting 2 hours GENERAL credit (F-1883, A-2331)
10. Contracting (0007266)
Requesting 2 hours LAWS & RULES credit (F-1491, A-2332)

Mr. Lamas stated that he wanted to discuss course #10 as he felt it was a good course, but was geared more for contractors.

MOTION: Mr. Gathright made a motion that the committee approve course #s 1, 2, 3, 4, 5,6, 7, and 8 as submitted.

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

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee approve course #9 as submitted.

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

Mr. Gathright stated that he agreed with Mr. Lamas about course #10. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee approve course #10 for general credit.

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

DIVISION OF MOTOR VEHICLES/BUREAU OF MH/RV CONSTRUCTION (0001290)

Renewal Courses

1. Review of Department Rules for Manufactured/Mobile Homes (0002973)
Requesting 1 hour GENERAL credit (F-250, A-2284)
2. Anchor and Tie Down Installation for Manufactured Housing (0003468)
Requesting 2 hours GENERAL credit (F-234, A-2285)
3. Installation Standards for Manufactured/Mobile Homes (0002944)
Requesting 4 hours GENERAL credit (F-326, A-2286)
4. Foundation and Pier Installation for Manufactured/Mobile Homes (0003469)
Requesting 2 hours GENERAL credit (F-235, A-2287)

MOTION: Mr. Gathright made a motion that the committee approve course #s 1, 2, 3, and 4 as submitted.

SECOND: Mr. McCormick 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 at this time, the meeting was adjourned at 2:50 p.m.

April 8, 2011 - 9:00 A.M.

CALL TO ORDER

Chair McCormick called the meeting to order at 9:00 a.m.

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Bob Kymalainen
Orlando Lamas
Nick Sasso

Members Not Present

Dennis Carpenter
Gerry Demers
Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Libby Henderson, Prosecuting Attorney
David Hodges

APPROVAL OF THE FEBRUARY 15, 16, 17 & 18, 2011, MINUTES OF THE MEETING

Mr. Dennis stated that he had a correction on page 1205 as follows: "Following discussion, Mr. Dennis stated that he would research this issue to determine if the board has independent authority to require maintenance of records..."

MOTION: Vice-Chair Gathright made a motion that the board approve the minutes as amended.

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

CONSIDERATION OF FINAL ORDER FOR CANDICE WORLEY-WILLIAMS

Mr. Dennis informed the board that Ms. Worley-Williams submitted a request for an administrative hearing. Mr. Dennis stated that prior to the hearing date, he and Ms. Worley-Williams discussed the denial with Chair McCormick who explained the reason for the denial, and after this discussion, Ms. Worley-Williams filed for a dismissal of the hearing.

Mr. Dennis stated that the board still needed to have a final order reapproving the initial Notice of Intent to Deny.

Chair McCormick informed the board that Ms. Worley-Williams was a permit technician.

MOTION: Vice-Chair Gathright made a motion that the board approve the final order reapproving the initial Notice of Intent to Deny.

SECOND: Mr. Kymalainen 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 at this time.

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

Vice-Chair Gathright informed the board that the committee approve 48 applications, 28 were denied, and one was withdrawn. At this time, he read into the record the denials.

Davis, Ransom Chris – Plumbing Inspector – lack of experience; Gomez, Rene – Electrical Inspector – no proof of equivalent examination submitted for endorsement; Hanson, John – 1&2 Family Dwelling Inspector – does not meet 61G19-6.017; Hoefert, Roddi E – 1&2 Family Dwelling Inspector – does not meet requirements of 61G19-6.017; Katz, Richard James – Building Inspector – lack of experience; Leary, Bradford R. – Provisional Mechanical Inspector, Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Provisional Plumbing Inspector, Provisional Electrical Inspector, Mechanical Plans Examiner, Electrical Plans Examiner and Plumbing Plans Examiner – lack of experience; Moorehead, Millard C. – Mechanical Inspector – lack of experience; Morat, Lawrence – Plumbing Inspector and Plumbing Plans Examiner – lack of experience; Nevirs, Matthew J. – Building Inspector – lack of experience; Stack, Daniel Grant – Provisional 1&2 Family Dwelling Inspector – not newly hired or promoted into the position; Stewart, Michael Diego – Building Inspector, Mechanical Inspector, Coastal Construction Inspector, Plumbing Inspector, Electrical Inspector and 1&2 Family Dwelling Inspector – lack of experience; Wadeson, Leo David – Mechanical Plans Examiner and Mechanical Inspector; Whitlow Lattimore, Rhonda – Building Plans Examiner – lack of experience.

MOTION: Mr. Barthlow made a motion that the board approve the actions of the committee as presented.

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

Legislation Committee – Nick Sasso

Mr. Sasso stated that at the October 2010 board meeting there was a motion made to modify the provisional building code administrator license, to have workshops at the February 2011 meeting, and this still has not been scheduled. He asked about the status.

Chair McCormick responded that the Governors directive halted all rule making.

Mr. Dennis stated that the workshop was scheduled for the February 2011 meeting before the Governor's Executive Order halted all rule making. He stated that he recommended, for the February meeting, that the board not hold a workshop at that time. Mr. Dennis informed the board that they can discuss rules, however, as far as noticing a workshop, you have to have approval from the Office of the Financial Accountability and Regulatory Reform within the Governor's office.

Examination and Continuing Education Committee – Orlando Lamas

Mr. Lamas reported that the committee reviewed and approved 46 continuing education courses.

MOTION: Vice-Chair Gathright made a motion that the board approve the actions of the committee as presented.

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

Board Counsel – Tim Dennis

Building Department Recordkeeping Requirements

Mr. Dennis provided the board with a memorandum he had drafted on this issue. He stated that there was not a provision for this board to prosecute if they fail to maintain records. If they want to move forward with this initiative, they would need a statutory change to create the authority or work with the Florida Building Commission to establish more stringent record keeping requirements in the Florida Building Code.

Mr. Sasso stated that this requirement was in the statutes as it is the responsibility of the building code administrator to supervise and they can bring them up on charges that they failed to properly administrate.

Suspension of Licenses for Failure to Pay Fines and Costs Imposed by a Final Order

Mr. Dennis informed the board that this is provided for in the rules.

Executive Director – Robyn Barineau

Ms. Barineau informed the board that Mr. Ken Lawson has been appointed as Secretary of the department effective May 1. She also informed the board that Mr. J. Layne Smith as been appointed as the new general counsel for the department.

Financial Report – December 31, 2010

Ms. Barineau informed the board that they had over \$933,000 in their account and over \$262,000 in the unlicensed activity account on December 31, 2010. She stated that the next financial report should be a true reflection of the new surcharge that is being collected.

Ms. Barineau informed the board that the legislative language Mr. Harvey mentioned regarding multiple building code administrators in a municipality had been tabled.

Ms. Barineau stated that the next meeting will be held June 8 – 10 in Orlando.

ICC Update – Rob von Kampen, Ph.D.

Dr. von Kampen was not present at the meeting.

Executive Summaries from Construction Industry Licensing Board, Electrical Contractor’s Licensing Board, Board of Architecture and Interior Design and Board of Professional Engineers

There were no new summaries posted.

PUBLIC COMMENTS

E-mail of 2/18/11 From David Hodges Regarding Correction to Statements at February Meeting

Chair McCormick stated that this was provided for informational purposes and no action was necessary.

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.

ADJOURNMENT

There being no further business to come before the board at this time, the meeting was adjourned at 9:47 a.m.