



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

RICK SCOTT
Governor

BILLY BUZZETT
Secretary

MEETING OF THE FLORIDA BUILDING COMMISSION

PLENARY SESSION MINUTES DECEMBER 6, 2011

PENDING APPROVAL

The meeting of the Florida Building Commission was called to order by Chairman Richard S. Browdy at 9:00 a.m, Tuesday, December 6, 2011, at the Hilton Hotel, Gainesville, Florida.

COMMISSIONERS PRESENT:

Richard S. Browdy, Chairman
Jeffrey Gross
Angel "Kiko" Franco
Jeff Stone
James R. Schock
Robert G. Boyer
Hamid R. Bahadori
Drew M. Smith
Christopher P. Schulte
Scott Mollan
Jonathon D. Hamrick
Kenneth L. Gregory
Joseph "Ed" Carson
Raphael R. Palacios
John "Tim" Tolbert
Nicholas W. Nicholson

Dale T. Greiner

COMMISSIONERS ABSENT:

Herminio F. Gonzalez
Mark C. Turner
John J. Scherer
Donald A. Dawkins

OTHERS PRESENT:

Rick Dixon, FBC Executive Director
Leslie Anderson Adams, DBPR Legal Advisor
Jeff Blair, FCRC Consensus Solutions
Ila Jones, Program Administrator
Mo Madani, Technical Svcs. Manager

WELCOME

Chairman Browdy welcomed the Commission, staff and the public to Gainesville and the December 2011 plenary session of the Florida Building Commission. He explained that the primary focus of the December meeting, in addition to deciding on regular procedural issues including product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the various committees, was to adopt the report to the 2012 Legislature and to select the 2012 International Codes as the foundation codes for the 2013 Florida Building Code.

Chairman Browdy stated if anyone wished to address the Commission on any issues before the Commission they should sign-in on the appropriate sheet(s). He then stated, the Commission would provide an opportunity for public comment on each of the substantive discussion topics. He further stated if anyone wanted to comment on a specific substantive Commission agenda item, they should come to the speaker's table at the appropriate time so the Commission knows they wish to speak. He concluded by stating public input was welcome, and should be offered before there was a formal motion on the floor.

Chairman Browdy then conducted a roll call of the Commission members.

REVIEW AND APPROVE AGENDA

Mr. Blair conducted a review of the meeting agenda as presented in each Commissioner's files.

Commissioner Carson moved approval of the meeting agenda as amended. Commissioner Greiner entered a second to the motion. Vote to approve the motion as amended was unanimous. Motion carried.

REVIEW AND APPROVE OCTOBER 11, 2011 COMMISSION MEETING MINUTES AND FACILITATOR'S REPORT

Chairman Browdy called for approval of the minutes and Facilitator's Report from the October 11, 2011.

Commissioner Nicholson moved approval of the minutes and Facilitator's Report from the October 11, 2011 Commission meeting. Commissioner Greiner entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Appointments to TACs and Workgroups

Chairman Browdy stated Donald Dawkins had officially resigned from the Commission due to very serious health issues. He then stated Mr. Dawkins had been the Commission's representative for persons with disabilities. He further stated with his resignation, the Commission seat for that particular interest was currently vacant.

Code Process 2013 Ad Hoc

Chairman Browdy stated as Chairman of the Commission he would be chairing the 2013 Florida Building Code Update Process Ad Hoc Committee and the Florida Building Code System Assessment Ad Hoc Committee.

TAC Appointments

Chairman Browdy stated the following appointments were made:

Asphalt Shingles Workgroup

C. W. McComber

Hinged Entry Door Workgroup

Jim Bell, Door Manufacturer's Association

Jack Glenn, Florida Homebuilder's Association

Joe Hetzel, American Association of Automatic Door Manufacturer's

Steve Strawn, JeldWen Windows and Doors

Dick Wilhelm, FMA

Dwight Wilkes, AHMA

Chairman Browdy stated Commissioner Jeff Stone had been appointed chairman of the Education POC. Chairman Browdy stated there were currently 16 different positions requiring either reappointment or reappointment or vacancy appointments by the governor. He then stated he had been in contact with the appointments office to discuss the timing of that action. He further stated most recently he had been assured the Commission would see reappointments and vacancy appointments prior to the end of the year. He continued by stating once the reappointment and vacancy process has been finalized he would also be making additional TAC and POC appointments. He stated he was very hopeful the Governor's office would get those appointments out during the next two weeks.

Citizens' Letter

Chairman Browdy stated the Commission had voted in August to inquire about the status of Citizen's Insurance establishment of a policy regarding aluminum branch wiring in older homes. He then stated in conformance with the Commission's decision, Chairman Rodriguez sent a letter, of which the commissioners received copies. He further stated at the October meeting Chairman Rodriguez reported there had been no response from Citizen's Insurance. He further stated to date, there continued to be no response from Citizens Insurance.

Rick Dixon, Executive Director, Retirement

Chairman Browdy stated Rick Dixon would be retiring in February 2012. He then stated Mr. Dixon had been working with the state of Florida for over 38 years. He further stated on November 16, 2011, he, Mr. Dixon, Ila Jones, Leslie Anderson-Adams and the senior staff at the Department of Business and Professional Regulation met to discuss a number of issues including Mr. Dixon's position. He stated G.W. Harold, at DBPR, assured those at the meeting he would accelerate the process and subsequently the process was initiated for hiring a new planning manager to serve as the Commission's executive director. He continued by stating there should be a replacement in Mr. Dixon's position shortly after his retirement in February.

Consensus Building

Chairman Browdy stated it was important to discuss the consensus building process. He then stated he believed one of the things which was a hallmark of Chairman Rodriguez' leadership of the Commission was his dedication to that process. He assured the members of the Commission and the general public the same dedication to consensus building would continue with the passion shown by Chairman Rodriguez. He stated since its formation in 1998 the Commission has shown commitment in working with affected interests to build consensus on complex issues. He then stated the Florida Building Commission is committed to developing consensus on its recommendations and policy decisions. He continued by stating the Commission's consensus building process was conducted as an open public process with multiple opportunities provided for public input to the Commission on substantive issues. He further stated at each Commission meeting the public was welcomed to speak during the public comment period provided for each substantive issue under consideration, as well as general public comment. He stated the Commission has a workgroup process in which consensus recommendations were developed by appointed representatives and stakeholders' group, providing additional opportunities for public input. He then stated workgroup recommendations approved by the Commission usually require rule development to implement, affording two more additional entry points for public comment. He continued by stating the Commission has consistently worked with all affected interest groups to build the best possible consensus based decisions for citizens of Florida. He stated he certainly wanted to continue with the process.

Assessment Evaluation Online

Chairman Browdy stated it was time for the Commission to conduct its annual workplan prioritization and effectiveness rating exercises. He then stated the survey would be available online through December 30, 2011. He further stated the results of the assessment would be reviewed at the January meeting. He continued by stating Mr. Blair would provide the commissioners with the web links and the time frames for completing the exercise. He stated the Commissions' rankings would be one of the inputs for deciding workplan priorities.

Chairman Browdy directed the Commission to Mr. Blair for review of the process.

Mr. Blair stated each year the Commission conducts two very distinct exercises, the Workplan Prioritization Exercise and the Commission's Effectiveness Survey. He then stated he would send the commissioners two separate emails for each of the two exercises. He further stated he would compile the results and send those results to the commissioners prior to the January 2012 Commission meeting.

RESOLUTION COMMENDING RAUL L. RODRIGUEZ, AIA FOR CHAIRMANSHIP OF THE COMMISSION

Chairman Browdy stated for recognition of the outstanding leadership of the Florida Building Commission by Raul Rodriguez, who served as Chairman of the Commission from June 8, 1999 through October 14, 2011, he would like to read a proposed letter of resolution from the Commission to Chairman Rodriguez. He then stated Chairman Rodriguez provided outstanding leadership and guidance to the Commission while maintaining a commitment to consensus building collaboration.

Chairman Browdy read the proposed resolution to the Commission. (Please see *Resolution, December 6, 2011.*)

Commissioner Nicholson moved approval of the resolution. Commissioner Franco entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Chairman Browdy stated there would be a reception on Monday, January 20, 2012 at the St. Pete Commission meeting, honoring both Raul Rodriguez' chairmanship and Rick Dixon's 38 years of service to the state of Florida, specifically his work with the Commission. He then stated in order to participate, in accordance with the legal requirements, members of the Commission are asked to pay their own expenses to participate in the reception, including the reception fee of \$25.00 per person. He further stated for those wishing to attend, staff was devising a method for payment for the reception, and the commissioners would be notified once those arrangements have been made. He concluded by stating he hoped everyone could attend the opportunity to honor two men who have given very much to the state of Florida.

UPDATE OF THE COMMISSION WORKPLAN

Mr. Dixon conducted a review of the updated Commission work plan. (See *Updated Commission Work Plan December 6, 2011*).

Mr. Dixon stated he only reviewed the major updates and major tasks added. He then stated there were a number of changes or additions to the dates for the workplan. He encouraged the commissioners to go to the website to the Facilitator's Report to review the entire work plan.

Mr. Dixon stated the International Code Council released the 2012 I Codes in September 2011. He then stated the way Florida law that governs the editions of the Florida Building Code was written, the Commission was to select new editions of the I Codes to form the foundation for the next edition of the Florida Building Code. He further stated the codes were available now for review and selection of those codes was scheduled for the December Commission meeting, as indicated on the agenda. He continued by stating the next stage would be an evaluation of what Florida specific amendments the Commission itself would propose to be carried forward in the next edition of the Code. He stated there were a number of code requirements responsive to those statutory mandates, which have to be carried forward, as well as a number of initiatives from the Commission responsive to the 2004-2005 hurricanes. He then stated those initiatives were developed through the Commission's own research and standards development. He continued by stating the Commission would be determining if it wanted to sponsor moving those requirements into the new edition of the Code.

Mr. Dixon stated there had been a change to the law, which changed the process for the development of new Florida Building Codes. He then stated previously all Florida specific amendments rolled forward into the next edition of the Code unless there was a change between the two model code editions, which addressed the subject of a Florida amendment. He further stated under that concept the determination was the Commission had to decide whether or not the model code had adequately addressed a Florida specific issue and if it did the model code approach could be accepted and the Florida specific criteria eliminated. He continued by stating under the new system all Florida specific amendments, except for two would automatically sunset unless re-proposed for inclusion in the next edition of the Code. He stated the two sets of requirements not sunsetted were the HVHZ requirements and the state agency requirements, which come from licensing regulations of the other state agencies. He further stated all other amendments, whether Commission-developed or Legislative directives would have to be re-proposed for the new edition of the Code. He stated the time frame for that evaluation would be from December 2011 through June 2012. He further stated the open period for public parties, the Commission or staff to propose changes to the new editions of the model codes will be one month, from June to July. He stated the process would then begin for the 45-day website posting, the TAC review and recommendations and the Commission's hearings on the 2013 Code. He then stated the response from the public relative to the way the 2010 development process handled the glitch amendment phase by including it in the code development rule amendment process, was positive and will be used again in the development of the

2013 Code. He further stated this approach provides for some time efficiencies and would result in a projected effective date for the 2013 Florida Building Code of March of 2014. He continued by stating the new edition Florida Building Code would be in place closer to the time the national model codes, it is based on, take effect.

Assessment of Building Code System

Mr. Dixon stated one of the major projects extended into major tasks in 2012 is the Assessment of the Building Code System. He then stated a part of the process was an evaluation of the Building Code Update process to identify opportunities for increased efficiencies. He further stated it was possible, depending on the decisions of the Commission, to change the code update time frame making it even closer to the effective dates of the national model codes. He continued by stating there were a number of options that could be considered, some would require change to law such as reducing the 45-day waiting period. He stated when the Commission was meeting monthly or on a 6-week schedule the 45-day period was not such an encumbrance that it created additional time in the process. He then stated under the current paradigm where the Commission has been meeting every 8 weeks, the 45 day period has resulted in skipping two meetings many times. He further stated there was also the possibility of scheduling Commission meetings to the Code development cycle rather than trying to make the development cycle fit to Commission meeting dates. He continued by stating there were a number of options to consider in an attempt to get the Florida Building Code in better time sync with the national model codes. He stated it was the last goal he had tried to push in hopes the Commission can achieve it in the future. He then stated the Commission had already taken steps and established policies that will reduce the number of Florida specific amendments and the frequency of new versions or supplements of the Code coming out. He further stated that particular issue had been addressed fairly adequately but could still be considered for further improvements.

Florida Accessibility Code Certification 1997 by Department of Justice

Mr. Dixon stated the current Florida Accessibility Code has been certified by the Department of Justice as substantially equivalent to the requirements of the federal ADA Standards for Accessible Design since 1997. He then stated building owners, by complying with the Accessibility Code, are afforded a presumption of compliance with the federal ADA Standards in any court action taken against them for non-compliance with the civil rights law. He further stated it was a directive of Florida statute the Commission manage and maintain all codes, standards, rules and laws of the Florida to ensure the Accessibility Code will continue to be certified. He continued by stating the old Florida Accessibility Code will be replaced by the new Standards of the new Florida Accessibility Codes on March 15, 2012. He stated the entire Code would have to go through the certification process again. He then stated federal rules requires a public process to afford the public the opportunity to provide input to the consideration of the Florida Accessibility Code certification. He then stated a hearing was required and transcript of the hearing has to be transmitted with the Code to the federal government

for consideration. He further stated the schedule would be to authorize a hearing for the January 2012 Commission meeting, with all of the documentation made available for review by the public prior to the meeting and the package would be put together and sent to the DOJ by March 1, 2012. He continued by stating he did not know how long it would take this cycle but the first Accessibility Code certified was adopted by 1993 Legislature and was certified, after changes, by the 1997 Florida Legislature to address the concerns of the DOJ. He stated it should not take as long this cycle. He then stated the DOJ had reviewed the Florida law, which was the basis of any deviation from the federal standards, and had indicated states that have certified codes presently would be prioritized in the review for recertification for the next versions of their codes.

HB 7243

Mr. Dixon stated the next task was an assignment from HB 7243, from 2-3 years previous. He then stated the task was inserted into the law and remains there directing the Commission to develop recommendations to encourage recycling/composting and reuse of materials, essentially Green approaches to construction of buildings in the state. He further stated that during the 2010 Building Code development certain parties were interested in the adoption of a Green Building Code in Florida. He continued by stating the assessment project the Commission would continue with in 2012 also provides the opportunity to review the possibility and the format something such as this might take. He stated, for example, the Energy Code started as voluntary, not mandatory. He then stated an approach may be if a local government wanted to adopt a Green code, it would have to adopt the one authorized by the state. He further stated other approaches may be appropriate in the judgment of the Commission and ultimately of the Legislature when it was time to consider Green Building techniques beyond just energy.

Jack Glenn, Florida Homebuilders Association

Mr. Glenn asked for clarification on the code update of the automatic passing forward of Florida specific amendment in the HVHZ if it was for all requirements or just the wind related requirements.

Mr. Dixon stated the intent was just wind related requirements.

Mr. Glenn stated as the HVHZ were wind related the others were subject to resubmittal and re-review.

Mr. Dixon stated he would have to review the law to give a specific answer on the issue, but it was his understanding this was the intent. He then stated the intent in the beginning of the Florida Building Code was that the wind protection criteria of the South Florida Building Code would be integrated into the Florida Building Code for HVHZ, i.e. Miami, Dade and Broward counties. He further stated there are some elements beyond hurricane related criteria that which did get into the Code, which, he believed, was a

violation of the agreement. He continued by stating the intent of this Legislation was to get back to the original form.

Mr. Madani stated the HVHZ requirements were only limited to those standards for hurricane impact. He then stated staff was working closely with Miami, Dade and Broward staff to review requirements and remove them up front.

Commissioner Greiner moved approval of the updated workplan. Commissioner Carson entered a second to the motion. Vote to approve the workplan was unanimous. Motion carried.

CONSIDER ACCESSIBILITY WAIVER APPLICATIONS

Chairman Browdy directed the Commission to Leslie Anderson-Adams for consideration of the Accessibility Waiver Applications.

Recommended for Approval:

5 Family Fun Concepts

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council recommended approval based on unnecessary hardship.

#6 Sanctuary 7 Pilates

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council unanimously recommended for approval due to unnecessary hardship.

Wave Hotel

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council unanimously recommended for approval due to technical infeasibility and unreasonable hardship.

#9 Barton G – The Restaurant

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council unanimously recommended for approval due to financial hardship due to disproportionate cost.

Commissioner Greiner moved approval of the Council's recommendation for approval. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Withdrawn:

#1 Sherbrooke Apartments, Inc.

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the application had been withdrawn without prejudice.

Commissioner Nicholson moved approval of the withdrawal. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Conditional Approval:

#2 Boys and Girls Club of Palm Beach

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council recommended approval with the condition 4 removable companion seats be provided in the wheelchair seating locations and documentation be submitted showing the seats were placed in specified area.

Commissioner Carson moved approval of the Council's recommendation for approval. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended Deferral

#3 Loews Miami Beach Hotel

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council recommended deferral.

Commissioner Nicholson moved approval of the Council's recommendation for deferral. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended Denial:

#4 The Coca Cola Company

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council recommended denial.

Commissioner Nicholson moved approval of the Council's recommendation for approval. Commissioner Greiner entered a second to the motion.

LT Thorne, Hixson Architects and Engineers for the Coca-Cola Apopka Facility

Mr. Thorne stated the floor level being built was approximately 9,900 square feet. He then stated it was a hazardous materials use area, classified H2, and is fully enclosed in fire-protected construction. He further stated the use of the floor level, which is embedded in the facility, was for mixing and processing combustible or flammable liquids. He continued by stating there was an area mainly filled with processing equipment with a low volume of operators on the floor. He stated on the second floor there would be one operator who would be in constant motion throughout monitoring and controlling the equipment. He then stated the floor below, also hazardous and fully enclosed has two potential operators. He further stated there were no permanent occupiable spaces on either floor. He continued by stating there was a control area with computerized equipment and the operator on the second floor would be monitoring the operation equipment. He stated there was a freight elevator, which accesses the second level. He then stated the second level has dedicated forklift equipment to bring pallets up to the level where mixing vats are located along with a small freezer room. He further stated individuals who work in the areas of this building have to meet Coca-Cola physical requirements of mobility and be physically fit to assure they can perform the job description. He continued by stating there was a precedent set when Coca-Cola and himself came to the Commission in April 2011 for an Auburndale plant with a larger mezzanine space but a similar operation, i.e. few employees, densely populated with equipment very little chance of occupation of other employees in the future was gained a waiver from the Commission. He stated in the Florida Building Code in Chapter 11 there was a provision for spaces that do not need to provide public access when there were fewer than 5 employees. He then stated Mr. Lee would discuss the job description issue. He further stated the area is a hazardous materials area. He concluded by stating it was a space that would not lend itself to an immobile person to using the area for obvious safety reasons.

Mark Lee, Engineer Manager/Project Director for Coca-Cola Apopka Facility

Mr. Lee stated since the area was high hazard all major elevator manufacturers were explored and none could deliver an elevator with an electrical classification required for the high hazard area, even in an attempt to comply with the Code. He then stated the job of the operators was very physical (applicants must pass agility tests). He further stated it was very demanding lifting materials and having to climb up and down the stairs to each floor routinely to use equipment. He continued by stating the building was separate and isolated building on the expansion. He then stated there was another section to the expansion, which was not in contact with the laboratory area; a multi-storied building that is fully ADA compliant with passenger elevators in that area. He further stated that area would be more prone to immobile personnel.

Chairman Browdy asked Ms. Adams to explain the action of the Council in terms of its discussion and vote.

Ms. Adams explained the argument could be made the space was exempt based on the 5 person or less and not open to the public. She then stated if that was the case it was not possible to grant a waiver because it was already exempt by statute. She further stated apparently the applicants were present because the building official did not consider it to be exempt as they generally use the amount of space per employee method. She continued by stating she was working from memory but recalled the Council's concern was there might be employees with disabilities who may want to work in the area at some point.

Chairman Browdy asked for the Council vote result.

Ms. Adams responded the vote was unanimous. She then stated part of the reason was in order to qualify for a waiver an applicant had to demonstrate an actual hardship by providing vertical accessibility and meeting the statutory criteria for that. She further stated the applicant did not show a hardship.

Chairman Browdy stated the applicant had stated there was no financial hardship, but rather a programmatic hardship, which they believe, should render the space exempt from the vertical accessibility requirement.

Commissioner Greiner asked there had been communication from the building official.

Ms. Adams responded no.

Commissioner Greiner asked for clarification of the reason the applicants were here was because the building official felt they needed a waiver.

Ms. Adams responded that was her assumption and deferred question to the applicant.

Mr. Lee stated the building official felt it was beyond his purview of decision.

Mr. Hall stated relative to the application Coca-Cola made back in the spring in Auburndale the building official also instructed the applicant to obtain a waiver because it was not within his jurisdiction to grant his approval. He then stated the building had no problem being there to support the applicant he just felt he could not make the call.

Commissioner Franco asked how there is compliance with the Code. He stated the drawings show clearly a freight elevator, which requires vertical accessibility. He then stated he did not know why it was being discussed there was already a freight elevator.

Ms. Adams does not remember if the existence of the elevator was discussed with Council and stated it may be new information.

Mr. Lee stated in their discussions with the manufacturer the weight class and the hazard class of the elevator prevents the manufacturer from certifying the elevator as ADA compliant.

Mr. Dixon stated, as a general point, under the ADA freight elevators were not to be used for ADA compliance.

Commissioner Franco asked why the freight elevators were not considered ADA compliant.

Mr. Dixon responded by stating there were certain dimensional requirements, but in part it was because everyone would have to be forced to use the freight elevator in order for it to not be discriminatory.

Commissioner Franco stated other employees who are able were using the elevators because it was the only one there. He then stated if a person with disabilities could operate the controls for the freight elevator and there was no other elevator they would have to use the same as the person without disabilities therefore there would be no discrimination.

Commissioner Schock stated he believed the issue clearly falls under the exemption of 5 persons or fewer and not open to the public. He then stated he believed it to be consistent with the Commission's past actions, as it has generally not used the floor and occupant load calculations in Chapter 10 to determine the criteria for the 5 or fewer. He further stated he did not believe a waiver was required and he would not be opposed to a letter going back to the building official advising him of such.

Commissioner Tolbert asked if disproportionate cost was taken into consideration at all.

Mr. Hall stated he was not sure if he understood the question.

Commissioner Tolbert explained there was a 20% relative to the cost of construction then there could be changes or additions to achieve compliance for new construction requirements i.e. spend the 20% of the cost of construction.

Mr. Hall responded stating it had not been discussed. He then stated if it were required the applicant would have to build a strictly ADA compliant elevator, the freight elevator would still be required for the operation Coca-Cola performs on that particular level of the facility. He further stated if another elevator were built strictly for ADA compliance it would come close to the 20%. He continued by stating the option was never a consideration therefore was not discussed at length, but obviously a shaft would have to be built and it would have to be an enhanced shaft due to the hazardous material.

Commissioner Tolbert asked for clarification if the applicant did the disproportionate cost an elevator would have to be installed to comply.

Mr. Hall responded by stating yes.

Commissioner Tolbert stated he did not see a cost of construction figure in the file, which was why he asked.

Commissioner Carson stated in an attempt to be consistent with the decisions he asked the Chairman and Commissioner Gross what the distinction was between the current case and the previous one.

Commissioner Gross responded he considered both applicants the same and he agreed with Commissioner Shock if 5 or fewer was never tied to square footage just send a letter to the building official. He stated he was going to make that motion.

Commissioner Gross moved approval the Commission to send a letter to the building official indicating there was no need for a waiver as there was an exemption for spaces with 5 or fewer employees and not open to the public. Commissioner Greiner entered a second to the motion.

Commissioner Gregory asked if the request for declaratory statement was for the City of Apopka.

Mr. Hall responded by stating yes.

Mr. Madani stated if the building official was concerned the occupancy load could exceed 5 after the issuing of a waiver, he could ask for an affidavit from the building owner stating there would not be any more than 5 in those areas.

Commissioner Carson stated the previous motion was for denial. He then stated after which the discussion had ensued.

Chairman Browdy stated there was a motion for denial. He then stated if a commissioner wanted to approve the waiver their vote should be against the motion.

Robert S. Fine, as a member of the public

Mr. Fine stated he did not represent Coca-Cola. He then stated he had dealt with a number of similar waiver requests over the years. He further stated many building officials do look at the 100 square foot per person as a benchmark and some do look at the facts beyond square footage and generally those waivers were not seen. He continued by stating others do not look beyond the facts and those waivers come before the Commission. He stated the Commission historically has looked at the facts behind the application and if the facts suggest fewer than 5 persons it has granted the waiver. He then stated there were building officials who, without an actual waiver, would not let a project go forward. He further stated for a number of his projects the

Commission has granted waivers indicating, "The Commission finds a waiver is not necessary but in as much as it may be necessary to gain approval one is being granted." He continued by stating it was a procedural issue to help applicants get over the hump. He concluded by stating if the only elevator was a freight elevator and meets the ADA standards for controls and the like it can be the accessible elevator, however if there were multiple elevators the freight elevator could not be used as the accessible one.

Chairman Browdy stated there was a motion on the floor in favor of the Council's recommendation for denial.

Vote to approve the motion resulted in 0 in favor, 18 opposed. Motion failed.

Commissioner Gross moved approval for the Commission to send a letter to the building official stating the square footage was not tied to 5 or fewer people and in the opinion of the Commission there would be 5 or fewer people therefore meeting the exception. Commissioner Greiner entered a second to the motion.

Mr. Blair asked for clarification the motion was not for approval of the waiver but to send a letter to the building official stating the waiver was not required.

Commissioner Gross stated he had made an error as there would be no action on the motion, and a letter would be sent to the building official.

Commissioner Greiner stated his concern was a waiver was not required but the Commission wanted to communicate to the building official he was within his jurisdiction to deem the project meets the exemption.

Mr. Blair stated the motion was not to approve the waiver, but to send a letter communicating to the building official.

Commissioner Greiner stated he did not believe a waiver was required.

Ms. Adams stated she was not sure if there was an appropriate way to communicate it. She then stated that on a number of waiver applications in the past the Commission had directed an order with the intent of educating the building official the application does appear to meet the exemption but to the extent if a waiver was required it was granted. She further stated she had not been comfortable with that but the Commission had taken that action a number of times.

Mr. Dixon stated the point Mr. Fine had made was there have been building officials who feel the need to have cover from the Commission. He then stated the Commission then expressed the waiver was not really necessary but to the extent the waiver was required by the building official it was granted.

Commissioner Gregory stated he wanted to counsel the Commission the misapplication of Chapter 10 was quite frequent. He then stated he believed it would be helpful if the Commission made a clear statement to the City of Apopka the waiver should be granted.

Chairman Browdy stated the Commission's Counsel had made it abundantly clear the opinion of the Commission with regard to the issue and he would leave it to the Counsel to communicate with the building official in the appropriate way and to the satisfaction of the petitioner in the way of in the opinion of the Commission a waiver was not needed.

Tom Allen, speaking for himself

Mr. Allen cautioned the Commission relative to stating occupancy was not tied to square footage. He then stated it would be based on the occupancy or use of the space would be the determination of how many people would potentially occupy the space. He further stated this was one of the three basic concepts throughout the entire Code. He continued by stating he was not sure how the Commission would end up wording the letter but he respectfully requested the statement regarding the square footage not be put out.

Chairman Browdy stated he believed the Counsel would respond as in the opinion of the Commission a waiver was not needed. He then stated the communication would not argue points of the Code with respect to occupancy and numbers of people in terms of how it relates to space pursuant to the Code.

Commissioner Franco stated as an architect he was very interested in the freight elevator issue.

Chairman Browdy stated the issue sounded like it should be directed to the Accessibility TAC. He asked Commissioner Gross to make note for future discussion.

Vote to approve the motion, for the Commission to communicate to the building official to the extent necessary that in the opinion of the Commission a waiver was not necessary, was unanimous. Motion carried.

#8 Alan Waserstein

Ms. Adams explained the petitioner's request for waiver as it was described in each Commissioner's files. She stated the Council made the following recommendations: for building #1221 - grant the waiver due to technical infeasibility and historical impact; building #1225 - defer action until additional information was provided; building #1225A - grant the waiver due to technical infeasibility and historical impact.

Chairman Browdy asked if three separate motions were required or could all three be made with one motion as it represents itself in the waiver request assuming the Commission agreed with the recommendation of the Council.

Ms. Adams responded stating the consensus was it could be done with one vote.

Commissioner Nicholson moved approval of the Council's recommendation. Commissioner Greiner entered a second to the motion.

Commissioner Schock stated one of the items for approval was not only technical infeasibility but also historic preservation. He asked if the item went to the state historic preservation officer for approval. He stated it was his understanding that to grant an exemption under a historical point it had to be approved by the state preservation office, not the Council. He then stated the Council could take the information and base an approval on it but could not approve it without the state preservation office.

Chairman Browdy stated it would not preclude the Commission taking action on any other state or federal requirement, which it typically does. He then stated all the Commission would be doing would be waiving the accessibility requisite subject to the Commission's ability or the limits within its jurisdiction to do so.

Commissioner Schock stated he believed it could be done by itself under technical infeasibility without the verbiage of the historic.

Vote to approve the motion was unanimous. Motion carried.

CONSIDER APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Chairman Browdy directed the Commission to Commissioner Carson for presentation of entity approvals.

Commissioner Carson stated the following 14 entities were recommended for approval by the POC:

CER2512 - APA - The Engineered Wood Association

CER8236 - IAPMO R&T

QUA1824- Keystone Certifications, Inc.

QUA2401 – Timberco Inc dba TECO

QUA5922 – R I Ogawa & Associates, Inc.

QUA7733 - Farabaugh Engineering and Testing, Inc

TST1527- Hurricane Test Laboratory, LLC - FL

TST1910- Architectural Testing, Inc. - Texas

TST2513 - APA - The Engineered Wood Association

TST3160 - Timberco Inc dba TECO

TST5328 – Force Engineering & Testing, Inc

TST9424 - Architectural Testing, Inc - Lake Forest, CA

VAL7396 - Architectural Testing, Inc - Certification Services

VAL7690- ICC Evaluation Service, Inc

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Mr. Blair stated there was a consent agenda for all those issues that were posted with the same result from all four compliance methods either for approval, conditional approval or deferral. These were the ones without comment or there was no change to the recommendation as proposed presented. He stated if no commissioner wished to pull any if the products for individual consideration he asked for a motion to approve the consent agenda for all four compliance methods for approval, conditional approval and deferral.

Commissioner Browdy entered a motion to approve the consent agenda as amended for all four compliance methods for approvals, conditional approvals and deferrals. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Mr. Blair presented the following products for consideration individually:

883i-R4 - Overhead Door Corporation

Mr. Blair stated the application was withdrawn. No action necessary.

14963 - Windsor Republic Door, Inc.

Mr. Blair stated the product was recommended for deferral with the condition the applicant will indicate the condition of compliance with Sect. 2220.2 for use within HVHZ.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

14970 - Demilec (USA) LLC

Mr. Blair stated the product was recommended for deferral with conditions no testing standard required on the FBC for the product and Method 2 shall be used to apply under requirement of Rule 9N-3.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

1630-R7 – Weyerhaeuser

Mr. Blair stated the product was recommended for conditional approval with the condition the evaluation report and installation instructions contain rational analysis. Rational analysis has to be validated by a FL PE.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

6527- R5 Weyerhaeuser

Mr. Blair stated the product was recommended for conditional approval with the condition the evaluation report and installation instructions contain rational analysis. Rational analysis has to be validated by a FL PE.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

10454 - R2 Weyerhaeuser

Mr. Blair stated the applicant withdrew the application. No action necessary.

13572 - R1 Tapco,Inc

Mr. Blair stated the product was recommended for approval.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

14911 - Silverline Building Products Corp.

Mr. Blair stated the product was recommended for conditional approval with the condition the applicant indicate on Limits of Use for "Approved for use in HVHZ" indicate "No".

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

14967 - Master-Bilt Products

Mr. Blair stated the product was recommended for approval.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

14968 - Kool Star

Mr. Blair stated the product was recommended for approval.

Commissioner Carson moved approval of the POC recommendation. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL

Accreditor Approvals:

Chairman Browdy stated there were no accreditor approvals.

Course Deferrals:

None

Course Approvals:

Advanced Building Code Structural Summary, BCIS Course# 478.0

Commissioner Nicholson moved approval of the POC recommendation. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Advanced Commercial Energy Code Compliance: Methods, Tools and Verification, BCIS Course# 493.0

Commissioner Hamrick moved approval of the POC recommendation.
Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Advanced Training – Florida Accessibility Code Updated, BCIS Course#490.0

Commissioner Hamrick moved approval of the POC recommendation.
Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Advanced Training – Florida Accessibility Code Updated – INTERNET VERSION, BCIS Course#494.0

Commissioner Hamrick moved approval of the POC recommendation.
Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

FBCB 2010 Adv. Mod. Building/Structural Summary, BCIS Course#492.0

Commissioner Hamrick moved approval of the POC recommendation.
Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Administratively Approved Courses:

Advanced Module 2010 FBCB Building/Structural Summary, BCIS Course#345.1

Commissioner Hamrick moved approval of the POC recommendation.
Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Courses approved based on the FBC accreditation process that only verifies the accuracy of the Florida Building Code related content.

Commissioner Carson moved approval of the POC recommendation.
Commissioner Greiner entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

CONSIDER LEGAL ISSUES AND PETITIONS FOR DECLARATORY STATEMENT: BINDING INTERPRETATIONS: REPORTS ONLY
DECLARATORY STATEMENTS:

Binding Interpretations:

#71 by Michael Vaughn

Ms. Adams stated the binding interpretation was noticed in the FAW and would appear possibly December 9, 2011. She then stated Mr. Vaughn had asked, in accordance with the Florida Building Code, existing Building Volume, if the applicant has selected the prescriptive compliance method of Section 101.5.1 for an existing building where the majority of the building was involved in an alteration and addition, unless the entire work area and building comply with Chapter 3 of the Florida Building Code existing building. She further stated the occupancy in question would require fire sprinklers under the current edition of the Code and the existing building was not sprinklered. She continued by stating the answer was yes the entire work area must comply.

Mr. Madani stated there was no action needed.

Michael Vaughn

Mr. Vaughn stated the clarifying question was outside of the statement must comply with Chapter 3 of the existing Florida Building Code. He asked outside of that would an interpretation state a fire sprinkler system was required.

Mr. Madani responded by stating the binding interpretation went through the interpretation panel, established it by the Building Officials Association of Florida. He then stated the work was completed and a binding interpretation was issued. He further stated the process, established by law, required the petitioner, if unsatisfied with the action of the association, to appeal it to the Commission. He continued by stating it had to go through the appeal process in order for the Commission to hear it. He stated any discussion on the subject currently might not be appropriate. He then stated any other questions or comments should be directed to BOAF.

Mr. Dixon stated in conjunction with Mr. Madani's comments it would be appropriate for the Commission to refer Mr. Vaughn back to the panel at BOAF for clarification of their comments.

Ms. Adams stated the process of appeal would appear in Florida Administrative Weekly.

Mr. Madani stated the language was there.

Chairman Browdy asked Mr. Vaughn if his questions were answered.

Mr. Vaughn stated he was not disputing the answer to the question. He then stated the involvement with the local building official, which basically indicated by his interpretation was putting in a new sprinkler system was required for compliance. He further stated there he understood 302.1 and complying with Chapter 3. He continued by stating beyond that question was what he was trying to determine i.e. does it state anything other than the work of the building must comply with Chapter 3 of the existing

Florida Building Code. He stated it was not an appeal, but attempt to not expand it in any way for it to mean anything other than comply with Chapter 3.

Mr. Dixon stated he would have to ask the question, as Mr. Madani had stated, back to the BOAF panel, the formal binding interpretation body. He then stated the Commission could not comment on what was intended in the interpretation.

Commissioner Bahadori stated he was confused by the answer personally. He then stated the question was the entire work area and building have to comply with Chapter 3 and the answer was "yes, the work area must comply" which left the building part unaddressed. He asked if it was just the work area or the whole building.

Chairman Browdy responded by stating the Commission could not comment on the action by BOAF in the binding interpretation scenario.

Mr. Dixon stated BOAF would have to clarify what the answer meant.

Mr. Madani stated in his understanding the applicant can request additional information or clarification of the answer given to them.

Doug Harvey, BOAF

Mr. Harvey stated he was discussing it with the petitioner and that situation had not arisen previously. He then stated BOAF would have no problem providing additional information to the petitioner if clarifying comments were needed. He asked if at the time it would require the Commission posting an addendum on the BCIS with any information provided to the petitioner for clarification on the BCIS.

Chairman asked Mr. Harvey if he would keep the Commission aware of the correspondence and submit copies of the correspondence to the Commission and through Counsel refer it to Commissioner Bahadori for additional information on the opinion.

Revocations:

None

Declaratory Statements:

Second Hearings:

None

First Hearings:

DS-2011-085 by Dan Johnson of Swim, Incorporated

Ms. Adams explained the issues presented in the petition for declaratory statement and the committee's recommendations as they appeared in each Commissioner's files.

Commissioner Gregory stated in talking with the industry, other building officials and contractors, staff was correct in their response. He then stated the issue has to do with 215 requiring a 6-foot per section suction velocity and an 8-foot return velocity. He further stated it appears as if going on one day and the building official says there was compliance with 5, the next day there was compliance with 7 and the next day comply with 15. He continued by stating generally all three have to be complied with at one time. He stated 15 does require a more restricted flow requirement on the circulation pump. He then stated he had voted for the motion during the hearing but with the stipulation although considering the laws one at a time but in the "real world" it does not happen. He further stated the declaratory statement does not really fix the problem in letting the building officials and contractors know what would really be required.

Chairman Browdy asked Commissioner Gregory if he supported the accuracy of the declaratory statement.

Commissioner Gregory stated if it was individually considered he agreed. He then stated in reality there was one swimming pool and it has to comply with all three at one time.

Chairman Browdy asked Commissioner Gregory if he wanted to frame the motion.

Commissioner Gregory moved approval of the declaratory statement and the staff recommendation with the understanding it only applies when considering each question individually, not collectively.

Commissioner Greiner entered a second to the motion based on the fact it was the way it was presented, one question at a time and each question stands alone.

Vote to approve the motion was unanimous. Motion carried.

CONSIDER OTHER LEGAL ISSUES

None

CONSIDER COMMITTEE REPORTS AND RECOMMENDATIONS:

Chairman Browdy requested the TAC/POC Chairs confine their reports to a brief summary of any key recommendations, emphasizing those issues requiring action from the Commission. He then stated if the TAC/POC requires Commission action the Chair to frame the needed action in the form of a motion. He further stated this would ensure

the Commission would understand exactly what the TAC/POC's are recommending and the subsequent action requested of the Commission. He explained the complete reports/minutes would be linked to the committee's subsequent agendas for approval by the respective committees.

Asphalt Shingle Workgroup

Mr. Blair presented the report from Workshop III. (See *Asphalt Shingle Workgroup, December 5, 2011.*)

Commissioner Nicholson moved approval to accept the report. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Education POC

Chairman Browdy presented the report of the Education POC. (See *Education POC Teleconference Meeting Minutes November 21, 2011.*)

Action 1:

Chairman Nicholson moved approval to initiate rulemaking for Rule 9B.70.002(3)(a). Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Nicholson moved approval to accept the report. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Hurricane Research Advisory Committee

Mr. Blair presented the report of the Hurricane Research Advisory Committee. (See *Hurricane Research Advisory Report to the Commission, December 5, 2011.*)

Action 1

Mr. Blair stated the committee recommended the Florida Building Commission authorize DBPR to continue funding UF's existing roofing projects (with the exception of green roofs) and to fund wind-driven rain deposition on building façade and development of system-level water penetration resistance requirements, and structural wood panel structural attachment research based on spending authority approved by the 2012 Legislature for Fiscal Year 2012/2013, and to leverage additional funding sources to the extra possible (e.g. FEMA/DHS, NOAA/Sea Grant and RCMP/DEM).

Commissioner Carson asked if someone could briefly explain the actual funding.

Chairman Browdy asked if he was interested in the sourcing of the money.

Commissioner Carson responded stating yes.

Mr. Dixon stated historically within the Commission's budget there has been between \$500,000.00 - \$700,000.00 used to fund research projects. He then stated part of the amount depended upon special appropriations requested from the Legislature to be used on specific projects. He further stated in the fiscal year 2012-2013 budget the amount should be around \$300,000.00 plus or minus dependent upon the results of the Legislative Session. He continued by stating the amount would be distributed among the research currently being conducted.

Commissioner Gross asked why Green Roofs was removed.

Mr. Blair responded stating one or two of the members felt the way the research was going did not make it seem like a useful investment at present. He then stated in the short term they did not want to spend money on it and instead felt it important to focus on the other research activities, which was in play.

Commissioner Gross asked what the committee had voted.

Mr. Blair the committee vote had been unanimous.

Commissioner Carson moved approval for the Florida Building Commission to authorize DBPR to continue funding UF's existing roofing projects (with the exception of green roofs) and to fund wind-driven rain deposition on building façade and development of system-level water penetration resistance requirements, and structural wood panel structural attachment research based on spending authority approved by the 2012 Legislature for Fiscal Year 2012/2013, and to leverage additional funding sources to the extra possible (e.g. FEMA/DHS, NOAA/Sea Grant and RCMP/DEM). Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous.

Commissioner Nicholson moved approval to accept the report of the Hurricane Research Advisory Committee. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Plumbing TAC

Mr. Blair presented the report of the Plumbing TAC, which met jointly with the Swimming Pool Sub-committee to the Plumbing TAC to discuss the declaratory statement the Commission had decided on.

Commissioner Nicholson moved approval to accept the report of the Plumbing TAC. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Product Approval POC

Commissioner Carson presented the report of the Product Approval POC. (See *Product Approval/Manufactured Buildings POC Teleconference Meeting Minutes November 29, 2011.*)

Action 1

Commissioner Carson moved approval to charge DBPR staff with initiating revocation proceedings for product applications: FL12427, Parex USA, Inc. and FL 14171, Norse, Inc. Commissioner Greiner entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Action 2

Commissioner Carson moved approval to initiate rule-development for Rule 9N-3.015 to allow for equivalency of standards to be addressed with regard to ASTM E 1996.

Dick Wilhelm, FMA/WDMA

Mr. Wilhelm stated he was there for informational purposes if any commissioner had questions.

Joe Belcher, International Hurricane Protection Association

Mr. Belcher asked if it was possible to make this a very narrow rule opening and if there was any possibility for expediting the process to allow it to be in place by the time the new Code goes into effect in March 2012. He stated there has been a very serious economic impact on the hurricane protection industry.

Chairman Browdy asked Mr. Dixon to speak to the timing.

Mr. Dixon stated there were several things that have to be done to amend the rule and it is not certain if the first workshop could be held by the January meeting. He then stated there was currently a hold on rule making and authorization from the governor's office would probably be necessary. He further stated there were some added complications with Legislature having more indepth oversight of opening rules now as well as the adjustment of going through a new agency to get the approval for authorization for amending a rule. He continued by stating he did not see how it would be possible to hold the proceeding by the January meeting, but staff could certainly submit all the requests that would be necessary and get the workshop scheduled at the first opportune moment.

Chairman Browdy stated the Executive Branch continues to study the rulemaking process and now is in a situation where a report was needed relative to the timing and the Commission's ability to continue to do what it does through the rulemaking process. He then stated there were no issues as it relates to the implementation date of March 15, 2012, for the Code therefore there has been no attempt to stop the rules that were moving. He continued by stating any new rules and opening of existing rules is apparently going through some vetting process. He further stated it was the Commission's responsibility to notify the public of the schedules as soon as they were outlined. He stated he would ask staff to keep the Commission informed of when those workshops could be opened and the Commission could get to the business it was supposed to be doing through the rulemaking process.

Mr. Madani stated he wanted to add to Mr. Dixon's comments. He then stated what probably should be done first would be a study to show equivalencies. He further stated it was something the industry had to really work on and complete to get it to the Structural TAC for review and determination. He continued by stating the study could be done while at the same time trying to figure out the rulemaking and where the Commission stands in the process. He stated if the industry could expedite it from their side by getting the preliminary work done and staff would keep the Commission updated.

Mr. Wilhelm stated, being the person who has asked for it and the representative of a lot of window and door manufacturers who have tested to a standard called ASTM E 1996-05, he would take the blame through his negligence, ignorance or whatever reason, but somehow during the glitch process the standard ASTM E 1996-05 was eliminated from the 2010 Florida Building Code. He then stated his understanding from Mr. Berman and Mr. Madani was any of the manufacturers who have tested to that standard, was now not in Chapter 43 due to its elimination, the only option open to have it put back in to save millions of dollars on retesting by March 15, was to use the 9N-3 equivalency of standards section in the rule. He further stated he understood the Governor's position on rules and economics to small businesses. He continued by stating he did not know what to say except to ask, as an industry that got itself in a bind, what the Commission thinks could be done about it by March 15, 2012. He stated if the rule could not be completed by March 15 Mr. Berman has the authority to say it was not in the 2010 Code therefore your products cannot be sold in Florida.

Mr. Dixon stated the rulemaking schedule was out of the Commission's hands at this point in time, given the policies of the Governor's office. He then stated an option was discussed at the meeting to go from self-affirmation to renewal, which would be a cost impact, but not as great as an impact as retesting. He further stated there was an option of doing products case-by-case with demonstration of equivalency. He continued by stating it did not mean an analysis had to be done separate from every application, but it did mean the single analysis done to demonstrate equivalency would need to be submitted with each application.

Mr. Madani stated doing the option of case-by-case and whatever work was done through the review, equivalency and going to the Structural TAC could also be used as a basis for manufacturers to submit case-by-case. He then stated previously the Commission had allowed certain things to take place in good faith at the time a hearing was reached and something could be used to expedite the process if at the stage there is a hearing.

Mr. Dixon stated the Commission was bound by Chapter 120 and cannot go outside of Chapter 120. He then stated what the Commission's former attorney allowed was when the Commission was in the rulemaking process that proposed to accept a demonstration of equivalency, at that point in time the rule could go ahead and be applied, although not completed. He further stated the Commission had never gone outside the boundaries of Chapter 120 rulemaking.

Mr. Belcher asked if the issue could be dealt with via declaratory statement. He stated both Mr. Dixon and Mr. Madani had suggested individual product evaluation. He then stated it seems all that was needed was a letter from an engineer who evaluated the product, but those engineers want to do a total reevaluation. He further stated he had clients who had 30 products that have to do the evaluation from ASTM E1996-05 to ASTM E 1996-10. He continued by stating the cost of that evaluation, per product, involving actually no change in the products except a possible decrease in the loads they will see, was \$2000.00 and an additional \$500.00 to apply to the Commission to update the report. He stated if an individual has 30-40 products and to an industry clearly holding on, has not been any storms, which was what pushes that particular industry. He then stated the industry was basically trying to do anything it could possibly do to try to rectify the situation. He further stated, the fact of the matter is it was a standard that was not dropped. He continued by stating between all four standards there have been very little differences, most changes have been clarifications, not new loads or criteria.

Chairman Browdy stated he did not believe it was the venue to argue the merits of the equivalency of product-by-product basis. He then stated the problem was a process problem and he did not know the options available to rectify the problem. He further stated Mr. Belcher had made himself abundantly clear by expressing the urgency to make sure those products remain in the marketplace allowing these businesses to continue to market them and also protect the public.

Mr. Dixon stated staff would go back and take a look at the other suggestion and determine if there was enough flexibility to do a declaratory statement. He then stated there were complications, as Mr. Madani stated. He continued by stating there were two references in the rules and laws that govern equivalency of standards: 1) the glitch amendment process to the Code and 2) through the product approval rule. there is also the case-by-case approvals. He stated the implications of those specific authorities and the determination of where the Commission's authority ends and the building official's authority begin have to be considered when determining if a declaratory statement could be used.

Mr. Wilhelm asked for clarification. From Mr. Dixon's comments it sounded like the Commission was willing to work with the industry.

Mr. Dixon responded stating yes and further stated staff would advise the Commission of its legal boundaries.

Commissioner Schulte stated local approval was still an option. He then stated he did not know what the building officials on the Commission would require. He further stated perhaps the industry could come up with some documentation to present to the building officials whereby local approval could still occur until the process is rectified.

Mr. Wilhelm stated the industry has letters of equivalency and was working on the documentation in hopes it could go that route in the interim. He stated the problem was meeting with Mr. Berman and getting affirmation the products meet the 2010 Code.

Mr. Madani stated he did not want the Commission to spend time on something that has been determined hard to process. He then stated equivalency for alternate materials and methods often comes up and the Commission usually does not use declaratory statements for that. He further stated the industry has more options than the Commission with regard to utilizing the certification agency to come up with equivalency, which could be used by the product manufacturer. He continued by stating previously the Commission has utilized the rule as the mechanism to establish equivalency of standards not the declaratory statements.

Commissioner Carson moved approval to accept the report. Commissioner Greiner entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Swimming Pool Sub-committee to Plumbing TAC

Commissioner Gregory presented the report from the Swimming Pool Sub-committee to Plumbing TAC. (See *Swimming Pool Sub-committee Meeting Minutes November 28, 2011.*)

Commissioner Nicholson moved approval to accept the report. Commissioner Greiner entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Threshold Building Renovation Workgroup

Mr. Blair presented the report from the Threshold Building Renovation Workgroup. (See *Threshold Building Renovation Workgroup Meeting Minutes December 5, 2011.*)

Action 1

Mr. Blair stated the workgroup recommended the Commission move approval to send a letter to the Florida Board of Engineers requesting written clarification by providing a more narrowly defined scope of the specific issues they would like the Commission to address regarding special inspections of the alterations and renovations of threshold buildings, and to provide the FBPE with a copy of the Commission's predecessor body, the Florida Board of Building Codes and Standards' previous rule regarding requirements for special inspections of threshold buildings, and requirements for inspectors authorized representatives.

Commissioner Schock moved approval of the motion as stated. Commissioner Nicholson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Nicholson moved approval to accept the report. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

FLORIDA ACCESSIBILITY CODE CERTIFICATION BY US DEPARTMENT OF JUSTICE

Chairman Browdy stated with the adoption of the 2010 Florida Accessibility Code for Building Construction the Commission integrated Florida statutory accessibility requirements with the new Department of Justice Standards for Accessible Design based on the Final DOJ Rules 28 CFR 35 and 28 CFR 36 as published in the September 15, 2010 Federal Register. He then stated the next step in the process was to seek certification of the FACBC, providing verification that Florida's Code complies with the Federal requirements. He further stated the Commission staff prepared a workplan for completing the certification process with the first step of providing public notice of the Commission's intention to file a request for certification, next conducting a public hearing on the proposed request for certification, and then filing the request for certification with supporting documentation to the DOJ.

Mr. Dixon stated there were a few steps the Commission had to complete. He then stated the Code was ready and had been made available to the public. He further stated the hearing has to be held. This step involves notifying the public the Commission intends to seek certification, to hold a hearing on the intent and compile a transcript of the hearing. The transcript together with the code, the law, the interpretations, and any other informative material the Commission finds important must be transmitted to the DOJ. He continued stating staff proposes the hearing be authorized for the January 2012 meeting.

Commissioner Hamrick moved approval to initiate the process of seeking certification of the FACBC by the DOJ in accordance with the workplan Task #11 schedule. Commissioner Carson entered second to the motion. Vote to approve the motion was unanimous. Motion carried.

2013 FLORIDA BUILDING CODE UPDATE

Code Update Process

Chairman Browdy stated earlier during the meeting, during the Review and Approval of the Commission Workplan, Mr. Dixon provided the Commission with an updated workplan including the 2013 Code Update Process. He then stated Mr. Dixon would present additional detail including changes to the Commission's code update process resulting from statutory changes and the Commission's initiative to keep the Florida Building Code edition as close as possible to the current I-Codes editions.

Mr. Dixon stated the code update process had been modified by law. He then stated the 6-month delay between the publication and the availability of new I-Codes before the Commission can select them for the foundation of the next edition of the Florida Building Code was eliminated from the law. He then stated the requirement came forward that all Florida specific amendments roll forward into the next edition of the Code unless they have been addressed by a change to the I-Code. He continued by stating during this December Commission meeting the Commission needed to: 1) select the 2012 I-Codes and the current edition of the NEC for the foundation of the 2013 Florida Building Code and 2) authorize amendment of the administrative rule governing the code update process so changes could be made to the Building Code Information System.

BCIS Update Rule Proceeding

Chairman Browdy stated the Commission needed a series of motions to initiate the processes required for the update. He then stated the Commission could not open the submission period for submitting proposed modifications for the 2013 Code Update process until the BCIS was revised to reflect statutory changes to the Code Update process, and to implement other efficiency upgrades to the system as well as administrative changes such as changing references to "DCA" to "DBPR". He further stated in order to implement the changes to the BCIS the Commission needed to authorize initiating rulemaking for Rules 9N-1 and 9N-2.

Commissioner Greiner moved approval to proceed with rule development for Rules 9N-1 and 9N-2 to implement changes to the BCIS and other needed administrative changes (i.e. changing references from "DCA" to DBPR"). Commissioner Tolbert entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Selection of the 2012 International Codes as Foundation for the 2013 Florida Building Code

Chairman Browdy stated that in order to continue with the Commission's efforts to keep the Florida Building Code edition aligned as closely as possible with the

foundation codes update cycle it was time for the Commission to initiate the 2013 Code Update Process by selecting the 2012 International Code as the foundation for the 2013 Florida Building Code.

Commissioner Boyer stated he wanted to disclose he was a member of the board of directors for ICC. He then stated he had spoken to Mr. Dixon regarding any need to recuse himself from voting. He further stated Mr. Dixon indicated he needed to disclose the information.

Mr. Dixon stated the Commission could select the current edition of the NEC as a starting point for the 2013 Code. He then stated the NEC, which forms the foundation for electrical requirements of the Florida Building Code was not on the same update cycle as the I-Codes, and that there was a one year difference. He further stated it would be necessary in the process to consider selection of the most current edition of the NEC during the glitch part of the 2013 code update process, in order to stay up-to-date with the most current versions of the NEC. He continued by stating the current version could be selected as a starting point to the 2013 Code.

Chairman Browdy asked if it was appropriate to enhance the motion with a reference to the NEC.

Chairman Browdy called for a motion to adopt the 2012 International Codes and the current edition of the National Electric Code (NEC or NFPA 70) as foundation for the 2013 Florida Building Code.

Commissioner Nicholson Commissioner Gross Vote to approve the motion was unanimous. Motion carried.

ENERGY SIMULATION TOOL APPROVAL TECHNICAL ASSISTANCE MANUAL

Chairman Browdy stated as part of the new 2010 Energy Code, the Commission was charged with the responsibility of approving energy simulation calculation tools demonstrating compliance with the Energy Code performance compliance options. He then stated in order to outline the Commission approval process for compliance software, the Commission through the contractual agreement with Jadu Corp has developed a technical assistance manual for computer tool vendors to use in a self-certification process. He further stated the Commission would hear a short presentation on the subject from the contractor and discuss any issues the commissioners may have regarding the manual and the procedure proposed. He continued by stating the contractor would make adjustments to reflect any changes made to the manual made by the Commission. He stated at the conclusion of the presentation he would ask for a motion to approve the manual as a "Technical Assistance Manual" for computer tool vendors to use a self-certification process for demonstrating compliance with the Energy Code performance compliance options for residential and commercial buildings. He then stated, in addition, in order to expedite the approval of energy simulated calculation

tools applications it may be necessary to convene teleconference Commission meetings. He further stated staff would advise the Commission whether and when teleconference meetings would be needed.

Mr. Madani introduced Amesh Jadunandon , Jadu Corporation. He stated he was the contractor who would be working on the manual and would be presenting a 10-15 minute presentation on the subject.

Amesh Jadunandon, Jadu Corporation

Mr. Jadunandon stated he was president of Jadu Corporation, located in West Palm Beach, Florida. He then stated he was always happy to be in Gainesville, the first city in Florida he moved to in order to attend UF, where he earned his engineering degree. He continued by stating he was at the meeting for presentation on the energy simulation tool approval, a Technical Advisory Manual. Mr. Jadunandon presented a slide presentation for approximately 10 minutes.

Arlene Stewart

Ms. Stewart stated she had several comments and asked if this was the time to hear them.

Chairman Browdy asked Mr. Madani if the comments should be heard at this point or submitted in writing to staff and then the contractor.

Mr. Madani stated because the Commission's approval was necessary the comments needed to be heard, but also submitted comments were welcome.

Ms. Stewart distributed her comments to the commissioners and staff.

Chairman Browdy stated the Commission was at the point in the agenda to approve the Technical Assistance Manual by motion. He then stated it would be approved subject to the review of those comments.

Commissioner Greiner stated it was a long, involved and pretty technical process with respect to the Energy Code and how people will submit things to the Florida Building Commission. He then stated he believed it was a great step forward in the ability and how it is being done.

Mr. Glenn stated he was a member of the workgroup and although there were some serious time constraints he understood the necessity in getting the tool out to the vendors in hopes software will be available by March 15, 2012. He then stated he believed there was a bit of polishing to be done. He further stated he reviewed Ms. Stewart's comments and he believed the Commission should consider those as additional changes but he was very happy with the results of the workgroup.

Ms. Stewart stated there were four substantive issues on her list of comments she felt the Commission needed to hear in order to give direction to the contractor. She then stated 2 of the pages were very editorial in nature, but some questions did come up at the workgroup, the answers with which she respectfully disagreed.

Chairman Browdy stated he had no objection to hearing the four substantive critiques of the manual.

Ms. Stewart stated the four were actually inclusions and clarifications.

Chairman Browdy stated she should raise those for the record and then move on procedurally to the acceptance subject to the technical evaluation of those comments, if that was the consensus of the Commission.

Ms. Stewart stated the first issue had to do with the duct-testing requirement passed as part of the glitch amendment. She then stated on Form 405, it states compliance with the air distribution test is leakage to outdoors tested at 25 pascals pressure in accordance with 403.2.2.1. She further stated on June 7, 2011 the Commission approved the other test methods as part of that, as well as moving the mandatory requirement of that section. She continued by stating there had been some discussion at the workgroup regarding whether the removal of the mandatory requirement bounces back to the definition in Section 202, which only allowed for the test leakage outdoors or whether or not 403.2.2.1 provides an equivalency. She stated it was the intent of the Commission to allow the additional 3 test methods. She then stated its importance was because one of the mandatory forms in the manual does not include those other 3. She further stated if it was not the group's intention to include those 3 for the performance then it was correct, but if it was the intent of the group to include them, which included testing before drywall, they need to be added.

Mr. Madani asked the Chairman if he would like him to answer each point or hear all comments before responding.

Chairman Browdy stated he believed it important for the Commission to hear those comments, but he believed staff would treat them appropriately.

Commissioner Palacios stated he did not know why the last teleconference was cancelled when there had been no opportunity to review the comments in the committee.

Chairman Browdy stated he could not speak to that. He then stated if Commissioner Palacios felt the action to approve was precipitous then he should vote accordingly.

Mr. Madani stated he believed Commissioner Palacios was referring to the

Energy TAC meetings, which were noticed to approve the tools not to approve the manual. He then stated the workgroup did meet and had the responsibility of reviewing the manual, the comments were heard and feedback on those comments was provided.

Chairman Browdy asked Ms. Stewart to continue with the other issues.

Ms. Stewart stated the second issue on page 27, in 7.2.2, a question regarding an hourly requirement. She then stated while the Code has a hourly requirement but the way it was currently in the manual has the potential to be viewed as proprietary, possibly blocking one of the larger computer programs from the market in the state because it is handled different hourly. She further stated she would move to strike the last phrase of that section that specifically states how hourly needs to be done. She stated she had correspondence to support the comments from an engineer at the National Renewable Energy Laboratory.

Chairman Browdy stated the additional information was not necessary; he just wanted her to raise the issues.

Ms. Stewart stated the third section had to do with a note section which seemed to be "just hanging out there" which has to do with the area weighted averages with the HVAC and water heaters. She then stated the way the language was written seems to indicate the computer program must have only area-weighted averages. She further stated she would argue if a computer program were allowed to take separate inputs it should be allowed to do so.

Ms. Stewart stated the last issue was on page 31 where it states, "the building code official shall require the following documents". She then stated she believed it was pulled from the Code but the way it was currently worded sounds like the document would be dictating what the building official was required to do. She further stated the issue could possibly be solved by a simple citation to refer back to the Code.

Chairman Browdy stated the Commission has heard the issues that were raised by the industry and specifically the issues articulated during the meeting. He then called for a motion to approve the Energy Simulation Tool Approval Technical Assistance Manual subject to review by the Commission staff of the comments submitted in writing or heard at the Commission meeting.

Commissioner Greiner moved approval of the motion as stated. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Mr. Madani asked for clarification if the comments submitted were going to be evaluated by staff.

Chairman Browdy stated staff would be evaluating the comments submitted.

REPORT TO 2012 LEGISLATURE

Chairman Browdy stated the Florida Legislature was meeting two months early, January/February of 2012 and as a result the Commission will have to submit the Report to the Legislature almost immediately after the December 2011 meeting. He then stated as a result he had asked Mr. Blair to prepare the Report so the Commission, at the December 2011 meeting, could approve it and meet the deadline for submittal. He further stated the plan, as always, with the Commission's support and approval, was for the chairman to review and approve the final draft of the Report to the Legislature.

Mr. Blair stated at the last Commission meeting the commissioners received most of the report and subsequently the rest was drafted and sent electronically in advance of the meeting and it was also posted online. He then stated he did not believe a review was necessary, but he would be happy to answer any questions or hear comments. He continued by stating, as the Commission knows, the decision was made to submit no recommendations to the 2012 Legislature therefore the report covers the process, the administration, research and science, the assessment, and the other various issues and provides an update on all of those.

Chairman Browdy called for a motion to adopt the Commission's Report and Recommendations to the 2012 Legislature; including any Commission actions taken at the December 2012 Commission meeting and to charge the chairman with reviewing and approving the final Report prior to submittal to the 2012 Legislature.

Commissioner Nicholson entered a motion to approve the Report to the 2012 Legislature. Commissioner Carson entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

COMMISSION MEMBER COMMENTS AND ISSUES

Commissioner Franco stated he wanted to welcome Chairman Browdy as the new Chairman of the Commission, wish him luck and thank him for serving. He then stated he also wanted to thank Mr. Dixon for his time, availability and guidance with the Commission. He further thanked the FBC staff for all they do for the Commission. He continued by thanking Mr. Blair and stated his reports were always extremely useful, well documented and professional.

Commissioner Stone stated he loved the fact the State of Florida provides the only copy of the Florida Building Code online. He then stated he was under the impression some states NFPA1, the National Fire Code, as read-only online. He further stated he would love to see staff investigate having the NEC posted online as well. He continued by stating he wanted to congratulate Commissioner Boyer on his appointment to the ICC board.

Commissioner Carson stated he would like to echo Commissioner Franco's appreciation for all he mentioned. He then stated he realized the very minute the

agency formerly known as DCA had been swallowed by the DBPR. He further stated he had some problems with reimbursement and he did not know if the procedures the Commission had used in the past were all being changed and if they are being changed he would like to know the changes. He continued by stating he had received a note from someone he had not yet met who requested his signature on a document in blue ink approximately 6 weeks after he had submitted his information and received the reimbursement the previous Friday, approximately 2 months after he had submitted it. He stated he was not complaining, but would like to know if there was something he did wrong or if something needed to be discussed to expedite the reimbursement process. He then stated he would like to wish everyone present happy holidays.

Ila Jones

Ms. Jones stated the DBPR has some very different procedures that the Commission has to adjust to. She then stated one of those changes was all travel vouchers have to be signed in blue ink. She further stated the commissioners were sent copies of the travel vouchers and asked to copy and sign about 5 copies of them in blue ink. She continued by stating she would take those vouchers with her and when the commissioners have submitted all the information to staff she will complete them and send them to the DBPR. She stated she believed that would make the process a lot faster.

Commissioner Gregory stated he also wanted to congratulate Chairman Browdy on his appointment as chairman and he looked forward to his leadership. He then stated for clarification the APSP was not affiliated with the Florida Pool and Spa Association and does not speak for it either. He further stated his issue and the confusion seemed to be over the ANSI/APSP15 standard, which was put into the Code in the glitch cycle in June, but it did not become a standard until August. He continued by stating because of proprietary and copyright issues the members were not allowed to see a copy of it until it was put into the Code, thus the confusion. He stated the national chairman of the builder's council on the APSP, the state chairman of the builders' council on the APSP, the state chairman of the builders' council in the state of Florida who had not seen the standard or the content. He then stated there was going to be problem. He further stated he would like to make a motion that no standard would be part of the Building Code until it was published and readily available to the public.

Mr. Dixon stated for clarification the technical standard was complete. He then stated there was an ANSI process that goes on top of whatever process an entity has for its standard that is required to get ANSI to put its name and endorsement on the standard. What ANSI does is basically an accreditation. He further stated it was his understanding the part of the process not complete was the ANSI portion not the technical portion. He continued by stating the technical standard itself had been completed by APSP. He stated he could not speak to the availability issues, just steps in the process for finalizing the standard.

Commissioner Gregory stated the availability was denied based on copyright infringement and only after he paid \$70.00 would he get a copy of the standard when it was complete. He then stated finger pointing was hindsight and he was not doing that. He further stated in moving forward he recommended the Commission not approve any standard until it becomes a standard and was readily available to the public.

Chairman Browdy stated he would suggest it was part of the current procedures. He then stated if it did not occur it was a glitch in the procedures. He further stated, in his opinion, a motion of that nature would not be necessary, given the procedures that were in place. He continued by stating he would discuss the issue with Mr. Dixon and Ms. Adams and address it.

Commissioner Gregory stated he was just clarifying to make sure.

Commissioner Nicholson stated he wanted to also congratulate Chairman Browdy on his appointment. (Commissioner Nicholson's comments were inaudible. Does not sound like microphone was on. There is loud humming over his words...of which I am uncertain of most. I do recall he was discussing the reimbursement process)

GENERAL PUBLIC COMMENT

Jack Glenn, Florida Homebuilders Association

Mr. Glenn stated he would join the members of the commission in congratulating Chairman Browdy on his appointment. He then stated on behalf of the Homebuilders' Association, himself individually and the majority of the stakeholders in the room they look forward to working with the chairman and Commission over the next Code cycle.

Doug Harvey, BOAF

Mr. Harvey stated on behalf of the Building Officials' Association of Florida he congratulated Chairman Browdy on his appointment. He then stated he would also to thank the previous chairman, Raul Rodriguez for all of his work and efforts. He offered congratulations to Mr. Dixon. He stated BOAF looked forward to the opportunity to honor both of those individuals at the next meeting and would be its pleasure to participate in the celebration. He wished the entire Commission and staff a happy holiday season and looked forward to working with them on the next cycle. He stated BOAF concurred with Commissioner Gregory's comment with regard to standards. He then stated it was recently reviewed with a document that was in the public domain at the time. He further stated they felt strongly, following discussions and much thought about the process, that the standards referenced in the base document should be the standards adopted by the Commission in moving forward. He thanked the Commission for the opportunity to speak. He then stated there was a brief statement to be entered into the record. He further stated copies would be provided to the staff for the Commission minutes.

Tom Allen, BOAF, President

Mr. Allen stated BOAF wanted to reiterate its previously stated position regarding Code development in Florida. He then read from prepared statement, which was submitted to staff in writing. (*Positive Statement, Building Code Development, December 1, 2011*)

He stated BOAF recognized the hard work of the Florida Building Commission; it's members and staff. He then stated while BOAF continues to support the enforcement of a single building code in the state of Florida, called the Florida Building Code, it believes the most current edition of the I-Codes was an appropriate base document for the Florida Building Code. He continued by stating the triennial updates of the Codes were proper and appropriate to continue a Code development process that utilizes public hearing and consensus format for technical committee members who are nationally recognized subject to better experts. He stated BOAF also continues to support the active participation of Florida code enforcement professionals, design professionals, contractors, building product manufacturers and interested private sector construction professionals in the development of the I-Codes and by extension, the Florida Building Code, through ICC Code committees, submittal and support of code modification processes, proposals that would improve the effectiveness of the I-Codes and the Florida Code, and participating in the I-Code hearings. He then stated BOAF supports modification of the base code at the state level for only the following purposes: 1) when accompanied by a favorable financial impact statement, 2) to address issues mandated by the state legislature, 3) to address coordination and compatibility with the Florida Fire Prevention Code, and 4) to address issues specific to the state of Florida. He further stated BOAF also continues to support adjusting the time interval for the implementation of each edition of the Florida Building Code to closely follow the publication of the latest I-Codes but in no case more than 12 months.

Chairman Browdy noted the commissioners had received forms for their Florida Building Commission business cards. He stated he wanted to take the opportunity to thank his fellow commissioners for their years of support. He then stated, more importantly, at his first meeting as Chairman, he wanted the commissioners to know how much he respected each of them and their individual opinions in their areas of expertise. He further stated he would do everything in his power over his term to ensure the Commission continues the open processes and consensus building, that was so much a part of Commissioner Rodriguez' leadership of the Commission. He wished each member a happy, healthy holiday season, a wonderful new year and hoped the in the new year they would all come together in a consensus-building process and hopefully a better economy and do the work we have to do to make the citizens of the state of Florida happy they live in houses and buildings the Commission has designed, built and monitored.

ADJOURN

The meeting was adjourned at 11:22 a.m.

