



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

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JEB BUSH
Governor

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Secretary

**BOARD MEETING
OF THE
FLORIDA BUILDING COMMISSION**

**PLENARY SESSION MINUTES
October 10 & 11, 2005**

PENDING APPROVAL

The meeting of the Florida Building Commission was called to order by Chairman Raul Rodriguez at 3:35 p.m., on Monday, October 10, 2005, at the Rosen Centre Hotel, Orlando, Florida.

COMMISSIONERS PRESENT:

Raul L. Rodriguez, AIA, Chairman
William J. Norkunas
Nanette Dean
Christopher P. Schulte
Randall J. Vann
Michael C. McCombs
Hamid J. Bahadori
Herminio Gonzalez
George J. Wiggins
James Goodloe
Christ T. Sanidas
Peter Tagliarini
Nicholas "Nick" D'Andrea
Richard Browdy
Stephen Corn
Dale Greiner
Jeffrey Gross
Paul D. Kidwell
Do Y. Kim

Joseph "Ed" Carson
Jon Hamrick
Steven C. Bassett
Doug Murdock, Adjunct Member
Craig Parrino, Adjunct Member

COMMISSIONERS ABSENT:

Gary Griffin

OTHERS PRESENT:

Rick Dixon, Executive Director
Ila Jones, DCA Prog. Admin.
Jim Richmond, Legal Advisor
David Littlejohn, Legal Advisor
Amanda Sampaio, Legal Advisor
Jeff Blair, FCRC

MONDAY, OCTOBER 10, 2005

WELCOME

Chairman Rodriguez welcomed the Commissioners and gallery to the first portion of the October 2005 plenary session of the Florida Building Commission. He stated the focus of the Commission for this portion of the meeting would be on Accessibility Waivers, Declaratory Statements, Product and Entity Approvals. He acknowledged, on behalf of the Florida Building Commission, the impacts of Hurricanes Katrina and Rita on the residents in neighboring Gulf Coast states. Chairman Rodriguez continued stating the Commission is in the process of evaluating studies related to hurricane damage and will be considering additional Code enhancements related to hurricane damage investigations during the glitch amendment cycle.

Chairman Rodriguez recognized and welcomed new Commission member, Nanette Dean, who has been appointed by the governor to the Product Manufacturer's Commission seat. He stated Commissioner Dean had attended the Product Approval POC meeting and he then formally appointed her to the POC.

Commissioner Dean stated her participation in these first meetings has been very interesting with a look at how the process works from the other side of the curtain and stated she is very excited about being a part of the Commission.

Chairman Rodriguez then directed the Commission to Mr. Blair for a formal review of the meeting agenda.

REVIEW AND APPROVE AGENDA

Mr. Blair conducted a review of the meeting agenda.

Commissioner Browdy moved approval of the meeting agenda as amended. Commissioner Tagliarini seconded the motion. Vote to approve the motion was unanimous. Motion carried.

REVIEW AND APPROVE AUGUST 23 & 24, 2005, MEETING MINUTES

Chairman Rodriguez opened for changes or additions to the August 2005 Commission meeting minutes.

Commissioner Gonzalez referenced page 12 of the minutes noting a product was identified as XXXX-R2 should be corrected to appear as product #2329.

Commissioner Browdy moved approval of the August 2005 Commission meeting minutes. Commissioner Wiggins seconded the motion. Vote to approve the motion was unanimous. Motion carried.

CONSIDER ACCESSIBILITY WAIVER APPLICATIONS

Mr. Mellick presented the applications in the order the items appeared on the Accessibility Advisory Council meeting agenda, which was included in each Commissioner's laptop files. He first presented the consent agenda items:

Consent Agenda Applications Recommended for Deferral

- #1 Greystone Hotel
- #2 Florida Marine Agency

Commissioner Browdy moved approval of the Council recommendation to defer the two waiver applications. Commissioner Corn entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Approval

- #5 Congo River Golf

Commissioner Corn moved approval of the Council's recommendation. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

- #7 Southridge Park

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

- #8 Chelsea Salon & Spa

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

- #11 MuviCo Boynton Beach 16

Commissioner Browdy moved approval of the Council's recommendation. Commissioner Corn entered a second to the motion.

Commissioner Norkunas offered comment expressing concern with the accessibility issue in theaters. He stated the issue is becoming more prevalent because of stadium style seating in the movie theatres. Commissioner Norkunas stated there are two issues of concern with regard to movie theatres and accessibility; i.e., line of sight and emergency egress. He continued stating it is difficult for individuals with disabilities to get out in the event of an emergency with the way some of the movie theaters are designing accessibility seating. Commissioner Norkunas offered support for the waiver request then stated line of sight is extremely important to the disabled community.

Mr. Mellick offered clarification stating in these particular cases the accessibility seating is located in the center with ramps providing access to them. He continued stating the front row seating has remained a small part of the accessibility seating at the request of the Council for certain situations involving children's parties and other group seating.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Approval with Conditions

#6 River Grille Restaurant

Mr. Mellick stated the application was recommended for approval with the condition that the project does not conflict with federal ADA requirements.

Commissioner Browdy moved approval of the Council's recommendation. Commissioner Corn entered a second to the motion.

Commissioner Norkunas offered comment stating the documents submitted to the Council contained a statement "the original site plan indicated an accessible route to the existing boat dock." He offered comment stating the restaurant was constructed at a cost of \$1.2 million and further expressed he took offense to other statements contained on the waiver application indicating it was not necessary to arrive by boat for the full restaurant experience. Commissioner Norkunas appealed to the Commission to deny the waiver due to ADA issues that will arise in the future.

Mr. Mellick added the issue was closely reviewed and the Council determined the

waiver request does not conflict with the federal ADA. He stated there are provisions in the statute as well as in the Florida Building Code that state even if a waiver is granted based on Florida requirements, it does not relieve the applicant's obligation to comply with federal ADA requirements, which is why the waiver has been approved with the conditions as described.

Chairman Rodriguez called for a vote on the motion. Vote resulted in 2 opposed; (Norkunas, Sanidas); 18 supporting. Motion carried.

#10 Plaza Collins 16 Cinemas

Mr. Mellick stated the request was unanimously recommended for approval with the condition that four accessible seats on the same row in theatres 3, 4, 11, and 14, be shifted one seat toward the left with the revised plans submitted to DCA staff for verification of compliance.

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

Recommended for Denial

#3 Oseroff

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

#4 Surfside Retail Store

Mr. Mellick explained the request had been deferred from previous meetings. He stated the applicant had previously been granted a temporary waiver from providing vertical accessibility to a mezzanine for a period of one year. He continued stating the project cost at the time of original application was \$460,000 which did not meet disproportionate costs nor financial hardship exemption, thus warranting the approval with the one-year condition. Mr. Mellick further stated the application had been reconsidered and reviewed by the Council and the unanimous recommendation was denial, based on lack of hardship.

Robert Fine, Attorney, Greenberg Traurig, Miami

Mr. Fine presented a brief history of the process for requesting the waiver from

providing accessibility. He stated the building official/elevator inspector initially determined the path of travel was too high to be exempt from providing vertical accessibility. Mr. Fine continued stating the cost of providing vertical accessibility would be more than 20% of the cost of the mezzanine alterations. He conducted an overview of the costs of the project and the plans for alterations. Mr. Fine then read from the statute (553.512) pertaining to the hardships and granting of waivers the applicant has presented. He referenced the last sentence, which read as follows:

Notwithstanding any other provision of this subsection, if an applicant for waiver demonstrates economic hardship in accordance with 28cfr 36.403 f1, a waiver shall be granted.

Mr. Fine continued his presentation stating it is the position of the applicant that the answers for each area containing a primary function area under alteration, the path of travel obligation applies to the area containing that primary function. He continued stating there has been no precedent case concerning the regulation, he then noted there is information in the regulations which are helpful in terms of Commission action. He cited 28 cfr 36.403 f1; as well as waivers in the past that have been granted by the Commission based on the same interpretation of the regulation. Mr. Fine further stated other accessible features have been put into place as required by law noting the Legislature found increased accessibility requirements should be defined by the amount of hardship undertaken by the business to provide vertical accessibility. He then respectfully requested the Commission grant the necessary waiver based on the facts presented.

Mr. Mellick added he has served on the Accessibility Council for three years and during that time had never bifurcated the costs of specific projects as they compare to other projects. He also stated the Florida Accessibility Code is more stringent in terms of vertical accessibility, not total path of travel requirements. Mr. Mellick continued stating the Florida Accessibility Code additionally allows three years of construction for the allocation of the 20% rule. He stated the regulations do not provide instructions concerning portions of the building or the floor levels being altered. Mr. Mellick then reiterated the Council's recommendation was to deny the waiver based on the total cost of the LULA would not be disproportionate to the total cost of the renovations of the building.

Commissioner Corn asked if there was a 20% rule in effect during the consideration of the cases referenced during Mr. Fine's comments.

Mr. Mellick responded stating one of the cases referenced was considered during the time there was a 20% rule, however, Commission action was not based on the 20%

rule, rather, technical infeasibility.

Mr. Littlejohn interjected the 20% rule was adopted in 2002.

Commissioner Corn then asked if the cases cited were presented before the Commission prior to or following the 20% rule.

Mr. Fine replied one of the cases was after the 20% rule was in place. He added the Council and the Commission has adhered to a policy of not granting a waiver that conflicted with or violated the ADA.

Commissioner Bassett moved approval of the Council recommendation to deny the waiver. Commissioner Gross entered a second to the motion.

Mr. Richmond offered procedural clarification stating there is standing record in the form of audio and final orders concerning the procedural history of the case under consideration as well as the cases that have been cited.

Mr. Littlejohn added the issue is not as complicated as all of the information that has been presented. He stated the case is clearly simple in terms of a retail store having a 14' retail mezzanine open to the retail floor below and all the path of travel analysis still does not merit granting a waiver from providing vertical accessibility to the retail mezzanine floor. Mr. Littlejohn continued stating nothing in the requirements [including Section 553.512] or the guidelines (ADA Accessibility Guidelines) "shall be construed to relieve the owner of any building, structure, or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below occupiable grade level."

Commissioner Kim requested clarification regarding previous Commission actions concerning the waiver application.

Mr. Mellick offered clarification stating the Commission had previously allowed one year to provide vertical accessibility. He continued stating the Commission has now agreed to reconsider the case based on new facts and new information.

Mr. Richmond interjected the Commission has the option of granting action previously taken, however, the Council has now recommended denying the application.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion was unanimous. Motion carried.

#9 Warehouse

Mr. Mellick explained the Council unanimously recommended denying the request for waiver based on lack of jurisdiction with a recommendation that the Final Order clearly specify the provisions of law outlining the denial.

Commissioner Tagliarini entered a motion to approve the Council's recommendation. Commissioner Gross entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Norkunas offered comment stating he felt obligated as the disability representative on the Commission to stress the fact that every time the Commission grants a request for waiver from providing vertical accessibility, it means many individuals with disabilities will not be able to access that particular area. He submitted that the Council is simply a clearing house to prevent individuals like Mr. Fine requesting waivers at every opportunity. Commissioner Norkunas further stated the Commission gives weight to the Council opinions and suggested the Council needs to be better attended because the numbers of members in attendance is critical to the decisions made on behalf of the 2.8 million disabled individuals.

Mr. Richmond stated the membership and make-up of the Accessibility Advisory Council is statutory in nature and may not be added to, nor taken from by the Commission or anybody else.

Chairman Rodriguez added the 75% consensus is an obligation the Commission put in place in order to be as fair as possible and listen to the concerns and opinions of everyone. He expressed appreciation for everyone who comes regularly to the Commission meetings and stated if there are attendance problems in the Council meetings perhaps the positions could be filled by individuals who would comply with the requirements.

CONSIDER PETITIONS FOR DECLARATORY STATEMENT:

Chairman Rodriguez directed the Commission to Mr. Richmond for legal issues reports and petitions for declaratory statement.

Mr. Richmond introduced David Littlejohn, Attorney, Department of Community Affairs. He stated Mr. Littlejohn has been an attorney in private practice as well as with the Department of Environmental Protection. He continued by introducing an ex-tern, third year law student at Florida State University's College of Law, Amanda Sampaio, who will assist in presenting the declaratory statements to the Commission. Mr. Richmond then announced there is a new liaison to the Joint Administrative Procedures

Committee who has already pointed out editorial comments specific to Rule 9B-1, Manufactured Buildings.

Joint Administrative Procedures Committee Comments on Rule 9B-1 Amendments

Mr. Richmond stated the changes to Rule 9B-1, Manufactured Buildings, are editorial in nature involving numbering issues for the form and the rules as well as legal citations below the rule.

Commissioner Greiner moved approval to proceed with rule adoption for Rule 9B-1 noting and integrating the JAPC comments. Commissioner Kidwell entered a second for the motion. Vote to approve the motion was unanimous. Motion carried.

Ms. Sampaio presented the petitions for declaratory statement as they appeared in each Commissioner's files.

Second Hearings-

DCA05-DEC-113 by David G. Karins, PE, Karins Engineering Group, Inc.

Ms. Sampaio explained the POC recommendation as it appeared under the Findings of Fact for Case #: DCA05-DEC-113.

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

DCA05-DEC-135 by Vipin N. Tolat, PE

Ms. Sampaio presented the POC recommendation as it appeared under the Findings of Fact for Case #: DCA05-DEC-135.

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

DCA05-DEC-136 by Tim Michaels, Stoughton Homes, Inc.

Ms. Sampaio presented the POC recommendation as it appeared under the Findings of Fact for Case #: DCA05-DEC-136.

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

DCA05-DEC-142 by Tim Michaels, Stoughton Homes, Inc.

Ms. Sampaio presented the POC recommendation as it appeared under the Findings of Fact for Case #: DCA05-DEC-142.

Mr. Madani offered comment stating staff recommended the action be revised. He referenced Findings of Fact, #5, "Residential of more than three-stories is subject to the requirement of the Florida Building Code, Building Volume." Mr. Madani stated staff recommended removing the statement, "According to Section 903.2.7, an automatic sprinkler system installed in accordance with Section 903.3 is required." He explained the change in action resulted from the specific case being a four-story building where determination concerning sprinklering will be made based on type of construction and other aspects of the project.

Jack Glenn, Florida Home Builders Association

Mr. Glenn stated he didn't deem it necessary to remove the reference to the Code and stated the statement provides clarity. He added since all residential occupancies built under the current Florida Building Code, Building Volume, are required to be sprinkled regardless of height or type of construction.

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

DCA05-DEC-151 by Bill Schoolbred, Elixir Industries

Ms. Sampaio presented the POC recommendation as it appeared under the Findings of Fact for Case #: DCA05-DEC-151.

Commissioner Bassett offered comment stating the petition presents an issue of equipment being mounted on the roof which has been required to be attached to the structure. He requested clarification concerning the difference between a shading option being attached to the roof and an A/C unit being installed and attached on the roof. Commissioner Bassett urged the Commission to take a closer look at equipment and attachments to roofs to prevent them from becoming missiles during weather events.

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

First Hearings:

Mr. Richmond presented the petitions for declaratory statements as they appeared in each Commissioner's files.

DCA05-DEC-159 by Ron Lambert, Greystone of Florida, Inc.

Mr. Richmond presented the POC recommendation as it appeared on the Petition for Declaratory Statement included in each Commissioner's laptop files.

Dwight Will, St. John's County Building Department

Mr. Will expressed agreement with the recommendation then requested the Commission consider specific language to read, "...as long as cementitious coating is installed to ASTM C 926, and ASTM C 1063, to ensure that it is truly cementitious coating."

Mr. Richmond then stated the definition of decorative cementitious coating refers to ASTM C 926 and suggested inserting the language from the section be included in the declaratory statement for clarity.

Terry Vias, Stowe Corporation

Mr. Vias stated his company is a manufacturer of the cementitious wall covering. He requested clarification concerning a "one-coat" stucco system resulting in a product that has a thickness less than 7/8" which does not meet the requirements of ASTM C 926 in terms of thickness. He asked if products less than 3/4" in thickness would require product approval.

Mr. Madani offered clarification stating the intent of the declaratory statement is for the word stucco to serve all instances of the covering. He stated component cladding and wind force resistant systems are weathering products and do not fall under Rule 9B-72, Product Approval.

Jack Glenn, Florida Home Builders Association

Mr. Glenn offered clarification stating stucco is a form of cement plaster, as

defined; decorative cementitious finish is nothing but a definition contained in the Code for a "skim coat" installed in accordance with ASTM C 926 for architectural purposes on a masonry. He then recommended removing the word "cementitious" from the POC recommendation leaving only the word "stucco".

Commissioner Greiner directed his comment to Mr. Glenn stating the answer is simply no. He explained the question asks, "Does cementitious stucco coating fall within Rule 9B-72."

Commissioner Greiner moved approval of the POC recommendation as presented. Commissioner Corn entered a second to the motion.

Joe Belcher, JDB Code Services

Mr. Belcher offered further clarification supporting staff's recommendation that ASTM C 926 stucco does not fall under Rule 9B-72, Product Approval. He then stated the one-coat finishes, or cementitious coatings, are not regulated by ASTM C 926, which is why additional approvals are required for their use and installation.

Commissioner Greiner then stated the Code change effective November 1, 2005, requiring any exterior finish must be installed in accordance with the manufacturer's installation instructions.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion was unanimous. Motion carried.

DCA05-DEC-162 by Irinia Tokar, WCI Communities, Inc.

Mr. Richmond presented the POC recommendation as it appeared in the petition for Declaratory Statement included in each Commissioner's files.

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

DCA05-DEC-170 by Charles W. Brammer, Eagles Nest Development Co. LLC

Mr. Richmond presented the POC recommendation as it appeared in the petition for Declaratory Statement included in each Commissioner's files.

Charles W. Brammer, Certified General Contractor

Mr. Brammer stated he is the owner and developer of the airport for the subject 89-unit hanger project development. He conducted an overview of the uses and purpose for the aircraft hanger buildings stating the hangers were for personal use only. He continued stating the hangers are for storage only and no fuel, mechanical repairs or other related activities would be performed inside the hanger. He then proposed two recommendations with regard to the petition: 1) issue an exemption to FBC Section 708.1 for fire separation of T-Hanger aircraft hangers stating FBC Section 4.1.3 and 8.2 would apply in lieu of Florida Building Code Section 708.1 Exception as required for Group "S" storage occupancy classifications; 2) modify the request for declaratory statement and issue a declaratory statement stating the intent of the Code was and is that FBC Section 708.1 does not apply to special occupancy classes. Mr. Brammer then stressed the importance of the issue in terms of aircraft hangers around the state of Florida.

Commissioner Gonzalez moved approval of the POC recommendation. Commissioner Bahadori entered a second to the motion.

Commissioner Bassett expressed opposition to the POC recommendation for the declaratory statement.

Commissioner Greiner offered clarification stating the POC was bound by the language in the Code then suggested the issue be addressed during the glitch amendment process.

Commissioner Kim then stated there was concern expressed during the POC meeting regarding unintended consequences in terms of the language in the Code. He asked if there was any solution for the petitioner and if the Commission could resolve the issue.

Mr. Richmond stated the Code is clearly drafted in terms of Commission action concerning the declaratory statement. He stated Commission action is restricted concerning the issue pending Code modification.

Commissioner Bahadori stated the language presented in the Code is not a new requirement.

Commissioner Bassett then stated the reason for his opposition was there was a general requirement in one area of the Code then a very specific requirement in another area of the Code. He stated the specific requirements take precedent over general requirements.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion resulted in 13 supporting and 6 opposed. Motion carried.

Mr. Brammer withdrew his request for declaratory statement.

DCA05-DEC-173 by Thomas J. Baird, Attorney, Okeechobee County

Deferred.

No Commission action required.

DCA05-DEC-174 by James E. Kelley, Jr., AIA, President, Fugleberg Koch

Mr. Richmond presented the POC recommendation as it appeared in the petition for Declaratory Statement included in each Commissioner's laptop files.

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

DCA05-DEC-175 by Gene Boecker, AIA, Code Consultants, Inc.

Mr. Richmond presented the POC recommendation as it appeared in the petition for Declaratory Statement included in each Commissioner's laptop files.

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

DCA05-DEC-176 by John Herring, Chair, Florida Executive Committee, WTCA

Withdrawn

No Commission action required.

DCA05-DEC-177 by Billy Tyson, CBO, Madison County

Deferred

No Commission action required.

DCA05-DEC-178 by Paul Quintana, All American Shutters, Inc.

Mr. Richmond the POC recommendation as it appeared in the petition for Declaratory Statement included in each Commissioner's laptop files.

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

CONSIDER APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Mr. Blair presented the first compliance method, consent agenda for approval.

Certification Method

Recommended for Approval

Product #'s: 42R2; 43R2; 44R2; 45R2; 57R1; 123R1; 124R1; 125R1; 126R1; 158R1; 210R1; 224R1; 228R2; 229R2; 250R1; 419R1; 477R1; 479R1; 490R1; 491R1; 565R1; 601R1; 603R1; 654R2; 717R1; 720R1; 735R1; 741R1; 858R1; 923R1; 927R1; 932R1; 953R1; 958R1; 959R1; 1148R1; 1149R1; 1150R1; 1153R1; 1154R1; 1155R1; 1156R1; 1170R1; 1185R1; 1190R1; 1197R1; 1250R1; 1259R1; 1285R1; 1286R2; 1287R2; 1288R2; 1290R1; 1293R2; 1307R1; 1327R2; 1328R1; 1363R2; 1366R2; 1378R1; 1384R1; 1385R1; 1386R1; 1439R1; 1442R2; 1443R2; 1444R2; 1445R2; 1446R2; 1447R1; 1448R2; 1449R1; 1450R2; 1451R1; 1452R1; 1454R1; 1476R2; 1563R1; 1601R2; 1616R2; 1659R1; 1671R1; 1706R1; 1744R1; 1807R2; 1808R2; 1810R3; 1813R2; 1870R2; 1934R1; 1935R1; 1969R1; 1973; 2020R1; 2030R1; 2320R1; 2324R1; 2330R1; 2425R1; 2452R1; 2807R1; 2946R1; 2947R1; 2949R1; 3078R1; 3086R1; 3087R1; 3089R2; 3090R1; 3091R1; 3092R2; 3146R1; 3151R1; 3152R1; 3158R1; 3163R1; 3165R1; 3166R1; 3167R1; 3168R1; 3204R1; 3307R1; 3310R1; 3328R1; 3340R1; 3343R1; 3392R1; 3411R1; 3434; 3461R2; 3509R1; 3822R1; 3826R1; 3828; 3829; 3880; 3972R1; 3974R2; 3975R1; 4036R1; 4062R1; 4129R1; 4130R1; 4131R1; 4132R1; 4140R1; XXXX; 4198R1; 4424R1; 4431R1; 4705R1; 4708R1; 4839; 4896; 4948; 4949; 4950; 4969; 4995; 4996; 5027; 5116; 5117; 5118; 5121; 5122; 5134; 5135; 5140; 5141; 5142; 5156; 5157; 5160; 5165; 5167; 5168; 5169; 5170; 5171; 5175; 5177; 5178; 5179; 5185; 5187; 5198; 5220; 5221; 5227; 5234; 5235; 5236; 5239; 5240; 5241; 5242; 5243; 5244; 5245; 5246; 5247; 5253; 5254; 5255; 5256; 5261; 5263; 5265; 5266; 5267; 5289; 5291; 5309; 5310; 5311; 5312; 5313; 5314; 5315; 5316; 5317; 5319; 5321; 5322; 5323; 5324; 5332; 5334; 5347; 5349; 5350; 5366;

5369; 5378; 5379; 5381; 5383; 5384; 5386; 5387; 5390; 5391; 5392; 5396; 5398;
5400; 5403; 5408; 5410; 5411; 5413; 5414; 5419; 5430; 5434; 5435; 5445; 5449;
5453; 5455; 5456; 5458; 5459; 5460; 5463; 5464; 5470; 5472; 5473; 5474; 5477;
5479; 5480; 5501; 5502

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

Recommended for Conditional Approval

Mr. Blair presented the products recommended for conditional approval individually stating each products' conditions as recommended by the POC. (See Product Approval Matrix on FBC Website.)

850R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

949R1

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

1172R1

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

1303R1; 1306R1; 1311R1; 1782R1; 1788R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5299

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5431, 5432, 5433

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5442

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5446, 5448

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

1468R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

1722R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

3185R1, 3187R1, 3188R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

3186R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

2363R2; 3034R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

3512R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

4087R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

4334R1; 4668R1; 5465; 5507

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5508

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

4925

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

4927

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

5262

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5395

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5385

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5388

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5405

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5418; 5438; 5447; 5451; 5483

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

5482

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5492

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Deferral

5462

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Evaluation By Engineer or Architect

Recommended for Approval

Product #'s: 389R1; 400R1; 483R1; 854R1; 1048R1; 1049R1; 1470R1; 1618R1; 1696R1; 1779R1; 1850R1; 1852R1; 1854R1; 1899R1; 1909R1; 1910R1; 1911R1; 1912R1; 1913R1; 2274R1; 2533R2; 2668R1; 2681R1; 2683R1; 2905R1; 2961R1; 2982R1; 3007R1; 3136R1; 3162R1; 3236R1; 3513R1; 3556R1; 3610R1; 3671R1; 3723R1; 3727R1; 3807R1; 3808R1; 3811R1; 3812R1; 3815R1; 3844R1; 3847R1; 3855R1; 3858R1; 3906R1; 3924R1; 3993R1; 4012R1; 4013R1; 4057R1; 4063R1; 4097R1; 4141R1; 4181R1; 4229R1; 4230R1; 4366R1; 4409R1; 4414R2; 4517R1; 4590R1; 4718; 4723; 4806; 4851; 4865; 4959; 4960; 5019; 5066; 5067; 5070; 5133; 5186; 5188; 5189; 5197; 5201; 5202; 5203; 5204; 5205; 5206; 5111; 5190; 5191; 5199; 5207; 5211; 5214; 5215; 5217; 5219; 5229; 5283; 5216; 5218; 5264; 5284; 5285; 5286; 5287; 5293; 5296; 5298; 5303; 5305; 5306; 5345; 5346; 5351; 5353; 5354; 5360; 5362; 5368; 5370; 5372; 5374; 5375; 5376; 5402; 5429; 5437; 5441; 5443; 5444; 5491; 5500; 5509; 5547

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Conditional Approval

Mr. Blair presented the products recommended for conditional approval individually stating each products' conditions as recommended by the POC. (See Product Approval Matrix on FBC Website.)

847R2

Commissioner Browdy moved approval of the POC recommendation. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

891R2

Commissioner Browdy moved approval of the POC recommendation. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

957R1; 1791R1; 4899

Commissioner Browdy moved approval of the POC recommendation. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

1115R1

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

1418R1

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

1672R1

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

4113R1; 4115R1; 4138R1; 5329; 5335; 5365; 5399; 5416

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

1793R1

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

2629R1

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

2630R1

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

2672R1

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

2754R2

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

3293R1

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

unanimous. Motion carried.

3600R1

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

3612R1

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

3655R1

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

4622

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

5213

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

5233

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

5302

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

unanimous. Motion carried.

5328

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

5330; 5331; 5333; 5334; 5337; 5338; 5339; 5340

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

5427

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

5499; 5503

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

5450

G.W. Harrell, Akerman, Senterfit Law Firm, Representing Powers Steel and Wire

Mr. Harrell expressed support for most of the conditions stating one exception. He explained he opposed the restriction on decorative cementitious coating and referenced supportive documents for his position. (See *DE Dansco Engineering, LLC Letter Dated February 2, 2005 to Mr. Bill Powers Attachment.*) He then requested the Commission remove the restriction for the decorative cementitious coating.

Joe Belcher, JDB Code Services

Mr. Belcher requested on behalf of the applicant that the condition to use cementitious coating be removed from product approval. He stated the coating has no bearing on the product and is not advertised as such. He continued stating the coating

is simply a finish for aesthetic value only. Mr. Belcher further stated the request is not for the finish, rather for the structural member.

Mr. Blair then summarized for clarification the conditions presented in the POC recommendation would be accepted with the exception of the decorative cementitious coating restriction.

Commissioner Browdy asked if there were any coatings that could be applied to the structural member that would jeopardize the performance of the structure.

Mr. Belcher responded stating he knows of no coating that could be applied that would jeopardize the structural performance.

Mr. Berman offered comment stating he reviews the conditions under which similar products were approved previously and the same conditions are then applied to new applications for approval.

Mr. Belcher reiterated the finish has nothing to do with the product. He stated the reason the restriction was placed on the recommendation was because the same restriction appeared on the first Powers lintel box product application.

Commissioner Schulte asked why there was so much controversy regarding the coating if it does not interfere with the performance of the product.

Mr. Belcher replied stating there have been individuals pointing out to local jurisdictions the use of cementitious coatings as a Code violations to keep the product from being accepted by the building departments.

Commissioner Greiner offered comment stating in ASTM C 926 it is indicated the coating may be applied to existing plaster surfaces or other substrate. He then asked if other substrate would mean something other than concrete or masonry.

Mr. Belcher replied according to 926 the coating may be applied, however, the Florida Building Code requires that the decorative cementitious coating may only be applied on concrete or masonry.

Commissioner Schulte then suggested the applicant apply for a Code change under definitions through the glitch cycle.

Commissioner Corn offered comment stating the last sentence of the POC recommendation should be removed. He then moved approval of the POC recommendation deleting the last sentence of the recommendation, which restricts the

decorative cementitious coating. Commissioner Carson entered a second to the motion.

Mr. Parrino noted the Florida Building Code states, "...exterior use of portland cement-based plaster, i.e.; stucco shall comply with ASTM C 926." He stated 926 states, "...the specification covers the requirements for the application of full thickness, portland cement-based plaster." Mr. Parrino continued stating reading into the standard further regarding portland cement-based plaster requires multiple-coat work and meeting minimum thickness requirements, with only one exception, which is Florida-specific. He explained the exception for decorative cementitious coating as defined in 926 is a "skim coat". Mr. Parrino further stated a "skim coat" is a decorative cementitious coating and does not meet the thickness requirements or coat requirements of 926.

Mr. Brammer expressed objection to Mr. Parrino's comments then requested the Commission recognize Mr. Parrino as a member of the public with his comments acknowledged as such.

Mr. Belcher added Mr. Parrino is correct in his explanation of the requirements for portland cement-based plaster and the number of coats required and the definition of a "skim coat." He stated the Commission placed a restriction on concrete and masonry because the application is not appropriate for wood frame or metal frame buildings, which are required to have a 7/8" coat.

Ralph Hughes, Cast Crete, Tampa

Mr. Hughes offered comment stating the comments being made concerning the issue have created confusion about the limitations placed on the product. He stated the limitations justly should be placed on the product and no one has stated the product should not be approved. Mr. Hughes continued stating it is not unusual to approve the use of a product subject to limitations. He explained the limitation the applicant has taken exception to has been clearly provided in the Florida Building Code. Mr. Hughes urged the Commission not to be confused through the comments on an issue of clear and rational thought.

Mr. Belcher applauded Mr. Hughes' statement then added if any wood material is approved it is required to place a restriction prohibiting the application of a decorative cementitious finish on it, as well as plastic material. He stressed the coating has nothing to do with the product and is not included as a part of the product. Mr. Belcher stated the applicant has information available for a contractor or designer desiring to use a 926 skim coat.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion resulted in 18 supporting and 3 opposed. Motion carried.

Recommended for Deferral

2628R1

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

5222

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

Recommended for Denial

4978

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

4979

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

Evaluation by Test Report

Recommended for Approval

Product #'s: 1923R1; 2792R1; 3227R2; 3455R1; 3892R1; 3946R1; 4077R1;
4193R1; 5018; 5259; 5281; 5282; 5292; 5307; 5325; 5357; 5423; 5424; 5481;
5487; 5489; 5495; 5505

Commissioner D'Andrea moved approval of the POC recommendation. Commissioner Carson entered a second to the motion. Vote to approve the motion was

unanimous. Motion carried.

Recommended for Conditional Approval

102R1

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

3118R1; 1116R1; 2338R1; 2773R1; 3254R1

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

1350R1

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

1421R1

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

1716R1

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

4640R1

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

5288

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5394; 5397

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5428

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5436

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5475; 5486; 5497; 5506

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5484

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Deferral

1930R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

5144

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Evaluation by Evaluation Entity

Recommended for Approval

Product #'s: 1566R1; 2197R1; 3029R1; 3350R1; 3423R1; 4226; 5415

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Conditional Approval

474R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

560R1

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

2199R1; 4255; 5252

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

3468

Commissioner Browdy moved approval of the POC recommendation.
Commissioner D'Andrea entered a second to the motion. Vote to approve the motion

was unanimous. Motion carried.

4772

Commissioner Browdy moved approval of the POC recommendation. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Recommended for Deferral

1730R1

Commissioner Browdy moved approval of the POC recommendation. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Chairman Rodriguez then directed the Commission to Commissioner Carson for POC recommended entity approvals.

Commissioner Carson stated no entities sought approval requiring no Commission action.

GENERAL PUBLIC COMMENT

Jaime Gascon, Miami-Dade Office of Code Compliance

Mr. Gascon expressed concern regarding the validators for specific products that are being presented. He stated no one is holding the validators accountable for their action concerning the products. He asked how the Commission will hold the validators accountable following the approval of a product.

Mr. Richmond responded to Mr. Gascon's concerns stating the Product Approval Work Group will begin to address validator issues. He stated there is a limited authority to hold some validators accountable due to jurisdictional regulation; i.e., Board of Professional Engineers and Architects. Mr. Richmond then stated the engineers have been active in monitoring the actions related to product approval.

Kari Hebrank, Florida Association of Building Materials

Ms. Hebrank offered comment stating all of the validators should not be criticized because there are many of them doing a fine job. She suggested there is a need to have different avenues for manufacturers to get their products approved and validators

are one of those options.

RECESS UNTIL WEDNESDAY 8:30 A.M.

Chairman Rodriguez recessed the Plenary Session at 6:41 p.m. until Wednesday, October 11, 2005, 8:30 a.m.

WEDNESDAY, OCTOBER 11, 2005

RECONVENE AND WELCOME

Chairman Rodriguez called the plenary session to order at 8:36 a.m. He directed the Commission to Mr. Blair for a review of the Commission meeting agenda.

REVIEW AND APPROVAL OF AGENDA

Mr. Blair conducted a brief review of the proposed meeting agenda as presented in each Commissioner's Agenda Packet.

Commissioner Wiggins moved approval of the agenda. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Chairman Rodriguez announced the appointment of Randy Shackleford to the Product Approval Validation Work Group. He expressed appreciation to Mr. Shackleford for agreeing to serve as a replacement for Tim Collum. Chairman Rodriguez also thanked Mr. Collum for his service on the work group.

Chairman Rodriguez then announced the development of the Coastal High Hazard Study Committee as directed through Executive Order by Governor Bush. Chairman Rodriguez stated the Commission has been awarded a position on the Committee, which was formed for the purpose of serving as a forum for the identification, discussion, and recommendation of enhanced land planning strategies and development standards that are related to safety, community infrastructure, and property hazards. He continued stating the Committee will consider and evaluate, then recommend with respect to issues of importance to the protection of coastal resources. Chairman Rodriguez stated Mr. Richmond has advised that the requested Commission representation for the Committee would be a senior level DCA staff member or the Chairman of the Florida Building Commission. He stated there would be a meeting every two weeks through February 2006 and as Chairman he would not be able to commit the time away from his business and the Commission. Chairman Rodriguez further stated a solution for the position on the Committee is being reviewed and evaluated. He then posed to the Commission if any members had time to commit to come forward and perhaps a waiver of the representation requirements could be obtained.

REVIEW AND UPDATE OF COMMISSION WORKPLAN

Mr. Dixon conducted a review of the updated Commission workplan.

Commissioner Browdy moved approval of the updated workplan as presented. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

DISCUSSION ON BINDING INTERPRETATION SYSTEM

Chairman Rodriguez stated DCA, BOAF, and the Information Systems of Florida have held two meetings recently for discussion concerning the logistics for implementing the Binding Interpretation process. He continued stating the process would take place electronically using the BCIS. Chairman Rodriguez then directed the Commission to Mr. Richmond for a review of the recommended process and to respond to any questions or comments.

Mr. Richmond stated the Binding Interpretation System was a primary initiative contained in SB 442, which was passed in 2005 following three years of effort by industry representatives and the Commission. He continued stating the system is a binding method of obtaining a more rapid interpretation of the Code than is currently available. Mr. Richmond referenced supportive documents containing rule language drafted by staff and opened for Commission questions or discussion. (See *9B-3.055 Binding Interpretations of the Florida Building Code, Forms Adopted Attachment.*)

Commissioner Gross asked how the binding interpretation will work with other methods of interpretation and if a binding interpretation is obtained that is not agreeable, is there an avenue for resolution.

Mr. Richmond responded stating a declaratory statement would be one possible avenue to overrule binding interpretation as well as an appeal to the Commission. He explained the Binding Interpretation System is an intermediate level of appeal, which would require first going to the local Board of Rules and Appeals prior to invoking the process. Mr. Richmond continued stating the next step would be appealing directly to the Commission for a binding appellate decision and involving an Administrative Law Judge. Mr. Richmond then stated declaratory statements rely on the facts provided by the petitioner with no competing interests involved.

Chairman Rodriguez requested clarification stating the order of the process would be to present to the Chief Building Official first, then the local Board of Rules and Appeals if there is one, or petition for declaratory statement, then finally appeal to the Commission.

Mr. Richmond replied the results of the binding interpretation by BOAF would be appealed to the Commission, which would be the most direct means. He stated a petition for declaratory statement is another means then recommended it be used sparingly.

Commissioner Browdy addressed the issue of declaratory statements as they compare to binding opinion. He stated declaratory statements are site-specific while the binding opinion process does not relate to a specific site or one particular construction event.

Mr. Richmond explained declaratory statements are required to be based on a specific set of facts and circumstances and should be applied as interpretations of the Code throughout the state for projects with similar facts and circumstances. He explained declaratory statements require specific sites and specific projects in order to frame the issue, however the result would be applicable in a similar manner as has been established for the Binding Interpretation process.

Commissioner Browdy expressed concern and objection to the Binding Interpretation System being used to circumvent the 553 Waiver Request form if Chapter 11 is subject to Binding Interpretation through Rule 9B-3.055.

Mr. Richmond stated waivers of Chapter 11 still remain and would be improper due to waivers presuming there are Code requirements that apply. He continued stating the Binding Interpretation System may reduce petitions for waiver of Chapter 11.

Commissioner D'Andrea asked if binding interpretation could overrule the building official's decision.

Mr. Richmond responded stating a binding opinion would be binding throughout the state in a similar manner as declaratory statements, which announce the Commission's interpretation of the Code. He continued stating building officials should rely on binding interpretations because the opinions are binding for similar situations.

Commissioner Corn concurred with Commissioner D'Andrea's concern asking if it would be possible for staff to prepare a flow chart for the appropriate steps for the process.

Mr. Richmond stated Information Systems of Florida may already have a flow chart in place which is frequently one of the first steps taken for reference and clarification.

Commissioner Greiner moved approval to notice the revised language for rule adoption of Rule 9B-3.055, Binding Interpretation, with a hearing scheduled during the December Commission meeting. Commissioner Browdy entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

RULE ADOPTION HEARING ON RULE 9B-3.047, CODE AMENDMENTS IF REQUESTED

Chairman Rodriguez stated the Commission had previously adopted a package of amendments and modifications for expedited Code adoption; i.e., hurricane research advisory Committee issues and legislatively mandated issues.

Mr. Richmond formally opened the rule adoption hearing for Rule 9B-3.047.

Chairman Rodriguez called for public comment.

Susan D'Aries, Deerfield Beach

Ms. D'Aries expressed great concern regarding the cross connection and backflow inspections issue, which she cited as a health and safety issue. (See *City of Deerfield Beach Letter Dated September 19, 2005, To Mr. Madani Attachment.*)

Mr. Richmond addressed the backflow inspections issue stating the issue has been mandated legislatively and is out of the Commission's authority. He explained the Code could require any number of inspections per year and it would be unenforceable due to legislated direction. Mr. Richmond stated one way to get the mandate changed would be to address the issue through a local legislature. He added the Department of Environmental Protection has considerable authority over inspections of backflow water systems then stated the current legislation was designed not to interfere with DEP's involvement.

Kurt Vail, Plumbing Contractor

Mr. Vail expressed concern regarding backflow inspections stating he does not comprehend how a law involving the health and safety of the general public was passed that completely contradicts the EPA and the direction of the University of Southern California, who writes the standards for the subject devices. He added in many cases the backflow systems should be tested more than annually to prevent disease and sickness.

Ruth xxxx, Vice President, FAPHCC

Ruth asked if there was a way to propose a modification and if so how to begin that process.

Mr. Richmond responded stating there would be no modification to the Code possible. He stated the law would have to be changed first through Legislative action then the Code could be corrected to coincide with the law. Mr. Richmond added he intends to advise the Commission to eliminate the language addressing the issue entirely from the Code due to its maintenance nature rather than addressing construction issues. He then suggested the local governments could include the requirements in their housing maintenance ordinances, or the Department of Health or Environmental Protection could include annual inspections of backflow systems in their requirements.

Commissioner Bassett asked if the issue could be included in the Commission's annual Report to the Legislature.

Mr. Dixon stated there was an Ad Hoc group that would be working on the recommendations to the Legislature and the issue should be included in that process.

David Fairbach, Plumbing Contractor, Pinellas County

Mr. Fairbach expressed further concern regarding the backflow issue. He added the water for hospitals, morgues, funeral homes, etc., would not be safe unless the systems are tested or inspected. He stated the only purpose of a backflow is to protect the public.

Chairman Rodriguez offered clarification stating the issue is a maintenance issue and would be included in the Commission's report to the Legislature.

Commissioner Wiggins requested clarification concerning the Legislative mandate.

Mr. Richmond responded stating the language in the law states "...shall not be required to be inspected more than once every three years..."

Rusty Warren, President, FAPHCC

Mr. Warren expressed further concern stating generally the water purveyor and the cities regulate the backflow systems testing and inspections and it poses great threat if the requirements are relaxed.

John O'Connor, President, Central Florida Chapter, Building Officials Association of Florida

Mr. O'Connor offered comment stating the testing and inspection program is important. (*Not close enough to mic for complete summary.*)

Joe Belcher, JDB Code Services, Representing Concrete Industry

Mr. Belcher offered comment for the record that there was no failure of masonry walls. He stated there were failures of weather resistant covering and flashing. He then stated the concrete industry is conducting tests for stucco walls and for decorative cementitious coatings and would be available for input in the research being conducted.

Jack Glenn, Florida Home Builders Association

Mr. Glenn offered comment requesting the Commission proceed with rule adoption as soon as possible.

Mr. Richmond closed the public portion of the hearing.

Commissioner Norkunas requested clarification concerning the backflow issue in terms of any money issues involved.

Commissioner Vann offered clarification concerning the backflow issue stating as the Commission member representing the plumbing industry he supports the concerns and opinions of the speakers. He offered support for Commissioner Bassett's suggestion to include the recommendation for change in the Commission's Report to the 2006 Legislature. Commissioner Vann continued stating the issue is not at all a money issue and is far more important than politicians can recognize. He then stated he would support all efforts to ensure safe drinking water for the general public.

Commissioner Corn moved approval to proceed with rule adoption for Rule 9B-3.047. Commissioner Greiner seconded the motion. Vote to approve the motion was unanimous. Motion carried.

SUPPLEMENTAL RULE HEARING ON RULE 9B-72, PRODUCT APPROVAL

Chairman Rodriguez stated during the August 2005 Commission meeting the Commission had voted unanimously to hold an additional rule adoption hearing for the purpose of taking comments on the issues presented by Arnold & Associates and the American Forest and Paper Products Association and to establish January 1, 2006, as

the effective date for adoption of the changes to Rule 9B-72, Product Approval.

Mr. Richmond formally opened the rule hearing.

Chairman Rodriguez called for public comment.

Jeffrey Stone, American Forest & Paper Association

Mr. Stone briefly stated changes proposed by AF&PA had been provided to the Chair and Commission as written comment. He then opened for any questions from the Commission. (Comments were inaudible)

Joe Hetzel, DASMA

Mr. Hetzel requested clarification concerning public comments. He stated there had been public comment previously read into the record concerning specific issues and there had been no consideration or action by the Commission regarding those comments.

Chairman Rodriguez responded stating the Product Approval Work Group will be reconvened to address the issues contained in the comments.

Mr. Blair added the Product Approval Work Group will begin their additional work after the first of 2006.

C.W. McComber, Palm Beach County Building Department

Mr. McComber requested clarification concerning the time lines involved in final adoption and publication of Rule 9B-72. He expressed concern from a building official's perspective.

Mr. Dixon responded stating the Legislature removed the Commission's authority to establish criteria for local approval, which will result in all sections of the rule addressing local approval being removed. He continued stating staff may be able to provide technical assistance or guidelines in terms of how to enforce the requirements in the rule but the Commission is no longer authorized to establish uniform criteria for how local governments may enforce the rule.

Mr. Richmond added local governments are required to approve products through the process established in the law.

Kari Hebrank, Florida Building Materials Association

Ms. Hebrank stated the system is not complicated and the law spells out for local governments five criteria to determine a products' compliance with the Code. She suggested it may be beneficial for local governments if the statute and the criteria were placed on the website for easy access.

Lorraine Ross, ARMA

Ms. Ross stated the law removed the administrative burden that had been placed on builders in determining product compliance with the Code.

Mr. Richmond closed the public comment portion of the hearing.

Mr. Blair provided a brief summary of the actions to be considered by the Commission in terms of Rule 9B-72. He referenced the document containing the proposed changes to the rule, which had been distributed to each Commissioner. (See *Supplemental Rule Adoption Hearing on Rule 9B-72, Tuesday October 11, 2005 Attachment.*)

Commissioner Bassett requested clarification concerning the removal of the Commission's authority regarding local approval and asked if it was merely a housekeeping issue.

Mr. Richmond responded stating the removal of Commission authority to establish requirements is actually contained in HB 442 and is currently in effect.

Commissioner Kim presented additional proposed changes from the Structural TAC. He stated the Structural TAC recommended the following items: 1) approval of ASTM D 505-2000 as equivalent to ASTM D 5055-02; 2) AAMA 501-94 as equivalent to AAMA 501-05; 3) and AAMA 103.3-83 as equivalent to AAMA 103.3-05.

Commissioner Greiner moved approval of Rule 9B-72 as amended. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

DISCUSSION ON STATUTORY REQUIREMENT FOR STAFF REVIEW OF CODE AMENDMENTS

Chairman Rodriguez stated Florida law requires staff to review Code changes for completeness prior to forwarding the proposed changes to the TAC or Commission for consideration. He stated the purpose of the discussion is to clarify and implement the

process for how staff will process the Code changes prior to presenting them to the TAC and to the Commission.

Mr. Blair requested a motion be entered to reconsider Rule 9B-72.

Commissioner Browdy moved approval to reconsider action for Rule 9B-72. Commissioner Kim entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Kim explained the Structural TAC recommended removal of the data field showing miles per hour windspeeds from the Product Approval website.

Commissioner Greiner moved approval of Rule 9B-72 as amended. Commissioner Vann entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Mr. Richmond then conducted a brief discussion concerning statewide amendments to the Florida Building Code.

Commissioner Wiggins referenced line 7 of 9B-3.050 then requested clarification concerning cases where individuals do not have email available.

Mr. Richmond responded stating email is a necessary element for submitting proposals for Code amendments. He continued stating all the forms and submittals are online and email is the means of communication utilized in order to achieve as paperless a system as possible.

Commissioner Wiggins then noted an editorial recommendation for the last sentence in 9B-3.050. (mic not clear)

Mr. Richmond concurred.

Commissioner Wiggins moved approval to notice the revised language for rule adoption during the December Commission meeting. Commissioner Greiner entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

DISCUSSION ON ALTERNATE PLAN REVIEW AND INSPECTION FORM

Chairman Rodriguez stated the Alternate Plan Review and Inspection Form is the form required in statute establishing the jobsite notification form required for private providers. He continued stating the form requires specific information to be posted on a jobsite where a private provider is conducting inspections.

Mr. Richmond then briefly reviewed the plan review and inspection form which was featured on the overhead. (See *Florida Building Commission Notice to Building Official of Use of Private Provider, Form 2002-01, Draft Attachment.*)

Commissioner Vann stated there are many jobsites with multiple buildings on them then suggested identifying projects within a jobsite.

Commissioner D'Andrea moved approval to notice the revised language for rule adoption and schedule a rule adoption hearing, if requested, during the December Commission meeting. Commissioner Wiggins entered a second to the motion.

Commissioner Greiner then recommended the form require the permit number for the specific project.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion was unanimous. Motion carried.

UPDATE ON BUILDING CODE SYSTEM ASSESSMENT SURVEY RESULTS

Chairman Rodriguez stated the survey results are a part of the process for developing a triennial report to the Legislature. He continued stating F.S. 553.77(1)(b) requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed.

Mr. Blair briefly reviewed the survey results summary. (See *Building Code System Assessment Survey, Survey Results Summary Attachment.*)

PANHANDLE STUDY WORKSHOP REPORT/UPDATE

Chairman Rodriguez stated Section 39 of SB 442 mandates that the Commission, in conjunction with local building officials, conduct a review of damage resulting from Hurricane Ivan and any other data to evaluate and to make recommendations to the Legislature for any changes to the Florida Building Code, specifically as it applies to the region from the eastern border of Franklin County to the Florida-Alabama line. Chairman Rodriguez continued stating on September 13, 2005, the Commission conducted the first workshop, which was held at the Okaloosa County Airport, for the purpose of soliciting input from local building officials and other stakeholders in the panhandle region of the state. He then directed the Commission to Mr. Blair for an overview of the results of the workshop.

Mr. Blair provided a summary of the workshop first stating many reports had been presented on both Hurricanes Ivan and Dennis. The consensus outcome of the workshop was that a study of the panhandle region should be conducted to evaluate the potential risk for wind borne debris and benefits of window protection. (See *Panhandle Wind Borne Debris Workshop Report*.)

Mr. Dixon stated he had emailed each Commissioner a briefing of the information staff had gleaned from the available reports. He continued stating the results were surprising then noted a link contained in the email to a website where the entire reports are located.

Chairman Rodriguez called for a motion to conduct a computer simulation study to evaluate the risks of windborne debris and design storms impacting the forested environment of the Florida panhandle and the benefit costs of providing window and door protection to areas more than one mile off the coast.

Commissioner Wiggins asked if there was a plan in place to revise the windspeed map.

Mr. Dixon responded stating it was reported during the workshop that ARA is conducting background studies on which a potential change to the map would be based. He stated the proposed change would be scheduled for 2008.

Commissioner Wiggins then suggested it may be prudent to conduct an analysis of recent storms, including Hurricane Katrina, to determine exactly what happened to buildings that did not have windborne debris protection.

Mr. Dixon explained there had been a \$100,000 study conducted this year to collect random sampled data from Hurricane Charley, Ivan, Jeanne, and Frances areas. He stated the report from the study was referenced in the briefing that was emailed. Mr. Dixon then stated contact has been made with FEMA to obtain data concerning windborne debris in areas affected by Katrina.

Commissioner Gross moved approval to conduct a computer simulation study to evaluate the risks of windborne debris in the Florida panhandle. Commissioner Wiggins entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

REPORT ON COMMISSION EFFECTIVENESS ASSESSMENT SURVEY RESULTS

Chairman Rodriguez directed the Commission to Mr. Blair for an overview of the Commission's Effectiveness Assessment Survey Results.

Mr. Blair (See *Florida Building Commission-Effectiveness Assessment Results of the October 2005 Survey.*)

Commissioner Bassett recommended the two surveys be reviewed together. He stated one common result between the two surveys is that the public may not think the Commission does as good a job as the Commission thinks it does.

Chairman Rodriguez concurred stating self-evaluations can be self-serving and the fact that the Commission conducts both surveys is important.

CONSIDER COMMITTEE REPORTS AND RECOMMENDATIONS

Accessibility TAC

Commissioner Gross presented the report of the Accessibility TAC. (See *Accessibility TAC Minutes October 10, 2005.*)

Commissioner Gross requested in the form of a motion Commission action for approval to have staff and legal research the validity of developing a checklist for accessibility elements. Commissioner Kim entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Gross then requested in the form of a motion approval for a representative from staff attend the next Accessibility TAC meeting and bring graphics to illustrate how the POC and the statewide education system interact. Commissioner Kim entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Education POC

Commissioner Browdy presented the report of the Education POC. (See *Education POC Minutes October 9, 2005.*)

Commissioner Browdy moved approval of the American Society of Landscape Architects course, *Americans with Disability Act and Florida Accessibility Code for Building*. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Browdy moved approval of the Red Vector's course, *2004 Building Structural Code*. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Browdy moved approval of the Red Vector's course, *2004 Plumbing Fuel Gas Code*. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Browdy moved approval of the University of Florida's course, *Termites in Florida*. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Browdy moved approval of the Gold Coast School of Construction's course, *Energy*. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Browdy moved approval of the report of the Education POC. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Electrical TAC

Commissioner McCombs presented the report and recommendations of the Electrical Technical Advisory Committee. (See *Electrical TAC Minutes October 10, 2005*.)

Commissioner McCombs moved approval to accept the report. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Energy TAC

Commissioner Corn presented the report of the Energy Technical Advisory Committee. (See *Energy TAC Minutes October 9, 2005*.)

Commissioner Corn moved approval to accept the report. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Fire TAC

Commissioner D'Andrea presented the report and recommendations of the Fire

Technical Advisory Committee. (See *Fire TAC Minutes October 9, 2005.*)

Commissioner D'Andrea moved approval to accept the report. Commissioner Browdy entered a second to the motion.

Commissioner Goodloe stated the November 10 and 11, 2005, will not work for the meeting of the Joint Fire TAC. He announced the Joint Fire TAC meeting has been rescheduled for November 8 and 9, 2005.

Chairman Rodriguez called for a vote on 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 Committee October 10, 2005, Minutes.*)

Commissioner Gross moved approval to accept the report. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

Mechanical TAC

Commissioner Bassett presented the report and recommendations of the Mechanical Technical Advisory Committee. (See *Mechanical TAC Minutes October 9, 2005.*)

Commissioner Bassett moved approval to accept the report. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Structural TAC

Commissioner Kim presented the report of the Structural/Fire TAC. (See *Structural/Fire TAC Minutes October 10, 2005.*)

Commissioner Kim moved approval for the proposed training courses from the Education TAC be reviewed through the Commission's course accreditation process with the understanding the Education TAC will move the courses through their accreditation process for compliance with the Code. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Kim moved approval develop sug-groups to assist the Structural TAC in proposing Code amendments for the amendment cycle. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Kim moved approval to accept the report. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Product Approval / Prototype Building / Manufactured Buildings Programs Oversight Committee (POC)

Commissioner Carson presented the report from the PA/PB/MB POC. (See *Product Approval/Prototype Building/Manufactured Buildings Programs Oversight Committee October 9, 2005.*)

Commissioner Carson moved approval for paragraph E of ARA's contract as modified. Commissioner Greiner seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Carson moved approval for revocation proceedings be started for FL 495; 1033; 1167; 1588; 1004; and 549 if it is not withdrawn by the manufacturer. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Carson moved approval for implementation dates for revised Rule 9B-72 and revised BCIS Product Approval website as modified by staff. Commissioner D'Andrea seconded the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Carson moved approval to accept the report. Commissioner D'Andrea seconded the motion.

Commissioner Browdy asked what procedures are in place after a product has been revoked and if there is a timeline concerning revoking a product.

Mr. Madani responded stating when the Commission takes action to revoke a product, legal must then file a proceeding for affected parties to be able to provide their comments on the process.

Mr. Richmond added the timeline is dependent upon the manufacturer with a

minimum period of time to draft an administrative complaint and get it approved through the agency channels, which may take up to 18 months.

Chairman Rodriguez called for a vote on the motion. Vote to approve the motion was unanimous. Motion carried.

Commissioner Bassett asked what would be the correct procedure for filing complaint against a manufacturer of manufactured buildings.

Mr. Richmond responded stating it would depend on the specific issue.

Product Approval Validation Work Group

Mr. Blair presented the report of the (*See Product Approval Validation Work Group Meeting August 22, 2005, Report.*)

Commissioner Browdy moved approval to accept the report. Commissioner D'Andrea entered a second to the motion. Vote to approve the motion was unanimous. Motion carried.

GENERAL PUBLIC COMMENT

Chairman Rodriguez called for public comment.

Larry Schneider, AIA of Florida

Mr. Schneider offered comment addressing the erratas and amendments to the Florida Building Code and the process by which it will be distributed to the industry. He stated there are design professionals, the building review agencies/building departments, and the construction industry who need to receive the amendments. Mr. Schneider stated it is unfortunate that the process of updating the new Code will be presented on an errata sheet, which lists items individually. He further stated one of the intents of the Code that has been created was a three-ring binder for ease in replacement of sheets as amendments occur. Mr. Schneider expressed concern that a Florida Building Code has been created and there is no proper means of distributing changes as they occur, which according to industry standards, is replacement of sheets in the book. He then suggested the Commission consider two additional options for replacement values; 1) create the replacement pages in the format of the current Code and post them on the web, or 2) create the erratas in the current Code format for easy printing and the users could cut and paste the changes.

Mr. Madani stated supplements will be available on the BCIS and will be available for electronic download as well as hard copies.

**REVIEW COMMITTEE ASSIGNMENTS AND ISSUES FOR THE
COMMISSION'S DECEMBER 6 & 7, 2005 MEETING**

Mr. Blair conducted a review of the committee assignments and issues for the December 6 & 7, 2005, Commission meeting to be held in Tampa.

PRESENTATION ON HURRICANE DENNIS

Mr. Dixon presented the preliminary findings from the results of staff's survey of the areas affected by Hurricane Dennis. He conducted his presentation via overhead projection.

ADJOURN

No further business was discussed. Chairman Rodriguez adjourned the Florida Building Commission Plenary Session at 11:33 a.m.