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FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL POC
AUGUST 8, 2023
WEB-BASED VIRTUAL AND TELECONFERENCE MEETING
FACILITATOR'S MEETING SUMMARY REPORT

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TUESDAY, AUGUST 8, 2023

MEETING SUMMARY AND OVERVIEW

At the Tuesday, August 8, 2023 web-based virtual and teleconference meeting the POC considered regular procedural issues including product approval and entities statistics reports; a status report on conditional approvals from the June 20, 2023 Commission meeting indicating that all of the applications are now resolved and approved; review and approval of product and entity applications; and a review of DBPR approved product approval applications. Specific actions included recommending the Commission: Take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports; and to recommend the Florida Building Commission not initiate an investigation of FL #15708 WinDoor Inc.

BACKGROUND AND SUPPORTING DOCUMENTS

Relevant background and supporting documents are linked to each agenda item. The Agenda URL for the August 8, 2023 meeting is as follows:

https://www.floridabuilding.org/fbc/commission/FBC_0823/Product_Approval/Product_Approval_Agenda.htm

AGENDA ITEM OUTCOMES

1. A. STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS

Jeff Blair reviewed the virtual and teleconference meeting participation process with participants reminding them that it is important for participants to keep their computer microphones or phones on mute to minimize background noise, not to put their phones on hold, and to wait until invited to speak to avoid confusion and chaos. Jeff emphasized that all participants will have ample time to speak on all agenda items. Participants were reminded to state their names each time they speak.

1. B. OPENING AND MEETING PARTICIPATION

The meeting was opened at 10:00 AM, and roll call determined a quorum of the members were present. The following POC members participated (4 of 5 members):

Rodney Hershberger (Chair), Tim Tolbert, Brian Swope, and Stephen Wilcox.

Members Absent:

David Compton.

1. C. DBPR Staff Participating

Tom Campbell, Melissa Campos, Sabrina Evans, Jim Hammers, Mo Madani, and Justin Vogel.

Meeting Facilitation and Reporting

Product Approval POC meetings are facilitated and meeting summary reports drafted by Jeff Blair from Facilitated Solutions, LLC. Information at: http://facilitatedsolutions.org.

2. Agenda Review

The POC voted unanimously, 3 - 0 in favor, to approve the agenda for the August 8, 2023 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Discuss Product Approval Program Issues.
- To Consider/Decide on Approval of Products and Product Approval Entities.
- To Hear Public, TAC Member, and Staff Comments.

Amendments:

There were no amendments to the posted Agenda.

The complete Agenda is included as *"Attachment 1".*

(See Attachment 1—Agenda)

3. Review and Approval of the June 8, 2023 Minutes and Facilitator's Summary Report

Motion—The POC voted unanimously, 3 – 0 in favor, to approve the June 8, 2023 meeting minutes and Facilitator's Summary Report as presented/posted.

Amendments:
There were no amendments.

4. A. Report on Conditional Approvals from the June 20, 2023 Meeting

Rodney Hershberger reported that all of the relevant conditions were met for each of the conditional approvals reported at the June 20, 2023 Commission meeting.

4. B. Product Approval and Entities Statistics Report

Rodney Hershberger requested that staff review the statistics reports. Melissa Campos reviewed the product and entities statistics reports with participants and answered members' questions. Melissa reported that the total number of product approval applications approved to the 2020 Code is 7574 (8279 total in the System), the total number of products approved to the 2020 Code is 30,546 (33,171 total in the System), and the total number of entities approved to the 2020 Code is 127 (438 total in the System).

The total number of product approval applications approved to the 2023 Code is 239 (509 total in the System), the total number of products approved to the 2020 Code is 1,147 (2,252 total in the System), and the total number of entities approved to the 2020 Code is 127 (438 total in the System).

The statistics reports are linked to the Product Approval POC's agenda.

4. C. COMPLAINT FILED BY YIPING WANG WITH REGARD TO FL 15709 WINDOOR INC.

Jeff Blair explained the process and sequencing for reviewing and deciding on product approval complaint as follows:

1. Justin Vogel, the Commission's legal counsel will discuss the legal framework for reviewing complaints within the product approval program.
2. Clarifying Questions on the legal framework (POC, Wang, Miller).
3. Complainant's (Ms. Yiping Wang) opportunity to present the complaint.
4. POC Member Clarifying Questions.
5. Respondent WinDoor Inc.'s representative Lynn Miller's and/or Daniel DeLeo's (attorney) response to the complaint.
6. POC Member Clarifying Questions.
7. Staff (Mo Madani) opportunity to provide the POC with any relevant information.
8. Clarifying Questions regarding staff's "General Notes" (POC, Wang, Miller)
9. Public Comment.
10. POC's Discussion and Action

Justin reviewed the provisions of Rule 61G20-3.013 (2)(a) (Revocation or Modification of Product Approvals and Entity Certifications) regarding revocation or suspension of Commission approved entities, and the basis for which a violation of applicable provisions of the Product Approval Program by a Commission approved entity could be evaluated. The POC determined, based on the information provided and presentations made during the meeting, that there was not substantial material evidence that any of the relevant Rule provisions were violated.

POC Actions:

MOTION—The POC voted unanimously, 3* - 0 in favor, to recommend that the Florida Building Commission not initiate an investigation of FL #15708 WinDoor Inc.

* Commissioner Hershberger abstained from discussing and voting on the matter, and filed a memorandum of voting conflict stating that he is the Chairman of the Board of Directors for PGT Innovations, the parent company of WinDoor Incorporated.

5. A. PRODUCT AND ENTITY APPLICATIONS CONSENT AGENDA

Jeff Blair presented the consent agenda for entities by asking if any participant or POC members wished to have any entity applications pulled from the consent agenda for individual consideration. There were no entity applications pulled for individual consideration.

Jeff Blair presented the consent agenda for approval of products by asking if any participant or POC member wished to have any applications pulled from the consent agenda for individual consideration. There was no product approval applications for the 2020 Code pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of product approval entities (14) recommended for approval as presented/posted.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products (110) recommended for approval to the 2020 Code as presented/posted.

PRODUCT APPROVAL APPLICATIONS PULLED FROM THE CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

There was no applications pulled from the consent agenda recommended for approval for individual consideration based on public comment.

5. B. PRODUCT APPROVAL APPLICATIONS WITH DISCUSSION OR COMMENTS

Approval to the 2020 Code
There were (4) applications for approval to the 2020 Code with comments for the August 2023 Product Approval Cycle.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products (2) with comments recommended for approval to the 2020 Code.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission conditionally approve FL 42095 and FL 42122 based on the conditions recommended by DBPR staff.

PRODUCT APPLICATIONS WITH COMMENTS (2020 CODE) [4]			
PRODUCT FL #	**STAFF RECOMMENDATION**	**POC ACTION**	**FBC ACTION**
Consent Agenda of Products With Comments Recommended for Approval (2)			
FL 42117	Approval	Approval	
FL 42119	Approval	Approval	
Consent Agenda of Products With Comments Recommended for Conditional Approval (2)			
FL 42095	Conditional Approval to allow the applicant to provide the requested connection details and to correct the typo from "Door" to "Window."	Conditional Approval	
FL 42122	Conditional Approval to allow the applicant to add the mullion dimensions and material.	Conditional Approval	

5. C. DBPR APPLICATIONS

Jeff Blair noted there were a total of 82 DBPR applications including (0) no application(s) with comments submitted for approval to the 2020 Code, and all are approved.

All of the recommendations for the DBPR applications are linked to the August 8, 2023 Product Approval POC agenda posted on the BCIS.

6. OTHER POC BUSINESS

There were no additional issues considered by the POC.

7. PUBLIC COMMENT

Rodney Hershberger invited members of the public to address the Product Approval POC on any issues under the POC's purview.

Public Comments:

- There was no public comment offered.

8. POC MEMBER COMMENT AND STAFF COMMENT

Rodney Hershberger invited POC and staff members to offer any general comments to the POC.

- There were no POC member or staff comments offered.

POC RECOMMENDATIONS FOR COMMISSION ACTION

The POC recommends the following actions to the Florida Building Commission:

1) The POC recommends the Commission take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports.

2) The POC recommends the Florida Building Commission not initiate an investigation of FL #15708 WinDoor Inc.

NEXT STEPS

The POC will meet October 5, 2023 at 10:00 AM to provide recommendations to the Commission on Product Approval System relevant issues for the October 17, 2023 Commission meeting.

(See Attachment 2—POC Meeting Schedule)

9. ADJOURN

Rodney Hershberger thanked POC members, staff, and the public for their attendance and participation, and adjourned the meeting at 10:59 AM on Thursday, August 8, 2023.

ATTACHMENT 1
AUGUST 8, 2023 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE (POC)
TUESDAY, AUGUST 8, 2023 — 10:00 AM
VIRTUAL MEETING VIA WEBINAR AND TELECONFERENCE
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
2601 BLAIR STONE ROAD — TALLAHASSEE, FLORIDA 32399

MEETING OBJECTIVES

- ✓ To Approve Regular Procedural Topics (Agenda and Minutes)
- ✓ To Consider/Decide on Product Approval Program Issues
- ✓ To Consider/Decide on Approval of Products and Product Approval Entities
- ✓ To Hear Public, TAC Member, and Staff Comments

MEETING AGENDA

All Agenda Times—Including Public Comment and Adjournment—Are Approximate and Subject to Change

1.)	**WELCOME AND OPENING ROLL CALL** A. Statement of Teleconference Participation Process B. Roll Call of POC Members C. Identification of Staff Attendees
2.)	**REVIEW AND APPROVAL OF MEETING AGENDA**
3.)	**REVIEW AND APPROVAL OF JUNE 8, 2023 MEETING MINUTES**
4.)	**PRODUCT APPROVAL PROGRAM ISSUES** A. Report on Conditional Approvals B. Product Approval and Entities Statistics Report C. Complaint Filed by Yiping Wang With Regard to FL 15709 WinDoor Inc.
5.)	**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATIONS REPORTS** A. Review and Approval of Consent Agendas of Entity Approval Applications B. Review and Consideration of Product Approval Applications with Comments C. Review and Approval of Consent Agenda of DBPR Product Approval Applications
6.)	**OTHER POC BUSINESS**
7.)	**PUBLIC COMMENT**
8.)	**POC MEMBER AND STAFF COMMENT**
9.)	**ADJOURN**

ATTACHMENT 2
PRODUCT APPROVAL POC MEETING SCHEDULE

2023 MEETING DATES	**MEETING LOCATION**
1) January 31, 2023 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
2) March 30, 2023 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
3) June 8, 2023 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
4) August 8, 2023 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
5) October 5, 2023 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar
6) November 30, 2023 @ 10:00 AM	Tallahassee/DBPR and via Teleconference/Webinar