

**PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE
THE BILTMORE HOTEL, 1200 ANASTASIA AVENUE, CORAL GABLES,
FLORIDA 33134**

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MEETING ID 339-205-181

August 14, 2018

9:00 A.M.

Minutes

PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE PRESENT:

Jeffrey Stone, Chairman
David Compton
Nan Dean

David Gilson
Brian Swope

PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE NOT PRESENT:

Robert Hamberger

COMMISSIONERS PRESENT:

Chairman Carlson
Commissioner Boyer

Commissioner Schock

STAFF PRESENT:

Mo Madani
Tom Campbell
Chris Howell

Justin Vogel
Jim Hammers

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>

Welcome:

Time: 9:00 a.m.

Chairman Stone welcomed everyone to Coral Gables and the meeting of the Product Approval Program Oversight Committee, he then asked that Mr. Blair perform roll call to determine quorum.

Roll Call:

Mr. Blair performed roll call for the Product Approval Program Oversight Committee. A quorum was determined with 5 members present at the time of roll call.

Agenda Approval:

Commissioner Compton entered a motion to approve the agenda as posted for today's meeting. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

Approval of Minutes and Facilitation Report from June 4, 2018 meetings:

Commissioner Compton entered a motion to approve the minutes and facilitation report as posted from June 4, 2018. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

Product Approval and Entities Statistics Report:

Mr. Madani provided the statistical report for 2018 product approval and entities.

Report on conditional approvals from the June 4, 2018 meeting:

Mr. Madani advised that all conditional approval requirements were met for the June cycle except FL22886 (from April cycle) and provided an update on the pending product.

Review of Product Approval & Entity Applications:

Chairman Stone advised there were 26 entities on the consent agenda for approval.

Commissioner Compton entered a motion to approve the consent agenda of 26 entities. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

Product Approval Applications without Comments consent agenda:

Commissioner Stone advised there were 146 products on the consent agenda for approval.

Commissioner Compton entered a motion to approve the 146 products on the consent agenda. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

Product Approval Applications with Comments:

14996-R4 – Commissioner Compton entered a motion for approval of 14996-R4. Commissioner Dean seconded the motion. The motion passed with a vote of 5 to 0.

16851-R7 - Commissioner Compton entered a motion for approval of 16851-R7. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

16853-R8 - Commissioner Compton entered a motion for approval of 16853-R8. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

Product Approval Applications with Comments (2017 Code) (cont.):

16854-R8 - Commissioner Compton entered a motion for approval of 16854-R8. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

17112-R5 – Commissioner Compton entered a motion for approval of 17112-R5 Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

17767-R3 – Commissioner Compton entered a motion for approval of 17767-R3 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

18368-R2 – Commissioner Compton entered a motion for conditional approval of 18368-R2 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

21335-R3 – Commissioner Compton entered a motion for approval of 21335-R3 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

24163-R2 – Commissioner Compton entered a motion for approval of 24163-R2 Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

27060 – Commissioner Compton entered a motion for conditional approval of 27060 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

27154 – Commissioner Compton entered a motion for approval of 27154 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

27156 – Commissioner Compton entered a motion for approval of 27156 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

27194 – Commissioner Compton entered a motion for conditional approval of 27194 Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

27423 – Commissioner Compton entered a motion for approval of 27423 Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

DBPR Applications 2017:

Chairman Stone advised that there were 145 products with no comments under the 2017 Code and there were 9 products with comments under the 2017 Code that have been addressed. He stated there is no action needed from the Product Approval Committee.

Review and consider proposed changes to the State Product Approval rules and process as requested by Warren Schaefer.

Mr. Schaefer provided a presentation stating nine identified issues that needed to be evaluated and addressed is proposed changes to the Product Approval System.

Public Comments:

Commissioner Schock stated he had not seen evidence that would require the changes.

Tom Johnston, Town and Country stated if there are issues with the PE evaluations this would need to go to the Florida Board of Professional Engineers and not the Building Commission.

Joe Belcher, representing multiple professions stated that professionals need to be held accountable at the licensing level and did not feel these changes were necessary.

Allen Reeves, PE with HR Engineering stating he felt there were no changes to the process needed.

Amanda Bell, FMA stated they stand behind the Commission and the Code nothing should be changed.

Jason Seals, AAMA stated he is not seeing any issues in the field and this system seems to be working well.

John McFee, Windows and Doors stated he agrees there should be no change needed. He also spoke on the proprietary issues and reasons for not publishing certain documents online in the competitive market.

Randy Schackelford, PE addressing the areas that he works with and stated he felt there needed to be more education on the process that would address many of these concerns.

Jalal Farooq, Al-Farooq Corporation stated he has seen a decline in product approval compared to NOAs.

Public Comments (cont.):

Joe Hetzel, DASMA stated he is speaking for himself and he agrees with Commissioner Schock and Mr. Belcher that there are no concerns with this process. He also briefly spoke on the rules process.

Jon Hill, Keystone stated he supports the current process and does not see the need to make changes.

Scott Walters, Walters Engineering stated he would like to see a change in the validation list as with true validation both should be held accountable.

Steve Strawn, JELD-WEN, stated he supports the current process and system.

Hermes Norero, Building Drops stated that he agreed with Mr. Reeves the system works well and no changes are needed.

Thomas Wix, NAMI stated he would like to submit his comments in writing through the staff for the POC to review.

Mr. Schaeffer, provided his rebuttal and clarification that they are not requesting adding a rule, the rules need clarity. He said they are looking for full answers to their questions.

POC Discussion:

Commissioner Compton spoke to issues, enforcement and ethics, he advised that the avenues are there and feels there needs to be education on the rule.

Commissioner Dean stated she agreed with Commissioner Compton.

Commissioner Swope stated he also agrees with Commissioner Compton and enforcement of the system.

Commissioner Gilson spoke from the inspection side stating he does not see that a change is needed, the system works well and should be left alone.

Commissioner Stone stated he agrees that there may be a need for an education program development.

Staff Comments:

Mr. Madani provided information on what is available.

Staff Comments (cont.):

Mr. Campbell stated BASF could be an entity interested in developing education based on this request.

Commissioner Compton entered a motion to recommend the Commission charge staff with reviewing existing education courses and information regarding the Product Approval System, and to determine whether there are additional opportunities to enhance education on the Product Approval Program. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 5 to 0.

General Public Comments:

Mr. Schaeffer asked if there is another avenue to get specific answers.

Mr. Vogel stated if he has a specific set of circumstances he can submit a request for declaratory statement.

POC Comments: None

Adjournment: Commissioner Stone asked for motion to adjourn.

Commissioner Swope entered a motion to adjourn. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 5 to 0.

The meeting adjourned at 10:45 a.m.