



BUILDING INDUSTRY OVERSIGHT COMMITTEE
Community Development / Public Works Building
1500 Monroe Street
First Floor Conf. Room 1B

THURSDAY, FEBRUARY 11, 2016
8:30 A.M.

AGENDA

1. Call to Order/Review of Affidavit of Posting
2. Approval of Minutes – December 10, 2015
3. Revenue/Expense Reports
4. Fund Balance Report
5. Adjournment – Next Meeting Date: April 14, 2016

Persons with disabilities who need an accommodation to participate in the Building Industry Oversight Committee meeting should contact Debbie Carpenter, 1500 Monroe Street, Fort Myers FL 33901 (239-533-8345 or dcarpenter@leegov.com). To ensure availability of services, please request accommodation as soon as possible but preferably five or more business days prior to the event. Persons using a TDD may contact Debbie Carpenter through the Florida Relay Service, 711.



**MINUTES REPORT
BUILDING INDUSTRY OVERSIGHT COMMITTEE (BIOC)
THURSDAY, DECEMBER 10, 2015**

Committee Members Present

Mark Penfield
Bob Knight
Wyman Stokes
Steve Gabor
Bobby Lyons

Committee Members Absent

none

Lee County Government Representatives

David Loveland, Director, Community Development
Bob Stewart, Building Official
Tom Grissom, Fiscal Services
Debbie Carpenter, DCD Administrative Services, Recorder

Members of the Public

Brenda Thomas, Exec. VP, Lee BIA
Dan Beiter, Lee BIA
Carl Barraco, Jr., BIA

Call to Order/Affidavit

Mr. Mark Penfield called the meeting to order at 8:05 a.m. in Conference Room 1B of the Community Development/Public Works Building, 1500 Monroe Street, Fort Myers, Florida. The secretary, Debbie Carpenter, said the Affidavit of Posting was sufficient as to form and content and that the meeting could proceed.

Approval of Minutes

Mr. Wyman Stokes made a motion to approve the October 8, 2015 minutes. Mr. Bob Knight seconded. Called and carried.

Revenue and Expense, and Fund Balance Reports

Mr. Tom Grissom went over the fiscal reports. Expenses through the end of November or approximately 17% through the fiscal year, were under budget at approximately 14%. He said the next report will show the previous year's unspent Tidemark monies brought forward into one column on page 2.

Revenue through the end of November was at 17.45% above budget. This was less than the revenue for the same time period last year but right in line with the actual revenue in FY2014 and what was budgeted for the current fiscal year. Mr. Stewart explained that 2015 was a good year in spite of the 2 impact fee deadlines and one code change. He was surprised at the dip in November's permits (47) which was a significant reduction from the previous year. He had expected that October's permitting would have been slower following the September 11th deadline to pick up permits for lower impact fees, but that did not happen. Instead it fell off in November and he had no real idea as to why. Permitting had picked up in the first few days of December but with the holidays, December is typically a slower month. He said there might be a little rush to submit Estero permits before the Village takes those over on January 1st. Permits issued before January 1st will be carried through to completion with inspections and CO, but no permits will be issued by the County after that date. He had a meeting scheduled with

Estero's outsource building official on December 15 to talk about the details. This will be to go over details of how to handle different scenarios that might come up such as what to do if a permit expires, how to handle extensions, etc.

Mr. Penfield asked if Estero's workload was built into the budget. Mr. Grissom explained that the budget was flat except for the 4 inspector positions because we were aware of the situation when we were doing the budget and it was factored in.

Mr. Stewart said according to the reports for the past several months, Estero permitting has been about 12 to 15% of the totals. Of October's 118 permits, 7 were Estero's. Last month, Estero was 7 of the total 47 and there were no duplexes or multi-family and not much commercial. He said he had filled the fire inspector position and had asked to fill a structural inspector position but he was taking a wait and see attitude on filling the other inspector positions.

Mr. Grissom said the Fund Balance report showed a slight gain for November which brought the running fund balance to \$6,976.065; for the year, a total gain of \$78,750.

Mr. Loveland commented that the contractor that was going to be doing the work for Estero had hired Walter McCarthy to assist them. Walter helped create many of the systems that we use here so that should be helpful during the transition.

Mr. Penfield said that in an effort to promote more participation at meetings, the BIA had been discussing the possibility of combining the Liaison and the BIOC meetings so that members of both would not be going to the same place on two different days. For the past few years the Liaison meetings have been held every other month, but will go back to monthly meetings starting in February 2016. Initially the suggestion was to move the Thursday BIOC meetings to Wednesdays, but Mr. Loveland had a conflicting meeting on Wednesdays, so instead the Liaison meeting will be moved to a Thursday, will start at 7:30 a.m. and the BIOC meetings, held every other month, will remain on Thursday but will start at 8:30 a.m. following the Liaison meeting.

Mr. Penfield made a motion that, contingent upon the availability of the conference room, the BIOC meeting would be moved to 8:30 a.m. every other month starting in February 2016. Mr. Lyons seconded. The motion carried and was approved unanimously.

Ms. Carpenter will make changes to the schedules as discussed. A revised BIOC meeting schedule will be sent out.

Nomination and Election of Officers

Mr. Penfield made a motion to nominate Mr. Bobby Lyons for Chairman. Mr. Wyman Stokes seconded. The motion passed unanimously.

Mr. Penfield made a motion to nominate Mr. Steve Gabor as Co-Chairman. Mr. Knight seconded. The motion passed unanimously.

Mr. Penfield continued the meeting and there was a discussion about establishing a minimum attendance and also that the Building Industry Association board recently had talked about changing the composition of the oversight committee. He recognized Ms. Brenda Thomas, the Executive VP of the Lee BIA who said that the conversation came about because it was sometimes difficult to get a quorum for meetings. After some research, it was determined that the original governing document, a Memorandum of Understanding (MOU), limited the number of committee members to five with no options to increase that number. She said the Industry

has an excellent rapport with the commissioners and management and there is no question that this committee has been productive through these many years, but she understands that due to recent changes in personnel and county policy all committees are subject to review. Mr. Loveland said there is the possibility that this may prompt questions about what the committee does and why it exists, but it can be explained that this is a unique committee with a singular focus working in partnership with the county. Ms. Thomas said that it appears that the simplest solution would be to amend the MOU, leaving the number of members the same but adding an alternate (understudy). This would be someone that would regularly attend meetings, be familiar with issues and could act as a “floater” to fulfill the quorum requirement in the event a committee member could not attend a meeting. This would also provide a line of succession allowing others to be appointed as committee members resign or retire. After further discussion it was decided that it would be prudent to add two alternates.

Mr. Lyons made a motion to make changes to the Memorandum of Understanding which would allow for two alternate members (floaters). Mr. Penfield seconded the motion. It was approved unanimously. Mr. Loveland said based on this discussion he could amend the MOU and review it with the County Attorney’s office and County Administration. It was noted that Mr. Lyons had signed the original agreement back in 1998. Mr. Dan Beiter will be the signatory for the updated version.

Mr. Lyons made a motion that missing two meetings in a row, regardless of whether the meetings were excused or unexcused, would require the member to resign from the committee enabling the Lee BIA to appoint a new member in that person’s place. Seconded by Mr. Knight. The motion passed unanimously.

New Business

Mr. Beiter presented plaques to Mr. Penfield and Mr. Lyons and thanked them for their commitment and service as members of the Building Industry Oversight Committee for the past 17 years. He said the cooperation between the Committee and the County to address issues as they arise such as the need to increase staff (shorten review times or keep one day inspections) is evident in the excellent level of service, and in technology that is at the forefront of most other communities. There is an attitude that starts from the top and works its way down with the bottom line of “what can we do to help?” Ms. Thomas said she had worked in four different counties and finds the relationship here “very refreshing”.

Adjournment

There was no further discussion and no new business. Mr. Lyons made the motion to adjourn. Seconded by Mr. Knight. The meeting was adjourned at 8:45 a.m.

The next meeting was tentatively scheduled for February 11, 2016.