

FLORIDA BUILDING COMMISSION

PRODUCT APPROVAL POC

6 OCTOBER 2021

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

WEDNESDAY, OCTOBER 6, 2021

MEETING SUMMARY AND OVERVIEW

At the Wednesday, October 6, 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 August 10, 2021 Commission meeting indicating that all of the applications are now resolved and approved; review and approval of product and entity applications; and, 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 – 049 by Ned Lawrence of INTEX Millwork Solutions 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 October 6, 2021 meeting is as follows:

https://www.floridabuilding.org/fbc/commission/FBC_1021/Product_Approval/Product_Approval_Agenda.htm

AGENDA ITEM OUTCOMES

1. A. 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.

1. B. OPENING AND MEETING PARTICIPATION

The meeting was opened at 9:05 AM, and roll call determined a quorum of the members were present. The following POC members participated (3 of 4 members):

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

Members Absent:

David Gilson.

1. C. DBPR STAFF PARTICIPATING

Zubeyde Binici, Tom Campbell, Sabrina Evans, Jim Hammers, 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>.



2. AGENDA REVIEW

The POC voted unanimously, 3 - 0 in favor, to approve the agenda for the October 6, 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 Petition for Declaratory Statement.

Amendments:

There were no amendments to the posted Agenda.

The complete Agenda is included as “Attachment 1”.

(See Attachment 1—Agenda)

3. REVIEW AND APPROVAL OF THE JULY 29, 2021 MINUTES AND FACILITATOR’S SUMMARY REPORT

MOTION—The POC voted unanimously, 3 – 0 in favor, to approve the July 29, 2021 meeting minutes and Facilitator’s Summary Report as presented/posted.

Amendments:

There were no amendments.

4. A. PRODUCT APPROVAL AND ENTITIES STATISTICS REPORT

Commissioner Hershberger requested that staff review the statistics reports. Zubeyde Binici reviewed the product and entities statistics reports with participants and answered members’ questions. Zubeyde reported that the total number of product approval applications approved to the 2020 Code is 4,966 (5,668 total in the System), the total number of products approved to the 2020 Code is 19,855 (22,667 total in the System), and the total number of entities approved to the 2020 Code is 127 (422 total in the System).

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

4. B. REPORT ON CONDITIONAL APPROVALS FROM THE AUGUST 10, 2021 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 August 10, 2021 Commission meeting.

4. C. DS 2021-049 BY NED LAWRENCE OF INTEX MILLWORK SOLUTIONS

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.

Following the opportunity provided for questions and answers, public comment, and POC discussion, the POC took the following action:

POC Actions:

MOTION—The POC voted unanimously, 3 - 0 in favor, to recommend the Commission approve staff's analysis* for DS 2021-049 by Ned Lawrence of INTEX Millwork Solutions.

**The products in question falls outside the scope of the State Product Approval Program (Rule 61G20-3.002).*

5. A. 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 was no product approval applications for the 2020 Code pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 3 - 0 in favor, to recommend the Commission approve the consent agenda of product approval entities (22) recommended for approval as presented/posted.

MOTION—The POC voted unanimously, 3 - 0 in favor, to recommend the Commission approve the consent agenda of products (177) recommended for approval to the 2020 Code as presented/posted.

PRODUCT APPROVAL APPLICATIONS PULLED FROM THE CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

There was no applications pulled from the consent agenda recommended for approval for individual consideration based on public comment.

5. B. 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 (0) product approval applications recommended for approval and the (2) 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 (0), 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 (2) 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, 3 - 0 in favor, to recommend the Commission approve the consent agenda of products with comments (2) recommended for conditional approval to the 2020 Code based on the conditions recommended by DBPR staff analysis and reflected in the posted documentation.

PRODUCT APPLICATIONS WITH COMMENTS (2020 CODE) [2]			
PRODUCT FL #	STAFF RECOMMENDATION	POC ACTION	FBC ACTION
Consent Agenda of Products With Comments Recommended for Approval (0)			
None			
Consent Agenda of Products With Comments Recommended for Conditional Approval (2)			
FL 39699	Conditional Approval*	Conditional Approval	
FL 39700	Conditional Approval*	Conditional Approval	

**Conditional approval to allow the applicant to make corrections per the public comment.*

5. C. DBPR APPLICATIONS

Jeff Blair noted there were a total of 102 DBPR applications including no application with comments submitted for approval to the 2020 Code, and all are approved.

All of the recommendations for the DBPR applications are linked to the October 6, 2021 Product Approval POC agenda posted on the BCIS.

7. 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.

8. POC MEMBER COMMENT AND STAFF COMMENT

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

- There were no POC member or 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 – 049 by Ned Lawrence of INTEX Millwork Solutions as recommended by the POC.

NEXT STEPS

The POC will meet December 2, 2021 at 10:00 AM to provide recommendations to the Commission on Product Approval System relevant issues for the December 14 - 15, 2021 Commission meeting.

(See Attachment 2—POC Meeting Schedule)

9. ADJOURN

Commissioner Hershberger thanked POC members, staff, and the public for their attendance and participation and adjourned the meeting at 9:19 AM on Wednesday, October 6, 2021.

**ATTACHMENT 1
6 OCTOBER 2021 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE (POC)
WEDNESDAY, OCTOBER 6, 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 Approve Regular Procedural Topics (Agenda and Minutes)
- ✓ To Consider/Decide on Product Approval Program Issues
- ✓ To Consider/Decide on Approval of Products and Product Approval Entities
- ✓ To Hear Public, TAC Member, and Staff Comments

MEETING AGENDA

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

1.)	WELCOME AND OPENING ROLL CALL A. Statement of Teleconference Participation Process B. Roll Call of POC Members C. Identification of Staff Attendees
2.)	REVIEW AND APPROVAL OF MEETING AGENDA
3.)	REVIEW AND APPROVAL OF JULY 29TH, 2021 MEETING MINUTES AND FACILITATOR’S SUMMARY REPORT
4.)	PRODUCT APPROVAL PROGRAM ISSUES A. Product Approval & Entities Statistics Report B. Report on Conditional Approvals from the August 10, 2021 Commission Meeting C. To consider and discuss the following Declaratory Statement; DS 2021-049 by Ned Lawrence of INTEX Millwork Solutions
5.)	DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATIONS REPORTS A. Review and Approval of Consent Agendas of Entity and Product Approval Applications B. Review and Consideration of Product Approval Applications With Comments C. Review and Approval of Consent Agenda of DBPR Product Approval Applications
6.)	OTHER POC BUSINESS
7.)	PUBLIC COMMENT
8.)	POC MEMBER AND STAFF COMMENT
9.)	ADJOURN

ATTACHMENT 2
PRODUCT APPROVAL POC MEETING SCHEDULE

FY 2021 - 2022 SCHEDULE	LOCATION
July 29, 2021 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
October 6, 2021 @ 9:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
December 2, 2021 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar