

**BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD
HILTON GARDEN INN
12 VIA DE LUNA DRIVE
PENSACOLA BEACH, FLORIDA 32561
APRIL 17, 18, 19, & 20, 2007**

APRIL 17, 2007 – 9:00 A.M., CDT

**APPLICATION REVIEW COMMITTEE
CALL TO ORDER**

Mr. Kymalainen called the meeting to order at 9:00 a.m.

Members Present

Bob Kymalainen
Bob McCormick
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Doug Harvey, Building Officials Association of Florida
Tam Landis, University of West Florida
Mark Hannon
Noell D. Bell
Barry Henderson
David J. Phillips
Ronnie Raybon
Tim Tolbert
Danny Weeden
Detreal Jackson
Lynn Adams
David Ray
John Woodson
George Rogers
Marvin L. Brossett
Lydia McConnell
John Barnes
Loretta Laird
Nathan Fountain
Vicki Mosteller
Gary Mosteller
Jimmy Strickland
Gerry Demers
Riley Starling
Wayne Francis

William Dumbaugh
Tim Bolduc

TRAINING SESSION 9:00 A.M. – 11:00 A.M.

The Committee discussed the application process with the audience and responded to questions.

REVIEW OF APPLICATIONS

At this time, the Committee reviewed applications of individuals that were present.

Gerry Demers – 1&2 Family Dwelling Examiner – Voluntary

Mr. Demers was present at the meeting and the Committee approved the application.

Mark Hannon – Provisional Electrical Inspector, Provisional Plumbing Inspector, Provisional Mechanical Inspector

Mr. Hannon was present at the meeting and the Committee denied his applications for lack of experience and not being newly hired or promoted.

Jimmy L. Strickland – Mechanical Inspector – Endorsement, Plumbing Inspector – Endorsement, Electrical Inspector – Endorsement

The Committee denied his applications for lack of experience.

Riley Lee Starling –Provisional Mechanical Inspector, Electrical Inspector, Mechanical Inspector, Plumbing Inspector, Provisional Electrical Inspector

Mr. Starling was present at the meeting and the Committee approved the electrical inspector and provisional electrical inspector applications. They denied the provisional mechanical inspector application for lack of experience and not being newly hired or promoted into the position, the mechanical inspector application was denied for lack of experience, and the plumbing inspector application was denied for lack of experience.

Gary Mosteller – Plumbing Inspector, 1&2 Family Dwelling Inspector and Building Inspector

Mr. Mosteller was present at the meeting and the Committee approved the plumbing inspector application and denied the 1&2 family dwelling inspector and the building inspector applications for a lack of experience.

At this time, the Committee continued to review applications.

RECESS

There being no further business to come before the Committee at this time, the meeting was recessed at 5 p.m.

**APRIL 18, 2007 – 9:00 A.M., CDT
APPLICATION REVIEW COMMITTEE**

CALL TO ORDER

Mr. Kymalainen called the meeting to order at 9:00 a.m.

Members Present

Bob Kymalainen
Bob McCormick
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Wayne Francis
Doug Harvey
Robert D. Downs, Jr.
Nick Fierro
Donald P. Kukla
Todd Thomsen
Robert Vandenburg
Jerry Wooten
John Silva
Bill Dumbaugh
Jerome A. Smith, Jr.

REVIEW OF APPLICATIONS AND REQUESTS FOR HEARINGS

Robert D. Downs, Jr. - 1&2 Family Dwelling Plans Examiner

Mr. Downs was present at the meeting and had provided additional information.

MOTION: Mr. McCormick made a motion that the Committee approve the 1&2 family dwelling plans examiner application based on the additional information provided.

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

Nick Fierro – Building Code Administrator

Mr. Fierro was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve the building code administrator application based on the additional information provided and testimony.

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

Donald P. Kukla, Jr. – Provisional: Mechanical Inspector, Building Inspector, 1&2 Family Dwelling Inspector, Electrical Inspector, Plumbing Inspector

Mr. Kukla was present at the meeting and provided additional information for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the provisional building inspector application.

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

MOTION: Mr. McCormick made a motion that the Committee approve the provisional 1&2 family dwelling inspector application based on information provided.

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

MOTION: Mr. McCormick made motion that the Committee uphold the denial of the provisional mechanical inspector, provisional electrical inspector and provisional plumbing inspector applications for lack of experience.

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

John Silva – Provisional Building Inspector

Mr. Silva was present at the meeting and had submitted additional information for the Committee's review.

MOTION: Mr. Sasso made a motion that the Committee approve the provisional building inspector application.

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

Jerome A. Smith, Jr. – Endorsement – Building Code Administrator

Mr. Smith was present at the meeting and provided additional information at the meeting for the Committee's review.

MOTION: Mr. McCormick made a motion that the Committee approve the building code administrator – endorsement application.

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

Todd Thomsen - Provisional Building Inspector

Mr. Thomsen was present at the meeting and additional information had been provided for the Committee's review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee continue the hearing in order for the full Board to consider the provisional building inspector application.

SECOND: The motion died for lack of a second.

MOTION: Mr. McCormick made a motion that the Committee approve the provisional building inspector application.

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

The Committee directed staff to open a complaint against Mr. Curtis Craig, building official.

Robert B. Vandenburg – Provisional Building Inspector

Mr. Vandenburg was present at the meeting and additional information was provided to the Committee for their review. Following discussion, Mr. Vandenburg was given time in order to receive an additional affidavit of employment.

Mr. Vandenburg appeared before the Committee later during the meeting and provided an additional affidavit.

- MOTION: Mr. McCormick made a motion that the Committee approve the provisional building inspector application based on the additional information provided.
- SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Andrew H. Witt – Building Plans Examiner, Provisional Electrical Plans Examiner, Provisional Plumbing Plans Examiner, Provisional Mechanical Plans Examiner & Provisional Building Plans Examiner

Mr. Witt was present at the meeting and additional information had been submitted. Mr. Witt informed the Committee that he only wanted them to consider the provisional building plans examiner and building plans examiner applications.

Following discussion, the following action was taken.

- MOTION: Mr. Sasso made a motion that the Committee approve the building plans examiner application and the provisional building plans examiner application for Clay County only.
- SECOND: Mr. McCormick seconded the motion and it passed unanimously.
- MOTION: Mr. Sasso made a motion that the Committee uphold the denial of the provisional electrical plans examiner, provisional plumbing plans examiner, and provisional mechanical plans examiner applications.
- SECOND: Mr. McCormick seconded the motion and it passed unanimously.

Jerry Wooten – Building Inspector

Mr. Wooten was present and provided additional information for the Committee's review.

- MOTION: Mr. McCormick made a motion that the Committee approve the building inspector application based on the additional information provided.
- SECOND: Mr. Sasso seconded the motion and it passed unanimously.

At this time the Committee continued to review applications.

ADJOURNMENT

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

APRIL 19, 2007 – 9:00 A.M., CDT

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND WELCOME

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

Members Present

Bob Kymalainen, Chair
Linda Armstrong
Dennis Franklin
Bob McCormick, Vice-Chair
Rob Nagin
Nick Sasso
Charles Sheridan

Members Not Present

Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Don Fuchs, Building Officials Association of Florida
Doug Harvey, Building Officials Association of Florida
Tam Lambert
Rob von Kampen, PhD, International Code Council
Bill Dumbaugh
Seafie Jones
Todd Shumway
Tim Tolbert
George Rogers
Dee Dee Boykin, Court Reporter

REMAINING HEARINGS

Rick P. Elkins – Provisional 1&2 Family Dwelling Inspector

Mr. Elkins was not present at the meeting, however, there was additional information provided in the handout folder for the Board's review.

Vice-Chair McCormick stated that Mr. Elkins has a two-year degree and experience as a superintendent and heavy plumbing experience, however, he did not have any electrical experience which was a concern. Mr. Jones informed the Board that they can rely on a mixture of the requirements. He stated that the standards established blend in with Rule 61G19-6.017(e) and (f), Florida Administrative Code, and he did not see how someone could be licensed without the experience.

Mr. Jones informed the Board that they cannot treat an application review as an examination and cautioned them on that. He stated that the Board can ask questions of the applicants.

MOTION: Vice-Chair McCormick made a motion that the Board uphold the denial of the provisional 1&2 family dwelling inspector application.

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

Wanda Fabre – Building Inspector, 1&2 Family Dwelling Inspector, Provisional Building Inspector, Provisional 1&2 Family Dwelling Inspector, and Provisional Electrical Inspector

Ms. Fabre was not present at the meeting, however, additional information had been submitted for the Board's review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board uphold the denial of the building inspector, 1&2 family dwelling inspector, provisional building inspector, provisional 1&2 family dwelling inspector, and provisional electrical inspector applications.

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

Susan M. Falcone – Endorsement – Building Plans Examiner and Building Inspector

Ms. Falcone was not present at the meeting, however, additional information had been provided for the Board's review. It was noted that Ms. Falcone already held a license as a building plans examiner.

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the Board change the application, based on the attorney's written request, from endorsement to examination for the building inspector application.

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

MOTION: Mr. Nagin made a motion that the Board approve the building inspector application for licensure.

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

Eduardo Fernandez – Building Code Administrator

Mr. Fernandez was not present at the meeting, however, additional information had been submitted for the Board's review.

MOTION: Vice-Chair McCormick made a motion that the Board approve the building code administrator application.

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

Seafie L. Jones, Jr – Provisional 1&2 Family Dwelling Inspector

Mr. Jones was present at the meeting and was sworn in by the court reporter. Mr. Jones explained the reason for denial. Mr. Jones informed the Board that he was not employed by a city or county. He wanted to get the provisional license and then take the examinations for licensure. Vice-Chair McCormick informed Mr. Jones that an individual must be employed by a city or county in order to qualify for the provisional license. Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Board uphold the denial of the provisional 1&2 family dwelling inspector application.

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

Todd Shumway – Building Inspector

Mr. Shumway was present at the meeting and was sworn in by the court reporter. Mr. Jones explained the reason for denial. Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Board uphold the denial of the building inspector application.

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

Gehazel Sloane, Jr. – Plumbing Inspector

Mr. Sloane was not present at the meeting, however, additional information had been submitted for the Board's review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board approve the plumbing inspector application.

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

William G. Turner – Electrical Inspector

Mr. Turner was not present at the meeting, however, additional information had been submitted for the Board's review. Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Board uphold the denial of the electrical inspector application.

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

INFORMAL HEARING

Samuel Carson Acosta, Case # 2006-028758

PCP Members: Nagin, Dudley, Council

Ms. Leigh informed the Board that this case had been continued to the June meeting.

SETTLEMENT STIPULATION

Malcolm R. Falls, Jr., Case # 2006-00300

PCP Members: Nagin, Bertolami, Council

Mr. Falls was not present at the meeting, however, Ms. Suzanne Van Wyk, Esquire, was present on his behalf. Ms. Leigh presented the case to the Board. She stated that the Respondent had agreed to a settlement stipulation. Ms. Leigh informed the Board that the stipulation called for a fine in the amount of \$500, \$479.80 in costs, Mr. Falls' license be placed on probation for 1 year, and, as a condition of probation, obtain an additional 14 continuing education hours that are related to the profession.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Board adopt the stipulation as presented.

SECOND: Mr. Sasso seconded the motion and it passed with Chair Kymalainen and Ms. Armstrong voting against the motion.

PROSECUTING ATTORNEY REPORT – JESSICA LEIGH

Ms. Leigh reviewed her report with the Board. There was a total of 30 open cases in Legal and 3 year old cases as of April 2, 2007.

RECESS

There being no further business to come before the Board at this time, the meeting was recessed at 11:00 a.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Nagin, Chair of the Rules and Legislation Committee, called the meeting to order at 11:15 a.m.

Members Present

Rob Nagin, Chair
Bob Kymalainen
Charles Sheridan

Members Not Present

Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Bob McCormick, Board Member
Dennis Franklin, Board Member
Linda Armstrong, Board Member
Nick Sasso, Board Member

Doug Harvey, Building Officials Association of Florida
Don Fuchs, Building Officials Association of Florida
Tim Tolbert
Tam Landis
Rob von Kampen, International Code Council
Bill Dumbaugh

LEGISLATIVE REPORT – ROB NAGIN

Mr. Nagin asked Mr. Fuchs to report on Senate Bill 404. Mr. Fuchs stated that Senate Bill 404 had been voted on by the Senate and approved. The House Companion, House Bill 727 has been sent to two committees. He stated that there was a difference in the two bills, however, he understands that the Senate version will be placed on the House floor.

Mr. Nagin stated that there were a number of bills still being considered and he would give more details at the next meeting.

Ms. Barineau stated that if the Senate Bill 404 passes regarding the building code training academy, the Board will need to have a rules workshop. It was decided that there would be a rules workshop during the August meeting.

RULES REPORT – JEFFREY JONES

Mr. Jones had provided a copy of his report which was included in the agenda.

PROPOSED CHANGE TO RULE 61G19-6.012, FLORIDA ADMINISTRATIVE CODE - PROVISIONAL CERTIFICATES – NICK SASSO

Mr. Sasso stated that the proposed change would be for clarification. The change would be as follows:

61G19-6.012 Provisional Certificates.

- (1) The Board shall issue a provisional certificate to any newly employed or newly promoted building code administrator, plans examiner, or building code inspector subject to the provisions of Section 468.609, F.S., and the provisions of this rule.
- (2) Provisional certificates are not renewable, and are valid for the following terms:
 - (a) Three years for inspectors.
 - (b) Three years for plans examiners.
 - (c) Three years for building code administrators officials.

Proposed Change:

- (c) Three years for building code administrators.

Mr. Nagin stated that the rule should be “building code administrators or building official,” to be consistent with Florida Statutes.

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that Mr. Jones notice Rule 61G19-6.012, Florida Administrative Code, for rulemaking as amended.

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

The rule would read as follows:

(c) Three years for building code administrators or building officials.

PROPOSED CHANGE/CLARIFICATION TO RULE 61G19-6.012(6)(c), FLORIDA ADMINISTRATIVE CODE – PROVISIONAL CERTIFICATES – NICK SASSO

Mr. Sasso suggested the following change to the rule:

61G19-6.012 Provisional Certificates.

(6) Following the submission of a complete application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in the category for which the application has been submitted for up to a maximum of ninety (90) days from the date the application is submitted, and subject to the following conditions:

(a) Prior to beginning the performance of duties under this rule, the building code administrator for the agency employing the applicant shall have determined that the applicant possesses the qualifications for a provisional certificate.

(b) All duties performed by the applicant under this exception shall be performed under the direct supervision of the building code administrator for the agency employing the applicant. The building code administrator shall hold a current, valid standard certificate as a building code administrator at all times when he or she is supervising the applicant. However, direct supervision may be provided by a building code administrator who holds a limited or provisional certificate in any county with population of less than 75,000 and in any municipality located within such a county.

(c) Prior to beginning the performance of duties under this exception, all applicants shall provide the building code administrator for the agency which employs them a copy of the completed application for provisional certification submitted to the Board by the applicant.

Proposed Clarification:

(c) Prior to beginning the performance of duties under this exception, all applicants **for plans examiner and inspector** shall provide the building code administrator for the agency which employs them a copy of the completed application for provisional certification submitted to the Board by the applicant.

(d) A provisional building code administrator certificate shall not be issued to any jurisdiction that already has a building code administrator.

Mr. Sasso stated that he did not believe (d) to be acceptable language now and withdrew his proposal.

Mr. Nagin suggested the word "all" be deleted in (c).

MOTION: Mr. Franklin made a motion that Rule 61G19-6.012, Florida Administrative Code, be noticed for rule making with the change as noted deleting the word "all."

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

The rule would read as follows:

(c) Prior to beginning the performance of duties under this exception, ~~all~~ applicants **for plans examiner and inspector** shall provide the building code administrator for the agency which employs them a copy of the completed application for provisional certification submitted to the Board by the applicant.

RULE AMENDMENT TO 61G19-9.0045, FLORIDA ADMINISTRATIVE CODE – APPROVAL OF PROCTORED TELECOURSES AND INTERACTIVE DISTANCE LEARNING COURSES – ROBYN BARINEAU

Ms. Barineau informed the Committee that suggestions were made by the Bureau of Education and Testing for technical changes as follows:

61G19-9.0045 Approval of ~~Proctored Telecourses and Interactive Distance Learning Courses.~~

(1) Registration for Course Providers is required May 31 of every odd year. All providers are required to register with the Board, before providing continuing education courses, on Board-approved registration form DBPR/BCAI/40 Rev. ~~04/01 4253~~. The instructions and form, entitled ~~Provider Approval Application~~ Continuing Education Course and Provider Approval Application, which is hereby incorporated by reference and will be effective June 5, 2004, may be obtained from the ~~Board office department~~.

(9) Course providers shall comply with Section 455.2178, Florida Statutes, with regard to electronic filing of attendance rosters to the department.

MOTION: Mr. McCormick made a motion that the Committee approve the changes and Mr. Jones notice Rule 61G19-9.0045, Florida Administrative Code, for rule amendment.

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

OLD BUSINESS

Research Regarding 2 years vs. 3 Years on Provisional Licenses For Use in Standard Licensure Experience Requirement – Jeffrey Jones

Mr. Jones asked for clarification as to what he was to research. Following discussion, Mr. Jones was informed that the Board needed to know the date that the rule was changed regarding the experience requirement.

Rule to Codify Procedure to Review Licensure Applications – Jeffrey Jones

Mr. Jones stated that this agenda item related to a Construction Industry Licensing Board issue and the concern was the use of sub-committees in approving applications. The order has been appealed and Mr. Jones stated that he will take action, if necessary, pending the appeal process. The Committee asked that this be on the agenda for the next meeting.

NEW BUSINESS

Mr. Sasso expressed his concern with building officials being coerced and intimidated in their jobs. He stated that the procedure to file a complaint was not working. Ms. Leigh stated that she had proposed that in the future the Department will open an investigation and their findings will be provided to the State Attorney's Office. It will still be the State Attorney's Office decision to prosecute or not.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:11 p.m.

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

CALL TO ORDER

Mr. Franklin, Chair of the Examination and Continuing Education Committee, called the meeting to order at 2:12 p.m.

Members Present

Dennis Franklin, Chair
Bob McCormick
Nick Sasso

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Bob Kymalainen
Chuck Sheridan
Linda Armstrong
Rob Nagin
Doug Harvey, Building Officials Association of Florida
Don Fuchs, Building Officials Association of Florida
Tim Tolbert
Tam Landis

Rob von Kampen, International Code Council
Bill Dumbaugh

CONTINUING EDUCATION COURSES FOR REVIEW

Polk County BOCC Building Division - New Provider New Courses

1. NEC 2005, Introduction and Chapters 1, 2 and 3
Requesting 4 hours GENERAL credit
2. NEC 2005, Chapters 4, 5 and 6
Requesting 4 hours GENERAL credit
3. NEC 2005, Chapters 7, 8, 9 and Annexes
Requesting 4 hours GENERAL credit
4. Mechanical Code Review, Chapters 1-6
Requesting 4 hours GENERAL credit
5. Mechanical Code Review, Chapters 7-15
Requesting 4 hours GENERAL credit
6. Understanding FBC, Plumbing Chapters 1-2
Requesting 2 hours GENERAL credit
7. Understanding FBC, Plumbing Chapters 3-4
Requesting 2 hours GENERAL credit
8. Understanding FBC, Plumbing Chapters 5-6
Requesting 2 hours GENERAL credit
9. Understanding FBC, Plumbing Chapters 7 & 13
Requesting 2 hours GENERAL credit
10. Understanding FBC, Plumbing Chapters 8 & 10
Requesting 2 hours GENERAL credit
11. Understanding FBC, Plumbing Chapter 9
Requesting 4 hours GENERAL credit
12. Understanding FBC, Plumbing Chapters 11 & 12
Requesting 2 hours GENERAL credit

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve all of the courses submitted.

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

THE UNIVERSITY OF WEST FLORIDA

New Courses

1. Advanced Building Code, Chapters 3, 5, 6 & 7
Requesting 4 hours GENERAL credit
2. Hazardous Materials Awareness Training
Requesting 1 hour GENERAL credit

Mr. McCormick asked representatives from the University of West Florida if they meant to request two hours of credit instead of one hour for the Hazardous Materials Awareness Training. Ms. Tam Landis responded that they should have requested two hours.

MOTION: Mr. McCormick made a motion that the Committee approve the courses as submitted, however #2 should be changed to two hours of credit.

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

CUTSTONE LEARNING LLC - New Provider

New Courses

1. Advanced FBC, Permits and Applications
Requesting 1 hour LAWS & RULES credit
2. Advanced Florida Building Code
Requesting 1 hour LAWS & RULES credit
3. Advanced FBC, The Florida Building Commission
Requesting 1 hour LAWS & RULES credit
4. Advanced FBC, Enforcement and Education
Requesting 1 hour LAWS & RULES credit

Following discussion, the following action was taken.

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

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

BUILDING OFFICIALS ASSOCIATION OF FLORIDA (BOAF)

New Courses

1. BCAIB Update
Requesting 2 hours LAWS & RULES credit
2. CILB Update
Requesting 2 hours LAWS & RULES credit
3. Florida Building Commission Update
Requesting 2 hours LAWS & RULES credit
4. Formal/Informal Interpretation and DEC Statement Process
Requesting 2 hours GENERAL credit
5. Records Management as a Business Practice
Requesting 2 hours GENERAL credit
6. The Mechanical Code: Points to Ponder
Requesting 2 hours GENERAL credit
7. Key National Electrical Code 2005 Changes
Requesting 2 hours GENERAL credit
8. Fundamentals of Florida's Energy Code
Requesting 2 hours GENERAL credit
9. Chapter 1 – Building Code Administration

- 10. Requesting 2 hours GENERAL credit
Product Approval for the Florida Building Code
Requesting 2 hours GENERAL credit
- 11. Requesting 2 hours GENERAL credit
Manufactured (Modular) Buildings Program; Residential and Commercial
- 12. Requesting 2 hours GENERAL credit
Roofing with 2006 Updates
- 13. Requesting 4 hours GENERAL credit
Existing Building Code, Plans & The Jobsite w/2006 Supplements
- 14. Requesting 4 hours GENERAL credit
One & Two Family Dwelling Rules w/2006 Updates
- 15. Requesting 2 hours GENERAL credit
Chapter 10 – Means of Egress
- 16. Requesting 2 hours GENERAL credit
IBC – Chapter 17 Accreditation
- 17. Requesting 2 hours GENERAL credit
2004 Florida Plumbing Code w/2006 Updates
- 18. Requesting 1 hour LAWS & RULES credit
The Role of the Building Official in Enforcing Florida's Construction Lien Law

Following discussion, the following action was taken.

MOTION: Mr. McCormick made a motion that the Committee approve all of the courses as submitted.

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

JOHN "TIM" TOLBERT DBA C2N CODE SOLUTIONS GROUP –

New Provider

New Course

- 1. Advanced Coastal Construction
Requesting 14 hours GENERAL, AOA, LAWS & RULES credit

Following discussion, the following action was taken.

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

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

MIAMI-DADE COUNTY BUILDING CODE COMPLIANCE OFFICE

New Course

- 1. Florida Accessibility Code
Requesting 1 hour AOA credit

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

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

GOLD COAST SCHOOL OF CONSTRUCTION, INC.

Renewal Course

1. The Principles & Practices of Florida Law (0006623)
Requesting 2 hours LAWS & RULES credit

Following discussion, the following action was taken.

MOTION: Mr. Sasso made a motion that the Committee approve the course, however, the two hours of credit be changed to one hour.

SECOND: The motion died for lack of a second.

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

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

AMERICAN ARCHITECTURAL MANUFACTURERS ASSOCIATION

New Course

1. Understanding Window and Door Performance Standards
Requesting 2 hours GENERAL credit

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

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

INTERNATIONAL CODE COUNCIL

New Courses

1. Legal Aspects of Code Administration
Requesting 6 hours GENERAL credit
2. Building Department Financial Management
Requesting 6 hours GENERAL credit
3. Increasing the Credibility of Code Official
Requesting 3 hours GENERAL credit
4. Ethics in Public Life – ICC to the Point
Requesting 3 hours GENERAL credit
5. Building Department Personnel Management
Requesting 6 hours GENERAL credit
6. 2006 IBC Fire Risks of Interior Finishes
Requesting 6 hours GENERAL credit
7. Admin: Increasing the Credibility of the Code Official
Requesting 6 hours GENERAL credit
8. Admin: Code Essentials for Contractors
Requesting 6 hours GENERAL credit
9. 2006 IBC Nonstructural Fire and Life Safety Principles
Requesting 6 hours GENERAL credit

10. 2006 IBC Solving Means of Egress Issues in Commercial Buildings
Requesting 6 hours GENERAL credit
11. Basic Code Enforcement: Unit One Overview of Codes v2 (Internet)
Requesting 5 hours GENERAL credit
12. Basic Code Enforcement: Unit Three Technical Aspects of Code
Enforcement 1-v2 (Internet)
Requesting 5 hours GENERAL credit
13. 2006 IRC Residential Building Inspector Certification Examination Practice
Course (Internet)
Requesting 2 hours GENERAL credit
14. 2006 IRC Fundamentals – Building Provisions
Requesting 6 hours GENERAL credit
15. 2006 IRC Fundamentals Mechanical, Fuel Gas Plumbing and
Electrical Provisions
Requesting 6 hours GENERAL credit
16. Performing Residential Electrical Inspections
Requesting 8 hours GENERAL credit
17. Basic Code Enforcement: Unit Two Administrative Aspects of Code
Enforcement v2 (Internet)
Requesting 5 hours GENERAL credit
18. 2006 IBC Commercial Building Inspector Certification Examination
Practice Course (Internet)
Requesting 2 hours GENERAL credit

During discussion, Mr. Fuchs informed the Committee that for course #'s 1, 2, 3, 4, 5, & 7, ICC was invited to teach these courses at the Code Officials Institute. Mr. McCormick stated that he would want these courses limited to Code Officials Institute. Dr. Rob von Kampen informed the Committee that these courses will be taught in conjunction with each other and are a one-time presentation.

MOTION: Mr. McCormick made a motion that the Committee approve course #'s 1, 2, 3, 4, & 5 for 24 hours of continuing education credit for presentation at the Code Officials Institute only.

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

MOTION: Mr. McCormick made a motion that the Committee approve course #'s 9, 10, 13, 14, 15, 16, & 18 as submitted.

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

MOTION: Mr. Nagin made a motion that the Committee approve course #6 as submitted.

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

MOTION: Mr. McCormick made a motion that the Committee approve course #7 as submitted.

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

MOTION: Mr. McCormick made a motion that the Committee deny course #8 as it was not relevant.

SECOND: Ms. Armstrong seconded the motion and it passed unanimously.

MOTION: Mr. McCormick made a motion that the Committee deny course #11 and #12 as they were too basic.

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

MOTION: Mr. McCormick made a motion that the Committee deny course #17 as it was too basic.

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

Renewal Courses

1. 2003 IRC Performing Residential Building Inspections (0006920)
Requesting 18 hours GENERAL credit
2. 2003 IBC Performing Commercial Building Inspections (0006918)
Requesting 18 hours GENERAL credit
3. 2003 IBC Solving Means of Egress Issues in Commercial Buildings (0006914)
Requesting 6 hours GENERAL credit
4. 2003 IBC Fire Resistance and Egress for Building Inspectors (0006916)
Requesting 14 hours GENERAL credit
5. 2003 IBC Performing Structural Plan Review (0006915)
Requesting 12 hours GENERAL credit
6. 2003 IBC Special Uses and Mixed Occupancies (0006922)
Requesting 6 hours GENERAL credit
7. 2003 IBC Architectural Applications for Designers (0006924)
Requesting 6 hours GENERAL credit
8. 2003 IFGC Fundamentals (0006925)
Requesting 6 hours GENERAL credit
9. 2003 IPMC Fundamentals (0006926)
Requesting 6 hours GENERAL credit
10. Creating a Hazard Mitigation and Emergency Management Plan (0006927)
Requesting 6 hours GENERAL credit
11. Customer Service For Code Administration (0006928)
Requesting 6 hours GENERAL credit
12. Fundamentals of the ICC Code Development Process (0006929)
Requesting 6 hours GENERAL credit
13. Building Department Personnel Management (0007008)
Requesting 5 hours GENERAL credit
14. 2003 IBC Building Planning (0007006)

- 15. Requesting 6 hours GENERAL credit
2003 IRC Hurricane Resistant Residential Construction (0007003)
Requesting 6 hours GENERAL credit
- 16. The Permit Counter – Skills & Strategies for the Front Line (0007001)
Requesting 6 hours GENERAL credit
- 17. 2003 IRC Fundamentals (0007004)
Requesting 12 hours GENERAL credit

MOTION: Mr. McCormick made a motion that the Committee approve course #'s 1, 2, 3, 4, 5, 6, 7, 8, 10, 13, 14, 15, & 17 as submitted.

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

MOTION: Mr. McCormick made a motion that the Committee deny course #9 as it was not relevant.

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

MOTION: Mr. McCormick made a motion that the Committee deny course #11 as it was not relevant.

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

MOTION: Mr. McCormick made a motion that the Committee deny course #12 as it was not relevant.

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

MOTION: Mr. McCormick made a motion that the Committee deny course #16 as it was 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

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 3:20 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Chair Kymalainen called the meeting to order at 3:30 p.m.

Members Present

Bob Kymalainen, Chair

Linda Armstrong

Dennis Franklin
Bob McCormick, Vice-Chair
Rob Nagin
Nick Sasso
Charles Sheridan

Members Not Present

Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Doug Harvey, Building Officials Association of Florida
Don Fuchs, Building Officials Association of Florida
Tim Tolbert
Tam Landis
Rob von Kampen, International Code Council
Bill Dumbaugh
Lynn Adams
Sharon Minardi
George Rogers

LETTER FROM THE CITY OF ST. AUGUSTINE REGARDING OFFICIAL DETERMINATION OF BUILDING OFFICIAL/INSPECTOR MINIMUM QUALIFICATIONS

Following discussion, Mr. Jones stated that they should request a declaratory statement. The Board asked Mr. Jones to draft a response informing them to request a declaratory statement.

OLD BUSINESS

Affidavit of Work Experience Revisions – Nick Sasso

Mr. Sasso stated that as soon as he had the dates from Mr. Jones regarding the provisional licenses, he will begin working on the affidavit.

NEW BUSINESS

Declaratory Statement

Mr. Jones informed the Board that the Declaratory Statement had been published in the Administrative Weekly and was ready for consideration by the Board. Mr. Dumbaugh was present.

Mr. Dumbaugh stated that the situation is that some companies turn to engineers for inspections and they want to send authorized representatives to do the inspections. Mr. Dumbaugh stated that building departments feel the representative cannot do this. Only someone who is a licensed engineer, architect or licensed under Chapter 468, Florida Statutes, can perform the inspections.

Chair Kymalainen stated that they can require that they have licensed individuals performing the inspections. Mr. Nagin agreed.

Chair Kymalainen stated that a private provider who is an engineer has to have individuals that are licensed under Building Code Administrators & Inspectors Board to do the inspections.

Mr. Jones stated that there was an exception in the Statutes. The question was whether or not an engineer or architect can send a delegate. The Board indicated that a delegate can not perform inspections unless properly licensed. Mr. Jones stated that he will draft a response from the Board that will be published in the Administrative Weekly, however, if he is not comfortable with his response, he will bring it back for review by the Board before publishing.

ADJOURNMENT

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

APRIL 20, 2007, 9:00 A.M., CDT

CALL TO ORDER

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

Members Present

Bob Kymalainen, Chair
Linda Armstrong
Dennis Franklin
Bob McCormick, Vice-Chair
Rob Nagin
Nick Sasso
Charles Sheridan

Members Not Present

Fred Dudley

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Jessica Leigh, Prosecuting Attorney
Ron von Kampen, International Code Council
Jim Lewis, International Code Council
Doug Harvey, Building Officials Association of Florida
Bill Dumbaugh
Tam Landis

APPROVAL OF THE FEBRUARY 20, 21, 22, 23, 2007, MINUTES OF THE MEETING

MOTION: Mr. Sheridan made a motion that the Board approve the minutes as submitted.

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

REPORTS

Chair's Report – Bob Kymalainen

Chair Kymalainen did not have a report to give at this time.

Application Review Committee – Bob Kymalainen Ratification and Denial Lists

Chair Kymalainen reported that the Committee met and review approximately 300 applications.

MOTION: Vice-Chair McCormick made a motion that the Board approve the Ratification List and the actions of the Application Review Committee.

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

Rules and Legislation Committee – Rob Nagin

Mr. Nagin reported that the Rules and Legislation Committee met and were provided with an update on the pending legislation. He reported that the Committee approved rules for rule development.

MOTION: Vice-Chair McCormick made a motion that the Board approve the actions of the Rules and Legislation Committee as reported.

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

Examination and Continuing Education Committee – Dennis Franklin

Mr. Franklin reported that the Examination and Continuing Education Committee met and reviewed courses submitted for continuing education.

MOTION: Vice-Chair McCormick made a motion that the Board approve the actions of the Examination and Continuing Education Committee.

SECOND: Ms. Armstrong seconded the motion and it passed unanimously.

Executive Committee - Bob Kymalainen

Chair Kymalainen stated that the Committee discussed the Declaratory Statement submitted by Bill Dumbaugh. Mr. Jones stated that he will take the assessment of the Board and will prepare the response as a petition, however, if he is not comfortable with the response, he will bring it back to the Board for review.

Chair Kymalainen stated that Mr. Jones will respond to the letter included on the agenda received from the City of St. Augustine.

Building Code Education and Outreach Council – Charles Sheridan

Mr. Sheridan informed the Board that there will be a telephone conference call for the Council on April 24 at 1 p.m. He reported that the Council will discuss the universal application for continuing education.

Board Counsel – Jeffrey Jones

Mr. Jones informed the Board that oral arguments for the Glenn Brown case are scheduled for May 15.

Executive Director – Robyn Barineau Continuing Education Monitoring Initiative

Ms. Barineau reminded the Board that this renewal period will be the first time that a licensee will not receive a license if they do not have the required continuing education hours. She stated that reminder notices will be sent out in advance of the renewal notices and there will also be reminder information included in the renewal notices. If a licensee submits a renewal fee without continuing education having been reported to the Department, they will receive a letter in lieu of license notification.

Mr. Nagin questioned if there would be any follow-up after the renewal period ended. Ms. Barineau responded that complaints could be filed and the Department would handle each on a case by case basis. Mr. Nagin expressed concern with this process. Ms. Leigh informed the Board that they would have to have proof that the individual did an inspection or plan review before she could take action.

Complaints & Investigative Statistics July 06 – March 07

This was provided for informational purposes only.

Master Continuing Education Application Work Group

Ms. Barineau reported that she discussed this with individuals in the Department and a group has been established to discuss this initiative. She stated that she met with other executive directors' and should have a report with more information at the next meeting.

Educational Pamphlet for Building Code

Ms. Barineau informed the Board that the individual that had been working on the pamphlet was no longer with the Department and he had not been replaced; however she was discussing the pamphlet with the division director and should have more information at the next meeting.

Mr. Nagin asked if the Boards were going to have input on the spending of the unlicensed activity funds. Ms. Barineau responded that she would discuss this with Mr. John Washington and report back to the Board.

Board Membership

Ms. Barineau stated that the Department was continuing to address the issue of board member vacancies. She asked if anyone knew of individuals interested in serving, to

please contact the Department or the Governor's Appointments Office for an application.

Ms. Barineau proposed the following meeting dates for the next fiscal year.
February 19 -22, 2008 in St. Augustine or Jacksonville
April 22-25, 2008 in Ft. Lauderdale
June 10-13, 2008 in Naples

ICC Update – Rob von Kampen, Ph.D.

Dr. von Kampen reported that computer-based testing administrations continued to grow and pen and paper examinations were declining. He reported that five subject matter experts that have been confirmed for the roofing inspector examination.

Dr. von Kampen introduced Mr. Jim Lewis who is the test development expert for International Code Council.

PRIVATIZATION OF DISCIPLINE – NICK SASSO

Mr. Sasso asked that this be tabled until the August meeting.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

Mr. Sasso commented that the Board is receiving more applications for home inspectors and the applicants are getting creative. He suggested that the Board consider developing a rule that home inspector experience does not satisfy the requirements for licensure. The Board stated that a rule was not necessary.

NEW BUSINESS

Vice-Chair McCormick stated that there was an issue with an individual that was present for a hearing that he wanted to discuss with the Board. He stated that Jerry Wooten was present on Wednesday appealing his denial for which he was ultimately approved. Mr. Wooten's provisional licenses expire on May 3rd and he was told it would take 30 to 45 days to get official notification for him to schedule his examinations. Vice-Chair McCormick stated that he volunteered to ask the Board if they would extend his provisionals for 90 days to allow him to continue to work.

Mr. Nagin commented that this was anticipating success on the examination and questioned what would happen if he failed. Vice-Chair responded that he would only have 90 days and noted that the Board typically does not approve this type of request.

Following discussion, the following action was taken.

MOTION: Vice-Chair McCormick made a motion that the Board approve a 90 day extension of the provisional licenses held by Jerry Wooten.

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

ELECTION OF OFFICERS

MOTION: Chair Kymalainen made a motion that Bob McCormick be elected Chair of the Board.

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

MOTION: Mr. Franklin made a motion that Nick Sasso be elected as Vice-Chair of the Board.

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

ADJOURNMENT

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