

MINUTES ARE NOT VERBATIM

**PLUMBING COMPETENCY BOARD
MINUTES
September 28, 2016**

The regular meeting of the Plumbing Competency Board was held September 28, 2016, 9:00 a.m. at the Okaloosa County Administrative Building, 1250 Eglin Parkway N., first floor BCC Chambers, Shalimar, Florida. Board members in attendance were Julian Johnson, David Cummins, Jerry Paul Cadenhead, Mark Parrett and Thomas Paccone. Consumer Representatives in attendance were Bill Byerley, Don Bafundo and Chuck Larouche. Also in attendance was Assistant County Attorney Kerry Parsons.

Okaloosa County Department of Growth Management Staff members in attendance were Elliot Kampert, Growth Management Director; Renée Lucas, Licensing Specialist; and Teresa Mullins, Administrative Asst. II.

I. CALL TO ORDER:

Chairman Julian Johnson called the meeting to order.

A. Roll Call.

Ms. Teresa Mullins conducted roll call.

II. ACKNOWLEDGE GUESTS:

Chairman Johnson welcomed the guest.

III. APPROVAL OF MINUTES OF

a. July 27, 2016:

Motion to approve the minutes as written made by Jerry Paul Cadenhead; seconded by Don Bafundo; approved unanimously.

IV. ANNOUNCEMENTS:

None

V. OLD BUSINESS

None

VI. NEW BUSINESS

a. Swearing In Applicants/Speakers

Ms. Mullins swore in the applicants present.

b. Candidates for Testing Approval:

1. Floyd E. Padgett – Master Plumbing w/Gas Contractor

Renée Lucas informed the Chairman that Mr. Floyd Padgett was late and requested the Board's indulgence asking if, should he arrive late, he could still appear before the Board later in the meeting.

With the consensus of the Board, Chairman Johnson agreed that if Mr. Padgett arrived before the meeting was adjourned, the Board would hear his request.

2. Ben Strickler – Irrigation Sprinkler Contractor

Mr. Ben Strickler was present to answer questions from the Board.

The Board had no questions for Mr. Strickler.

Motion to allow him to take the test made by Jerry Paul Cadenhead; Second by David Cummins; approved unanimously.

3. Thomas Jared Taylor – Irrigation Sprinkler Contractor

Mr. Thomas Taylor was present to answer questions from the Board.

The Board had no questions for Mr. Taylor.

Motion to allow him to take the exam made by David Cummins; Second by Bill Byerley; approved unanimously.

A brief discussion ensued.

VII. OTHER BUSINESS:

a. Discussion Concerning Construction Ordinance Changes:

Mr. Elliot Kampert, Growth Management Director addressed the Board providing information regarding proposed changes to the County's Construction Industry Licensing Code as well as proposed changes to permitting fees.

Copies of the documents with the proposed changes clearly marked were provided to the Board by staff.

Mr. Kampert began with *Article VIII - Construction Industry Licensing Code; Division 1*, informing the Board, that it is being updated to correct minor errors, to meet State Law requirements and to amend or add definitions for some types of contractors in order to mirror the State definitions for those types of contractor licenses. Mr. Kampert went through the document pointing out the changes that have been proposed, beginning with *Sec. 6-263 Technical Codes*, stating that the old language was specific to versions that the County no longer uses; therefore, the proposed text to replace that language amends that problem and instead notes that construction of improvements under the County's jurisdiction shall be done as provided in *Sec. 6-135 of Article VI of Chapter 6 of the Okaloosa County Code of Ordinances*. Mr. Kampert continued with *Sec. 6.274 –*

Definitions, noting that there were several minor scrivener's errors that will be corrected along with several definitions of contractors that will be updated to mirror the language provided in the Florida Administrative Code. Mr. Kampert read into the record those definitions that have a proposed change, which includes complete revision for Irrigation and Lawn Sprinkler Contractor (local specialty) and Marine Contractor (local specialty) definitions as well as additional language that is being added to the definitions for Plumbing Contractor and Roofing Contractor. Mr. Kampert pointed out two scrivener's errors in *Section 6-314 - Eligibility; certification by reciprocity* that will be corrected. Mr. Kampert stated that staff has proposed completely removing *Section 6-315 - Eligibility; underground utility and excavation certification by grandfathering*, as this grandfathered license is no longer an option. Mr. Kampert further stated that there are proposed changes, in *Section 6-316 – Liability Insurance*, one of which would affect all of the contractors who are licensed to work in Okaloosa County. Mr. Kampert stated that staff was aware that contractors were being charged increasingly expensive fees for adding the Growth Management Department as additional insured on their general liability insurance. Mr. Kampert further stated that senior staff contacted the Risk Management Department as well as the County Attorney's office and discovered that the only time the County must be named as additional insured in that fashion is when a contractor is working on a County funded project. Mr. Kampert stated that staff is proposing to remove the requirement that the Okaloosa County Department of Growth Management be named as additional insured on a contractor's general liability insurance in order to be able to pull permits. Mr. Kampert further stated that staff was proposing to add the words "and license number" to the statement that requires the type of license which is to be listed in the "declaration of operations" area of the general liability insurance certificate. Mr. Kampert stated that the final proposed changes in the County's Construction Industry Licensing Code are in *Section 6-319 - Fees*. Mr. Kampert began with *Application and testing fees*, and asked Ms. Lucas to explain the change.

Ms. Lucas explained to the Board that all applicants seeking approval to test for a license are charged a fee of \$25.00 to cover staff's time in creating their file and processing their request and this fee is not proposed to change at this time. Ms. Lucas stated that the proposed change only regards contractors who have been purged and wish to appear before the Board seeking reinstatement of their Competency Card. Ms. Lucas further stated that the Board application fee for purged contractors in this situation is proposed to increase from the \$25.00 fee currently charged to \$200.00.

Mr. Kampert noted that another change is proposed for reciprocal letters, increasing the fee from \$25.00 to \$50.00 for each reciprocal letter to account for the time spent by staff in processing those requests. Mr. Kampert stated that some of the wording has changed under *Annual renewal and administrative fees (c) Late fees* clarifying the language and, in addition, reducing the grace period allowed after expiration before the late fee kicks in from 90 days to 30 days. Mr. Kampert moved on to *(e) State certified administrative fee* noting that the language proposed will only apply to those who hold certified licenses for liquid petroleum, issued by the State Fire Marshall and as Mobile Home Installers, as allowed by State law. Mr. Kampert concluded that the final proposed change regards the fee for staff assistance with the State license package, which, if approved, will increase from \$35.00 to \$50.00.

Chairman Johnson asked where the money from these increased fees will go.

Mr. Kampert stated that these fees for licensing services go to the Enterprise Fund which pays for the Building Official, inspectors, permitting and licensing staff. Mr. Kampert further stated that all of the permitting fees and inspection fees also remain in the Enterprise Fund per State Law.

Mr. Thomas Paccone asked what “change of status” means. [6-319 – *Annual Renewal and administrative fees (d) Change of status*]

Ms. Lucas stated that a change of status refers to situations wherein a Registered or Local Specialty contractor wants to change their company name. Ms. Lucas further stated that the fee is charged because staff have to amend all of the documents required by the licensing department to the new company name and issue a new Competency Card in the new business name as those documents are required for the contractor to apply to the State for a change in his/her business name.

Mr. Kampert moved on to the proposed changes within *Section 6-134 – Building permits and fees*. Mr. Kampert informed the Board that the last time permit fees were increased was back in 2010, stating that at this point in time the fees charged are barely covering the cost of the Department to operate. Mr. Kampert further stated one of our inspectors was injured and will not likely return until late October or November and the intent is that increasing the fees will allow more staff to be hired to help with the workload. Mr. Kampert noted that the first proposed change is a \$10.00 increase in the base permit fee, which basically pays for inspections, increasing the base fee from \$60.00 to \$70.00. Mr. Kampert noted that the increase in the base fee is likely the only permit fee increase that a licensed plumber would see; however, in light of full disclosure all of the proposed changes would be discussed. Mr. Kampert stated that the next proposed change updates the Square Foot Construction Costs valuation table from June 2010 values to February 2016 values, so that the permit fees reflect accurate costs. Mr. Kampert stated that the next proposed change, to Mechanical permit fees and how they are calculated, came about due to complaints from contractors over the requirement that they submit a contract showing the cost of the system in order to get a permit. Mr. Kampert further stated that staff went through a hundred recent mechanical permits and found that using 5 tons as the upper limit for the lower fee would catch 80%-85% of the submitted permits. Mr. Kampert stated that the proposed fee for a 5 ton or less system would be \$50.00 plus the base fee of \$70.00, which will probably be slightly less costly for some and slightly more costly for others. Mr. Kampert stated that making this change will release the contractors from having to submit their contract, which then becomes a part of the public record. Mr. Kampert stated that the next proposed increase is for irrigation and lawn sprinkler permits, with a proposed \$5.00 increase from \$15.00 to \$20.00 plus a base fee. Mr. Kampert further stated that the plan review fee for review of commercial resubmittal or addendum plans is proposed to increase from \$60.00 to \$75.00. Mr. Kampert stated that there are some contractors who tend to use the department’s inspectors as their quality control method. Mr. Kampert further stated, that with that problem in mind, staff have proposed a first re-inspection fee of \$50.00 (an increase of \$15.00), a second re-inspection fee of \$100.00 and a third and following re-inspection fee of \$150.00 in hopes that the change will dissuade contractors from using inspectors for their quality control

method. Mr. Kampert informed the Board that the next proposed change is an increase in the fax fee from \$10.00 to \$25.00; however, staff is intending to get rid of the fax program eventually if online permitting becomes available. Mr. Kampert stated that Information Services (IS) is working on making online permitting available; however, online permitting would be limited to licensed contractors only and only for those permits that can be handled by the fax program.

Chairman Johnson asked why the fax fee is increasing and what the increased fee would be used for.

Mr. Kampert stated that the fax fee is supposed to cover staff time; however, it doesn't take into account all of the people or time involved. Mr. Kampert further stated that, beyond the person who takes in the fax and processes the request, there is also the staff time involved in handling the billing and receipt of payments which involves 3 or more staff members. Mr. Kampert stated that the fee for online permitting will only be the fee for the permit along with any costs for paying with a credit or debit card. Mr. Kampert continued on stating that, when power has been turned off for a long period of time, staff has been doing power service courtesy inspections as required by the power companies at no cost so that the power can be turned back on. Mr. Kampert further stated that there is no permit required for these inspections, and essentially this service has been subsidized by all of those who pull permits. Mr. Kampert stated that staff is proposing a \$50.00 fee for power service courtesy inspections to cover the cost of the inspector going out to do the inspection. Mr. Kampert stated that the final increase involved temporary certificates of occupancy (TCO). Mr. Kampert stated that no fee has been charged for issuing TCOs in the past despite the amount of staff time involved in processing those requests; therefore; staff is proposing a fee of \$150.00 to issue a TCO with an additional required fee of \$150.00 to extend a TCO if necessary. Mr. Kampert moved on to the final proposed change, informing the Board that there are several programs available for wounded warriors which have been approved by the State which would allow staff to waive permitting fees for changes that are done for the purposes of accessibility. Mr. Kampert further stated that when approached by such an approved group, on behalf of a soldier who had been badly injured by an IED in Iraq who was seeking to build a house, staff researched the issue and waived the permitting fees. Mr. Kampert stated that later, during an audit by the Institution of Senior Professionals (ISP) who noticed that the fees were waived and asked why. Mr. Kampert stated that staff showed the ISP auditors the State Statute; however, the auditors noted that the allowance for such action did not appear anywhere in the Okaloosa County Code. Mr. Kampert further stated that, in order to make sure there are no further issues, staff has included proposed language that references *Section 295.16 Florida Statutes* which allows the Building Official to waive all or part of the required fees for applications submitted on behalf of disabled veterans by private, non-profit charitable organizations when the application is intended to provide handicapped accessible housing for disabled veterans.

Mr. Bill Byerley noted that he didn't see any mention of handymen in the documents and asked why they were left out.

Mr. Kampert stated that a handyman gets a business tax receipt and receives a list from staff outlining what they are and are not allowed to do. Mr. Kampert further stated that a handyman is not a licensed contractor and the list they are provided by staff is very clear in stating that they are not allowed to do any work for which a license is required.

Ms. Lucas stated that the Building Official and Code Enforcement Supervisor worked together to create the list of what a handyman is an isn't allowed to do, and applicants must sign an affidavit that states that they have read and understand the limits of what a handyman is allowed to do. Ms. Lucas further stated that staff have worked with the Tax Collectors office who now requires the handyman to fill out the form and affidavit or provide them with a copy of the list with signed affidavit before the business tax receipt is issued and copies of those documents are retained in their business tax file. Ms. Lucas stated that if handymen are caught working outside the scope of what they are allowed to do, then Code Enforcement can and does fine them. Ms. Lucas further stated that there is no license, either at the State or local level, for a handyman and it is a question that she is asked very frequently. Ms. Lucas gave several examples of what a handyman is and is not allowed to do. Ms. Lucas encouraged the contractors to notify staff if they found a handyman on a jobsite working outside of their scope.

Mr. Mark Parrett asked if the waiver of permit fees for disabled veterans was limited only to non-profit corporations or can the disabled veterans pull the permits themselves.

Mr. Kampert stated that the Statue provides the waiver for 100% disabled veterans, but the question presented asked about allowances for approved not for profit groups to pull the permits for making a home handicapped accessible on a 100% disabled veteran's behalf.

Mr. Parrett noted that some of the inspectors are working 12 hours a day and asked if more inspectors are going to be hired.

Mr. Kampert stated that the Board of County Commissioners have authorized the Department to hire several new staff members, including one new permit tech, a new permitting administrative assistant to handle the phones, a new inspector and an inspector/plans examiner.

Mr. Parrett asked if what was going to happen in the future regarding next day inspections which are not happening now.

Mr. Kampert stated that next day inspections are a goal that staff is aware is not being met. Mr. Kampert further stated that inspectors are currently trying to call to let people know that they won't be able to do the inspection that day. Mr. Kampert informed the Board that there are 2 inspectors who are using smart phones which allow them to speak their comments into the phone, and then upload those comments along with the inspection results into Eden. Mr. Kampert stated that smart phones are on order for the rest of the inspectors. Mr. Kampert informed the Board that one of the problems that the IS staff are working on with the Database originator is that inspectors must now spend an hour or so going through the inspections and assigning those inspection to themselves through the software. Mr. Kampert stated that IS staff is working with the database folks to change the software so that inspector can assign the inspection when they're at the site,

and the permit techs will be able to go in a make a change in the event a client calls to cancel an inspection so that the cancellation would be sent out in real time. Mr. Kampert stated that they have a couple of people who have expressed interest in the inspector position thus far.

Chairman Johnson asked if staff had any idea when the web permitting would be available.

Mr. Chuck Larouche stated that staff is working on the problem but there are some major issues involved, such as reworking the database so that contractors can only pull permits within their scope.

Mr. Kampert stated, in clarification, that new tables would have to be created so that the permitting can be done via the web. Mr. Kampert further stated that staff intends this, at this time, only for licensed contractors, with the possibility of adding homeowners in at a later date.

A brief discussion ensued.

b. Candidate for Testing Approval (continued):

1. Floyd E. Padgett – Master Plumbing w/Gas Contractor

Mr. Padgett was present to address the Board.

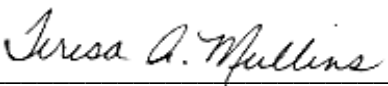
Ms. Mullins swore in the applicant.

The Board had no questions for Mr. Padgett

Motion to allow him to take the test made by Jerry Paul Cadenhead; second by Thomas Paccone; approved unanimously.

VIII. ADJOURNMENT

Motion to adjourn made by Mark Parrett; second by Don Bafundo; approved unanimously.

Prepared by: 
Teresa Mullins, Recording Secretary
10.6.2016