

MINUTES OF THE MEETING

BUILDING CODE ADMINISTRATORS & INSPECTORS BOARD
TRADEWINDS RESORT
5500 GULF BOULEVARD
ST. PETERSBURG, FL 33706
JUNE 8, 9 & 10, 2005

JUNE 8, 2005

APPLICATION REVIEW COMMITTEE

Call To Order

Ms. Pass, Chair of the Committee, called the meeting to order at 1:06 p.m.

Members Present

Margaret Pass, Chair
Dennis Franklin
Bob Kymalainen
Nick Sasso
Charles Sheridan – arrived late

Members Not Present

Robert Nagin
Bill Weber

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeff Jones, Board Counsel
Andrew M. Johnson
Larry Carnley
Ted Lakey
Robert Case
David Johns
David Buckles
Michael Grimm
Charles Schwieder
Arnold Raymond
William Jay Bissett
James R. Appoloney, Jr.
Michael German
Bob Koning
Mike Geiger
Paul Vescio
David Conner
Cy Butts
Patrick Hoag
Dan Inman
Michael Macey

Allen Johnson
Ron Posey
Richard A.
Blusiewig
Kevin Malloy
Everett Maier
David Migut
Clifford Stokes
Mike Garrett
Glen Urquhart
Donald Vincini
Tom Goldsbury
Donny Rees
Alex Rojas
Mike Maloy
Julia Galofre
J. Raymond Byron
Michael McGaughin
Francis A. Piccirilli
David Herron
Jim Evetts
David Morris
David Theen
Lewis Chandler
Nestor Abreu
Douglas Harvey
Gary Belle
Neal H. Schwartz

REVIEW OF APPLICATIONS AND REQUESTS FOR HEARINGS

Ms. Pass stated that the Committee would consider the request for hearings and applications for the individuals present at this time in the order they signed in.

Larry Carnley – Provisional Building Code Administrator Application

Mr. Carnley submitted an application for Provisional Building Code Administrator and was present at the meeting along with Ted Lakey, City Manager from Marianna.

Following discussion and review of the application by the Committee, the application was approved.

Andrew Johnson – Provisional 1&2 Family Dwelling Inspector

Mr. Johnson requested a hearing on the denial of his application and was present at the meeting.

Mr. Johnson informed the Committee that he terminated his employment with the city/county and now works for a private company. He stated that he wanted to change his application from a provisional license to examination.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that Mr. Johnson submit an application for examination and once received, the application will be approved by staff pursuant to their review.

SECOND: Mr. Kymalainen seconded the motion.

Following discussion a vote was taken on the motion which failed with Ms. Pass, Mr. Kymalainen and Mr. Sasso voting against the motion.

Roger Case – Plumbing Inspector

Mr. Case requested a hearing on the denial of his application and was present at the meeting. He presented additional affidavits for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the application for Plumbing Inspector be approved.

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

David Johns – 1&2 Family Dwelling Inspector

Mr. Johns requested a hearing on the denial of his application and was present at the meeting. Mr. Johns provided additional affidavits at the meeting for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the application for 1&2 Family Dwelling Inspector be approved with the additional information provided.

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

David Buckles – Building Code Administrator

Mr. Buckles requested a hearing on the denial of his application and was present at the meeting. Mr. Buckles provided an additional affidavit detailing his experience for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the application for Building Code Administrator be approved.

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

John Pankiewicz - Provisional Mechanical Inspector and Provisional Plumbing Inspector

Mr. Pankiewicz submitted applications and Michael Grimm was present at the meeting on Mr. Pankiewicz's behalf.

Following discussion, the Committee requested that Mr. Pankiewicz be present at the meeting on Friday in order to discuss his experience.

Charles Schwieder –Provisional Plumbing Inspector

Mr. Schweider requested a hearing on the denial of his application and was present at the meeting. He informed the Committee that he had also submitted an application for Provisional Plumbing Plans Examiner which was to be reviewed.

Mr. Kymalainen stated that Mr. Schwieder had not proven that he had any plumbing experience. Following discussion, the following action was taken.

MOTION: Mr. Kymalainen made a motion that the hearing for Mr. Schwieder be tabled until the August Board meeting.

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

Arnold Raymond – 1&2 Family Dwelling Inspector

Mr. Raymond requested a hearing on the denial of his application and was present at the meeting. He had submitted additional information for the Committee's consideration.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the application for 1&2 Family Dwelling Inspector be approved with the additional information submitted.

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

William Bissett – Standard and Provisional 1&2 Family Dwelling Inspector

Mr. Bissett requested a hearing on the denial of his applications and was present at the meeting. He provided additional information for the Committee's consideration.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the applications for Standard and Provisional 1&2 Family Dwelling Inspector be approved with the additional information submitted.

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

James Appoloney, Jr. – Provisional 1&2 Family Dwelling Inspector, Standard Building Inspector and Standard 1&2 Family Dwelling Inspector

Mr. Appoloney requested a hearing on the denial of his applications and was present at the meeting. He submitted additional information for the Committee's consideration.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the applications for Provisional 1&2 Family Dwelling Inspector, Standard Building Inspector and Standard 1&2 Family Dwelling Inspector be approved with the additional information submitted.

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

Mike German – Building Inspector and 1&2 Family Dwelling Inspector

Mr. German requested a hearing on the denial of his applications and was present at meeting along with Robert Koning.

Following discussion the following action was taken.

- MOTION: Mr. Sasso made a motion that the Committee recommend to the full Board that the applications for Building Inspector and 1&2 Family Dwelling Inspector be denied based on unlicensed activity.
- SECOND: Mr. Kymalainen seconded the motion and it passed with Mr. Franklin voting against the motion.

Robert Koning – Building Plans Examiner, Plumbing Plans Examiner, Roofing Inspector, Plumbing Inspector, Coastal Construction Inspector, 1&2 Family Dwelling Inspector, Electrical Inspector, Mechanical Inspector, Building Inspector, Electrical Plans Examiner, Mechanical Plans Examiner and 1&2 Family Dwelling Plans Examiner
Mr. Koning requested a hearing on the denial of his applications and was present at the meeting.

Following discussion, the following action was taken.

- MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the applications for Building Plans Examiner, Plumbing Plans Examiner, Roofing Inspector, Plumbing Inspector, Coastal Construction Inspector, 1&2 Family Dwelling Inspector, Electrical Inspector, Mechanical Inspector, Building Inspector, Electrical Plans Examiner, Mechanical Plans Examiner and 1&2 Family Dwelling Plans Examiner be approved for endorsement with the requirement that he take and pass the Principles and Practice examination.
- SECOND: Mr. Kymalainen seconded the motion and it passed unanimously.

Mike Geiger – Provisional 1&2 Family Dwelling Inspector

Mr. Geiger submitted an application for review and was present at the meeting along with David O'Connor.

Following review, the Committee recommended that the application for Provisional 1&2 Family Dwelling Inspector be approved.

Paul Vescio – Provisional Electrical Inspector

Mr. Vescio submitted an application for review and was present at the meeting.

Following review, the Committee recommended that the application for Provisional Electrical Inspector be approved.

Mr. Sheridan was present at the meeting at this time.

Roy Johnson – Provisional Building Inspector

Mr. Johnson submitted an application for review and was present at the meeting. Following review, the Committee recommended that the application for Provisional Building Inspector be approved.

Patrick Hoag – Building Inspector, Electrical Inspector, Plumbing Inspector and Mechanical Inspector by Endorsement

Mr. Hoag submitted a request for a hearing on the denial of his applications and was present at the meeting. Mr. Hoag was approved at the last meeting to take the examinations, however, he wanted to be licensed by endorsement so he chose to appear before the Board.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the applications for Building Inspector, Electrical Inspector, Plumbing Inspector and Mechanical Inspector by endorsement be denied, however, the applications are approved for examination.

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

Daniel Inman – Provisional Building Inspector and Provisional Building Plans Examiner

Mr. Inman requested a hearing on the denial of his applications and was present at the meeting along with Cy Butts. Additional information was previously submitted and information was also provided at the meeting for the Committee's review.

Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the applications for Provisional Building Inspector and Provisional Building Plans Examiner be approved based on the testimony given regarding his experience.

SECOND: Mr. Franklin seconded the motion which passed with Ms. Pass and Mr. Sasso voting against the motion.

Michael Macey – Plumbing Inspector

Mr. Macey requested a hearing on the denial of his application and was present at the meeting.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the Plumbing Inspector application be approved.

Motion died for lack of a second.

The Committee discussed the application and following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the application for Plumbing Inspector be approved.

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

Allen Lee Johnson – Provisional Electrical Plans Examiner

Mr. Johnson submitted an application for review and was present at the meeting. Following review, the Committee recommended that the application for Provisional Electrical Plans Examiner be approved.

Donald E. Rees – Provisional Building Inspector

Mr. Rees requested a hearing on the denial of his application and was present at the meeting along with Tom Goldsbury, Andres Rojas, Attorney, and Mike Maloney. Mr. Rojas spoke on behalf of Mr. Rees and also provided additional information.

Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the application for Provisional Building Inspector be approved pending receipt of proof that Mr. Rees was an active general contractor for more than 5 years.

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

Richard A. Blusiewicz – Standard and Provisional Building Inspector

Mr. Blusiewicz requested a hearing on the denial of his applications and was present at the meeting along with David Migut, Attorney.

The Committee discussed his experience which was only roofing experience. Mr. Kymalainen commented that you must have experience in more than one aspect of the building profession. There being no further discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the applications for Standard and Provisional Building Inspector be approved.

SECOND: Mr. Sasso seconded the motion which failed with Mr. Kymalainen, Ms. Pass and Mr. Sheridan voting against the motion.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the applications for Standard and Provisional Building Inspector remain denied.

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

Kevin Malloy – Standard and Provisional Electrical Inspector and Electrical Plans Examiner

Mr. Malloy requested a hearing on the denial of his applications and was present along with David Migut, Attorney. Additional information had been submitted for the Committee's review.

Following discussion the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the applications for Standard and Provisional Electrical Inspector and Electrical Plans Examiner be approved with the additional information.

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

Clifford Stokes - Provisional Building Code Administrator

Mr. Stokes submitted an application for review and was present at the meeting.

Following review and discussion, the Committee recommended that the Provisional Building Code Administrator application be approved.

Michael Garrett – Provisional Building Code Administrator

Mr. Garrett submitted an application for review and was present.

Following discussion, the review was tabled until Thursday.

Glen Urqhart - Provisional Building inspector & Provisional 1&2 Family Dwelling Inspector

Mr. Urqhart submitted applications for review and was present.

Following discussion, the Committee recommended that the application for Provisional Building Inspector be approved and the application for Provisional 1&2 Family Dwelling Inspector be denied for lack of experience.

Julia C. Galofre – Provisional Building Plans Examiner

Ms. Galofre requested a hearing on the denial of her application and was present at the meeting along with Jim Evetts.

Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the application for Provisional Building Plans Examiner be approved.

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

Francis Piccirilli – Building Code Administrator

Mr. Piccirilli requested a hearing on the denial of his application and was present at the meeting and also provided an additional affidavit for the Committee's review.

MOTION: Mr. Franklin made a motion that the Committee recommend to the full Board that the Building Code Administrator application be approved based on the additional affidavit submitted.

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

David Herron – Provisional 1&2 Family Dwelling Inspector, Provisional Electrical Inspector, Provisional Plumbing Inspector, Provisional Mechanical Inspector and Provisional Building Inspector

Mr. Heron submitted applications for review and was present at the meeting. During review, the Application Review Committee determined they needed additional information and requested that Mr. Herron appear at the meeting on Friday.

David Theen – Plumbing Inspector

Mr. Theen requested a hearing on the denial of his application and was present at the meeting.

MOTION: Mr. Sheridan made a motion that the Committee recommend to the full Board that the Plumbing Inspector application be approved based on the information provided.

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

Gary Belle – Building Inspector

Mr. Belle submitted an application for review and was present at the meeting.

Following discussion, the Committee recommended that the application for Building Inspector be approved.

Jeffrey Neese – Provisional Plumbing Inspector, Provisional Building Inspector, Provisional Building Plans Examiner, Provisional Mechanical Inspector, Building Inspector, Mechanical Inspector, Plumbing Inspector and Building Plans Examiner

Mr. Neil Schwartz, Deputy Building Official for Treasure Island, was present on Mr. Neese's behalf.

Following discussion, the Committee recommended that the applications be approved.

David Headley – Provisional Building Plans Examiner & Building Plans Examiner

Mr. Headley requested a hearing on the denial of his Building Plans Examiner application and had submitted a Provisional Building Plans Examiner application for review. Francis Piccirilli was present on his behalf.

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee approve the Provisional Building Plans Examiner application as submitted and that the Committee recommend to the full Board that the Building Plans Examiner application be approved.

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

William Irvine - Provisional Electrical Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Plumbing Plans Examiner, Standard Mechanical Plans Examiner, Standard Plumbing Plans Examiner & Standard Electrical Plans Examiner

Mr. Irvine requested a hearing on the denial of his applications and Francis Piccirilli was present at the meeting on his behalf.

Following discussion the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee table the hearing on William Irvine until the full Board meeting on Friday in order for Mr. Irvine to be present.

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

ADJOURNMENT

There being no further business to come before the Committee, the Application Review Committee meeting adjourned at 11:00 p.m.

JUNE 9, 2005

EXAMINATION AND CONTINUING EDUCATION COMMITTEE

Call To Order

Mr. Nagin, Chair of the Examination and Continuing Education Committee, called the meeting to order at 9:00 a.m.

Members Present

Robert Nagin, Chair
Dennis Franklin
Robert Kymalainen
Margaret Pass
Nick Sasso
Charles Sheridan
Bill Weber

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Bruce Burdette, ICC
Jeffrey Jones, Board Counsel

ICC EXAMINATION ADMINISTRATION CONTRACT PROPOSAL/PRESENTATION

Bruce Burdette presented the Board with a 2005 ICC National Examination Information packet.

Mr. Burdette stated that the number of no shows was a concern because of the item exposure having both computer and paper and pen exams. He commented that ICC wanted to attempt to correct the problems with the new contract. The recommendation from ICC would be to change to 100% computer based testing in January 2006. He stated that with computer based testing, the candidates could apply when they were ready to take the examination and if for some reason they were unable to take the examination, they could cancel up to 4 days prior to their examination date at no cost. Mr. Burdette discussed the cost that would be charged and explained the reasons for the change. He stated that the bottom line was there would be a 6% increase in the contract which is a \$14,000 increase.

Mr. Burdette informed the Board that there were some negative issues with computer based because there were not many vendors to select from. He stated that both Florida and ICC use Promissor as their vendor. Mr. Burdette commented that some of the locations did not have adequate room for the testing of individuals.

Mr. Burdette commented that if the Board agreed to go with computer based testing, the test would be offered every day. He stated that the paper and pen examination would still be available 4 times a year, but it would be funded completely by the applicant and the cost would remain the same. According to Mr. Burdette, the most effective way to offer the technical examination would be via computer based testing.

Mr. Franklin commented that some individuals are not computer literate. Mr. Sheridan agreed that it would be a problem. Mr. Nagin questioned the cost for the paper and pen exam to the applicant. Mr. Burdette responded that the cost would remain the same. Ms. Barineau commented that currently the Principles & Practice examination is only given as a computer based examination.

Ms. Pass stated that if they decided to go with computer based testing, the examination sites would need to have ample working room for the candidates.

Following discussion, Mr. Burdette informed the Board that the proposal would include the need for adequate lighting and space accommodations. He also stated that the pen and paper examination will also be a part of the contract and stated that ICC will make the amendments and submit to them department. Ms. Barineau informed the Board that she would meet with the Bureau of Education and Testing on these issues and report back to the Board.

NEW CONTINUING EDUCATION COURSES FOR REVIEW

City Of Jacksonville Building & Zoning Inspection Division

1. Accessibility Inspections Back to Basics (2 hours) (AOA)
2. Inspection Procedures for Engineers and Private Providers (2 hours) (Laws & Rules)
3. Florida Existing Building Code for Nuts and Bolts (4 hours) (General)
4. Safety and Health Regulations for Construction (1 hour) (General)
5. Nuts and Bolts for Contractors (1 hour) (Laws & Rules)
6. Florida Statutes 471 & Rule 61G15 Florida Professional Engineers (2 hours) (Laws & Rules)
7. Workers Compensation for the Construction Industry (1 hour) (Laws & Rules)

MOTION: Mr. Franklin made a motion that the Committee approve all of the courses with the exception of Nuts and Bolts for Contractors and Workers Compensation for the Construction Industry which should be denied.

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

Following discussion, the following action was taken.

MOTION: Mr. Franklin made a motion that the Committee reconsider the courses on Nuts and Bolts for Contractors and Workers Compensation for the Construction Industry.

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

Following discussion, the following action was taken.

MOTION: Mr. Sheridan made a motion that the Committee approve the course Nuts and Bolts for Contractors.

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

Palm Beach County Planning, Zoning, & Building (The following Courses were tabled at May Conference Call)

1. Introduction to Medical Gas (2 hours) (General)
2. Medical Gas I (2 hours) (General)
3. Medical Gas II (2 hours) (General)
4. Medical Gas III (2 hours) (General)

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

SECOND: Mr. Sheridan seconded the motion for discussion purposes.

Richard Gathright was present from Palm Beach County and informed the Committee that he submitted the additional syllabus. He discussed the courses with the Committee.

There being no further discussion, a vote was taken on the motion which passed with Ms. Pass, Mr. Weber and Mr. Sasso voting against the motion.

Tri-State Consultants

1. CBO: Technology Overview (7 hours) (General)
2. CBO: Legal and Management Overview (7 hours) (General)
3. Overview of the 2004 Florida Building Code (6 hours) (General)
4. Overview of the 2004 Florida Residential Code (6 hours) (General)
5. 2004 FBC: Performing Non-Structural Plan Reviews (12 hours) (General)
6. 2004 FRC: Performing Residential Plan Reviews (12 hours) (General)

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

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

Department Of Education, Educational Facilities

1. State Requirements for Educational Facilities and Florida Building Code, Sect. 423 (2 hours-AOA) (21 hours-General) Total Hours Requesting: 23 hrs.

MOTION: Ms. Pass made a motion that the Committee approve the course as submitted.

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

Gold Coast School Of Construction

1. Financial Management-Internet Version (2-AOA, 2-L&R, 3-General) (Total Hours Requesting: 7)
2. Contract & Project Management-Internet Version (2-AOA, 2-L&R, 3-General) (Total Hours Requesting: 7)
3. Financial Management (7 hours) (General)
4. Regulatory Compliance (2-AOA, 2-L&R, 3-General) (Total Hours Requesting: 7)
5. Regulatory Compliance-Internet Format (2-AOA, 2-L&R, 3-General) (Total Hours Requesting: 7)
6. Contract & Project Management-Internet Version (2-AOA, 2-L&R, 3-General) (Total Hours Requesting: 7)
7. Occupancy Separation, Florida Code vs. Tenant Separation (2 hours) (General)

MOTION: Mr. Franklin made a motion that the Committee approve the following courses: Financial Management, Regulatory Compliance and Contract & Project Management-Internet Version.

SECOND: Mr. Weber seconded the motion and it passed with Mr. Sheridan voting against the motion.

International Code Council

1. The Permit Counter-Skills & Strategies for the Front Line (6 hours) (General)
2. 2003 IFC Fire Systems (6 hours) (General)
3. Florida Accessibility Code for Building Construction (2 hours) (General)
4. 2003 IRC Hurricane Resistant Residential Construction (6 hours) (General)
5. 2003 IRC Fundamentals (12 hours) (General)
6. 2003 IBC Building Planning (6 hours) (General)
7. 2003 IBC Hazardous Materials (6 hours) (General)
8. Building Department Personnel Management (5 hours) (General)

MOTION: Mr. Franklin made a motion that the Committee approve all courses as submitted with the exception of 2003 IFC Fire Systems.
SECOND: Mr. Weber seconded the motion and it passed unanimously.

Department Of Community Affairs

1. Manufactured Buildings Program Workshop (12 hours) (General)

MOTION: Mr. Franklin made a motion that the Committee approve the course as submitted.
SECOND: Mr. Weber seconded the motion and it passed unanimously.

Red Vector.Com

1. FL Building Code Advanced 2004: Indoor Environmental Quality Overview (2 hours) (General)
2. Florida: Building Inspectors Laws & Rules – 2005

MOTION: Mr. Sheridan made a motion that the Committee approve the Florida: Building Inspectors Laws & Rules – 2005 course as submitted.
SECOND: Mr. Sasso seconded the motion and it passed unanimously.

Michael Vandell was present on behalf of Red Vector.Com regarding the denial of courses. They requested a hearing on the denial of the Florida Building Code Advanced 2004: Indoor Environmental Quality Overview course.

In discussion it was noted that the Department of Community Affairs (DCA) had not approved internet courses at this time, and this was a DCA course. Following discussion, Mr. Vandell asked that this discussion be tabled until next meeting to see if DCA approves internet courses.

MOTION: Mr. Weber made a motion that the Committee table the hearing for Red Vector.com until the August meeting.
SECOND: Mr. Franklin seconded the motion and it passed unanimously.

Development Service & Sarasota County

1. Occupancy Separation Florida Code vs. Tenant Separation

MOTION: Mr. Sheridan made a motion that the Committee approve the course as submitted.
SECOND: Mr. Franklin seconded the motion and it passed unanimously.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 10:47 a.m.

RULES AND LEGISLATION COMMITTEE

CALL TO ORDER

Mr. Nagin, Chair of the Committee, called the meeting to order at 10:47 a.m.

Members Present

Robert Nagin, Chair
Dennis Franklin
Robert Kymalainen
Margaret Pass
Nick Sasso
Charles Sheridan
Bill Weber

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel

Mr. Nagin stated that the Committee was provided with a draft of the proposed rules by Mr. Jones.

Mr. Jones informed the Committee that he provided a draft of Rule 61G19-9.004, F.A.C. He stated that he added in subsection (11) "subject to review" in order for the board to review the courses before they accept courses for other professions.

Mr. Nagin commented that the reciprocity language had caused problems and he would like to achieve the master application for continuing education within the next few months. Ms. Barineau informed the Committee that she met with the Bureau of Education and Testing staff and was told that CILB receives approximately 100 applications every month, ECLB and Architecture and Interior Design receive between 50 – 75 applications.

Mr. Nagin stated that there were a number of courses that were common between the Boards and there were also a number of duplicate courses. He stated that if they had a master application, the provider would select which Boards they were seeking approval from.

Mr. Jones indicated the rule had been advertised and was in the adoption process.

MOTION: Mr. Franklin made a motion that the Board continue with the adoption procedures for Rule 61G19-9.004.

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

Mr. Jones provided a draft of Rule 61G19-6.012, F.A.C., Provisional Certificates. He stated that the change to subsection (3) was for provisional certificate holders to participate with the requirement for continuing education hours.

Following discussion, the Committee requested Mr. Jones bring this rule back to the next meeting.

Mr. Jones provided the Committee with a draft of Rule 61G19-X.00X, F.A.C. Required Experience of Standard Inspector. He stated that this was briefly discussed at last meeting and the purpose of the rule would be to capture the experience requirements related to the various areas of certification. Mr. Jones informed the Committee that he had developed a list of what would be considered as experience areas, which could also be used by staff.

Mr. Nagin stated that these would be the minimum requirements. Mr. Kymalainen suggested adding plans examiners. Ms. Pass stated that she would like to have time to review the draft and discuss at the next meeting.

LEGISLATION

Mr. Nagin informed the Committee that the Governor signed Senate Bill 442. He stated that the bill affected the educational council. Mr. Nagin informed the Board that pursuant to the legislation the Board now has disciplinary authority against building code officials without satisfying insurance requirements.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 11:47 p.m.

EXECUTIVE COMMITTEE

CALL TO ORDER

Mr. Sheridan, Chair of the Committee, called the meeting to order at 1:15 p.m.

Members Present

Charles Sheridan, Chair
Dennis Franklin
Robert Kymalainen
Robert Nagin
Margaret Pass
Nick Sasso
Bill Weber

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeff Jones, Board Counsel
David Morris, Lee County
Bob McCormick

DISCUSSION REGARDING PROPOSAL OF DELEGATION AUTHORITY TO THE CONTINUING EDUCATION COMMITTEE FOR APPROVAL OR DENIAL OF CONTINUING EDUCATION COURSES

Ms. Barineau informed the Committee that this was a proposal to have the continuing education courses distributed to the Committee members for review. The Board could delegate the authority to the Committee to review all continuing education courses and if all members were in agreement, then the courses would be approved at that time without coming back before the Board.

Mr. Jones informed the Committee that the procedures would be the courses would be sent to the Committee members and if everyone was in complete agreement, then the course would be deemed approved. He stated that if there was disagreement, then the course would be reviewed by the full Board.

MOTION: Mr. Weber made a motion that the Board delegate the authority to the Continuing Education Committee members to approve courses.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

REPORT ON FBC EDUCATIONAL TAC COMMITTEE – DENNIS FRANKLIN

Mr. Franklin stated that he was appointed by the Board to sit on this Committee. He stated that the meetings were held at different times and the last meeting was on May 9th, which he attended. He informed the Board the TAC would be dissolved with the passing of Senate Bill 442 and a new committee, Building Code Education and Outreach Council, was formed that would provide the same service as the TAC. Mr. Franklin stated that he would like to continue on the Committee representing the Board.

Mr. Sheridan commented that someone not on the Board could be appointed to attend and he was considering appointing Bob McCormick.

MOTION: Mr. Franklin made a motion that the Board appoint Bob McCormick to attend the meetings on behalf of the Board.
SECOND: Mr. Nagin seconded the motion and it passed unanimously.

DISCUSSION ON PROPOSED NEW COMMITTEE REGARDING PRIVATE PROVIDERS/ADVISORY COMMITTEE QUESTIONS FOR COMMITTEE – DENNIS FRANKLIN

Mr. Franklin stated that this was discussed at the last meeting and they were requested to submit areas that needed to be acknowledged or needed direction. He stated that a committee was developed at the last meeting and they were asked to submit their thoughts as to what the committee should do.

Mr. Sheridan stated that he had spoken to inspectors working for private providers and on two separate occasions he was told by the inspectors that they were instructed by their companies to give the builders what they wanted. He commented that the builders were hiring private inspectors and thought there was a real problem.

Mr. Kymalainen commented that the general private provider did not interpret the law correctly and several had failed in his area; there were some that performed the work correctly. He stated that the problem was that contractors hire private providers assuming that the city/county would not have anything to do with the process when, in fact, the building department still has control. Ms. Pass stated that they had been very successful with using private providers.

Following discussion, Mr. Sheridan commented that he would like for the Committee to propose some rule changes to put some teeth in the disciplinary action.

Following discussion, there was no action taken on the committee.

Mr. Franklin asked for some assistance with his memorandum dated April 8, 2005 (copy attached.) He stated that on the first question the answer would be “yes.”

Mr. Jones informed Mr. Franklin that he could request a declaratory statement on his second and third questions.

Mr. Nagin commented that they have discussed the situations in questions four and five previously.

OLD BUSINESS

Mr. Jones stated that he was to review the rules regarding roofing inspectors since it is in the voluntary category and requires a standard certificate in order to get this license. He stated that he was requested to determine if there could be a creation of a provisional license for this category. Mr. Jones stated that the Board could create a voluntary category but it cannot diminish what is already created. If they were attempting to create a roofing voluntary category and already have that category, then that would be less than what they already have. Mr. Jones stated that all voluntary licenses require a standard certification. By attempting to do this, it would not be consistent with the rule for the voluntary licenses.

David Morris, Lee County Building Official, stated that they needed a specialty roofing license; however if this could not be done, they he would like for the Board to reconsider and start counting roofing experience for the building inspector license.

Following discussion, it was suggested that the individuals with roofing experience only apply for a provisional building inspector license, submit a letter along with the application and the applications, if received in time, would be reviewed at the August meeting.

Mr. Jones informed the Committee that Steven Wharton was approved by the Board for a voluntary roofing license and was approved for licensure in error.

MOTION: Mr. Nagin made a motion that the Board reconsider the application of Steven Wharton and he be sent a notice to appear at the August meeting.

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

Mr. Jones informed the Committee that he would bring language regarding the voluntary licenses to the next meeting.

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 3:40 p.m.

JUNE 10, 2005 9:00 a.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

Members Present

Charles Sheridan, Chair

Dennis Franklin

Robert Kymalainen, Vice-Chair

Robert Nagin

Margaret Pass

Nick Sasso

Bill Weber

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Jeffrey Jones, Board Counsel
Charles Tunnicliff, Prosecuting Attorney
Bob McCormick
William E. Irvine
Steve Roland
Richard Blusiewicz
David Migut
Everett Maier
Robert Harris
Kevin Malloy
Ron Posey
James Appoloney, Jr.
William Bissett
John Pankiewicz
Don Vancini
Michael German
Gerald Engel
Manuel Zambrano
Robert Kecke
Tom Braswell
David Herron

REVIEW OF THE SUNSHINE LAW – JEFFREY JONES

Mr. Jones addressed the Board regarding the Sunshine Law. He stated that there was a document that was prepared by Cathy Lannon and a Government in the Sunshine book that he would send to all the members for their review. Mr. Jones reminded the members that they cannot discuss issues that will come before the Board with anyone.

APPROVAL OF THE MINUTES OF THE MEETINGS

March 23, 24 & 25, 2005 Board Meeting

MOTION: Mr. Franklin made a motion that the Board approve the March 23, 24 & 25, 2005, minutes as submitted.

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

May 3, 2005 Conference Call

MOTION: Ms. Pass made a motion that the Board approve the May 3, 2005, minutes as submitted.

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

MOTION FOR FINAL ORDERS

Recommended Order

Cayetano F. Alfonso, Case # 2001-01926

Mr. Tunnicliff informed the Board that the Recommended Order for Cayetano F. Alfonso had been removed from the agenda because the attorney could not be present, and he felt it was appropriate to continue the case. Mr. Sheridan stated that the Board would continue the

case this time; however, even if they were not present at the next meeting, no more extensions would be granted.

Settlement Stipulation

Robert Gerald Harris, Case # 2004-023803

Mr. Nagin was recused from this case since he served on the Probable Cause Panel. Steven Ramiene, Attorney for the City of Moore Haven, was present along with Mr. Harris who did not wish to speak.

Mr. Tunncliff presented the facts in the case and informed the Board that Mr. Harris agreed to a Settlement Stipulation in the amount of a \$5000 fine plus \$503.89 in costs. Mr. Harris was sworn in by Mr. Tunncliff. Following discussion, the following action was taken.

MOTION: Mr. Weber made a motion that the Board accept the Stipulation as presented.

SECOND: Mr. Kymalainen seconded the motion which failed with Mr. Franklin, Ms. Pass and Mr. Sheridan voting against the motion.

MOTION: Mr. Franklin made a motion that the Board reject the Stipulation as presented.

SECOND: Mr. Weber seconded the motion which passed unanimously.

Following discussion the following action was taken.

MOTION: Mr. Franklin made a motion that the Board offer a Counter Stipulation requiring Mr. Harris to pay \$503.89 in costs and take an additional 14 hours of continuing education in the area of laws and rules by the end of the year.

SECOND: Mr. Weber seconded the motion and it passed with Mr. Kymalainen and Ms. Pass voting against the motion.

Mr. Harris accepted the counter offer.

INFORMAL HEARING

Michael L. Lane

Mr. Lane was present and sworn in by Mr. Tunncliff. Mr. Nagin was recused from this hearing since he served on the Probable Cause Panel.

Mr. Tunncliff presented the facts in this case. He added that Mr. Lane had a limited license in Hardee County and moved to Lake County Schools, which was a violation. He informed the Board that the costs in this case were \$1295.90

Following discussion, the following action was taken.

MOTION: Mr. Weber made a motion that the Board adopt the Findings of Fact and Conclusions of Law in this case.

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

MOTION: Mr. Weber made a motion that the Board require Mr. Lane to pay costs in the amount of \$1295.90 and take 14 additional continuing education hours in the area of laws and rules within one year.

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

CHARLES TUNNICLIFF, PROSECUTING ATTORNEY REPORT

Mr. Tunnichliff provided the Board with a copy of his report and stated that there were currently 12 cases in Legal. He informed the Board that his report will be prepared the first part of the month and he will provide updates at the meeting, if necessary.

REQUEST FOR HEARING NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

Viviana Alemany – Building Inspector

Ms. Alemany was not present, however, additional information was submitted for the Board's consideration.

MOTION: Mr. Nagin made a motion that the Board approve the Building Inspector application pending receipt of the ACEI certification.

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

Richard A. Blusiewicz – Standard and Provisional Building Inspector

Mr. Blusiewicz was present and sworn in by Mr. Jones along with David Migut, Attorney, City of Ft. Myers.

Following discussion, the following action was taken.

MOTION: Mr. Nagin made a motion that the Board approve the Provisional Building Inspector licenses for roofing inspections only in the city of Ft. Myers.

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

Michael Lee German – Building Inspector and 1&2 Family Dwelling Inspector

Mr. German was present and sworn in by Mr. Jones along with Robert Koning, Jerry Engle and Clark Jones.

Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Board approve the applications for Building and 1&2 Family Dwelling Inspector.

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

William Irvine – Provisional Electrical Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Plumbing Plans Examiner, Standard Mechanical Plans Examiner, Standard Plumbing Plans Examiner & Standard Electrical Plans Examiner

Mr. Irvine was present and sworn in by Mr. Jones. Mr. Irvine discussed his experience with the Board.

MOTION: Mr. Weber made a motion that the Board approve the applications for Provisional Electrical Plans Examiner, Provisional Mechanical Plans Examiner, Provisional Plumbing Plans Examiner, Standard Mechanical Plans Examiner, Standard Plumbing Plans Examiner & Standard Electrical Plans Examiner.

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

MOTION: Ms. Pass made a motion that the Board approve the Electrical Plans and Provisional Electrical Plans Examiner applications.

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

MOTION: Mr. Franklin made a motion that the Board approve the Mechanical Plans Examiner application.

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

MOTION: Ms. Pass made a motion that the Board approve the Plumbing Plans Examiner application.

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

Steven Roland – Building Code Administrator

Mr. Roland was present and sworn in by Mr. Jones. Mr. Roland presented testimony and stated that he applied for a license by endorsement.

Following discussion, the following action was taken.

MOTION: Ms. Pass made a motion that the Board approve the application for Building Code Administrator for licensure by examination.

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

John Pankiewicz – Provisional Plumbing and Mechanical Inspector

Mr. Pankiewicz was present and sworn in by Mr. Jones. Mr. Pankiewicz informed the Board that he was requested on Wednesday that he be present on Friday to discuss his applications.

MOTION: Mr. Franklin made a motion that the Board approve the Provisional Mechanical Inspector application.

SECOND: Mr. Weber seconded the motion which failed with Ms. Pass, Mr. Kymalainen, Mr. Sheridan and Mr. Sasso voting against the motion.

Following discussion the following action was taken.

MOTION: Mr. Franklin made a motion that the Board approve the Provisional Plumbing Inspector application.

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

Manuel Zambrano – Plumbing Plans Examiner and Electrical Plans Examiner

Mr. Zambrano was present and sworn in by Mr. Jones. Following discussion, the following action was taken.

MOTION: Mr. Weber made a motion that the Board approve the Plumbing Plans Examiner and Electrical Plans Examiner applications based on Mr. Zambrano's testimony.

SECOND: Mr. Franklin seconded the motion which passed with Ms. Pass voting against the motion.

David Herron – Provisional 1&2 Family Dwelling Inspector, Provisional Electrical Inspector, Provisional Plumbing Inspector, Provisional Mechanical Inspector and Provisional Building Inspector

Mr. Herron was present as requested by the Application Review Committee on Wednesday. He presented an additional affidavit of experience.

Following discussion, the following action was taken.

MOTION: Mr. Weber made a motion that the Board table the hearing until the next Board meeting.

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

The Board informed Mr. Herron that they needed information from the state of Ohio that he is an active contractor and the statutory language for that scope of licensure.

Mr. Franklin asked that staff contact the states and request their licensing information. Mr. Nagin commented that the burden should be on the applicant to provide this information. Mr. Sheridan suggested adding language in the application that a copy of the license along with a verification of licensure from the state the applicant is licensed in be submitted. Mr. Jones expressed concern that the Board may be requesting too much information. Mr. Sheridan suggested the Board table this discussion until the next meeting.

BOARD REQUESTED APPEARANCE

Derek James Wiechmann – Standard and Provisional Building Code Administrator

Mr. Wiechmann was not present at the meeting and he was duly notified. Mr. Jones stated that there were questions regarding the applications and if the Board desired, he could proceed with issuing the notice of intent to deny.

MOTION: Mr. Kymalainen made a motion that the Board deny the Standard and Provisional Building Code Administrator applications for unlicensed activity.

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

REQUEST FOR EXTENSION OF PROVISIONAL LICENSE

Robert Ferlita

Mr. Ferlita was not present, however, he submitted a letter regarding the request.

MOTION: Mr. Franklin made a motion that the Board deny the request for an extension of the provisional license.

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

REPORTS

Chair's Report – Charles Sheridan

Mr. Sheridan made the following Committee Appointments:

Application Committee – Ms. Pass, Chair, Mr. Sheridan and Mr. Kymalainen

Examination & CE Committee – Mr. Franklin, Chair, Mr. Sasso and Mr. Weber

Rules and Legislative Committee – Mr. Nagin, Chair, Mr. Kymalainen and Mr. Sheridan

Executive Committee – Mr. Sheridan, Chair and all members

PCP – Mr. Nagin, Chair, Mr. Sheridan, - Mr. Sheridan asked Ms. Rice to provide him with a list of past members for him to consider as panel members

Application Committee – Margaret Pass Ratification and Denial List

Ms. Pass informed the Board that the Ratification List was provided in the hand-outs.

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

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

Ms. Pass informed the Board that the Application Review Committee met on Wednesday and reviewed approximately 400 applications and asked the Board to approve the actions of the Committee.

MOTION: Mr. Sheridan made a motion that the Board approve the actions of the Application Review Committee for approval or denial.

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

Rules and Legislation Committee – Rob Nagin

Mr. Nagin stated that he reported on the Rules yesterday and discussed the rules that were to move forward with noticing.

MOTION: Mr. Weber made a motion that the Board approve the report of the Rules and Legislation Committee.

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

Examination and Continuing Education Committee – Charles Sheridan

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

Executive Committee – Charles Sheridan

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

Board Counsel – Jeffrey Jones

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

Executive Director – Robyn Barineau

Private Addresses & Continuing Education 100% Monitoring Initiative

Ms. Barineau stated that these items were addressed in the BOAF meeting.

Background Information

Ms. Barineau informed the Board that she was researching, as requested, on the application discipline statement where the word discipline had been removed. She stated that it is being reviewed and addressed at this time and she would report the findings to the Board.

Categories of Licensure

Ms. Barineau reported that she and Ms. Rice met the Technology Department regarding adding the categories of licensure on the license to see what can be done. She stated that she would report back to the Board as soon as she knows if this can be done or not.

Ms. Pass asked if money could be set aside in order to make changes as the Board deems appropriate. Ms. Barineau responded that she would take the suggestion back to the

department. Ms. Pass stated that she would like a separate line item in the board budget for enhancements in technology.

Mr. Nagin stated that he would like to have a Wireless communication card ordered for this Board only.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 1:05 p.m.