

## MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD  
HOMEWOOD SUITES  
8745 INTERNATIONAL DRIVE  
ORLANDO, FL 32819  
June 9 - 12, 2009

June 9, 2009 - 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  
Bob Kymalainen  
Bob McCormick

#### Others Present

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
James Ford  
Rickey G. Gibson  
James T. Schultz  
Robert L. Sole  
Pete Copeman  
Stan Makowski  
Julia Galofre

### REVIEW OF APPLICATIONS

#### Stan Makowski – Electrical Inspector

Mr. Makowski was present at the meeting. He discussed his application with the committee. Following discussion, the committee denied the application.

#### Rickey Gibson – Provisional Mechanical Inspector and Provisional Mechanical Plans Examiner

Mr. Gibson was present at the meeting. Following discussion and the submission of additional paperwork, the committee approved the applications.

#### Julia Galofre – Mechanical Plans Examiner

Ms. Galofre was present at the meeting. Following discussion, the committee denied her application for lack of experience.

**Robert L. Sole – Building Inspector**

Mr. Sole was present at the meeting. Following discussion, the committee denied his application for lack of hands-on experience.

**Pete Copeman – Building Code Administrator**

Mr. Copeman was present at the meeting. Following discussion, the committee denied the application for lack of experience.

**James Ford – Building Code Administrator**

Mr. Ford was present at the meeting. Following discussion, the committee denied his application for lack of experience.

**RECESS**

There being no further business to come before the committee, the meeting was adjourned at 4:00 p.m.

**June 10, 2009 - 9:00 A.M.**

**APPLICATION REVIEW COMMITTEE**

**CALL TO ORDER**

Mr. Sasso, Chair of the committee, called the meeting 9:04 a.m.

**Members Present**

- Nick Sasso, Chair
- Bob Kymalainen
- Bob McCormick

**Others Present**

- Robyn Barineau, Executive Director
- Elise Rice, Government Analyst
- Tim Dennis, Board Counsel
- Scott Byrnes
- Robert G. Davalt
- Richard James Katz
- Francis McCabe
- John James Oliveira
- Christopher Strand
- Shirley Weekly
- Dan Dunham
- Leila Nodarse

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT (RESPONDENTS HAVE THE OPTION OF APPEARING ON JUNE 10 BEFORE THE APPLICATION REVIEW COMMITTEE OR JUNE 11 BEFORE THE FULL BOARD.)**

**Scott Byrnes – Building Inspector**

Mr. Byrnes was present at the meeting. He discussed his experience with the committee. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee approve the application.  
SECOND: Mr. Kymalainen seconded the motion and it passed with Mr. Sasso voting against the motion.

**Robert G. Davalt – 1&2 Family Dwelling Inspector**

Mr. Davalt was present at the meeting. He discussed his experience with the committee during which he stated that he did not have any electrical experience.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as originally stated.  
SECOND: Mr. Sasso seconded the motion which passed with Mr. Kymalainen voting against the motion.

**Richard James Katz – Building Inspector**

Mr. Katz was present at the meeting and provided additional information for the committee's consideration. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the committee uphold the denial as originally stated.  
SECOND: Mr. McCormick seconded the motion and it passed unanimously.

**Francis McCabe – Provisional Electrical Plans Examiner**

Mr. McCabe was present at the meeting and provided additional information for the committee's consideration. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as originally submitted.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**John James Oliveira – Building Inspector**

Mr. Oliveira was present at the meeting along with Ms. Leila Nodarse and Mr. Daniel Dunham. Additional information was provided at the meeting for the committee's consideration.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee approve the application based on the oral and written information.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**Christopher Strand – Building Inspector**

Mr. Strand was present at the meeting and additional information was provided for the committee's consideration.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as originally stated.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**Shirley Weekley – Building Plans Examiner**

Ms. Weekly was present at the meeting and provided additional information for the committee's consideration.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee uphold the denial as originally stated.  
SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

**ADJOURNMENT**

There being no further business to come before the committee, the meeting was adjourned at 10:25 a.m.

**June 11, 2009 – 9:00 A.M.**

**CALL TO ORDER**

Chair McCormick called the meeting to order at 9:30 a.m.

**Members Present**

Bob McCormick, Chair  
Nick Sasso, Vice-Chair  
Fred Dudley  
Dennis Franklin  
Richard Gathright  
Bob Kymalainen  
Rob Nagin

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Tim Dennis, Board Counsel  
Ed Bayo, Esquire  
Robert J. Gonzalez  
Tisha Luedtke  
John Connelly, City of Palm Bay  
Joe L. DuPriest  
Lee Weintraub  
Ron Moreau  
Jon Hamrick  
David Hodges  
Robert Mahar, City of Marco Island  
Ella Hickey, Reedy Creek Improvement Dist.  
Jerry Wooldridge, Reedy Creek Improvement Dist.

Michael Rickabaugh, Reedy Creek Improvement Dist.  
Doug Harvey, Building Officials of Florida (BOAF)  
Gary Brevoort, City of South Pasadena, BOAF  
Tom Allen, City of Mount Dora, BOAF  
Michael Jackson, CISPI, FAPGMI

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT (RESPONDENTS HAVE THE OPTION OF APPEARING ON JUNE 10 BEFORE THE APPLICATION REVIEW COMMITTEE OR JUNE 11 BEFORE THE FULL BOARD.)**

**Oscar Alvarez – Plumbing Inspector**

Mr. Alvarez was not present at the meeting and no new information had been submitted for the board's consideration.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the board uphold the denial as originally stated.  
SECOND: Mr. Gathright seconded the motion and it passed unanimously.

**Joe L. Dupriest – Building Code Administrator**

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

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the board approve the application as submitted.  
SECOND: Mr. Dudley seconded the motion for discussion purposes.

Mr. Wooldridge was also present at the meeting and was sworn in by the court reporter. Mr. Wooldridge testified that Mr. Dupriest worked for him at Reedy Creek Improvement District.

Following discussion, the motion passed with Vice-Chair Sasso voting against the motion.

**Robert J. Gonzalez - Building Inspector**

Mr. Gonzalez was present and was sworn in by the court reporter. Edwin Bayo, Esquire, was also present at the meeting. Additional information had been provided for the board's consideration.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the board approve the application as submitted.  
SECOND: Mr. Nagin seconded the motion which passed with Vice-Chair Sasso voting against the motion.

**Tishya Luedtke – Plumbing Inspector**

Ms. Luedtke was present at the meeting and was sworn in by the court reporter. Additional information had been submitted for the board's consideration and information was also provided at the meeting.

Following discussion, the following action was taken.

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

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

**James Edward Whitehurst, Jr. – Provisional Building Inspector & Provisional 1&2 Family Dwelling Inspector**

Mr. Whitehurst was not present at the meeting.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board deny the provisional building inspector as he does not meet the requirements.

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

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board reopen this application for discussion.

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

MOTION: Mr. Dudley made a motion to deny the application as a board not based on the recommendation of the application review committee.

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

**Provisional 1&2 Family Dwelling Inspector Application.**

MOTION: Mr. Dudley made a motion that the provisional 1&2 family dwelling inspector application be denied by the board based on the lack of supporting detail in the verifying affidavits of work experience.

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

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT - CONTINUING EDUCATION**

**Department Of Education, Educational Facilities, Advanced 23 Hour (SREF) State Requirements for Educational Facilities**

Mr. Jon Hamrick was present at the meeting and was sworn in by the court reporter. Additional information was provided at the meeting for the board's consideration. Mr. Hamrick informed the board that they were not asking for laws and rules credit, but only asking for ethics, accessibility, and general credit.

Chair McCormick stated that since this was a course for renewal, they could not add ethics without submitting a new application. Mr. Hamrick responded that it was acceptable if they only receive general and accessibility credit.

Following discussion, the following action was taken.

MOTION: Mr. Dudley made a motion that the board approve the renewal of the course based on the 2007 code with 21 hours of general credit and two hours of accessibility credit.

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

### **School for Contractors and Trades, Ethics in Construction as Related to Inspectors**

No one was present on behalf of the School for Contractors and Trades, however, additional information was submitted for the board's consideration,

Following discussion, the following action was taken.

MOTION: Mr. Gathright made a motion that the board approve the course with the correction to the name of the course in the letter.

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

### **SETTLEMENT STIPULATION**

#### **Ronald Francis Morgan, Case # 2009-005104**

Mr. Nagin was on the probable cause panel, and was therefore, recused.

Chair McCormick informed the board that he submitted an opinion and was recusing himself. Vice-Chair Sasso stated that they both worked for the same employer at one time, but he was not recusing himself.

Mr. Morgan was present at the meeting and was sworn in by the court reporter. Mr. Lee Weintraub, Esquire, was also present.

Ms. Duffy presented the facts in the case and informed the board that Mr. Morgan had agreed to a stipulation which called for an administrative fine in the amount of \$1,500, investigative costs in the amount of \$183.49, and no criminal proceeding will be brought against him if he is prosecuted.

Mr. Dudley asked for the range of penalties. Ms. Duffy responded that \$1,500 was the maximum, however, they could add a period of probation or a letter of reprimand. Mr. Dudley responded that he felt that additional hours of continuing education in the area of laws and rules should be required, and he would like to see a letter of reprimand.

Mr. Weintraub discussed the criminal proceedings with the board and informed the board that Mr. Morgan was not the type of person that the board has to be concerned about. He took action immediately upon realizing his license was expired.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the board reject the stipulation as presented.

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

Following discussion, the following action was taken.

**MOTION:** Mr. Franklin made a motion that the board offer a counter stipulation for an administrative fine in the amount of \$1,500, costs in the amount of \$183.49, probation for one year during which time he will attend one board meeting on a Thursday for the entire day, within two years take an additional 10 hours of laws and rules continuing education, and the paragraph regarding the criminal proceedings be included also.

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

Mr. Weintraub informed the board that they will accept the counter stipulation as presented.

### **PROSECUTING ATTORNEY REPORT – LIBBY DUFFY**

Ms. Duffy provided a copy of the attorney's report to the members and reviewed the report with the members.

Vice-Chair Sasso commented that he was not satisfied with the prosecution of felons and that the incident date is left blank in the computer. He would like for the public to have the benefit of being able to see the incident date. Ms. Barineau responded that she would relay his concerns to the department as Ms. Duffy stated that the Office of the General Counsel was not responsible for inputting that date into the system.

### **Flow Chart Regarding Progression of Status Codes – Office of the General Counsel**

Ms. Duffy provided a flow chart regarding the process the cases go through in the department. She added that the flow chart was prepared by Ms. April Skilling.

Vice-Chair Sasso stated that he wanted to discuss the emergency suspension orders with Ms. Duffy at some time.

### **Timelines on the Private Cases Update**

Ms. Duffy informed the board that she did not have an answer on this issue at this time.

### **RECESS**

There being no further business to come before the board at this time, the meeting was recessed at 1:03 p.m.

### **RULES AND LEGISLATION COMMITTEE**

#### **CALL TO ORDER**

Mr. Nagin, Chair of the committee, called the meeting to order at 2:30 p.m.

#### **Members Present**

Rob Nagin, Chair  
Richard Gathright  
Bob Kymalainen

#### **Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Tim Dennis, Board Counsel  
Bob McCormick, Board Member



Dennis Franklin, Board Member  
Doug Harvey, Building Officials Association of Florida  
David Hodges  
Jon Hamrick  
David Hodges  
Robert Mahar, City of Marco Island  
Ella Hickey, Reedy Creek Improvement Dist.  
Jerry Wooldridge, Reedy Creek Improvement Dist.  
Michael Rickabaugh, Reedy Creek Improvement Dist.  
Doug Harvey, Building Officials of Florida (BOAF)  
Gary Brevoort, City of South Pasadena, BOAF  
Tom Allen, City of Mount Dora, BOAF  
Michael Jackson, CISPI, FAPGMI

### **LEGISLATIVE REPORT – ROB NAGIN**

Mr. Nagin provided a report at the meeting regarding the outcome of the legislative session. He stated that he will provide staff with an updated report to be sent to all the members.

### **RULES REPORT – TIM DENNIS**

Mr. Dennis provided the members with information regarding the rules. He informed the committee that Rule 61G19-6.016, Florida Administrative Code (FAC), will be effective June 24, 2009.

### **05/18/09 Response to 05/08/09 – Letter from the Joint Administrative Procedures Committee Regarding: 61G19-5.002 – Disciplinary Guidelines**

Mr. Dennis provided a handout regarding Rule 61G19-5.002, FAC. He informed the committee that a letter had been received regarding a concern on the revisions. Mr. Dennis stated that some of the comments are technical. He stated that the concerns with this rule appeared to be more of a matter of policy, and he wanted the committee's consideration of the rule.

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that Rule 61G19-5.002, FAC, be changed to from a \$1,500 fine to \$2,500 and for a second offense the fine be \$5,000.

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

Mr. Dennis discussed the application review procedures with the committee. He informed the committee that they may need to develop a rule regarding the procedures, and he will discuss this further at the next meeting.

### **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 3:09 pm.

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

Mr. Franklin, Chair of the Committee, called the meeting to order at 3:10 p.m.

### **Members Present**

Dennis Franklin, Chair  
Richard Gathright  
Bob Kymalainen  
Bob McCormick  
Rob Nagin  
Nick Sasso

### **Members Not Present**

Fred Dudley

### **Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Tim Dennis, Board Counsel  
David Hodges  
Robert Mahar, City of Marco Island  
Ella Hickey, Reedy Creek Improvement Dist.  
Jerry Wooldridge, Reedy Creek Improvement Dist.  
Michael Rickabaugh, Reedy Creek Improvement Dist.  
Doug Harvey, Building Officials of Florida (BOAF)

Mr. Franklin stated that all of the members would participate in the committee meeting.

## **CONTINUING EDUCATION COURSES FOR REVIEW ATKINS ENGINEERS**

Renewal Course

1. Design and Construction of Single Family Homes (0006647)  
Requesting 7 hours GENERAL credit (F-759, A-1746)

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.**

Renewal Course

1. Florida Building Inspectors Laws and Rules (0006894)  
Requesting 2 hours LAWS & RULES credit (F-1023, A-1747)

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

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

## **REEDY CREEK IMPROVEMENT DISTRICT**

### New Course

1. Ethics in Public Service  
Requesting 1 hour ETHICS credit (F-1864, A-1781)

Mr. McCormick stated that all of the course applications indicate that all the employees in the division are the instructors. He stated that since they were present, he would like for them to identify the instructors for each course.

Mr. Wooldridge provided the committee was a list of instructors for each course.

- MOTION: Mr. Gathright made a motion that the committee deny this course as the outline did not relate to Chapter 468, Florida Statutes (F.S.) and Chapter 112, F.S.
- SECOND: Mr. Kymalainen seconded the motion which failed with Mr. Franklin, Mr. Kymalainen, Mr. McCormick, Mr. Nagin, and Mr. Sasso voting against the motion.

Following discussion, the following action was taken.

- MOTION: Mr. Nagin made a motion that the committee approve the application as amended for I, II and III to include discussions on Chapter 112, F.S.
- SECOND: Mr. McCormick seconded the motion which passed with Mr. Gathright voting against the motion.

### Renewal Courses

1. EPCOT Building Code for Safety Construction Requirements (0002673)  
Requesting 3 hours GENERAL credit (F-340, A-1785)
2. EPCOT Plumbing Code – Plumbing Fixtures (0002671)  
Requesting 2 hours GENERAL credit (F-338, A-1750)
3. Energy Efficiency Code for Building Construction and It's Relationship  
With the EPCOT Mechanical Code (0002674)  
Requesting 3 hours GENERAL credit (F-341, A-1754)
4. Electrical Codes and Applications (0002884)  
Requesting 3 hours GENERAL credit (F-345, A-1755)
5. Laws and Rules (0006960)  
Requesting 2 hours LAWS & RULES credit (F-1090, A-1782)
6. EPCOT Building Code for Occupancy and Type of Construction (0002670)  
Requesting 3 hours GENERAL credit (F-337, A-1783)
7. EPCOT Accessibility Code based on the Florida Accessibility Code  
(0002672)  
Requesting 2 hours AOA credit (F-339, A-1784)

- MOTION: Mr. Gathright made a motion that the committee approve the renewal courses.
- SECOND: Mr. Nagin seconded the motion and it passed unanimously.

## **POLK COUNTY BOCC BUILDING DIVISION**

### New Course

1. Ethics for Building Code Officials

Requesting 1 hour ETHICS credit (F-1886, A-1817)

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

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

#### Renewal Courses

1. National Electric Code, Introduction and Chapters 1, 2 &3 (0007180)  
Requesting 4 hours GENERAL credit (F-1358, A-1768)
2. National Electric Code, Chapters 4, 5 &6 (0007181)  
Requesting 4 hours GENERAL credit (F-1359, A-1769)
3. National Electric Code, Chapters 7, 8, 9 & Annexes (0007182)  
Requesting 4 hours GENERAL credit (F-1360, A-1770)
4. Mechanical Code Review Chapters 1 through 6 (0007183)  
Requesting 4 hours GENERAL credit (F-1361, A-1771)
5. Mechanical Code Review Chapters 7 thru 15 (0007184)  
Requesting 4 hours GENERAL credit (F-1362, A-1772)
6. Understanding FBC, Plumbing Chapters 1-2 (0007185)  
Requesting 2 hours GENERAL credit (F-1363, A-1773)
7. Understanding FBC, Plumbing Chapters 3-4 (0007186)  
Requesting 2 hours GENERAL credit (F-1364, A-1774)
8. Understanding FBC, Plumbing Chapters 5-6 (0007187)  
Requesting 2 hours GENERAL credit (F-1365, A-1775)
9. Understanding FBC, Plumbing Chapters 7 and 13 (0007188)  
Requesting 2 hours GENERAL credit (F-1366, A-1776)
10. Understanding FBC, Plumbing Chapters 8 and 10 (0007189)  
Requesting 2 hours GENERAL credit (F-1367, A-1777)
11. Understanding FBC, Plumbing Chapter 9 (0007190)  
Requesting 4 hours GENERAL credit (F-1368, A-1778)
12. Understanding FBC, Plumbing Chapters 11 and 12 (0007191)  
Requesting 2 hours GENERAL credit (F-1369, A-1779)
14. FBC, Chapter 11, Florida Accessibility Code (0007220)  
Requesting 2 hours ACCESSIBILITY credit (F-1422, A-1810)

MOTION: Mr. Nagin made a motion that the committee approve courses 1-12 and 14 as submitted.

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

13. Florida Laws and Rules (0007221)  
Requesting 2 hours LAWS & RULES credit (F-1423, A-1811)

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

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

#### **QUALITY PRECAST CO.**

##### Renewal Course

1. Precast Concrete Lintels: Clearing Up The Misconceptions (0007015)

Requesting 1 hour GENERAL credit (F-1175, A-1799)

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

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

### **PALM BEACH COUNTY PLANNING, ZONING & BUILDING**

#### **New Courses**

Mr. Gathright recused himself as this is his employer.

1. The Florida Building Code, Mechanical – Session IV  
Requesting 2 hours GENERAL credit (F-1865, A-1786)
2. The Florida Building Code, Mechanical – Session III  
Requesting 2 hours GENERAL credit (F-1866, A-1787)
3. The Florida Building Code, Mechanical – Session II  
Requesting 2 hours GENERAL credit (F-1867, A-1788)
4. The Florida Building Code, Mechanical – Session I  
Requesting 2 hours GENERAL credit (F-1868, A-1789)
5. The Florida Building Code, Fuel Gas – Session IV  
Requesting 2 hours GENERAL credit (F-1869, A-1790)
6. The Florida Building Code, Fuel Gas – Session III  
Requesting 2 hours GENERAL credit (F-1870, A-1791)
7. The Florida Building Code, Fuel Gas – Session II  
Requesting 2 hours GENERAL credit (F-1871, A-1792)
8. The Florida Building Code, Fuel Gas and NFPA 58 – Session I  
Requesting 2 hours GENERAL credit (F-1872, A-1793)
9. The Florida Energy Efficiency Codes, Chapter 11 of the FBC Residential  
And Chapter 13 of the FBC  
Requesting 2 hours GENERAL credit (F-1873, A-1794)

MOTION: Mr. Nagin made a motion that the committee approve all of the courses as submitted.

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

### **MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE**

#### **Renewal Courses**

1. The Florida Building Code, Chapter 19 Lightweight Insulating Concrete Installation  
(0006607)  
Requesting 2 hours GENERAL credit (F-43, A-1800)
2. Chapter 2 Definitions (0006608)  
Requesting 1 hour GENERAL credit (F-44, A-1801)
3. Chapter 3 Florida Building Code Plumbing (0006609)  
Requesting 1 hour GENERAL credit (F-45, A-1802)
4. Chapter 4 Fixtures, Faucets and Fixture Fittings (0006610)  
Requesting 1 hour GENERAL credit (F-46, A-1803)
5. Chapter 6 Water Supply and Distribution (0006611)  
Requesting 1 hour GENERAL credit (F-47, A-1804)
6. Florida Statutes 468, Part XII (0006827)  
Requesting 2 hours LAWS & RULES credit (F-955, A-1805)

7. Chapter 11 Storm Drainage (0006618)  
Requesting 1 hour GENERAL credit (F-49, A-1806)

MOTION: Mr. Gathright made a motion that the committee approve courses 1, 3, 4, 5, and 6 as submitted.

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

MOTION: Mr. McCormick made a motion that the committee approve courses 2 and 7 with the recommendation that the title be changed to better inform the student that it is relevant to the plumbing code.

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

## **DEVELOPMENT SERVICES SARASOTA COUNTY**

### **New Courses**

1. Code of Ethics  
Requesting 1 hour ETHICS credit (F-1879, A-1808)
2. The Electrical Rough Inspection  
Requesting 2 hours GENERAL credit (F-1883, A-1814)
3. The Electrical Service Change Inspection  
Requesting 1 hour GENERAL credit (F-1884, A-1815)
4. The Residential Mechanical Rough-In Inspection  
Requesting 2 hour GENERAL credit (F1885, A-1816)

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

SECOND: Mr. Nagin seconded the motion which failed with Mr. Nagin, Mr. Franklin, Mr. Kymalainen, Mr. McCormick and Mr. Sasso voting against the motion.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the committee approve the courses provided that the provider have the instructors that teach the courses be licensed in an appropriate category.

SECOND: Mr. Nagin seconded the motion and it passed with Mr. Sasso voting against the motion.

Mr. Dennis informed the committee that he will prepare an order of contingency approval.

### **Renewal Courses**

1. The Final Building Inspection (0004743)  
Requesting 1 hour GENERAL credit (F-192, A-1818)
2. The Pool Steel and Deck Inspection (0004745)  
Requesting 1 hour GENERAL credit (F-194, A-1819)

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the committee deny the renewal courses as they were not relevant.

SECOND: Mr. Nagin 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. Nagin stated that building departments are cutting back on their budgets and, therefore, they are requesting approval of their own continuing education courses. It appears that some of the courses are basic training and some of the courses may be suitable as refresher courses but not for continuing education credit. He stated that the committee needs to review the courses carefully and the board needs to communicate to licensees that the board is not going to accept these courses.

Mr. McCormick stated that local policy issues will not qualify for continuing education credit.

Mr. McCormick stated that the committee agreed at the last meeting that they would not approve ethics courses unless it contained both Chapter 112 and Chapter 468, F.S. He added that laws and rules courses should be the same.

In discussion, Mr. McCormick stated that the board will review the principles and practice examination questions at the December meeting since it will be held in Tallahassee

### **ADJOURNMENT**

There being no further business to come before the committee, the meeting was adjourned at 4:56 p.m.

### **EXECUTIVE COMMITTEE**

#### **CALL TO ORDER**

Chair McCormick called the meeting to order at 4:56 p.m.

#### **Members Present**

Bob McCormick, Chair  
Nick Sasso, Vice-Chair  
Dennis Franklin  
Richard Gathright  
Bob Kymalainen  
Rob Nagin

#### **Members Not Present**

Fred Dudley

#### **Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Tim Dennis, Board Counsel  
David Hodges  
Robert Mahar, City of Marco Island  
Doug Harvey, Building Officials of Florida (BOAF)

## **OLD BUSINESS**

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

## **NEW BUSINESS**

Chair McCormick informed the committee that from this meeting forward the applications that are denied as a result of the Application Review Committee meeting will now be read into the record as a part of the committee report. The name, category and reason for denial will be read into the record.

Mr. Dennis explained the cases to the committee that caused the changes to be made.

## **ADJOURNMENT**

There being no further business to come before the committee, the meeting was adjourned at 5:05 p.m.

**JUNE 12, 2009 - 9:00 A.M.**

## **CALL TO ORDER**

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

### **Members Present**

Bob McCormick, Chair  
Nick Sasso, Vice-Chair  
Fred Dudley  
Dennis Franklin  
Richard Gathright  
Bob Kymalainen  
Rob Nagin

### **Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Tim Dennis, Board Counsel  
Jane Waddel, Contractors Institute  
Doug Harvey. BOAF

## **APPROVAL OF THE APRIL 7 - 10, 2009, MINUTES OF THE MEETING**

The members noted changes that needed to be made in the minutes.

MOTION: Mr. Franklin made a motion that the board approve the minutes as amended.

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

## **REPORTS**

### **Chair's Report – Bob McCormick, Chair**

Chair McCormick informed the members that he attended a hearing before the Division Of Administrative Hearings in Yulee with Mr. Dennis. He stated that Mr. Dennis has an excellent grasp of what they do, and he did a great job.



Chair McCormick reported that he attended the investigator training for the department and talked to the investigators about some of the issues they have encountered that might help them with their work. He stated that it was a very good experience.

### **Application Review Committee – Nick Sasso Ratification List**

Vice-Chair Sasso reported that the committee denied 75 applications and approved 52. He stated that the following applications were denied:

Aluma, Fernando – building inspector – lack of experience; Ashraf, Syed Medhi – building inspector, modular inspector, and 1&2 family dwelling inspector – lack of experience; Alfrey, Syed – 1&2 family dwelling inspector – lack of experience; Borling, Fredrick Anton – building inspector – lack of experience; Burgher, Khani W – plumbing inspector and provisional plumbing inspector – lack of experience; Capamaggio, Phillip Glen – provisional plumbing inspector, provisional mechanical inspector, mechanical inspector, and plumbing inspector – lack of experience; Copeman, Peter Allen – building code administrator – lack of experience; Cornelis, Terrance Joseph – roofing inspector and building inspector – lack of experience and moral character; Cox, Terrence Patrick – building code administrator, mechanical plans examiner, mechanical inspector, provisional mechanical inspector, provisional mechanical plans examiner – lack of experience; Crawford, Scott Jackson – mechanical plans examiner and plumbing plans examiner – lack of experience; Divan, Daniel – building code administrator – lack of affirmed experience; Dominguez, Pedro Manuel – plumbing inspector – lack of experience; Drawdy, Robert – building inspector – lack of experience and possible unlicensed activity; Fernandez, Carlos E – building plans examiner – lack of experience; Filipkowski, Edward J – building code administrator – lack of affirmed experience; Flattley, Phillip S. – 1&2 family dwelling inspector – lack of experience; Ford, James E. – building code administrator – lack of experience; Galofre, Julia C. – mechanical plans examiner – lack of experience; Gruentzel, James Richard – mechanical inspector – lack of experience; Hill, Daniel G. – building inspector – lack of experience; Kolshak, Brian Scott – building inspector – lack of experience; Lamar, John M. – plumbing inspector – lack of experience; Lilly, Tom Charles – provisional electrical inspector – lack of experience; Makowski, Stan Joseph, Jr., - electrical inspector – lack of experience; Martinez, Melisa Juliana – provisional mechanical plans examiner and provisional plumbing plans examiner – lack of experience; McIntosh, Thomas John – provisional electrical inspector – lack of experience; Milligan, Michelle Marie – building inspector – lack of experience; Mills, Steven Carl – electrical plans examiner and electrical inspector – lack of experience; Padron, Michael Angel – provisional building inspector – lack of experience; Parker, David W. – mechanical plans examiner, electrical plans examiner, electrical inspector and mechanical inspector – lack of experience; Patterson, Paul Albert – building code administrator – lacks 10 years of applicable experience, affidavits vague; Peter, Michael H. – mechanical inspector – lack of experience; Powell, Samuel Elbert – electrical inspector – lack of experience; Riveron, Alexis – mechanical plans examiner and mechanical inspector – lack of experience; Romero, Jason Luis – mechanical plans examiner and mechanical inspector – lack of experience and possible unlicensed activity; Samways, Glen – mechanical inspector – lack of experience; Sapuppo, Anthony David – provisional plumbing plans examiner and provisional plumbing inspector – lack of experience; Sellers, Corey Lee – provisional mechanical inspector and provisional mechanical plans examiner – lack of experience; Shrock, Virgil J – 1&2 family dwelling inspector – lack of experience; Showalter, Patrick Lee – roofing inspector – lack of

experience; Singleton, Robert II – 1&2 family dwelling inspector – lack of experience; Sole, Robert Lewis – building inspector – lack of experience; Szoka, Robert Frank – electrical inspector, plumbing inspector, and mechanical inspector – lack of experience; Walters, Andrew S – building inspector – lack of affirmed experience; Waynick, Wallace Rankin, Jr. – provisional building code administrator – lack of experience; Wells, Brian Anthony – building inspector – lack of experience; Wentz, Robert J – 1&2 family dwelling inspector – lack of experience; Wiley, John R. – provisional 1&2 family dwelling inspector, 1&2 family dwelling plans examiner, provisional building plans examiner, and provisional building inspector – lack of experience, moral character.

MOTION: Mr. Dudley made a motion that the board approve the actions of the Application Review Committee.

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

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

SECOND: Mr. Franklin second the motion and it passed unanimously.

### **Rules and Legislation Committee – Rob Nagin**

Mr. Nagin reported that Rule 61G19-6.016, FAC, will be effective in a few weeks if there are no objections filed; Rule 61G19-5.002, FAC, the committee agreed to lower the proposed fine amount from \$5,000 to \$2,500. He stated that Mr. Dennis will make a presentation concerning a potential rule on the Application Review Committee procedures.

Mr. Nagin stated that he will update the legislation report and send it to staff for distribution.

### **Examination and Continuing Education Committee – Dennis Franklin**

Mr. Franklin reported that the committee reviewed 48 courses 45 were approved and three were denied.

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

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

### **Executive Committee – Bob McCormick, Chair**

Chair McCormick reported that the committee discussed the new procedures for the Application Review Committee.

### **Board Counsel – Tim Dennis**

Mr. Dennis informed the board that the First District Court of Appeals upheld the denial on Mr. Lanny Walker. He stated that Mr. Walker was denied because of a lack of experience and the court upheld the board's decision.

Mr. Dennis stated that the Recommended Order had been received in the Mr. Sprague Owings case in which he represented the board. The Administrative Law Judge issued a Recommended Order in favor of the board's decision, and it will be on the August agenda for consideration.

Mr. Dennis stated that the Recommended Order has not been received for the hearing regarding Mr. James Pappalardo.

Mr. Dudley stated that these decisions were significant to the board as they affirm the interpretation of the board.

#### **Executive Director – Robyn Barineau**

##### **Update on authority to require applicants and licensees to provide employment information**

Ms. Barineau informed the board that she had discussed this with the department, however, they have not finalized the discussions at this time.

#### **Financial Report – 3/31/09**

Ms. Barineau reported that this would be on the August agenda.

Ms. Barineau reminded the members that their financial disclosure forms are due by July 1. She also asked that all of the members submit their travel as soon as possible since it was nearing the end of fiscal year.

#### **ICC Update – Rob von Kampen, Ph.D.**

Chair McCormick stated that Dr. von Kampen's report was included in the agenda book.

#### **PUBLIC COMMENTS**

There were no comments from the public at this time.

#### **OLD BUSINESS**

Vice-Chair Sasso stated that during the disciplinary actions he asked that the department issue a complaint on Mr. Les Gatto for his provisional license. He requested that the application be presented for review at the next meeting to determine if the board made an error in issuing the license. If that is not the case, then a complaint will be filed. Chair McCormick responded that he would prefer to review the application before a complaint is filed.

#### **NEW BUSINESS**

Vice-Chair Sasso stated that he reviewed the newsletters for this board, the Electrical Contractors Licensing Board and the Construction Industry Licensing Board and noticed a change where the disciplinary cases were published. He stated that in all of them there is a little box that states that you should refer to board minutes for disciplinary actions. Vice-Chair Sasso commented that he thinks it should be published in the newsletters.

Ms. Barineau informed the board that she will inform the department of the concerns. She stated that it was a department decision since this information was already published in the minutes.

The board felt that the license revocations should be listed in the newsletters. Following discussion, Ms. Barineau stated that she would explore these issues and report back to the board at the next meeting.

Mr. Nagin stated that the CILB was closing complaints against contractors where a certificate of occupancy had been issued because they feel that if the building department issues the permit, then there is no violation. He stated that he was going to discuss this with Ms. Duffy.

Mr. Dudley asked Ms. Barineau to talk to Mr. Jeff Kelly and report back as to the policies and guidelines they have in place. Chair McCormick asked Ms. Barineau to handle this.

**ADJOURNMENT**

There being no further business to come before the board, the meeting was adjourned at 10:25 a.m.