

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

Floridays Resort
12562 International Drive
Orlando, FL
February 5 - 8, 2013

February 5, 2013

APPLICATION REVIEW COMMITTEE CALL TO ORDER

Mr. Gathright, Chair of the Committee, called the meeting to order at 9:03 a.m.

Members Present

Richard Gathright, Chair
Bob McCormick
Art Barthlow

Others Present

Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Jeremie Bennett
Edward Ford
Christopher Hayo
James Hudson
Eric Longshore
Dino Penuela
Alan Rogers
Paul Breech
Richard Traverse
Leslie Fisk, Court Reporter

REVIEW OF APPLICATIONS

Christopher Hayo – Building Inspector

Mr. Hayo was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

Dino Penuela – Building Inspector

Mr. Penuela was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

James Hudson – Building Code Administrator

Mr. Hudson was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

Edward Ford – Plumbing Inspector

Mr. Ford was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

Alan Rogers Jackson – Provisional Building Code Administrator

Mr. Rogers was present at the meeting and was sworn in by the court reporter. Following discussion, the application was approved by the Committee.

At this time, the Committee continued reviewing applications.

Mr. Barthlow stated that he would like to discuss engineers and architects being employed as inspectors or plans examiners without obtaining a license issued by this Board. During discussion, the members were in agreement that they should have a license issued by this Board.

Mr. Jennings stated that this should be discussed at the Board meeting to get input from all of the members.

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 1:00 p.m.

February 6, 2013

DISCUSSION OF CONTINUING EDUCATION AND PROVIDERS

CALL TO ORDER

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

Members Present

Bob McCormick, Chair
Richard Gathright, Vice-Chair
Art Barthlow
Tim Bolduc
Fred Dudley
Wayne Francis
Rick Holmes

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Attorney
Dustin Metz, Prosecuting Attorney
Randy Lamb
Gary Brevoort, Building Officials Association of Florida
Bob Kymalainen
Leslie Fisk, Court Reporter

GENERAL DISCUSSION

E-Mail received from Robert Koning regarding issues that need to be addressed

Mr. McCormick reminded the Board that there was discussion regarding webinars and internet courses at the last meeting and there were some questions that came out of the general discussion. He stated that Mr. Koning also provided some questions.

Mr. Gathright commented that the forms were in conflict with the rules. The form references a topical outline and to be consistent, it should be detailed. He stated that he would like to see more information submitted so they will know what is being taught.

Following discussion regarding the continuing education process, the following action was taken.

MOTION: Mr. Holmes made a motion to change the Continuing Education form in Section 6 of the instructions for the application to “detailed” outline instead of “topical” outline.

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

Mr. McCormick stated that he wanted to respond to the information received from Mr. Koning. In discussion it was determined that no action would be taken on his suggestions.

ADJOURNMENT

There being no further business to be discussed, the meeting was adjourned at 10:30 a.m.

February 7, 2013

BOARD MEETING

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
Tim Bolduc
Fred Dudley
Wayne Francis
Rick Holmes

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Clark Jennings, Board Counsel
Dustin Metz, Prosecuting Attorney
John Farinelli
Willie Haulstead
C. J. Dupree
Sal Bordonaro
Robert Frank
Jeremy Gerwig
Charles Hammond
Mark Holloway
Eric Nilsen
Kevin Tschirhart
Bill Dumbaugh
Gary Brevoort
Randy Aldridge
Rhonda Koning
Leslie Fisk, Court Reporter

Chair McCormick asked that the Board excuse the absences of Mr. Carpenter and Mr. Lamas.

MOTION: Mr. Dudley made a motion that the Board excuse the absences of Mr. Carpenter and Mr. Lamas from the meeting.

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

SETTLEMENT STIPULATION

**Mark Criswell, Case # 2012025869
(PCP - Kymalainen & McCormick)**

Mr. Criswell was not present at the meeting. Mr. Metz presented the facts in the case. He informed the Board that Mr. Criswell had agreed to a Settlement Stipulation of payment of a fine in the amount of \$500 and payment of costs in the amount of \$164.10

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the Settlement Stipulation as presented.

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

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Sal Bordonaro – Provisional Electrical Plans Examiner, Electrical Plans Examiner, Provisional Plumbing Plans Examiner, Plumbing Plans Examiner, Provisional Mechanical Plans Examiner & Mechanical Plans Examiner

Mr. Bordonaro was present at the meeting and was sworn in by the court reporter along with Mr. C. J. Dupree. Additional information was provided at the meeting for the Board's review.

Provisional Electrical Plans Examiner & Electrical Plans Examiner

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the Board uphold the denial of the Provisional Electrical Plans Examiner and Electrical Plans Examiner applications as originally stated.

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

Provisional Plumbing Plans Examiner & Plumbing Plans Examiner

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board uphold the denial of the Provisional Plumbing Plans Examiner and Plumbing Plans Examiner applications as originally stated.

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

Provisional Mechanical Plans Examiner & Mechanical Plans Examiner

MOTION: Vice-Chair Gathright made a motion that the Board uphold the denial of the Provisional Mechanical Plans Examiner and Mechanical Plans Examiner applications as originally stated.

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

Robert J. Frank – Building Inspector & Building Code Administrator

Mr. Frank 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.

Building Inspector

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the Building Inspector application based on the new information.

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

Building Code Administrator

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board approve the Building Code Administrator application based on the new information.

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

Lisa M. Geist – Building Inspector

Ms. Geist was not present at the meeting and no additional information had been submitted.

MOTION: Mr. Bolduc made a motion that the Board uphold the denial as originally stated.

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

Jeremy Gerwig – Building Inspector, Building Plans Examiner & Coastal Construction Inspector

Mr. Gerwig was present at the meeting and was sworn in by the court reporter. He stated that he had submitted a letter and updated college transcript, however, there was no record of this in the file.

Building Inspector & Building Plans Examiner

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the Board approve the Building Inspector and Building Plans Examiner applications.

SECOND: Mr. Holmes seconded the motion, which passed with Vice-Chair Gathright, Mr. Francis, and Mr. Barthlow voting against the motion.

Coastal Construction Inspector

MOTION: Mr. Bolduc made a motion that the Board approve the Coastal Construction Inspector application.

SECOND: Mr. Holmes seconded the motion, which passed with Vice-Chair Gathright, Mr. Francis, and Mr. Barthlow voting against the motion.

Charles Hammond – Building Code Administrator

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

Following discussion, the following action was taken.

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

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

Willie Haulstead – Provisional Building Code Administrator

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

Following discussion, the following action was taken.

MOTION: Mr. Barthlow made a motion that the Board approve the application based on the additional information and that the license be limited to the City of Belle Glade.

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

Mark Holloway - Provisional Electrical Plans Examiner, Electrical Plans Examiner, Provisional Plumbing Plans Examiner, Plumbing Plans Examiner, Provisional Mechanical Plans Examiner & Mechanical Plans Examiner

Mr. Holloway 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.

Provisional Electrical Plans Examiner & Electrical Plans Examiner

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board uphold the denial of the Provisional Electrical Plans Examiner and Electrical Plans Examiner applications as originally stated.

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

Provisional Mechanical Plans Examiner & Mechanical Plans Examiner

Following discussion, the following action was taken.

MOTION: Mr. Bolduc made a motion that the Board uphold the denial of the Provisional Mechanical Plans Examiner and Mechanical Plans Examiner applications as originally stated.

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

Provisional Plumbing Plans Examiner & Plumbing Plans Examiner

Following discussion, the following action was taken.

MOTION: Vice-Chair Gathright made a motion that the Board uphold the denial of the Provisional Mechanical Plans Examiner and Mechanical Plans Examiner applications as originally stated.

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

Eric L. Nilsen – 1&2 Family Dwelling Inspector

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

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

Kevin Tschirhart – Plumbing Inspector

Mr. Tschirhart 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. Dudley made a motion that the Board uphold the denial as originally stated.

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

PROSECUTING ATTORNEY REPORT – DUSTIN METZ

Mr. Metz stated that his report was in the agenda materials. He reported that there were 11 public cases and 4 private cases in the Office of the General Counsel.

OLD BUSINESS

Chair McCormick stated that there was an issue raised yesterday at the Application Review Committee meeting about architects and engineers. Vice-Chair Gathright stated that there was discussion regarding whether or not an architect and/or engineer needed to be licensed by this Board to do inspections and plans review when employed by a municipality. He stated that the answer in the past has been that if they become an employee, they need to be licensed. Chair McCormick stated that was also the opinion of the Application Review Committee.

In discussion, the members of the Board agreed with the Application Review Committee.

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 2:24 p.m.

RULES & LEGISLATION COMMITTEE

CALL TO ORDER

Mr. McCormick called the meeting to order at 2:24 p.m. He appointed Mr. Dudley Chair of the Committee.

Members Present

Fred Dudley, Chair
Art Barthlow
Tim Bolduc
Dennis Carpenter
Wayne Francis
Richard Gathright
Rick Holmes
Orlando Lamas
Bob McCormick

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Clark Jennings, Board Counsel
Dustin Metz, Prosecuting Attorney
John Farinelli
Bill Dumbaugh
Gary Brevoort
Randy Aldridge
Rhonda Koning
Leslie Fisk, Court Reporter

LEGISLATIVE REPORT – FRED DUDLEY

Mr. Dudley provided a report and gave an overview of the legislation that has been filed.

RULES REPORT – CLARK JENNINGS

Mr. Jennings informed the Committee that Rules 61G19-6.015, 6.0035 and 10.001, Florida Administrative Code (FAC), were all now effective.

Mr. Jennings informed the Committee that he had received a letter from the Joint Administrative Procedures Committee (JAPC) regarding the rule amendment for 61G19-9.004(11) (a) and (b), FAC.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee withdraw the rule amendment to 61G19-9.004, FAC.

SECOND: Mr. Holmes 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.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. McCormick called the meeting to order.

Members Present

Art Barthlow
Tim Bolduc
Fred Dudley
Wayne Francis
Richard Gathright
Rick Holmes
Bob McCormick

Members Not Present

Dennis Carpenter
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Clark Jennings, Board Counsel
Dustin Metz, Prosecuting Attorney
John Farinelli
Bill Dumbaugh
Gary Brevoort
Randy Aldridge
Rhonda Koning
Leslie Fisk, Court Reporter

CONTINUING EDUCATION COURSES FOR REVIEW

KONING ENTERPRISES, INC. dba CONTRACTORS INSTITUTE (0001189)

Renewal Courses

- A01. BCAI Laws & Rules (Classroom) (0007461)
Requesting 1 hour LAWS & RULES credit (F-1841, A-2735)
- A02. BCAI Laws & Rules (Internet) (0007462)
Requesting 1 hour LAWS & RULES credit (F-1842, A-2736)

Ms. Koning was present at the meeting and asked that the hours be changed to 2 hours for each course.

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the Committee approve the courses and the hours be changed to 2 hours each.

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

BUILDING OFFICIALS AND INSPECTORS EDUCATIONAL ASSN. (0000865)

New Courses

- B01. FBC 2010 Accessibility for Plumbing
Requesting 2 hours ACCESSIBILITY credit (F-2418, A-2726)
- B02. What To Do With The Dirt
Requesting 1 hour GENERAL credit (F-2419, A-2727)
- B03. Water Supply and Distribution
Requesting 1 hour GENERAL credit (F-2420, A-2728)
- B04. Ethics
Requesting 1 hour ETHICS credit (F-2426, A-2738)
- B05. Why Buildings Fall Down, How They Fail
Requesting 2 hours GENERAL credit (F-2427, A-2739)

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

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

INFORMATIONAL RESOURCE FOR PROFESSIONALS, LLC (0004469)

New Courses

- C01. Statutorily Compliant Soil Displacement Related Investigations
Requesting 2 hours GENERAL credit (F-2424, A-2734)

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

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

- C02. 2010 Florida Building Code, Wind and Flood Updates
Requesting 2 hours GENERAL credit (F-2425, A-2737)

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the course be denied as the course content and title did not match.

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

FLORIDA BUILDING CODES AND STANDARDS (0001042)

New Course

D01. Modular Building Foundations - Advance

Requesting 1 hour LAWS & RULES credit (F-2421, A-2729)

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

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

OLD BUSINESS

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

NEW BUSINESS

Mr. Dudley asked to be excused from the Board meeting on Friday.

MOTION: Mr. Bolduc made a motion that the Board excuse the absence of Mr. Dudley from the meeting on Friday.

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

ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 3:28 p.m.

February 8, 2013

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
Tim Bolduc
Wayne Francis
Rick Holmes

Members Not Present

Dennis Carpenter
Fred Dudley
Orlando Lamas

Others Present

Robyn Barineau, Executive Director
Clark Jennings, Board Counsel
Dustin Metz, Prosecuting Attorney
Leslie Fisk, Court Reporter

APPROVAL OF THE DECEMBER 5 - 7, 2012, MINUTES OF THE MEETING

MOTION: Mr. Bolduc made a motion that the Board approve the minutes of the meeting as submitted.

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

REPORTS

Chair's Report – Bob McCormick

Chair McCormick asked that the members notify staff if they are interested in chairing a committee, serving on a committee, or being removed from a committee.

Chair McCormick stated that the BOAF conference will have a panel format which he plans to attend. He also stated that if any of the members are attending the conference and would like to participate in the panel discussion, they are welcome to join him.

Application Review Committee – Richard Gathright

Ratification of Actions Taken by the Committee

Vice-Chair Gathright reported that the Application Review Committee reviewed 82 applications of which, 43 were approved and 29 were denied. He read the denials and the approved provisional licenses, with the limitations, into the record at this time.

Approved Provisional Licenses:

Brackett, Kyrstle Marie – Provisional Building Inspector – limited to the City of Hialeah; Freeman, William Hugo – Provisional Building Plans Examiner – limited to St. Johns County; Gutierrez, Alberto – Provisional Building Plans Examiner – limited to the City of Hollywood; Inclan, Boris A. – Provisional Plumbing Inspector, Provisional Plumbing Plans Examiner – limited to the Village of Virginia Gardens; Johnston, Douglas James – Provisional Building Inspector – limited to the City of Winter Haven; Martin, Elier – Provisional Building Inspector – limited to the City of Hialeah; O'Brien, J. Thomas – Provisional Building Code Administrator – limited to Holmes Beach; Rogers, Alan Jackson – Provisional Building Code Administrator – limited to Leon County School District; Traverse, Richard S. – Provisional Building Plans Examiner, Provisional Building Inspector – limited to Collier County; Tucker, Thomas Benjamin – Provisional Building Inspector – limited to the City of Naples.

Denials:

Artz, Richard B. – Building Inspector – lack of experience; Bellefluer, Alvin – Building Inspector - lack of experience; Correa, Andres Felipe – Building Inspector - lack of experience; Duhon, Shannon Lee – Roofing Inspector – does not meet 61G19-6.016, FAC; Everingham, Chris Matthew – 1&2 Family Dwelling Inspector - lack of experience; Freeman, William Hugo – Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Electrical Plans Examiner, Electrical Plans Examiner, Plumbing Plans Examiner, Mechanical Plans Examiner - lack of experience; Howard, Robert Dean – Provisional Building Inspector, Provisional Building Plans Examiner, Building Inspector, Building Code Administrator, Building Plans Examiner - lack of experience; Kittendorf, Shane Von – Roofing Inspector – Does not meet 61G19-6.016, FAC, Plumbing Inspector, Electrical Inspector, Mechanical Inspector - lack of

experience; Mohan, Dheeraj Kulmar – Building Inspector - lack of experience; Parker, John Billie, Jr. – Building Inspector - lack of experience; Richter, David Neal – Modular Inspector – does not meet 61G19-6.016, FAC; Roberts, Ronald Lynn – Mechanical Inspector, Electrical Inspector, Plumbing Inspector - lack of experience; Schaitz, Robert – Plumbing Inspector - lack of experience; Schmidt, Chris Wayne – Provisional Mechanical Inspector - lack of experience and not newly hired or promoted, Mechanical Inspector - lack of experience; Strait, Gary W. – 1&2 Family Dwelling Inspector, Building Plans Examiner, Building Inspector - lack of experience; Sweeney, Harvey Roe, Jr. – 1&2 Family Dwelling Inspector - lack of experience; Urquhart, Glen D. – Mechanical Plans Examiner, Plumbing Plans Examiner - lack of experience; Vestal, James Randal – Electrical Inspector - lack of experience; Walker, Ricky A. – Provisional Building Inspector - lack of experience; Wilcox, David Glen – Electrical Inspector, Building Code Administrator - lack of experience.

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

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

Ratification List

MOTION: Mr. Holmes made a motion that the Board approve the Ratification List as submitted.

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

Rules and Legislation Committee – Bob McCormick

MOTION: Vice-Chair Gathright made a motion that the Board withdraw the amendments to Rule 61G9-9.004, FAC.

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

Examination and Continuing Education Committee – Bob McCormick

Chair McCormick reported that the Committee reviewed 10 courses, of which nine were approved and one was denied.

Board Counsel – Clark Jennings

Mr. Jennings did not have a report to give at this time.

Executive Director – Robyn Barineau

Licenses Issued from Null & Void

Ms. Barineau reported that no licenses were issued since the last meeting from null and void status.

One Stop Permitting Process

Ms. Barineau reported that this Board will not be impacted by this process as it is for businesses.

2013 BOAF Conference

Ms. Barineau reported that Chair McCormick had been approved to attend the meeting.

Continuing Education Reciprocity with the Division of State Fire Marshal

Ms. Barineau reported that this process was continuing and she will continue to update the Board.

PUBLIC COMMENTS

There were no public comments at this time.

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, the meeting was adjourned at 9:20 a.m.