



**BROWARD COUNTY**

# **BOARD OF RULES AND APPEALS**

955 S. FEDERAL HIGHWAY, SUITE 401, FORT LAUDERDALE FLORIDA, 33316

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## **BOARD OF RULES AND APPEALS MEETING**

**Thursday, October 20, 2005**

### **MINUTES**

#### **MEETING CALLED TO ORDER**

A published meeting of the Board of Rules and Appeals was called to order by its Chairman, Mr. Kozich at 7:00 p.m.

#### **ROLL CALL**

##### **Members Present**

A. Kozich,  
Chairman  
S. Feller  
W. Flett  
A. Korelishn

D. Lavrich  
P. London  
B. Madge  
J. Smith  
J. Somers

M. Synalovski  
B. Van Kirk  
H. Zibman

The presence of a quorum was announced.

#### **APPROVAL OF MINUTES –**

Mr. Korelishn **MOVED** to approve the minutes of the regular meeting of September 8, 2005. Mr. Lavrich duly seconded and the **MOTION CARRIED UNANIMOUSLY**.

#### **CONSENT AGENDA**

##### **1. Certifications**

###### **BROWARD COUNTY**

John Dix Ralston, Electrical Plans  
Examiner

###### **DANIA BEACH**

Phillip E. Reeve, Building Official

###### **DAVIE**

Timothy Decarion, Chief  
Mechanical Inspector  
Joseph Lorenzi, Chief Plumbing  
Inspector

###### **DEERFIELD BEACH**

Stephen M. Allard, Mechanical  
Inspector

###### **FT. LAUDERDALE**

Wilfret L. Anderson, Fire  
Inspector

###### **PARKLAND**

Steven M. Veres, Structural  
Inspector

###### **WESTON**

Cosmo Tornese, Building Official  
Phillip Mastrisome, Assistant  
Building Official, Chief Plumb  
Inspector, Plumbing Plans  
Examiner, Plumbing Inspector  
Juan A. Gomez, Chief Structural  
Inspector, Structural Plans  
Examiner, Structural Inspector

Ernesto A. Sedano, Structural  
Plans Examiner, Structural  
Inspector  
David Tringo, Chief Electrical  
Inspector, Electrical Plans  
Examiner, Electrical Inspector  
Jimmie Heath, Electrical Plans  
Examiner, Electrical Inspector  
Robert Gonzalez, Chief  
Mechanical Inspector, Mechanical  
Plans Examiner, Mechanical  
Inspector  
James M. Collins, Plumbing Plans  
Examiner, Plumbing Inspector  
Richard Gigler, Plumbing  
Inspector  
Martin Whitelocke, Mechanical  
Inspector

Mr. Lavrich **MOVED** to accept the certification of those listed above on the Consent Agenda. Mr. Feller duly seconded and the **MOTION CARRIED UNANIMOUSLY**.

**2. Adoption of Broward County Building Safety Inspection Program Guidelines**

Recommendation of Board Chair, Structural and Electrical Committees.

Allan A. Kozich, P.E., (the Chair) read an excerpt addressed to the Board, from Commissioner Hazel Rogers of the City of Lauderdale Lakes. In her letter Commissioner Rogers requested that special attention be given to buildings that are being converted and sold at market rate that may not meet the safety standards the Board is trying to achieve, wherein a building that is between 20-30 yrs. old and being converted to owner/occupied units should have to be recertified under the proposed 40 year inspection program. Commissioner Rogers further stated her desire to attend this evening's meeting; however, her schedule did not permit. The Chair informed the Board that buildings being converted are not under the Board's jurisdiction, and it was his understanding that the State of Florida would be the agency to handle this matter. The Chair stated his intention to continue with the Board's proposed Building Safety Inspection Program Guidelines and brief discussion ensued on the inspection requirements for buildings that are converted.

The Director, James DiPietro informed the Board that he has been in contact with Robert E. Ziegler, Esq. Board Attorney, in regards to this matter, and will inform the Board of the outcome of their discussion at our next meeting.

The Board reviewed and discussed Policy #05-05 "Building Safety Inspection Program" at length. The Chair informed the Board of minor changes to the Building Safety Certification Forms. Discussion on the inclusion of Architects into this program was brought forth by Board member Daniel Lavrich and this item was discussed at length amongst the Board.

**Mr. Zibman MOVED to accept policy #05-05 Building Safety Inspection Program Guidelines. Mr. Korelishn duly seconded and the MOTION CARRIED UNANIMOUSLY.**

During discussion of the aforementioned item Board member Bill Flett requested clarification as to the legality of Architects performing inspections, and the Chair informed the Board of the Structural committee's recommendation to include Architects in the program with the caveat they sign the statement on the bottom of the Building Safety Inspection Certification Forms, and lengthy discussion continued on this item.

The Chair opened the Public Hearing. Mr. Danny Ezzeddine, Design Construction Management Director, City of Plantation approached the podium and discussed his interpretation of comments on Architects performing the Building Safety Inspection. Mr. Ezzeddine further stated that the AIA did not concur with the requirement to sign the statement on the Building Safety Inspection Certification Form. Mr. Ezzeddine stated the "AIA respectfully requests the Board cease the use of this Board for personal opinions." Mr. Ezzeddine stated that he is in favor of the Building Safety Inspection Program, but did not agree with the statement of qualification. The Board discussed this issue at length, and followed with the closing of the public hearing.

Mr. Lavrich **MOVED TO AMMEND** the aforementioned **MOTION** to include the following statement of qualification "I certify that I am qualified to practice in the discipline in which I am hereby certifying", on the Electrical Building Safety Inspection Certification Form, and make corrections to the forms as directed by the Board. Mr. Somers duly seconded and the **MOTION CARRIED AS AMENNDED.**

**MOTION TO AMMEND CARRIED (Eleven (11) to One (1))**

Affirmative votes:

A.Kozich, S. Feller, W.Flett, A. Korelishn,  
D. Lavrich, P. London, R. Madge, J. Smith, J. Somers,  
B. Van Kirk, H. Zibman

**3. Building Code Government Relations Contract**

The Boards' Ad Hoc Building Code Governmental Relations Committee made a recommendation for the appointment of Congressman (former) Lawrence J. Smith as lobbyist to State legislature on building code issues. The Chair introduced Mr. Smith, to the Board and they accepted the recommendation of Mr. Smith's appointment via a motion.

Mr. Lavrich **MOVED**, to endorse in concept the hiring of Lawrence J. Smith as the Board Lobbyist to the State Legislature on Building Code and Fire Issues subject to a satisfactory contract. Mr. Flett duly seconded and the **MOTION CARRIED UNANIMOUSLY**.

**MOTION CARRIED (Twelve (12) to Zero (0))**

Affirmative votes:

A.Kozich, S. Feller, W.Flett, A. Korelishn, D. Lavrich, P. London, R. Madge, J. Smith, J. Somers, M. Synalovski, B. Van Kirk, and H. Zibman.

Negative votes: None

It was the request of Board Chairman Allan A. Kozich, P.E. that negotiation of government relations contract be delegated to Administrative Director and Board Attorney, with authorization for Board Chairman to sign agreement, not to exceed two (2) years. Administrative Director James DiPietro informed the Board that it was the day before this meeting when the Ad Hoc Building Code Governmental Relations Committee met and chose to recommend Mr. Smith for the Government Relations Representative position; therefore there was not enough time to include the contract in the Board agenda for this meeting.

Mr. Korelishn **MOVED**, to delegate the negotiation of the government relations contract to the Administrative Director and Board Attorney, with authorization by the Board Chairman Allan A. Kozich, P.E. Mr. Feller duly seconded and the **MOTION CARRIED UNANIMOUSLY**.

**MOTION CARRIED (Twelve (12) to Zero (0))**

Affirmative votes:

A.Kozich, S. Feller, W.Flett, A. Korelishn, D. Lavrich, P. London, R. Madge, J. Smith, J. Somers, M. Synalovski, B. Van Kirk, and H. Zibman.

Negative votes: None

Request of Administrative Director that the Board of Rules and Appeals authorize the processing of a budget transfer to provide the necessary funding for the government relations contract in fiscal year 2005-06.

Mr. Zibman **MOVED**, to authorize the processing of a budget transfer to provide the necessary funding for the Government Relations contract in fiscal year 2005-06. Mr. Korelishn duly seconded and the **MOTION CARRIED UNANIMOUSLY**.

**MOTION CARRIED (Twelve (12) to Zero (0))**

Affirmative votes:

A.Kozich, S. Feller, W.Flett, A. Korelishn, D. Lavrich, P. London, R. Madge, J. Smith, J. Somers, M. Synalovski, B. Van Kirk, and H. Zibman.

Negative votes: None

4. **Florida Building Code 2004- Adoption of Formal Interpretations, effective October 20, 2005**

Formal Interpretations recommended by Staff.

- Use of UL 181 Fibrous Glass Duct in Residential Garages
- Use of Louvered Doors for Returning Air to Air Handlers
- Use of a Float Switch Device or Water Level Detector as an Alternate to a Separate Secondary or Auxiliary Drain Line
- Attachments of Ductwork to Air Handling Equipment
- Insulation Requirement for Primary Condensate Drains
- Identification of Mechanical Equipment
- Protection of Piping in Concealed Spaces

Mr. Flett **MOVED**, to approve the above stated Formal Interpretations to be effective October 20, 2005. Mr. Feller duly seconded and the **MOTION CARRIED UNANIMOUSLY** (Mr. Somers was not in the room for this roll call).

**MOTION CARRIED (Eleven (11) to Zero (0))**

Affirmative votes:

A.Kozich, S. Feller, W.Flett, A. Korelishn, D. Lavrich, P. London, R. Madge, J. Smith, J. Somers, M. Synamovski, B. Van Kirk, and H. Zibman.

Negative votes: None

5. **Observation on Structural Engineering Plan Review**

Board of Rules and Appeals staff member Mark Scala, P.E. addressed the Board in regards to his progress on the review of plans and calculations. Since August 30, 2005, Mr. Scala has reviewed 63 projects, of which some projects may have been reviewed more than once. According to Mr. Scala, reinforced masonry, roof truss systems, and monolithic footings were the items that with the most comments after his review. The Board discussed ways to improve the attendance of Architects and Engineers to related seminars, the response of the Building Departments who underwent a random review by Mr. Scala. The Board also questioned the lack of response to the questionnaire sent to Building Departments by Mr. Scala and in response Mr. Scala stated that the survey went out with a short response time.

**NO MOTION NECESSARY-  
REPORT ONLY**

6. **Pay Plan for Board of Rules and Appeals Employees for fiscal year 2005-06**

Administrative Director, James DiPietro, explained the background for this item, noting that the County has not yet finalized pay ranges for many groups of employees. He explained that in April 2005 the Board of Rules and Appeals made a decision to place the pay range of Code Compliance Officers approximately 3% less than the top of the corresponding pay ranges in Miami-Dade County. Since that time, pay ranges in Miami-Dade have increased by an additional 3%. Mr. DiPietro recommended that all Board of Rules and Appeals pay ranges be increased by 3% for fiscal year 2005-06.

Mr. Zibman **MOVED**, to approve the attached pay plan for the Board of Rules and Appeals employees for fiscal year 2005-06. Mr. Lavrich duly seconded and the **MOTION CARRIED**.

**MOTION CARRIED (Twelve (12) to Zero (0))**

Affirmative votes:

A.Kozich, S. Feller, W.Flett, A. Korelishn, D. Lavrich, P. London, R. Madge, J. Smith, J. Somers, M. Synamovski, B. Van Kirk, and H. Zibman.

Negative votes:

None

**Director's Report**

No discussion.

**General Discussion**

No discussion.

**Adjournment:** The meeting was adjourned at 8:42 p.m.