

FLORIDA BUILDING COMMISSION

PRODUCT APPROVAL POC

FEBRUARY 6, 2014 TELECONFERENCE MEETING SUMMARY REPORT

THURSDAY, FEBRUARY 6, 2014

MEETING SUMMARY AND OVERVIEW

At the Thursday, February 6, 2014 teleconference meeting the POC focused on considering regular procedural issues including product approval and entities statistics report; a status report on conditional approvals and QA expiration notices; review and approval of product and entity applications; and a review of DBPR approved product approval applications.

Background and Supporting Documents

Relevant background and supporting documents are linked to each agenda item. The Agenda URL for the *February 6, 2014* meeting is as follows:

http://www.floridabuilding.org/fbc/commission/FBC_0214/Product_Approval/Product_Approval_Agenda.htm

AGENDA ITEM OUTCOMES

A.1. OPENING AND MEETING ATTENDANCE

The meeting was opened at 10:00 AM once a quorum was established, and the following POC members participated (7 of 7 members):

Jeff Stone (Chair), Jay Carlson, David Compton, Nan Dean, Herminio Gonzales Brian Swope, and Tim Tolbert.

Members Not Participating:

All members were present.

A.2. DBPR STAFF PRESENT

Robert Benbow, Joe Bigelow, Paul Drake (legal intern) Jim Hammers, April Hammonds, Ila Jones, Mo Madini, Marlita Peters, and Jim Richmond.

Meeting Facilitation and Reporting

Product Approval POC meetings are facilitated and meeting reports drafted by Jeff Blair from the FCRC Consensus center at Florida State University. Information at: <http://consensus.fsu.edu/>



CONSENSUS CENTER

A.3. AGENDA REVIEW

The POC voted unanimously, 7 - 0 in favor, to approve the agenda for the February 6, 2014 meeting as posted. Following are the key agenda items approved for consideration:

- To Consider/Discuss Product Approval Program Issues
- To Consider/Decide on Approval of Products and Product Approval Entities

The complete Agenda is included as “*Attachment 1*”.

(See *Attachment 1—Agenda*)

A.4. STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS

Jeff Blair reviewed the teleconference participation process with participants reminding them that it is important to keep their phones on mute to minimize background noise, not to put their phones on hold, and to wait until invited to speak to avoid confusion and chaos. Jeff emphasized that all participants will have ample time to speak on all agenda items. Participants were reminded to state their names each time they speak.

B. REVIEW AND APPROVAL OF THE DECEMBER 4, 2013 MINUTES

MOTION—The POC voted unanimously, 7 - 0 in favor, to approve the December 4, 2013 meeting minutes as presented/posted.

Amendments:

There were no amendments offered.

C. 1. PRODUCT APPROVAL AND ENTITIES STATISTICS REPORT

Robert Benbow reviewed the product and entities statistics reports with participants and answered members’ questions.

C.2. REPORT ON CONDITIONAL APPROVALS FROM DECEMBER 2013 MEETING

Mo Madani noted there were no conditional approvals to report from the December 2013 meeting.

C.3. REPORT ON QA EXPIRATION NOTIFICATIONS

Mo Madani noted the QA expiration report is linked to the February Product Approval Agenda, and answered members’ questions. It should be noted that the remaining expired QA entities (22) have been contacted and staff is working to resolve any outstanding issues.

D.1. PRODUCT AND ENTITY APPLICATIONS CONSENT AGENDA

Commissioner Stone presented the consent agenda for approval of products by asking if any participants' wished to have any applications pulled from the consent agenda for individual consideration. There were no product applications pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 7 - 0 in favor, to recommend the Commission approve the consent agenda of products recommended for approval as posted.

MOTION—The POC voted unanimously, 7 - 0 in favor, to recommend the Commission approve the consent agenda of product approval entities recommended for approval as posted.

D.2. PRODUCT APPROVAL APPLICATIONS WITH DISCUSSION OR COMMENTS

Jeff Blair presented the products with discussion and public comment. Following are the POC's recommendations on the 2 product approval applications on the discussion agenda:

- The POC recommends the Commission approve product #16663-R1; and
- The POC recommends the Commission conditional approve product #16749 based on the conditions listed in DBPR staff's recommendation.

Following are the POC's recommendations on the 18 product approval applications with public comment:

- The POC combined two product approval applications (#15894-R3 and #15894-R2) listed in the report into a single application #15894-R2, noting that all comments from both product applications would be included with the single application since they are the same product (one product application was a typo listing #15894-R3 that should have been listed as #15894-R2. Correcting the product number duplicated the product number for the same product).
The POC recommends the Commission conditional approve product #15894-R2 with the condition that the product not be used in the HVHZ unless the attachments as tested and the deck construction specifications are provided;
- The POC recommends the Commission conditional approve product #16725 based on the conditions listed in DBPR staff's recommendation;
- The POC recommends the Commission conditional approve product #3504-R5 based on the conditions listed in DBPR staff's recommendation;
- The POC recommends the Commission conditional approve product #15892-R3 with the condition that the product not be used in the HVHZ unless the application specifies the attachments as tested and the type of deck;
- The POC recommends the Commission conditional approve product # 16057-R1 based on the conditions listed in DBPR staff's recommendation;
- The POC recommends the Commission conditional approve product # 16707 based on the conditions listed in DBPR staff's recommendation.
- The POC recommends the Commission conditional approve product #16717 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16718 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16722 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16723 based on the same conditions applied to product #15892-R3;

- The POC recommends the Commission conditional approve product #16730 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16732 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16733 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16736 with the condition that the edge distance be changed from 1.5D to 2.5D (the change was at the applicant's request);
- The POC recommends the Commission conditional approve product #16739 based on the same conditions applied to product #15892-R3;
- The POC recommends the Commission conditional approve product #16742 based on the conditions listed in DBPR staff's recommendation;
- The POC recommends the Commission conditional approve product #16758 based on the same conditions applied to product #15892-R3; and
- The POC recommends the Commission conditional approve product #16767 with the condition that the call-out for GL-5 be removed from product .3 in the application.

The complete report of POC recommendations on product and entity applications is available linked to the Commission's February 21, 2014 agenda.

D.3. DBPR APPLICATIONS

Staff noted that the recommendations for the DBPR applications are linked to the February 6, 2014 Product Approval POC agenda found on-line. Members of the public were provided an opportunity to comment on the applications and comments were received as follows:

- #16066-R1 comment by Jamie Gascon (consistent with his submitted written comment).
- #5288-R5 comment by Ted Berman (consistent with his submitted written comment).
- #12463-R5 comment by Ted Berman (consistent with his submitted written comment).
- #16713 comment by Jamie Gascon (consistent with his submitted written comment).

Jamie Gascon requested clarification on how a member of the public can challenge a DBPR recommendation pertaining to a product approval application if their written comments did not change the DBPR recommendation on the product application to satisfy their concerns.

Mo Madani noted that the POC could decide based on public comment that there is a technically significant issue that should be considered, and make a recommendation that the Commission pull the product approval from the consent agenda for individual consideration based on the POC's recommendation.

Following public comments on the four product approval applications noted above and responses by DBPR staff, the POC was offered an opportunity to determine whether any of the products recommended for approval should be sent to the Commission for consideration. April Hammonds noted that the threshold for pulling a product off of the DBPR approved list is through a showing of good cause. The POC was offered an opportunity to take action on each of the four products with public comment in turn, and in each case no action was taken.

E.1. PUBLIC COMMENT

Commissioner Stone invited members of the public to address the Commission on any issues under the Commission's purview.

Jamie Gascon requested clarification on how a member of the public can have a DBPR recommendation pertaining to a product approval application on the DBPR applications list challenged.

Mo Madani noted that the POC could decide based on the public comment that there is a technically significant issue, and make a recommendation that the Commission pull the product approval from the consent agenda for individual consideration.

It should be noted that the public comment by Jamie Gascon was made prior to the POC taking comment on the DBPR product approval applications. Subsequently, the public was offered an opportunity to comment on the DBPR product approval applications as reflected in agenda item D.3. above.

E.2. POC MEMBER COMMENT

Commissioner Stone invited POC members to offer any general comments to the POC.

There were no POC member comments offered.

POC RECOMMENDATIONS FOR COMMISSION ACTION

The POC recommends the following actions to the Florida Building Commission:

1.) The POC recommends the Commission take action on product and entity applications as recommended by the POC and reflected in DBPR staffs' product and entity approval report.

FUTURE AGENDA ITEMS

- Commissioner Stone requested an agenda item be added to review the Product Approval Rule provisions regarding product approval issues pertaining to the use of portable rollform machines. It was agreed this issue would be deferred to provide time for the issue to be added to the next DBPR rules plan scheduled for fiscal year 2014-2015.

NEXT STEPS

The POC will meet April 3, 2014 to provide recommendations to the Commission on Product Approval System relevant issues for the April 9, 2014 Commission meeting.

F. ADJOURN

Commissioner Stone, POC Chair, thanked POC members, staff and the public for their attendance and participation, and adjourned the meeting at 11:40 AM on Thursday, February 6, 2014.

ATTACHMENT I
MEETING AGENDA

FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL/MANUFACTURED BUILDINGS (POC)

THURSDAY, FEBRUARY 6, 2014
10:00 AM

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
1940 NORTH MONROE ST. —TALLAHASSEE, FLORIDA 32399

WEB URL:
AUDIO: DIAL-IN NUMBER 1-888-670-3525 CONFERENCE CODE: 606 232 6940

MEETING OBJECTIVES

- To Consider/Discuss Product Approval Program Issues
- To Consider/Discuss Declaratory Statement
- To Consider/Decide on Approval of Products and Product Approval Entities

PRODUCT APPROVAL POC MEMBERS

Jeffrey Stone (Chair), E.J. Carlson, David Compton, Nanette Dean, Herminio Gonzalez, Brian Swope, and Tim Tolbert,

MEETING AGENDA— THURSDAY, FEBRUARY 6, 2014

All Agenda Times—including Adjournment—are Approximate and Subject to Change

10:00AM	A)	Call to Order 1. Roll call of POC Members 2. Identification of Staff/Attendees 3. Review and Approval of Agenda 4. Statement on Teleconference Participation Process
	B)	Review & Approve Agenda & December 2013 Minutes
	C)	Product Approval Program Issues: 1. Product Approval & Entities Statistics Report 2. Report on conditional approval from the December 2013 meeting 3. Report on QA expiration notifications
	D)	Department of Business and Professional Regulation Reports: 1. Review of Product Approval & Entity Applications 2. Product Approval Applications with Comments

		3. DBPR Applications
	E)	Public/POC/Staff Comments
	E)	Adjourn

STAFF CONTACTS: Robert Benbow, Robert.benbow@myfloridalicense.com , (850) 717-1837; Mo Madani, Manager

Teleconference Process/Etiquette: [URL:http://www.floridabuilding.org/fbc/meetings/1_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm)

Note: This document is available to any person requiring materials in alternate format upon request. Contact the Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2100 or call 850-487-1824