

RUDOLPH (RUDY) KRAUSE, CHAIRMAN, CBC048885
STEVE ROY HENSON, VICE-CHAIRMAN, ENG I 222A
GARY CENTONZE, BOARD MEMBER, CFC1425735
FRANK HERRADA, BOARD MEMBER, CAC1817003
DONALD W. HORTON, CRC057947
MARNIE WALTERSON, LAYPERSON
VENETIA FLOWERS, LAYPERSON
BRENT ROBINSON, LAYPERSON
CHARLES E. MILLER, FIRST ALTERNATE, CGC023830

MINUTES
MONROE COUNTY
CONTRACTORS EXAMINING BOARD
REGULAR MEETING
TUESDAY JANUARY 24, 2023 9:30 A.M. – 4:30 P.M.
MARATHON GOVERNMENT CENTER

Contractor Examiner Board Meeting – January 24, 2023

You are invited to a Zoom webinar.

When: Jan 24, 2023 09:30 AM Eastern Time (US and Canada)

Topic: Contractor Examiner Board Meeting - January 24, 2023

Please click the link below to join the webinar:

<https://mcbocc.zoom.us/j/83796823860>

Or iPhone one-tap :

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Webinar ID: 837 9682 3860

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1. Call to Order / Roll Call

****9:35 a.m.****

**Present at roll call: Chairman Rudy Krause, Steve Henson, Marnie Walterson,
Venetia Flowers and Donald Horton**

**Also present: BO Rick Griffin, ABO Rey Ortiz, County Attorney Kelly Dugan and
Board Attorney Thomas Wright**

2. Excused Absence Approval – Brent Robinson (personal) Frank Herrada (conflicting appointment)

****Brent Robinson, Frank Herrada and Gary Centonze – Excused****

3. Agenda Changes - ****No changes****

4. Approval of Agenda - ****Motion for approval Steve Henson seconded Don Horton - no nays****
5. Approval of Minutes for November 8, 2022 (must have participated in meeting to move or second) ****Motion by Donald Horton seconded by Marnie Walterson- no nays****
6. Next scheduled meeting: March 14, 2023
7. Swearing - in of Witnesses to Testify - ****by Board Attorney Thomas Wright at 9:39 a.m.****
8. "Is there anyone from the public who would like to speak on an Agenda item?" ****No, from public****
9. Have any Board members been contacted outside the presence of this meeting regarding an agenda item?" If so, would you please disclose the nature of the contact? ****No, from board Chairman Krause clarified with attorney Wright what constitutes contacted by public. Attorney Wright clarified ex parte communication and how it effects board members receiving communication from the public****
10. New Business

Construction Trades Application Review for verification of construction experience and testing approval:

1. De La Vega, Damien/ New Application/ New Application/ Landscape Specialty
****Approved by Steve Henson with a clause may be effected by HB735****
2. Cancio, Alberto/ Reciprocity Miami-Dade/ Glass & Glazing Specialty
****Approved by Don Horton****

11. Old Business

1. CEB & CBAA Board Member: Brent A. Robinson
On October 19, 2022 the Board of County Commissioners approved the renewal for a 3 year term ending October 2025 for the CBAA Construction Board of Adjustments & Appeals position, licensed Architect.

And on October 19, 2022 was also approved by the BOCC for a renewal of a 3 year term ending November 2025 as a member of the CEB Contractors Examining Board.

****Read into record and congratulated by board members****

2. CBAA Board Member: Sarah M. Girard

On October 19, 2022 the Board of County Commissioners approved the new appointment for a 3 year term ending in October 2025 for the CBAA Construction Board of Adjustments & Appeals position, licensed Architect.

****Read into record and congratulated by board members****

INDUSTRY INPUT

Industry Input: We will now open the floor for any comments or questions from the construction industry or public. Please either use the raised hand feature on Zoom or make sure that you have filled out a green speaker card if you are here in person.

Began at: 9:46 a.m.

Jethon is there anyone with their hand raised on Zoom? **** No raised hands****

Do we have any in person speakers signed up to speak? **In the audience Gay Marie Smith and Sarah Girard**

Gay Marie Smith questions and concerns on the new Oracle Permitting System. Gay Marie S. read into record some of her personal observations of the new system and additional questions which were addressed to Ed Koconis Administrative Director.

- 1. Assistance on the permitting process online is only available through the email system, PermittingHelp. You must wait for a response via an email which can take up to one day. No phone line with immediate assistance for the public during working hours. Other municipalities in the area provide phone call assistance and remote assistance to guide the user through the application process. Ed K. explained the process with a new product and communication time line when sending Oracle questions and issues. The use of the permitting help and inspection help email allows them to keep track of issues using the data base. Don H. asked if the county has an ombudsman that the public can call. Ed K. explained he receives many emails and also has a process with county application analyst K. Pleasant as a go between with Oracle, oftentimes she can fix the problem, it depends. Chairman Krause is hearing that other municipalities do offer phone line for immediate service with minor issues. Ed K. explained the PermittingHelp is handled by Crystal Sebben Permitting Administrator she knows the system more than anyone and can assist. It depends on the question how quickly the response can be provided.**
- 2. How often does the county receive updates/ corrections from Oracle and were these updates included as part of the cost of the new system. Ed K. Yes, updates are included in the purchase price and they are provided as quarterly maintenance updates. Some updates are generated by Oracle and some are requested by the county. Steve H. understands the growing pains of a new system, but did reiterate since we are at the beginning stages of the program, we should offer the public a phone call service for assistance. It will offer immediate assistance to help the applicant get passed the first road blocks while learning the new system. Steve H. requested a contact person for assistance and would like to see if there is a possibility in the system for remote viewing to assist the public. Marnie W. and Don H. both provided Crystal S. as a main contact person when they have come across issues with the system. They are able to call or email her directly.**

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Gay Marie S. also offered Michaela Manning Senior Coordinator Permitting as another helpful contact person within the permitting dept.

3. Corrections required with the application after review process – corrections are now referred as Revisions in the Oracle system. Regardless if the revision request is for just one specific discipline the entire review process starts all over again, all disciplines will need to approve the revision plans again and the time schedule begins all over again. Both Chairman Krause and Gay Marie S. questioned this new procedure as it was not part of the previous paper permit process. Ed K. referred the question to BO Griffin. Ed K. did mention the new time review periods have been adjusted and the longest time period is 10 business days for the general staff review and additional 2 days for BO/ABO or designee approval. No longer 30-day time period. To Clarify - 10 days for (concurrent) reviews once processed by the csr (new application or revision/clarification) and additional 2 days for BO/designee approval.

We still do offer the expedited “fast review permits” for specific permit types.

Don H. questioned the revision/clarification process when submitting the corrected plans no designated location or word specific to separate the original plans submitted to the correction pages/plans. New plans are not easily distinguishable from original set in the Oracle system. Ed K. explained they use the last date provided, when locating documents. Gay Marie S. questioned the submittal of a one page correction instead of the currently required per Building Dept. new complete set required for a revision/correction.

ABO Rey Ortiz explained the new digital signature and the different submittal formats preferred by architects. Each method of submittal creates a unique situation as to the final issued set of plans. PDF's and digital are a new format for the public and the county.

We will work together through these new procedures and processes. Don H. agreed with ABO Ortiz that as a new process, we need to work together via these meetings and all work together.

Chairman Krause invited Architect Sarah Girard (in the audience) to answer a few questions from her point of view when working with sealed plans and revision/corrections to be submitted plans to the building dept. Sarah G. did explained the decision many times comes down to time. The amount of time spent sealing each page versus a combined pdf packet with the digital signature on the first page. When dealing with revision/corrections there could be time saved by providing a completely new pdf packet with the correction pages labeled and one digital signature on the first page, than providing each individual correction pages digitally sealed separately.

ABO Ortiz explained early in the process a decision from management was made not to mandate the naming and submittal requirements from architects and engineers. Each have their own preferred method and the county can work through them as long as the digital seal is provided as required per code. Chairman Krause expressed his concern on the process and how it effects everyone, including county plans examiners. How do we limit the amount of time spent by reviewing the same documents over again when only one discipline requires a correction.

Steve H. requested a clouding on the page and a date on the page when revision/corrections are involved. ABO Ortiz explained we are limited when working with design professionals

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and the format they provide on there plan revisions. He also explained they are currently working with others to establish industry standards and hoping to implement some of these requirements ex. the clouding on correction pages. Chairman Krause did clarify when a licensed design professional submits revision/corrections digitally signed new set of plans as requested by a specific discipline or dept. why would the county require a complete 2nd review by all disciplines and depts. that previously approved the digitally sealed plans. ABO Ortiz did agree with some of the examples and questions and requested some time to process the information and will work with Ed K and his team on how best to implement.

Architect Sarah G. also mentioned the new procedure in the permit process where a design professional must be listed in the contact section of the permit to have any contact to the permit plans review process. In the previous system anyone had access to the plans review comments and plan reviewer information allowing them the opportunity to be pro-active with minor issues. ABO Ortiz explained it's the responsibility of the contractor via means and methods not the design professionals. He suggested the design professional can work with the owner and contractor and be included on the permit via the contact section. This will allow the access of the review comments as requested. Don H. did bring up the point that when reviewing the comments in plans review screen it would assist the public to be able to see who the reviewer, not just the generic title listed as staff. Ed K. did mention that all reviewers have been told and are aware they are required to place their name and contact information on all of their plan reviews. Please notify him, if they notice this information is still not included on a plan review. ABO Ortiz did mention the contact section of the permit will allow the applicant to list the design professional, allowing the access to the submitted permit and plans review. Chairman Krause mentioned most contractor and homeowners would probably agree to having the design professional listed as contact. But being aware that now that you are listed the contractor or owner will assume you are going to correct any issues that arise because you will be included in the revision/correction emails. Something to be considered.

Chairman Krause asked for clarification on the revision/correction acceptable plans, 1 page correction versus a complete set being required. ABO Ortiz clarified the digital signature when submitting these plans. If the original plans were submitted as 1 set of plans with 20 pages and first page digital signature, the revision/correction will need to be the entire corrected set of plans with the new one-page correction included, due to the digital signature page for 1 set of plans. These requirements are during plans review process, prior to issuance.

Gay Marie S. questioned the inconsistency of the plans reviewers comments. ABO Ortiz expressed they are currently working on the communication of information in the plans review process. They are currently working with Oracle on a next step upgrade, like a pull down list of the code section which would allow for more consistency with the location and information being provided to better assist the public.

Also clarified by ABO Ortiz was the ability in certain situations when a plans reviewer may contact the design professional and with their approval correct or add an over looked item,

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on the sealed plans prior to issuance. Chairman Krause did mention we should be wary of any approval on sealed plans without the approval of the design professional. Marnie W. explained the red line on reviewed plans and the requirement for the resubmittal of the sealed plans. ABO Ortiz agreed, once a plans reviewer marks on a set of sealed plans the digital signature is no longer valid/broken resulting in the revision/correction by the design professional.

Blue beam uses color coding system to identify the dept. The stamps are a certain color but the markup is currently a different color, this will be addressed as both should match. Every discipline has a color and should be used for both stamp and markup. ABO Ortiz will follow up to make sure everyone is using the same color for sta

Sarah G. wanted to confirm that on a combined pdf only the first page will need the design professional digital seal. ABO Ortiz answered, yes. Every pdf needs a digital signature, regardless of the number of pages. This will be reiterated to the plan's examiner at the next internal meeting.

Venetia F. had a question on the online permit process. Is there a location where the required documents for the permit type would be easily accessible to the public? Also, the delay in a plans review when the items required and requested separately instead of all at one time. There is a delay in the back and forth, she was 30 days in for a roof permit. The requirements seem to have changes from the previous paper permit application, was the observation.

ABO Ortiz did mention the goal was to keep the permit requirements as similar as possible to what was previously required. ABO Ortiz offered a residential checklist for roofing.

Ed Koconis was able to provide information on the online permitting website where the requested information could be found. It includes each permit type and requirements for submittal.

****All board members were later provided the new online link on the county website which lists permit types and requirements for submittal.****

Chairman Krause asked Ed K. if applications were being processed in order as received. Ed K. explained roofing is one of the 5 day permits among a few other permit types with a faster turn-around time. As permits come in to the CSR supervisor, they are immediately assigned to the next csr in line.

Gay Marie S. did mention a couple of other items she wanted the board members to be aware of. The cost of the printing of the plans and noa's for the job site. ABO Ortiz did mention it is mandatory to have the permit card and the approved plans on site. Previously the requirement was 3 sets of plans at submission, so the new requirement even though expensive is much cheaper than the previous requirements. Communication on the job site is essential. Also, the contractor status online is not visible unless you initiate a permit application at which point you may view their current status or call the office. Current MCEsearch is not linked to Oracle. Sub-contractor forms: no longer required. The contractor of record on the permit has the ability to sign on a sub-contractor to his permit prior to issuance. Ed K. explained this was brought up in the last meeting. Since then that should not be happening on any new permits. The applicant

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can sign on the sub contractors at application and list them as a contact for notification emails or
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list them prior to permit issuance. Our customer service rep's are notifying the applicant to make sure they list the contractors including sub's on the contact list. Ed K. will report back if he hears of any other concerns. He also mentioned to be aware of the auto emails, multiple emails can be generated as you add contacts to your permit. Chairman Krause questioned would it be any easier to request the agent form, like we did in the passed. Ed K answered can it work, sure it can. What he has seen happen is sometimes forms can be copied and duplicated and our second goal was to work towards paperless.

Don H. did ask BO Griffin and ABO Ortiz how they handle online owner builder approval and not in person. ABO Ortiz verifies the applicant is indeed the owner, via property appraisers and/or clerks. Second step is the approval as owner builder to do the work as requested. Third they establish the requirement of any subs required. Inspection process is explained and permit issued. Owner builder affidavit is part of the application and includes a list of owner responsibilities.

Zoom webinar was only available until 12:30 p.m. no one from public raised there hands.

Old Business for Industry Input:

1. Update from Emily Shemper Senior Director of planning/Environmental Resources
Permit holds with conditions - specific to residential properties (street trees and vegetation swales)
11/8/2022- Board member Frank Herrada requests the consideration by the Bio/Planning Dept.
When an active permit has a requirement for a minor change, can the permit be adjusted with a HOLD Condition: Minor Condition approval required prior to CO issuance.
This will allow the project to move forward as they work towards the correction as requested.
****Mike Roberts Assistant Director/ Environmental Resources was available to answer questions on behalf of Emily Shemper. His understanding of the question referred to simple permits that were being held up in plans review for corrections. If a street tree is missing on the plans and it is the only correction on the plans, they will process this as a condition with the requirement due at final inspection. If other deficiencies are found during the review of the plans and the street tree is also required, then the corrected plans will be required and will need to include the street tree at that time of submittal. Vegetative swales are a little trickier, the plans will need to include vegetative storm swales required prior to permit approval. This will help eliminate any misunderstanding with the property owner and contractor.****
2. Monroe County Online Permitting System Update by Ed Koconis
Questions from last meeting 11/8/2022:
 - a. Notification to all contractors listed on a new permit – **** (covered above) Ed K. did clarify the contractor(s) listed on permit are verified and need to be listed in the contact section of the permit prior to issuance****
 - b. E- checks - ****possibility mid 2023****
 - c. Permit card information – ****controlled by the applicant, if correct should read Qualifier name,**

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business name and business phone number**

d. Conditions included on the issued permit - ****Should be listed on the plans review and should be**

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listed on the plans as conditions.

Don H. requested easy access to print comment screen in plans review, Ed K. said he would provide instructions that he received that might be helpful.**

ABO Ortiz will look into the Cycle sessions in a plans review how best to resolve each cycle once all the comments have been addressed. Ex. Cycle 1 – Resolved completed, eliminating the back and forth as the cycles move forward and previous cycle was completed, with a note of what section still needs addressing.

****Chairman Krause asked Ed K. if the plans examiners were all currently reviewing plans for all of the previously designated offices. Ex. Key Largo reviewing plans for Stock Island area ABO Ortiz addressed the question: we no longer have 5 different offices we have 1 online office. The direction they have been told to take, is next on the list they are licensed for. They should not be picking and choosing. Chairman Krause asked are we monitoring this procedure is being followed?**

ABO Otriz - Specific reports are not being currently run but these reviews are taking place regardless of the permit address location. Don H. reiterated the importance of these plans examiners listing their complete name and contact information in the plans review.

Everyone agreed, we are all working towards consistency of the minimum requirement of the Florida Building Code.

Chairman Krause asked are we monitoring the number of reviews each reviewer is processing daily. ABO Ortiz explained each office has a chief and they each monitor their team. Also, there are other anomalies in play, some plans examiner also do inspections. Mission objective is first in first out.

Chairman Krause also asked for an opinion on overtime with the new Oracle system, is it saving on overtime or adding to, at this time. ABO Ortiz explained at this time BO Griffin is not approving any overtime for anyone. The same amount of time is taken to review plans on paper or digitally. Revision corrections should now save a small amount of time.

Chairman Krause also inquired about Government Extension and if any more have been issued. Ed K. and Kelly D. said there have been two, one for Hurricane Ian and Nicole effective 9/23/22 and 11/10/22 for 180 days.

3. Update from Emily Schemper/ Attorney Kelly Dugan

Recommendation by board to BOCC to reconsider the 299 sq ft enclosure limitations below base flood.

****Kelly D. clarified that at the last meeting 11/8/22 a motion was passed with a recommendation to have the request recorded in the minutes. If anything additional they would like to do, we would need to pass something more. BOCC has not brought this forward at this point, if they do, we can certainly let them know or remind them the CEB has already passed a motion on this with there opinions on this matter.**

Chairman Krause said he heard the commission wanted to talk to staff and get more information. Staff recommendation was to wait for FEMA inspection results before moving forward.

4. Update from Karl Bursa Senior Administrator Floodplain Program/ Building Official Rick Griffin and Attorney Kelly Dugan
 - a. Adoption of new FEMA substantial damage assessment forms
 - **Karl B. has not heard back from Rebecca Quinn/ approval needed from FDEM State Floodplain Office reviews our Ordinance for compliance and the form approval is required as part of our Ordinance****
 - b. Approval of owner/contractor detailed contract in place of FEMA assessment form
 - **Karl B. sent to Rebecca Quinn awaiting response****
 - c. FEMA visit outcome
 - **No word from the state or the region. Chairman Krause asked on the time frame from previous visits. Karl B. has not been part of previous inspections and was not sure, he can look into it. Hopefully information will be available by next meeting or we may need to look into this.****
 - d. Double lattice with 50% opening between columns below base flood
 - **No word from Building Science or the region at this time****
 - **All to remain on old business next meeting**

New Business for Industry Input:

1. FEMA requirements and County Ordinances - Chairman Krause
 - **Chairman Krause wanted to discuss fill in a v-zone as a County Ordinance. Karl B. will look into the request. Question: If FEMA allows why would the County be more stringent. What would be the reason we would need the higher standard. This effects both v-zone and Coastal A.**
 - **move to old business next meeting**
2. Landscaping Specialty Certificate of Competency and HB735
 - **Mike R. and county attorney Kelly Dugan have been part of the discussions on how best to move forward with the upcoming issue of COC licenses expiring at the end of June 2023. They are still working this but currently considering the property owner may and can apply for the permit as Owner Builder. Possibility of looking at this as a Land Development code and Land Development Permit. Kelly D. explained they are working on the logistics and what they can execute but they are actively working on at this time. Planning and Building Dept. are working together on the issue.****
 - **Chairman Krause requested to move forward to next meeting****
3. Board member Donald Horton – Discussion on Existing Grade in relation to overall height for past and future development.
 - **Donald H. was requesting clarification on a plans review request for the**

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original grade of the property. ABO Ortiz requested we defer this question to the Planning Dept. Emily Shemper was not available for this meeting but will be available to provide an answer at

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the next meeting. Question: Definition in the code of existing grade prior to start of construction. Is it back to 1930's, first permit issued on property or when one applies for a permit today? All members would like to hear from Emily on this subject at the next meeting.

[Chairman to read into record]

If there is nothing further from the public, then this closes out the industry input section of this meeting and we will continue with the rest of the CEB Agenda.

12. Staff Reports

1. Rick Griffin, Building Official/CEB Secretary/ Rey Ortiz, Assistant Building Official
****Nothing to report****
2. Thomas Wright, Contractors Examining Board Attorney
****Mentioned a conflict on the CEB Meeting Schedule for November after board approval the November Meeting has been changed to November 7, 2023. all members notified and posted on the website****
3. Kelly Dugan/ Assistant County Attorney
****Nothing to report****
4. LaChelle Thompson, Unlicensed Contractor Code Investigator
****Nothing to report****

Meeting adjourned: 12:45 p.m.

**Maria L. Partington CEB liaison / Senior Licensing Coordinator
Assistant liaison Jamie Gross / Licensing Coordinator
Monroe County Contractors Examining Board**

Meeting Location - Open to the public:
Marathon Government Center
BOCC Room Second Floor
2798 Overseas Highway
Marathon, Fl. 33050

PURSUANT TO FLORIDA STATUTE SECTION **286.0105 FS**, be advised that, if a person decides to appeal the decision made by the Contractors' Examining Board (CEB) with respect to any matter considered at today's hearing, that person will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

NOTICE: It shall be the responsibility of *each* Respondent or other person addressing the Board to bring an interpreter if the party is **NOT** able to understand or speak the English language.