

**Minutes for
Florida Board of Professional Engineers Structural Rules
Committee
CONCURRENT with
Structural Technical Advisory Committee of the FBC
The Tradewinds Island Resort
December 12, 2016**

FBC STRUCTURAL TAC PRESENT:

Jim Schock, Chairman
Do Y. Kim
Dick Wilhelm for Steve Strawn
Daniel Lavrich
Helmy Makar for Jamie Gascon
Craig Parrino

David Compton
CW Macomber
Joe Hetzel
Warner Chang
Cris Fardelmann
Do Y. Kim

**FLORIDA BOARD OF PROFESSIONAL ENGINEERS STRUCTURAL RULES COMMITTEE
MEMBERS AND STAFF PRESENT:**

Kevin Fleming, PE, Chairman
Babu Varghese, PE, SI, CGC, CCC
Zana Raybon, Executive Director
Rebecca Sammons, Assistant Executive Director

John Pepper, PE, SI
Larry Harris, Legal Counsel

DBPR STAFF PRESENT:

Mo Madani
April Hammonds
Norman Bellamy

Thomas Campbell
Chris Howell
Jim Hammers

FBC Structural TAC Committee Chairman Schock welcomed everyone to the concurrent meeting of the Structural Technical Advisory Committee and the Florida Board of Professional Engineers Structural Rules Committee. He provided a few opening statements including that he felt this was monumental and was very glad to see the interaction of the Board with the Commission and Commission Committees.

FBPE Structural Rules Committee Chairman Fleming addressed the group with a few opening statements and agreed that he was glad to see this communication with the Board and the Commission.

Mr. Blair performed roll call for the FBC Structural TAC Committee.

Ms. Raybon performed roll call for the FBPE Structural Rules Committee and stated they had quorum.

Review and discuss issues concerning alteration/inspection of the threshold buildings and implementation of Declaratory Statement DS 2014-061:

FBC Structural TAC Committee Chairman Schock provided the background on DS 2014-061 and the analysis that was provided at that time.

FBC Structural TAC Committee Chairman Schock then opened the floor for public comments.

Greg McClellan, past president of Florida Structural Engineers Association provided information on the impact of this declaratory statement and the use of the statement at the local level on the engineering profession and the after effect of this action. He further provided examples of remedial actions the engineers would like to occur in order to clarify this issue.

FBPE Structural Rules Committee Chairman Fleming introduced the Chairman of the Board of Professional Engineers, William Bracken, PE, SI, CFM, who was participating as a member of the public only.

Mr. Bracken stated he would like to hear FBPE Board Member Mr. Pepper explain the issues that he felt needed to be addressed.

Mr. Pepper explained the background on the issues. He further provided background on the inspection process. Mr. Pepper listed several examples of how the process of inspection began and the path that is being taken today. He further explained the hardship created by this decision.

Mr. Harris, Esq., legal counsel for the Board of Professional Engineers explained the FBPE's legal view of its responsibilities under Chapter 553, F.S. and the application of the declaratory statement by BOAF. He provided examples and expressed the Board's concerns about relaxing standards for certification of special inspectors and the overall need to protect the public. Mr. Harris stated the Board is looking for clarification of when threshold inspections of repairs to existing buildings is required, and who may perform any required inspections.

Ms. Hammonds, Esq., legal counsel for the Florida Building Commission, provided background on the Commission and the declaratory statement along with the limitations that the Commission has in regards to statutes that relate to licensing.

Mr. Madani provided information on the background on DS 2014-061 and stated this analysis was made under the 2010 Florida Building Code. He further stated that the opportunity to address this issue could occur through another declaratory statement with specific facts and circumstances.

Recommendations would be to submit a new declaratory statement with specific facts and circumstances as required by law or work on rule changes. In addition, it was further suggested that there may need to be statutory changes made to create clarity for the professionals affected by DS 2014-061.

Mr. Madani further stated there was a non-binding interpretation from BOAF directly on point with this discussion.

Ms. Hammonds, Esq. stated that the interpretation was part of the declaratory statement and she felt that BOAF should be a part of this discussion to explain their position on the information being relayed to the building officials.

There was general discussion between the Structural TAC and FBPE Structural Rules Committee on different cases. In addition, they discussed rules, statutory requirements and responsibility of licensees.

Possible resolutions were further discussed and there was a consensus that special inspector definitions are needed. Also a suggestion was made to add levels to the code on criteria in the first chapter of the Code. Again, a new declaratory statement could be filed.

Ms. Hammonds, Esq. again expressed that any declaratory statement submitted will have to be for a specific project and specific circumstances to be eligible for an analysis to be provided.

There were no further comments from the Committees.

FBC Structural TAC Committee Chairman Schock gave some closing comments and his thanks for this opportunity to start the dialog and meet with the Florida Board of Professional Engineers Structural Rules Committee and staff.

FBPE Structural Rules Committee Chairman Fleming echoed Mr. Schock's comments and thanked everyone for their attendance and participation.

The meeting was adjourned at 2:56 p.m.