

FLORIDA BUILDING COMMISSION

PRODUCT APPROVAL POC

APRIL 1, 2021

WEB-BASED VIRTUAL AND TELECONFERENCE MEETING FACILITATOR'S SUMMARY REPORT

THURSDAY, APRIL 1, 2021

MEETING SUMMARY AND OVERVIEW

At the Thursday, April 1, 2021 web-based virtual and teleconference meeting the POC considered regular procedural issues including product approval and entities statistics reports; a status report on conditional approvals from the February 9, 2021 Commission meeting, indicating that all of the applications except one are now resolved and approved; review and approval of product and entity applications; a review of DBPR approved product approval applications. Specific actions included recommending the Commission: 1.) Take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports; and, 2.) Take action on Declaratory Statement DS 2021-006 as recommended by the POC.

BACKGROUND AND SUPPORTING DOCUMENTS

Relevant background and supporting documents are linked to each agenda item. The Agenda URL for the April 1, 2021 meeting is as follows:

https://floridabuilding.org/fbc/Commission/FBC_0421/Product_Approval/Product_Approval_Agenda.htm

AGENDA ITEM OUTCOMES

A. 1. STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS

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

A. 2. OPENING AND MEETING PARTICIPATION

The meeting was opened at 10:13 AM, and roll call determined a quorum of the members were present. The following POC members participated (4 of 5 members):

Rodney Hershberger (Chair), David Compton, Nan Dean, and Brian Swope.

Members Absent:

David Gilson.

A. 3. DBPR STAFF PARTICIPATING

Tom Campbell, Jim Hammers, Chris Howell, Mo Madani, and Justin Vogel.

Meeting Facilitation and Reporting

Product Approval POC meetings are facilitated and meeting summary reports drafted by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



A. 4. AGENDA REVIEW

The POC voted unanimously, 4 - 0 in favor, to approve the agenda for the April 1, 2021 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Consider/Discuss Product Approval Program Issues.
- To Consider/Decide on Approval of Products and Product Approval Entities.
- To Consider/Decide on Declaratory Statement DS 2021-006.

Amendments:

There were no amendments to the posted Agenda.

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

(See Attachment 1—Agenda)

B. REVIEW AND APPROVAL OF THE FEBRUARY 2, 2021 MINUTES AND FACILITATOR’S SUMMARY REPORT

MOTION—The POC voted unanimously, 4 – 0 in favor, to approve the February 2, 2021 meeting minutes as amended and Facilitator’s Summary Report as presented/posted.

Amendments:

- Minutes amended to spell Commissioner Hershberger’s name correctly.

C. 1. PRODUCT APPROVAL AND ENTITIES STATISTICS REPORT

Commissioner Hershberger requested that staff review the statistics reports. Mo Madani reviewed the product and entities statistics reports with participants and answered members’ questions. Mo reported that the total number of product approval applications approved to the 2020 Code is 3,885 (4,616 total in the System), the total number of products approved to the 2020 Code is 15,999 (18,944 total in the System), and the total number of entities approved to the 2020 Code is 130 (415 total in the System).

The statistics reports are linked to the Product Approval POC’s agenda.

C. 2. REPORT ON CONDITIONAL APPROVALS FROM THE DECEMBER 15, 2020 FBC MEETING

Commissioner Hershberger asked Mo Madani to report on the status of the conditional approvals. All of the relevant conditions were met for each of the conditional approvals reported at the December 15, 2020 Commission meeting with the exception of FL 14722 R4. Mo reported that FL 14722 R4 remains in reapply mode pending action by the applicant to meet the required conditions for approval.

C. 3. DECLARATORY STATEMENT DS 2021-006 BY MICHAEL KASTEN OF TRACHTE BUILDING SYSTEMS

Jeff Blair introduced the declaratory statement and asked if the petitioner wished to comment and subsequently whether there was any public comment. The petitioner did not comment and there were no public comments provided. Mo Madani provided staff's analysis noting that the Structural TAC had heard the petition and approved staff's analysis as amended with two editorial revisions to the answer as follows: TAS ~~303~~-94 should be TAS 203-94, and 7th Edition (~~2023~~) Florida Building Code should be 7th Edition (2020) Florida Building Code.

POC Actions:

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve staff's analysis as amended by the Structural TAC for DS 2021-006 by Michael Kasten of Trachte Building Systems.

D. 1. PRODUCT AND ENTITY APPLICATIONS CONSENT AGENDA

Jeff Blair presented the consent agenda for entities by asking if any participant or POC members wished to have any entity applications pulled from the consent agenda for individual consideration. There were no entity applications pulled for individual consideration. Jeff Blair presented the consent agenda for approval of products by asking if any participant or POC member wished to have any applications pulled from the consent agenda for individual consideration. There were two (2) product approval application for the 2020 Code pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of product approval entities (30) recommended for approval as posted.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products (267) recommended for approval to the 2020 Code as amended (FL 37384 and FL 37637 were pulled).

PRODUCT APPROVAL APPLICATIONS PULLED FROM THE CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

Product FL 37384 and FL 37637 were pulled from the consent agenda for individual consideration at the request of the applicant.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission conditionally approve FL 37384 to allow the applicant to the applicant to add model number "4HP18V36*" and "4HP18V60*" to table "Type "A" Construction" on page 3 of the Installation Instructions document for sub product .8, .11, and .12.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission conditionally approve FL 37637 to allow the applicant to add model number "SL25XPV-024*" and "SL25XPV-036*" and "SL25XPV-048*" and "SL25XPV-060*" to table "Product Line: Dave Lennox Signature Collection" on page 4 of the Installation Instructions document for sub product .2.

D. 2. PRODUCT APPROVAL APPLICATIONS WITH DISCUSSION OR COMMENTS

Jeff Blair presented the products with discussion and public comment. The table below reflects the POC’s recommendations on the (1) product approval application recommended for approval and the (8) product approval applications recommended for conditional approval to the 2020 Code with public comment. The applications were taken on two consent agendas: recommended for approval and recommended for conditional approval.

1.) Members of the public were offered an opportunity to comment on the products with comments recommended for approval (1), commissioners were offered an opportunity to pull products off of the consent agenda, and then a vote was taken on the consent agenda for approval and subsequently on any products pulled for individual consideration.

2.) Members of the public were offered an opportunity to comment on the products with comments recommended for conditional approval (8) based on the conditions recommended by DBPR staff, commissioners were offered an opportunity to pull products off of the consent agenda, and then a vote was taken on the consent agenda for conditional approvals and subsequently on any products pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products with comments (1) recommended for approval to the 2020 Code.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products with comments (8) recommended for conditional approval to the 2020 Code.

PRODUCT APPLICATIONS WITH COMMENTS (2020 CODE) [9]			
PRODUCT FL #	STAFF RECOMMENDATION	POC ACTION	FBC ACTION
Consent Agenda of Products With Comments Recommended for Approval (1)			
FL 37889	Approval	Approval	
Consent Agenda of Products With Comments Recommended for Conditional Approval (8)			
FL 14590-R8	Conditional Approval	Conditional Approval	
FL 17541-R3	Conditional Approval	Conditional Approval	
FL 22561-R3	Conditional Approval	Conditional Approval	
FL 22562-R3	Conditional Approval	Conditional Approval	
FL 37334	Conditional Approval	Conditional Approval	
FL 37355	Conditional Approval	Conditional Approval	
FL 37356	Conditional Approval	Conditional Approval	
FL 37357	Conditional Approval	Conditional Approval	

D. 3. DBPR APPLICATIONS

Jeff Blair noted there were a total of 230 DBPR applications including two application with comments submitted for approval to the 2020 Code, and all are approved.

Jamie Gascon of Miami-Dade County provided comment that there were some needed corrections to the application for FL 31342 R1 and R2. Staff will forward Jamie Gascon's comments to the applicant on the products, determine appropriate action, and respond back to Jamie.

All of the recommendations for the DBPR applications are linked to the April 1, 2021 Product Approval POC agenda posted on the BCIS.

E. 1. PUBLIC COMMENT

Commissioner Hershberger invited members of the public to address the Product Approval POC on any issues under the POC's purview.

Public Comments:

- There were no public comments.

E. 2. POC MEMBER COMMENT

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

- There were no POC member comments.

E. 3. STAFF MEMBER COMMENT

Commissioner Hershberger invited DBPR staff members to offer any general comments to the POC.

- There were no staff comments.

POC RECOMMENDATIONS FOR COMMISSION ACTION

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

- 1) The POC recommends the Commission take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports.
- 2) The POC recommends the Commission take action on Declaratory Statement DS 2021-006 by Michael Kasten of Trachte Building Systems as recommended by the POC.

NEXT STEPS

The POC will meet May 27, 2021 to provide recommendations to the Commission on Product Approval System relevant issues for the June 8, 2021 Commission meeting.

(See Attachment 2—POC Meeting Schedule)

F. ADJOURN

Commissioner Hershberger, POC Chair, thanked POC members, staff and the public for their attendance and participation and adjourned the meeting at 10:35 AM on Thursday, April 1, 2021.

ATTACHMENT 1
MEETING AGENDA

FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE (POC)

THURSDAY, APRIL 1, 2021—10:00 AM

VIRTUAL MEETING VIA WEBINAR AND TELECONFERENCE
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
2601 BLAIR STONE ROAD—TALLAHASSEE, FLORIDA 32399

MEETING OBJECTIVES

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

PRODUCT APPROVAL POC MEMBERS

Rodney Hershberger, David Compton, Nanette Dean, David Gilson, and Brian Swope.

MEETING AGENDA— THURSDAY, APRIL 1, 2021

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

9:00AM	A)	Call to Order 1. Statement on Teleconference Participation Process 2. Roll call of POC Members 3. Identification of Staff/Attendees 4. Review and Approval of Agenda
	B)	Review & Approve Feb. 2, 2021 Minutes and Facilitator Summary Report
	C)	Product Approval Program Issues: 1) Product Approval & Entities Statistics Report 2) Report on conditional approvals from the Dec. 15, 2020 FBC meeting. <i>(All conditional approval requirements were met except FL14722 R4 from December 2020 approval cycle)</i> 3. To Consider and discuss the following Declaratory Statement: DS 2021-006 by Michael Kasten of Trachte Building Systems
	D)	Department of Business and Professional Regulation Reports: 1. Review of Product Approval & Entity Applications 2. Product Approval Applications with Comments (2020 FBC) 3. DBPR Applications (2020 FBC)
	E)	Public/POC/Staff Comments
	F)	<i>Adjourn</i>

ATTACHMENT 2

PRODUCT APPROVAL POC MEETING SCHEDULE

FY 2020-2021 SCHEDULE	LOCATION
July 23, 2020	Tallahassee/DBPR and via Teleconference/Webinar
October 1, 2020	Tallahassee/DBPR and via Teleconference/Webinar
December 7, 2020	Tallahassee/DBPR and via Teleconference/Webinar
February 2, 2021	Tallahassee/DBPR and via Teleconference/Webinar
April 1, 2021	Tallahassee/DBPR and via Teleconference/Webinar
May 27, 2021	Tallahassee/DBPR and via Teleconference/Webinar