

**MINUTES OF THE MEETING
BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD
Four Seasons Resort
2800 South Ocean Boulevard
Palm Beach, FL 33480**

August 10, 2010 – 9:00 A.M.

**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
Richard Gathright
Bob Kymalainen

Members Not Present

Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Edward Silva
Van Gregory Hibberts
Michael Gregorchik
Antonio Brina
George L. Cancio
Andrew Peter Mack

REVIEW OF APPLICATIONS

Antonio Brina – Building Code Administrator

Mr. Brina was present at the meeting. The committee allowed Mr. Brina an opportunity to provide additional affidavits regarding his experience. Mr. Sasso gave him until 9 a.m. on Wednesday to provide the additional paperwork.

Van Gregory Hibberts – Building Inspector

Mr. Hibberts was present at the meeting. Mr. Sasso informed him that he did not have the required experience. Following discussion, the application was denied.

Andrew Peter Mack – Provisional Building Code Administrator, Building Code Administrator

Mr. Mack was present at the meeting. Following discussion, the committee approved his applications, however, his provisional building code administrator license was limited to Boynton Beach.

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 at this time, the meeting was recessed at 2:05 p.m.

August 11, 2010 - 9:00 A.M.

APPLICATION REVIEW COMMITTEE

CALL TO ORDER

Mr. Sasso, Chair of the committee, called the meeting to order at 9:11 a.m.

Members Present

Nick Sasso, Chair
Richard Gathright
Bob Kymalainen

Members Not Present

Bob McCormick

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Steve Innes
Antonio Brina
Vassilios Kaklias
John Jacob Nicholas
Michael Richart
Richard Lee Scofield
George Diaz
Nancy Siegel, Court Reporter

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT (RESPONDENTS HAVE THE OPTION OF APPEARING ON AUGUST 11 BEFORE THE APPLICATION REVIEW COMMITTEE OR AUGUST 12 BEFORE THE FULL BOARD.)

Steve Innes – Roofing Inspector

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

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee uphold the denial as originally stated.

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

Vassilios Kaklias – Building Inspector

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

Following discussion the following was taken.

MOTION: Mr. Sasso made a motion that the committee uphold the denial as originally stated.

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

John Jacob Nicholas – Electrical Inspector

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

Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the committee approve the application based on the additional information.

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

Michael Richart – Provisional Electrical Inspector, Provisional Electrical Plans Examiner, Provisional Mechanical Inspector, Provisional Mechanical Plans Examiner, Provisional Plumbing Inspector, Provisional Plumbing Plans Examiner

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

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the committee uphold the denial as originally stated.

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

Richard Lee Scofield – Building Inspector

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

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the committee uphold the denial as originally stated.

SECOND: Motion died for lack of a second.

MOTION: Mr. Kymalainen made a motion that Mr. Scofield be offered an opportunity to provide an additional affidavit for the board's consideration at the full board meeting.

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

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 10:40 a.m.

August 12, 2010 – 9:00 A.M.

BOARD MEETING

CALL TO ORDER

Vice-Chair Sasso called the meeting to order at 9 a.m.

Members Present

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

Members Not Present

Bob McCormick, Chair
Gerry Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
David Hodges
John Connelly, Palm Bay
Richard Scofield
Dale Lee, Bay Harbor Islands
Angelo Sperlongo, City of Coral Springs
George Lind, City of Coral Springs
Steve Pizzillo

Michael Lewandowski
Thomas Schubert, City of Coral Springs
David Swan
Michael Ahcorn, Counsel for David Swan
Robert von Kampen, Ph.D., ICC
Douglas Harvey, BOAF

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

George Lind – Electrical Inspector

Mr. Lind was present at the meeting and was sworn in by the court reporter. Additional material was provided at the meeting for the board's consideration.

Mr. Dennis informed the board that Mr. Lind was previously approved for the license, however, the category was never added to the license.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the application for electrical inspector.

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

Angelo Sperlongo – Electrical Inspector

Mr. Sperlongo was present at the meeting and was sworn in by the court reporter. Mr. Dennis informed the board that this situation was the same as Mr. Lind's situation.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the application for electrical inspector.

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

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT
(RESPONDENTS HAVE THE OPTION OF APPEARING ON AUGUST 11 BEFORE
THE APPLICATION REVIEW COMMITTEE OR AUGUST 12 BEFORE THE FULL
BOARD.)**

Larry L Johnson – Plumbing Inspector

Mr. Johnson was not present at the meeting, however, additional information had been provided for the board's consideration.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board continue this case to the next board meeting as it appeared that a request for a continuance had been submitted.

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

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

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

Harry Carl Riech – 1&2 Family Dwelling Inspector

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

Following discussion, the following action was taken.

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

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

Richard Lee Scofield – Building Inspector

Mr. Scofield was present at the meeting yesterday and 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 the application based on the additional information.

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

Glen D. Urquhart – Mechanical Inspector

Mr. Urquhart was not present at the meeting, however, additional information had been submitted.

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

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

SETTLEMENT STIPULATIONS

Dale Lee, Case # 2008-063431

(Dudley, Gathright, McCormick – PCP)

Ms. Lee was present at the meeting, however, his attorney was not able to attend the meeting. Mr. Lee was sworn in by the court reporter.

Mr. Dennis asked if Mr. Lee wanted to proceed without his attorney being present. Mr. Lee responded that he wished to proceed.

Ms. Duffy stated that a new stipulation would have to be signed by Mr. Lee, however, the provisions do not change. She informed the board that the stipulation called for

costs in the amount of \$641.64 and a reprimand that would be contained within the final order.

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the board reject the stipulation as it was too weak.

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

Mr. Barthlow commented that they should follow guidelines as outlined in the rules. Ms. Duffy responded that the stipulation was within the guidelines. She also informed the board that Mr. Lee had no prior discipline.

Following discussion, the following action was taken.

MOTION: Mr. Carpenter made a motion that the board accept the stipulation as presented.

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

**Michael A. Lewandowski, Case # 2008-029241
(Dudley, McCormick, Bertolami – PCP)**

Mr. Lewandowski was present at the meeting and was sworn in by the court reporter. Ms. Duffy provided the facts and stated that Mr. Lewandowski had agreed to a stipulation calling for costs in the amount of \$595.11 and a fine in the amount of \$500.

Mr. Lewandowski stated that he signed a confidentiality statement with Hillsborough County and, therefore, he was not able to discuss the case.

MOTION: Mr. Gathright made a motion that the board accept the settlement stipulation as presented.

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

**Edgar R. Nazario – Case # 2008-007045
(Dudley, Nagin, Bertolami– PCP)**

Mr. Nazario was not present at the meeting. Ms. Duffy stated that he was unable to appear, as was previously discussed, since he is currently living out of the country. She stated that she had negotiated a settlement stipulation which called for Mr. Nazario to voluntarily inactivate his license, and a \$1,500 fine which would be due and payable when returns to the United States. Ms. Duffy informed the board that he was doing mission work and, therefore, she agreed to a 12 month payment plan.

Vice-Chair Sasso stated that Mr. Nazario worked for him for a brief period of time ,and the discipline was unrelated to that time frame. He stated that this would not impair his judgment.

Vice-Chair Sasso informed Ms. Duffy that he would like to see probation included in the stipulations in the future.

Following discussion, the following action was taken.

MOTION: Mr. Carpenter made a motion that the board accept the stipulation as presented.

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

**Stephen Pizzillo – Case #2008-063428
(Dudley, Gathright, McCormick – PCP)**

Mr. Pizzillo was present at the meeting and was sworn in by the court reporter. Ms. Duffy stated that Mr. Pizzillo's attorney was unable to be present at this meeting. Mr. Pizzillo stated that he wanted to proceed without his attorney. Ms. Duffy presented the facts and stated that Mr. Pizzillo had agreed to a stipulation calling for costs in the amount of \$598.63 and a \$1,500 fine.

Mr. Pizzillo stated that he agreed with the stipulation.

Vice-Chair Sasso commented that he had a problem with this stipulation. During discussion, Ms. Duffy stated that Mr. Pizzillo was neither agreeing with nor denying the facts of the case, and they did not need to discuss specific facts. Vice-Chair Sasso stated that he should be placed on probation for a period of 18 months with one trip back to a board meeting.

Following discussion, the following action was taken.

MOTION: Vice-Chair Sasso made a motion that the board reject the stipulation as presented.

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

MOTION: Vice-Chair Sasso made a motion that a counter-stipulation be offered with the addition of a one-year probation, during which that time the Respondent must attend a board meeting, Thursday session, at his own expense.

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

**David Swan – Case #2009-011585
(Dudley, Gathright, McCormick – PCP)**

Mr. Swann was present at the meeting along with his attorney, Mr. Michael Ahcorn. Ms. Duffy presented the facts and stated that Mr. Swan had agreed to a stipulation calling for \$457.61 costs and a reprimand. Mr. Swan stated that he agreed with the stipulation.

Following discussion, the following action was taken.

MOTION: Mr. Lamas made a motion that the board accept the stipulation as presented.

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

PROSECUTING ATTORNEY REPORT – LIBBY DUFFY

Ms. Duffy provided a copy of her report to the members.

OLD BUSINESS

Vice-Chair Sasso stated that probation should be included in future stipulations. Mr. Dudley stated that he was not sure he would support probation for every case.

In discussion, it was suggested that when probation was necessary, there be an 18 month probation. Within 12 months of the probation, the Respondent would be required to attend a Thursday session of the board meeting, and complete additional continuing education in the areas of laws and rules and ethics.

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 11:48 a.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Gathright, Chair of the committee, called the meeting to order at 11:48 a.m.

Members Present

Richard Gathright, Chair
Fred Dudley
Bob Kymalainen

Members Not Present

Gerry Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
Nick Sasso, Board Member
Dennis Carpenter, Board Member
Art Barthlow, Board Member
Orlando Lamas, Board Member
David Hodges

John Connelly, Palm Bay
Robert von Kampen, Ph.D., ICC
Douglas Harvey, BOAF

LEGISLATIVE REPORT

Mr. Gathright informed the committee that he did not have anything to report at this time.

RULES REPORT – TIM DENNIS

Mr. Dennis suggested that the board may want to review their statutes to determine if any changes are necessary. Following discussion, Mr. Dudley suggested that Mr. Dennis review the statutes to determine if any changes are needed.

Discussion of Rule 61G19-1.009, F.A.C. – Definitions

Following discussion, the committee recommended the following change: “Experience means "hands-on" working experience as a trade person in construction, design, or building code inspection, for compensation.”

The committee asked Mr. Harvey to inform the BOAF membership of the proposed changes and to provide any responses at the next meeting.

Discussion of Rule 61G19-6.0036, F.A.C. – Application for Certification Review

Mr. Dennis informed the committee that this was for informational purposes to reflect the changes.

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

Mr. Dennis informed the committee that he reviewed the other boards’ rules and only the Board of Architecture and Interior Design (BOAID) has a rule inviting subjects to probable cause panel meetings.

It was suggested that this topic be tabled until the October meeting. Mr. Dudley asked that a copy of the BOAID rule be included in the October agenda materials.

DISCUSSION OF IMPLEMENTATION OF CS/CS/CS/HB 713 AND CS/CS/SB 1330 REGARDING SPOUSES OF MILITARY PERSONNEL OBTAINING A TEMPORARY LICENSE

Ms. Barineau stated that this was previously discussed regarding the issuance of a temporary license for spouses of military personnel stationed in Florida. She stated that the application and license for this provision falls under Chapter 455, Florida Statutes, and the department makes the determination regarding the issuance of a license

OLD BUSINESS

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

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 1:10 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE CALL TO ORDER

Mr. Sasso called the meeting to order at 2:57 p.m.

Members Present

Art Barthlow
Dennis Carpenter
Fred Dudley
Richard Gathright
Bob Kymalainen
Orlando Lamas
Nick Sasso

Members Not Present

Bob McCormick, Chair
Gerry Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Rob von Kampen, Ph.D., ICC
Doug Harvey, BOAF
David Hodges

Dr. von Kampen informed the committee that he will now be reviewing the International Code Councils (ICC) continuing education courses prior to them being submitted.

Dr. von Kampen stated that the courses for review at this meeting are for their annual conference in North Carolina and are applicable to all parts of the country.

CONTINUING EDUCATION COURSES FOR REVIEW INTERNATIONAL CODE COUNCIL (0000991)

New Courses

1. 2009 International Energy Conservation Code Performing Residential Energy Plan Review Highlights
Requesting 3 hours GENERAL credit (F-2077, A-2108)
3. Firestopping Problems and Solutions
Requesting 3 hours GENERAL credit (F-2079, A-2110)
4. IGCC Mechanical & Plumbing Provisions
Requesting 3 hours GENERAL credit (F-2080, A-2111)
8. Fire Dampers & Corridors

- Requesting 3 hours GENERAL credit (F-2084, A-2115)
10. Building Blocks-Foundations and Wood Framing in the International Residential Code
Requesting 3 hours GENERAL credit (F-2086, A-2117)

MOTION: Mr. Gathright made a motion that the committee approve courses 1, 3, 4, 8, and 10 as submitted.

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

2. 2009 International Residential Code Fire Sprinkler Requirements
Requesting 6 hours GENERAL credit (F-2078, A-2109)

MOTION: Mr. Gathright made a motion that the committee deny the course as it was not relevant and the outline was not detailed.

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

5. 2009 I Codes and Certification Study Skills
Requesting 3 hours GENERAL credit (F-2081, A-2112)

MOTION: Mr. Gathright made a motion that the committee deny the course as it was not relevant.

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

6. Public Safety and the Built Environment-the Role of the Building Official
Requesting 3 hours GENERAL credit (F-2082, A-2113)

MOTION: Mr. Gathright made a motion that the committee deny the course as the outline was too vague.

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

7. HVAC Design Evaluation System
Requesting 3 hours GENERAL credit (F-2083, A-2114)

MOTION: Mr. Gathright made a motion that the committee deny the course as the outline was vague and it was not relevant.

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

9. 2009 International Building Code Accessibility and Usability for Residential Buildings
Requesting 6 hours ACCESSIBILITY credit (F-2085, A-2116)

MOTION: Mr. Gathright made a motion that the committee deny the course as it was not relevant.

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

11. An Introduction to the ICC-700 2008 National Green Building Standard
Requesting 3 hours GENERAL credit (F-2087, A-2118)

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the committee approve the course, however, it is approved for one hour of general credit, not three as requested.

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

12. FEMA 320/361 and the ICC 500: Safe Rooms and Shelters for Protection from Tornados & Hurricanes
Requesting 3 hours GENERAL credit (F-2088, A-2119)

MOTION: Mr. Gathright made a motion that the committee deny the course as it was not relevant.

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

13. Charlotte Building Tour
Requesting 3 hours GENERAL credit (F-2089, A-2120)

MOTION: Mr. Gathright made a motion that the committee deny the course as it was not relevant.

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

CUTSTONE LEARNING LLC (0004209)

Renewal Course

1. Ethics for Building Code Professionals (0007362)
Requesting 1 hour ETHICS credit (F-1611, A-2123)

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

MOTION: Mr. Gathright made a motion that the committee deny the course as it was a 50 minute course and 60 minutes is required by rule.

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

INFORMATIONAL RESOURCES FOR PROFESSIONALS, LLC (0004469)

New Course

1. Foundation Remediation: Assessment and Restoration
Requesting 1 hour GENERAL credit (F-2092, A-2125)

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

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

BROWARD COUNTY BOARD OF RULES & APPEALS (0001071)

New Course

1. Understanding Product Approvals
Requesting 3 hours GENERAL credit (F-2094, A-2127)

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

- MOTION: Mr. Dudley made a motion that the committee deny the course based on the number of hours requested for the content of the course.
- SECOND: Mr. Barthlow seconded the motion which passed with Mr. Sasso voting against the motion.

FLORIDA SOLAR ENERGY CENTER (0000859)

New Course

1. Solar Water Heating Systems for Florida Building Officials
Requesting 4 hours GENERAL credit (F-2095, A-2128)

Following discussion, the following action was taken.

- MOTION: Mr. Gathright made a motion that the committee deny the course due to the length of the course and the outline.
- SECOND: Mr. Dudley seconded the motion and it passed with Mr. Barthlow voting against the motion.

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE (0001284)

New Course

1. A Review of the 2009 Florida Building Code Mechanical, Focusing
On Commercial Kitchen Hoods
Requesting 1 hour GENERAL credit (F-2097, A-2130)

- MOTION: Mr. Gathright made a motion that the committee approve the course as submitted.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

BUILDING OFFICIALS ASSOCIATION OF FLORIDA (0001001)

Renewal Course

1. Ethics in Construction
Requesting 1 hour ETHICS credit

- MOTION: Mr. Gathright made a motion that the committee approve the course as submitted.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

OLD BUSINESS

Mr. Dudley commented that Rule 61G19-6.0036, F.A.C., was a newly adopted rule. He stated that he was not concerned with the changes made in the rule, but that the entire ratification list was rejected. Mr. Dudley asked why they would have all of the

applications pulled for board approval, and perhaps, the board needs to have a new procedure.

Mr. Sasso commented that he wanted to move forward with the provisions in place. Mr. Dennis responded that the rule was approved by the board, however, if they want every application to come before the Application Review Committee, they can do that. Ms. Barineau stated that, normally, the individuals who were applying for standard licenses contained on the Ratification List had previously been approved for a provisional license in the same category.

Following discussion, Mr. Dudley asked that we continue with the new procedure currently in place of providing a list to the members and see how it works in the future. He also asked that a report be provided at each meeting as to the ratification list process.

NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 4:12 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Mr. Sasso called the meeting to order at 4:12 p.m.

Members Present

Art Barthlow
Dennis Carpenter
Fred Dudley
Richard Gathright
Bob Kymalainen
Orlando Lamas
Nick Sasso

Members Not Present

Bob McCormick, Chair
Gerry Demers

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tim Dennis, Board Counsel
Rob von Kampen, Ph.D., ICC
Doug Harvey, BOAF
David Hodges

OLD BUSINESS

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

NEW BUSINESS

Mr. Sasso stated that there was an issue regarding if architects and engineers have to be licensed by this board to do inspections and plans examining. He stated that some individuals believe that they do if they are working in a building department. He stated that they may want to consider having a joint meeting with the other boards, or request an Attorney General's opinion.

Mr. Dennis asked that he be given time to review this issue and bring his findings to the board at the October meeting.

Mr. Dudley informed the committee that he would not be present at the meeting on Friday.

MOTION: Mr. Sasso made a motion that the board excuse Mr. Dudley's absence on Friday.

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

Mr. Dennis informed the committee that he would not be present for the meeting on Friday.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 4:20 p.m.

August 13, 2010 - 9:00 A.M.

CALL TO ORDER

Vice-Chair Sasso called the meeting to order at 9:04 a.m.

Members Present

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

Members Not Present

Bob McCormick, Chair
Gerry Demers
Fred Dudley

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst
Rob von Kampen, Ph.D., ICC
Doug Harvey, BOAF
David Hodges

APPROVAL OF THE JUNE 8 - 11, 2010, MINUTES OF THE MEETING

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

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

Mr. Barthlow stated that according to the minutes, there was to be an election of officers at this meeting. In discussion, it was stated that three members that were not present at the meeting.

MOTION: Mr. Barthlow made a motion to elect Vice-Chair Sasso as the Chair of the board.

SECOND: Vice-Chair Sasso seconded the motion.

Mr. Carpenter stated that he felt it was important that everyone have a voice, and since there were three members not present at this meeting, he felt it was wise that they not vote on the election until all members are present.

Following discussion, a vote was taken on the motion which failed with Mr. Gathright, Mr. Lamas and Mr. Carpenter voting against the motion. Mr. Kymalainen stated that he would like more members present, therefore, he was not going to vote on this motion.

Vice-Chair Sasso commented that the rules of the board stated that there will be an election of officers every year and it has been a year since the last election of officers. Ms. Barineau asked for a recess in order to discuss this issue with Mr. Dennis if she was able to reach him by telephone.

Ms. Barineau indicated she explained the situation to Mr. Dennis and he also spoke to Vice-Chair Sasso. Vice-Chair Sasso informed the board that Mr. Dennis indicated that the board could postpone the election to the next meeting. He stated that he was willing to follow the recommendation of Mr. Dennis and the will of the board and hold the election at the next meeting.

REQUEST FOR AN EXTENSION OF A PROVISIONAL ELECTRICAL PLANS EXAMINER LICENSE - MIGUEL ALBARRAN

Mr. Albarran was present at the meeting and discussed his situation with the board.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board deny Mr. Albarran's request to extend the provisional license based Chapter 468.609(7)(b), F. S.

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

REPORTS

Chair's Report – Nick Sasso

Vice-Chair Sasso asked for a motion to excuse Chair McCormick and Mr. Demers from the meeting.

MOTION: Mr. Gathright made a motion that the board excuse the absence of Chair McCormick and Mr. Demers.

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

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

Vice-Chair Sasso reported that there were 46 applications approved and 47 applications denied by the committee.

Vice-Chair Sasso read into the record the names, types of applications, and the reasons for denial of the applications denied by the committee.

Abel, Jay Douglas – mechanical inspector – lack of experience; Beller, George K – provisional mechanical inspector – lack of experience; Cancio, George L – mechanical inspector, mechanical plans examiner, plumbing plans examiner, plumbing inspector – lack of experience; Connelly, William David – provisional mechanical inspector – lack of experience; Dash, Sheldon Anthony – provisional building inspector and provisional building plans examiner – lack of experience and not newly hired or promoted into the positions; Decker, Matthew B. – provisional building inspector and provisional building plans examiner – lack of experience; Giambra, Eugene Brian – building inspector - lack of experience; Gonzalez, Alfredo – building inspector – lack of experience; Gonzalez, Steven R – building inspector – lack of experience; Hall, Billy Dean, Jr., - 1&2 family dwelling plans examiner – does not hold 1&2 family dwelling inspector license or coastal construction certificate, provisional mechanical plans examiner and provisional plumbing plans examiner – not newly hired or promoted into the positions; Hendrix, David T., Jr., - building inspector – no proof of equivalent examination, mechanical inspector – no proof of equivalent examination and lack of experience; Hibberts, Van Gregory – building inspector – lack of experience; Ingle, Charles F., - 1&2 family plans examiner – no coastal construction certificate; Innes, Steve – plumbing inspector – lack of experience; Kane, Robert Emmett – provisional mechanical inspector and provisional electrical inspector – lack of experience; Keefer, Bernard Thomas, Jr. – provisional building code administrator – vague affidavits and not newly hired or promoted into the position; Laver, David Sanders – building inspector and building plans examiner – lack of experience; Lewars, Betram C. – provisional building plans examiner – lack of experience; Liming, David P – electrical plans examiner – lack of experience; Marchetti, Michael Joseph – provisional building plans examiner and provisional building inspector – lack of experience; Mills, John F., - plumbing plans examiner – lack of experience; Moore, Randall Alan – building code administrator – lack of experience; Peck, Jerry Wayne – 1&2 family dwelling inspector – lack of experience; Raybon, Ronald Gerald – provisional plumbing inspector and plumbing inspector – lack of experience; Rubink, Lance Lee – building inspector – lack of experience; Rush, Matthew Bruce – provisional building plans examiner – not newly hired or promoted into the position; Sanchez,

Arnulfo – building plans examiner – lack of experience; Singley, Kevin Scott – building code administrator – lack of experience; Stoeger, Frederick, Jr. – building code administrator – lack of experience; Swinarski, Daniel T. – building inspector – lack of experience; Torres, Oscar – building inspector – lack of experience; Umholtz, Michael Allen – electrical inspector – lack of experience; Walker, Jeffrey Ellis – building code administrator – lack of experience; Walsh, Thomas F. – building code administrator – lack of experience; Zigmond, Alex – building inspector – lack of experience.

MOTION: Mr. Lamas made a motion that the board accept the report of the committee as presented.

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

Rules and Legislation Committee – Richard Gathright

Mr. Gathright reported that there were no bills to monitor at this time. He reported that Mr. Dennis presented some rules that were discussed and will be presented at the next meeting.

Mr. Gathright reported that the Ratification List will be tracked by the staff. There was a recommendation made by the board to staff to see if they have specific statutory authority for rulemaking, and if not, then legislative action will be requested.

MOTION: Mr. Carpenter made a motion that the board accept the actions of the committee as reported.

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

Examination and Continuing Education Committee – Nick Sasso

Vice-Chair Sasso reported that nine continuing courses were approved and ten were denied.

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

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

Executive Committee – Nick Sasso

Vice-Chair Sasso did not have a report to give at this time.

Executive Director – Robyn Barineau

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

Ms. Barineau stated that staff is continuing to work with DSFM on the implementation of reciprocal continuing education. She will provide an update at the next meeting.

June 2010 Newsletter

This was provided for informational purposes.

Ms. Barineau informed the board that Secretary Liem had been appointed Secretary of the department.

Ms. Barineau provided the future meetings dates as follows:

October 27 – 29, 2010 - Gainesville

December 1-3, 2010 - Orlando

February 16-18, 2011 - Fernandina

April 6-8, 2011 - Panama City

June 8-10, 2011 - Orlando

ICC Update – Rob von Kampen, Ph.D.

Dr. von Kampen reported that the computer based testing continues to work well and that they receive a few complaints regarding the fact that we do not have pencil and paper examinations. He stated that he is working with the department to ensure correct information is provided for continuing education courses.

PUBLIC COMMENTS

Mr. Harvey invited the members and staff to the grand opening of the new BOAF office on August 28 in Lake Mary.

OLD BUSINESS

Edward Davis – Proof of Continuing Education

Ms. Barineau stated that this was requested to be included in the agenda.

NEW BUSINESS

Mr. Barthlow stated that they should have the election of officers today and asked if Vice-Chair Sasso would entertain a motion.

Vice-Chair Sasso responded that it was the will of the members and the advice of the attorney to wait until the next meeting. He thanked Mr. Barthlow for the nomination.

Mr. Carpenter commented that he felt it would be unfair to the members that are not present to have the elections at this meeting.

Vice-Chair Sasso stated that it was the right thing to do to wait. However, if at the next meeting we only have six members present, the election of officers should still take place.

Vice-Chair Sasso stated that the board has the ability to not issue a provisional building code administrator license. He would like for the members to discuss this at the October meeting. Vice-Chair Sasso stated that individuals with a provisional license have three years to work without taking the examinations. During that time, they are running the building department. He stated that they could hire individuals that hold the standard license.

ADJOURNMENT

There being no further business to come before the board, the meeting was adjourned at 10:44 a.m.