The meeting was called to order by Joan Brown, Chair, at 8:30 a.m.

BOARD MEMBERS PRESENT
Joan M. Brown, Chair  
Paul Del Vecchio, Vice-Chair  
Peggy Bailey  
Lee-En Chung  
Carl Engelmeier  
James Flaherty  
Raymond Holloway  
Barry Kalmanson  
Michelle Kane  
Mark Pietanza  
Robert Stewart  
Thomas Thornton  
Edward Weller

BOARD MEMBERS ABSENT
Mark Pietanza  
Michelle B. Kane

OTHERS PRESENT
Tim Vaccaro, Executive Director  
Diane Guillemette, Board Counsel, AGO  
Patrick Creehan, Chief Prosecuting Attorney  
Adrienne Rodgers, Recovery Fund Attorney  
Stacey O. Merchant, Government Analyst II  
Andy D. Janecek, Government Analyst I  
Valeria Singleton, Regulatory Consultant/Supervisor

Mr. Holloway gave the invocation. Ms. Watts led the Pledge of Allegiance.
REVIEW OF MINUTES

- Final Action – November, 2005
- Final Action – December, 2005
- General Session – November, 2005

The Board voted unanimously to approve this minutes.

EXECUTIVE DIRECTOR’S REPORT

Mr. Vaccaro reported that from July 2005 to December 2005 there were 5,783 new complaints received. Of these, 3,266 licensed complaints were found legally sufficient and 1,351 unlicensed complaints were found legally sufficient. There were 2,510 Investigations assigned, 1,884 investigations completed, 1,212 mediations assigned and 692 mediations completed. There were also 33 notices of non-compliance issued and 251 citations filed.

CHAIRMAN’S REPORT

Ms. Brown introduced Mr. Norm Mugford, ECLB Chair, who was attending the CILB meeting. Mr. Mugford suggested the two boards could try to schedule a joint meeting in November 2006.

The Board also voted unanimously to excuse the absences of Ms. Kane and Mr. Pietanza.

PROSECUTING ATTORNEY’S REPORT

Mr. Creehan gave the following report:

As of December 2005, there were 470 cases in Legal, 165 were set for Probable Cause, 85 had probable cause found, 69 were ready for default and 29 had stipulations executed/Informal hearings requested. There were 125 formal hearings requested, 3 referred to DOAH, 61 awaiting final orders and 8 were in settlement negotiations. Three cases were re-opened and 1 was set for Board Presentation.

The Board also voted unanimously to accept the Local Disciplinary List.

ATTORNEY GENERAL’S REPORT

American Construction School

Edward Walters and Richard McMonagle, Ph. D. were present.

Ms. Guillemette presented this case stating that American Construction School, Inc.’s application for continuing education credit for the course “Mold and More” was denied at the November meeting of the Board.

The basis for the denial was failure to provide proof of instructor qualification. American Construction School, Inc. has supplemented the file with a topic specific CV of the proposed instructor.

After discussion, the Board voted unanimously to contingently approve the application based upon receipt of copies of Mr. McMonagle’s certifications and with the restriction that he is the only instructor teaching this course.
Lorman Education Services

No one was present for this case.

Ms. Guillemette presented this case stating that Lorman’s application for the course “The Construction Process from Start to Finish” was denied for failure to provide proof that the internet course was interactive, at the September meeting of the Board.

Lorman timely submitted a request for reconsideration, based on the information that the course is presented in a classroom format.

After discussion, the Board voted unanimously to approve the application for “live attendance” credit only. No credit can be given for internet or video course.

Douglas M. Aird – Request for Reinstatement of Stay of Suspension

Mr. Aird was present.

Ms. Guillemette presented this case stating that Mr. Aird was on Board Probation.

The stay of Mr. Aird’s suspension was lifted due to three unsatisfactory appearances. Mr. Aird is requesting a reinstatement of the stay.

After discussion, the Board voted unanimously to reinstate the stay, but warned Mr. Aird that one more unsatisfactory appearance will result in a permanent lift of stay.

Jack Morgan – Request for Reinstatement of Stay of Suspension

No one was present for this case.

Ms. Guillemette presented this case stating that the stay of Mr. Morgan’s suspension was lifted due to three unsatisfactory appearances. The third unsatisfactory appearance was the result of the April 2005 meeting when Mr. Morgan had not supplied the Probations Committee with the mandatory information.

Mr. Morgan’s September letter explained why that information was not available to him in April and is requesting that the Board reinstate his stay of suspension and allow him to continue on probation.

Mr. Morgan’s request came before the Board in October and Mr. Morgan was not present and his request for reinstatement of his stay of suspension was denied.

Mr. Morgan now presents a letter of October 7, 2005, and a letter of October 28, 2005, explaining his absence from the October meeting and is requesting that the Board reconsider his request for reinstatement of stay.

After discussion, the Board voted to deny the reinstatement of stay.

Gregory T. Lang – Petition for Declaratory Statement

Mr. Lang was present.
Ms. Guillemette presented this petition stating that the Board must first consider if it is sufficient to meet the statutory and rule requirements for a Declaratory Statement.

The Board voted unanimously that it meet the required requirements.

Mr. Lang's Declaratory Statement asked, “Is the testing, adjusting and balancing of HVAC air and hydronic systems, which requires partial disassembly of system components for obtaining data including electrical and RPM measurements, and drilling of holes in ducts and system components for temperature and air pressure measurements, and temporary installation of pressure and differential gauges to piping systems for obtaining pressure measurement, and subsequent patching of insulation disturbed during the above processes, within the scope of Class A air-conditioning, Class B air-conditioning, and Mechanical contracting licenses?

After further discussion, the Board voted unanimously to answer in the affirmative.

**EvapTech – Request for Reconsideration of Declaratory Statement**

This request was withdrawn.

**Mark Pietanza – Petition for Declaratory Statement**

The Board voted to continue this Petition to the February meeting.

**COMMITTEE REPORTS**

**APPLICATION REVIEW COMMITTEE**

Ms. Watts gave the following report:

**Applications approved**
Lozada, Hector
Padron, Michael –with probation until proof is shown of payment plan or lien satisfaction.

**Applications denied**
Amman, Christopher
Bellot, Lumack
Blanco, Manuel
Blizzard, David
Bragg, Ronnie
Bray, Randall
Daughtery, Timothy
Dittrich, Todd
Douglas, Samuel
Douglas, Wayne
Hendrix, Richard
Hughes, Clayton
Jackson, Kenneth
Jones, Vincent
Kremser, Carl
Kreyman, Leonid
Kronawitter, John
Marchica, Michael
McDonald, Arthur
Muzzo, Robert
The Board voted unanimously to accept the recommendations of this Committee.

**PROBATIONS COMMITTEE**

Mr. Del Vecchio gave the following report:

**Anthony J. Bailey,** (CG C058362)  
Result: Satisfactory

**Lawrence Bequette,** (CGC019533)  
Result: Satisfactory

**Garth Bonner,** (CPC056430)  
Result: Satisfactory

**John Carter,** (CCC050492)  
Result: Continued to July, 2006, conditional upon the receipt of proof of health condition of note from physician within 60 days.

**Robert Coba,** (CG C049757)  

**John Paul Corrigan, IV,** (CG C062326)  
Result: Satisfactory

**Mark Delaquil,** (CCC058200, SCC13045074)  
Result: Satisfactory

**Michael W. Evans,** (CBC59080)  
Result: Satisfactory

**Thomas Fisher,** (CGC015974)  
Result: Satisfactory

**Robert W. Fleming, Jr.,** (CBC1251087)  
Result: Satisfactory

**John James Frangos,** (CG C057224)  
Result: Satisfactory

**John P. George,** (CP C1456914)  
Result: Satisfactory
Allen Gezelman, (CGC051062, CWC022629, CCC049371, CMC048025, CPC050502, CFC052690)
Result: Stay of Suspension Lifted for Failure to Appear

Robert Joseph Gore, (CGC025698 & CGCA25698)
Result: Satisfactory

Vincent Graham, (CBC051164)
Result: Satisfactory

William Green, (CGC 13651)
Result: Satisfactory

Robert Jones, (RF 067123)
Result: Satisfactory

Glenn Kasper, (CB C056672)
Result: Stay of Suspension Lifted for Failure to Appear

John A. Mancini, (CG C037419)
Result: Continued until July, 2006

Paul Marchese, (CRC057007)
Result: Satisfactory

Harvey D. McClain, Jr., (CRC050317)
Result: Continued to February, 2006, conditional upon receipt of information regarding current business practices.

James McCranie, (RG 17972)
Result: Tolled

William Miles, (CFC1426180)
Result: Satisfactory

Danny Mitchell, (RG 0066693)
Result: Satisfactory

Frank Murillo, (CR C054084)
Result: Unsatisfactory

Carl Thomas Nicks, (CGC061952)
Result: Continued to July, 2006

Peggy Patterson, (CAC 50381)
Result: Satisfactory, conditional upon the receipt of a completed probation package within one (1) week.

Pedro Pineda, (CB C057443)
Result: Satisfactory

Jon Robbins, (CG C10870)
Result: Satisfactory
Howard Steele, (CB C1251845)  
Result: Satisfactory

Eric Sullivan, (CGC1504077)  
Result: Stay of Suspension Lifted for Failure to Appear

Edward Darrell Traylor, (CR C047986)  
Result: Satisfactory

Herman Wheeler, (CBC1250104)  

The Board voted unanimously to accept the recommendations of this Committee.

ADDITIONAL ENTITY COMMITTEE

Ms. Watts gave the following report:

Applications approved
Abercrombie, Ricky
Amaro, Ricardo
Beebe, Corodon
Bendavid, Andre
Bozzi, Robert
Brinkmann, Michael (Building contractor only)
Burke, William
Carnesella, Bruno
Cason, Thomas R.
Chapman, Donald
Chase, Daniel –Daniel Chase Development, Inc.
Cregg, Gordon
Dickinson, Scott
Ehrman, Robert, Jr. – with proof of employment
Hetesy, Tamas
Hidy, Jason
Hofmeister, Tom
Infinger, Chris
Keaton, James
Kish, Alex
Kokkoris, Konstantinos
Latoria, Daniel
Lord, Leven
Marini, Robert- with $1,000 assessment & proof of employment & insurance
Marsan, Pierre
McVety, Blair
Medina, Jorge
Meltzer, Brad
Mitchell, Jeffrey
Mulligan, Jason
Mulligan, Richard
Plate, Andrew – upon proof of employment
Pollock, Alexander
Rigsby, William
Riley, Darryl
Wilson, George F.

Applications denied
Chase, Daniel – to qualify DC Pools, Inc.
Sadler, William

Applications Continued
Allen, David – 30 days per request

Applications pulled
Moorer, Robert II

The Board voted unanimously to accept the recommendations of this Committee.

EXECUTIVE COMMITTEE

There were no items to be considered.

RULES REVIEW COMMITTEE

Mr. Weller gave the following report:

The following rules have been developed:

61G4-17.001 – Normal Penalty Ranges – Mr. Creehan is working on this and members will receive a copy next month.

The following rules have been noticed:

61G4-16.002 – Written examination for swimming pool specialty
61G4-15.001 – (Adding Registered to approved persons to certify experience)
61G4-12.008 – Time for compliance with Final Order
61G4-12.006 – List of approved forms
61G4-12.009 – Fees
61G4-16.003 – Practical examination for swimming pool specialty
61G4-15.0021(4),(5) – Additional Entities

The following rule has been adopted:

61G4-15.032 – Swimming pool specialty contractors

The Board voted unanimously to accept the recommendations of this Committee.

EXAMS/CE/PUBLIC AWARENESS COMMITTEE

Mr. Holloway gave the following report:
Applications approved

LORMAN BUSINESS CENTER (0000837)
1st Course: Value Based Estimating, Pricing, Bidding and Market
2nd Course: Phase II Storm Water Regulation and Compliance
3rd Course: The Fundamentals of Construction Contracts: Understanding the Issues (Sarasota)
4th Course: Legal Aspects of Condominium Development and Homeowner’s Associations
5th Course: Proper Assessment and Planning for Structural Renovations of Existing Buildings and Structures
6th Course: The Owners’ Duties and Responsibilities in a Construction Project
7th Course: Effective Contract Administration: A “HOW” (Hands on Workshop) Seminar
8th Course: The Construction Process from Start to Finish

NBI, INC d/b/a NATIONAL BUSINESS INSTITUTE (0000954)
1st Course: Using a Construction Lien to Get Your Money in Florida

PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION OF SOUTH FLORIDA (0000963)
1st Course: Awareness of Violence in the Workplace
2nd Course: What is an Inspection?
3rd Course: OSHA Chapter 29 Subpart B Excavation/Confined Space
4th Course: Hazwoper
5th Course: Florida Building Code Plumbing 2004

CAM TECH SCHOOL OF CONSTRUCTION (0000970)
1st Course: Mastering Worker’s Compensation and Workplace Safety Part I
2nd Course: Mastering Worker’s Compensation and Workplace Safety Part II

CONSTRUCTION ESTIMATING INSTITUTE (0000981)
1st Course: Managing Construction Business Finances
2nd Course: Construction Cost Management
3rd Course: Estimating Concrete Costs

HORNEREXPRESS (0001103)
1st Course: Chemicals & Automatic Sanitizing Devices

VLE ENTERPRISES (0001363)
1st Course: Home Builder & Home Owner Lifestyle Solutions for Total Comfort

SCHOOL FOR CONTRACTORS AND TRADES (0001797)
1st Course: Continuing Education Essentials
2nd Course: Technical Modules of Construction

NATIONAL COMFORT INSTITUTE (0001812)
1st Course: Advanced Air Balancing and Recertification

CONTRACTOR’S EDUCATIONAL SERVICES (0002623)
1st Course: Ethics for Construction (B) (Internet Course)
2nd Course: Ethics for Construction (A) (Internet Course)
3rd Course: Workers Compensation (A) (Internet Course)
4th Course: Construction Safety (A) (Internet Course)
5th Course: Construction Safety (B) (Internet Course)  
6th Course: Construction Laws – Chapter 489 (Internet Course)  
7th Course: Workers Compensation (B) (Internet Course)  
8th Course: Construction Economics (Internet Course)  
9th Course: Florida Lien Law – Chapter 713 (Internet Course)  

**THE MEDIA FACTORY, INC. (0002868)**  
1st Course: Asbestos Standards for the Construction Industry (OSHA 29 CFR 1926.1101) (Internet Course)  
2nd Course: ADA – A Guide for Small Towns (Internet Course)  
3rd Course: Lead in Construction (OSHA 3142-09R 2003) (Internet Course)  
4th Course: Lock Out/Tag Out (OSHA 29 CFR 1910) (Internet Course)  
5th Course: Scaffolds & Scaffold Safety (OSHA 29 CFR 1926 Subpart L) (Internet Course)  
6th Course: Hand & Power Tools Safety (OSHA 29 CFR 1926 Subpart I) (Internet Course)  
7th Course: Fall Protection (OSHA 29 CFR 1926 Subpart M) (Internet Course)  
8th Course: Personal Protective Equipment (OSHA 29 CFR 1926 Subpart E) (Internet Course)  
9th Course: Materials Handling, Storage, Use & Disposal (OSHA 29 CFR 1926 Subpart H) (Internet Course)  
10th Course: Workers Compensation, A Brief History (Internet Course)  
11th Course: Stairway & Ladders Safety (OSHA 1926 Subpart X) (Internet Course)  
12th Course: Cranes & Crane Safety (OSHA 29 CFR 1926 Subpart N) (Internet Course)  
13th Course: Daylighting for Energy Efficiency (Internet Course)  
14th Course: The Building Envelope (Internet Course)  
15th Course: Building for Energy Efficiency (Internet Course)  
16th Course: Active Solar Energy Systems (Internet Course)  

**SEALOFLEX, INC. (0003188)**  
1st Course: Waterproofing For The Entire Building Envelope  

**THE ROBERTSON GROUP (0003196)**  
1st Course: Construction Law  
2nd Course: Construction Contracts and Purchase Orders  

**FLORIDA AIR CONDITIONING APPRENTICESHIP ASSOCIATION LLC. (0003374 )**  
1st Course: Understanding Workers Compensation  
2nd Course: Construction Safety  

**ENVIRONMENTAL SOLUTION ASSOCIATION (0003424)**  
1st Course: Florida Mold Assessment Technician Training Course  

**UNIVERSITY OF SOUTH FLORIDA (0003426)**  
1st Course: (OSHA Training Institute) 3110 Fall Arrest Systems  
2nd Course: (OSHA Training Institute) 2264 Permit Required Confined Space  
3rd Course: (OSHA Training Institute) 3095 Electrical Standards  

**NATIONAL ROOFING CONTRACTORS ASSOCIATION (0000936)**  
1st Course: Performance Technology for Roofing Systems
RHEEM AIR CONDITIONING DIVISION (0001104)
1st Course: Variable Speed Motor Technology
2nd Course: Improving Compressor Reliability
3rd Course: Thermostatic Expansion Values: Why and How

FLORIDA HOME BUILDERS ASSOCIATION (0000916)
1st Course: Planning for Profits
2nd Course: Overhead, Mark-up and Margin – Advanced

FORIZS & DOGALI, P. L. (0003520)
1st Course: Liability Issues

APPLIED DEHUMIDIFICATION, INC. (0003425)
1st Course: Building Envelope Seminar

AIR CONDITIONING CONTRACTORS OF AMERICA (0001026)
1st Course: Automated Fault Detection and Diagnosis - An Opportunity for Enhancing Customer Service for Package Rooftop HVAC Units
4th Course: Taking Residential IAQ to the Next Level
5th Course: Energy Efficient Control Strategies for Variable Air Volume Reheat Systems
6th Course: “Don't Sweat The Small Stuff”. Hot Gas Reheat and ERV Options

UNIVERSITY OF FLORIDA PROGRAM FOR RESOURCES EFFICIENT COMMUNITIES (0001129)
1st Course: Energy Efficient Building Construction in Florida

CONTRACTOR’S EDUCATION SOURCE, INC. (0002075)
1st Course: Chapter 489 – Statutes Governing Florida Contractors – Part I (INTERNET)
3rd Course: Florida Contractor’s Guide to State and Federal Compliance (INTERNET)
4th Course: Chapter 489 – Statutes Governing Florida Contractors – Part II (INTERNET)

NODORAH TRAINING INSTITUTE (0003445)
1st Course: Fundamentals of Construction (INTERNET)

LEIBY STEARNS AND ROBERTS, P. A. (0000886)
1st Course: Construction Liens (# 0001812, Expired 03/01/2005)
2nd Course: Construction Payment Bond (# 0001814, Expired 03/01/2005)
3rd Course: Alternative Dispute Resolution (# 0001816, Expired 03/01/2005)
4th Course: Contract Administration (# 0001818, Expired 03/01/2005)

CENTEX CONSTRUCTION (0001109)
1st Course: Construction Safety/Workers’ Compensation (#0003205, Expired 10/10/2004)

FL A&M UNIVERSITY SMALL BUSINESS DEVELOPMENT CENTER (0001061)
1st Course: Scheduling for FDOT Construction (0005583, Expired 04/13/2003)
2nd Course: Contracts, Specifications and Law (0005584, Expired 04/13/2003)
3rd Course: Construction Accounting (0005585, Expired 04/13/2003)
4th Course: Business Management (0005586, Expired 04/13/2003)
5th Course: Construction Math and Estimating (0005587, Expired 04/13/2003)
6th Course: Plan Reading for FDOT Construction (0005588, Expired 04/13/2003)
ICE-O-MATIC

WADE L. MULLINS

FLORIDA SAFETY LINKS, INC.
1st Course: Safety Fundamentals

JAMES W. JOHNSON
1st Course: OSHA 10-Hour Construction Safety and Health Standards Course

DEPARTMENT OF COMMUNITY AFFAIRS
1st Course: Advanced FBC: Wind Load Calculations

OMAR SCHOOL OF CONSTRUCTION (001143)
1st Course: Management 3 Course
2nd Course: Management 4 Course

STRUCTURAL GROUP, INC.
1st Course: Strengthening & Repair of Concrete Structures

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (0001229)
1st Course: Florida Stormwater, Erosion, and Sedimentation Control Inspector Training Class

Applications denied

VLE ENTERPRISES (0001363)
1st Course: Home Builder & Home Owner Lifestyle Solutions for Total Comfort

CONTRACTOR'S EDUCATION SOURCE, INC. (0002075)
2nd Course: Effective Written Communication for Contractors (INTERNET)

THE MEDIA FACTORY, INC. (0002868)
15th Course: Building with Earth Block (Internet Course)
18th Course: Green Building “Whole Building Design” (Internet Course)

AIR CONDITIONING CONTRACTORS OF AMERICA (0001026)
2nd Course: 100% Outside Air Treatment – Innovative Technologies Supporting Your Business Growth Strategies
3rd Course: New Technologies in IAQ

NODORAH TRAINING INSTITUTE (0003445)
2nd Course: Hurricanes: Everything you need to know to prevent and repair damages (INTERNET)
3rd Course: Molds: Introduction and Remediation in Residential and Commercial Buildings (INTERNET)
4th Course: Construction Mathematics (INTERNET)
5th Course: Do your taxes yourself (INTERNET)

COAST SOFTWARE, INC. (0001627)
1st Course: Construction Accounting Systems (# 0007262, Expired 09/12/2004)
3rd Course: Construction Office Technology (# 0007264, Expired 09/12/2004)
The Board voted unanimously to accept the recommendations of this Committee.

RECOVERY FUND/FINANCE COMMITTEE

Ms. Brown gave the following report:

Claimant v. Contractor; Claim No.
Johnson v. Simos; Claim No. 02-C0111 - APPROVED - $3,000.00
Edwards v. Jenks; Claim No. 02-C0160 - APPROVED - $25,000.00
Byars v. Sfassie; Claim No. 02-C0187 - APPROVED - $20,685.94
Sheedy v. Sfassie; Claim No. 02-C0188 - APPROVED - $23,534.30
Current v. Sfassie; Claim No. 02-C0189 - APPROVED - $7,746.69
Delcavo v. Sfassie; Claim No. 02-C0190 - APPROVED - $22,484.09
Harbaugh v. Gruber; Claim No. 02-C0194 (2005-021705) - CONTINUED
Cichowski v. Hill; Claim No. 03-C0020 (2005-022615) - DENIED WITH PREJUDICE
Beck v. Dingle; Claim No. 03-C0082 (2005-024921) - DENIED WITH PREJUDICE
Salehi v. Mazzurco; Claim No. 2003-091784 - APPROVED - $25,000.00
Wood/Freeman v. Means; Claim No. 2004-033871 - APPROVED - $25,000.00
Wasserstrom v. Zuckerman and Barr (FRO); Claim No. 2005-006868 - CONTINUED
Hudak/Graham v. Anthony; Claim No. 2005-013879 - (Joint Motion to Vacate Final Order) - APPROVED
Danaee/Tee v. Buchner; Claim No. 2005-013868 - APPROVED - $5,553.86
Forero v. Mavis; Claim No. 2005-025643 - APPROVED - $12,547.50
Holden-Dodge v. Bullard; Claim No. 2005-032442 - APPROVED - $25,000.00
Ruffalo v. Miller; Claim No. 2005-034952 - APPROVED - $2,400.00
Hamilton v. Bradley/Kaufmann; Claim No. 2005-037763 - APPROVED - $19,643.00
McKenzie v. Price; Claim No. 2005-042240 - WITHDRAWN
Chediak v. Morales; Claim No. 2005-045601 - APPROVED - $25,000.00
Bruneau v. Fogle; Claim No. 2005-050813 - APPROVED - $25,000.00
Wadd v. Harward; Claim No. 2005-053191 - APPROVED - $16,834.00
DeVincent v. Mavis; Claim No. 2005-053226 - APPROVED - $25,000.00
The Board voted unanimously to accept the recommendations of this Committee.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

With no further business, the meeting was adjourned at 10:42 a.m.