

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

GENERAL SESSION MINUTES

**DOUBLETREE GUEST SUITES TAMPA BAY
3050 NORTH ROCKY POINT DRIVE WEST
TAMPA, FL 33607**

MARCH 11, 2005

8:00 AM

The meeting was called to order by Michelle Kane, Chair, at 8:10 a.m.

BOARD MEMBERS PRESENT

Michelle B. Kane, Chair
Joan M. Brown, Vice-Chair
Barry Kalmanson
Lee-En Chung
Thomas Thornton
Robert Stewart
Jacqueline Watts
Michael Blankenship
Raymond Holloway
Carl E. Engelmeier
John J. Cox
Peggy Bailey

BOARD MEMBERS ABSENT

Mark Pietanza (Excused)

OTHERS PRESENT

Mary Ellen Clark, Board Counsel
Patrick Creehan, Prosecuting Attorney
Tim Vaccaro, Executive Director
Adrienne Rodgers, CIRF Attorney
Stacey Merchant, Government Analyst II
Ruthanne Christie, Government Analyst I
Andy D. Janecek, Government Analyst I
Valeria Singleton, Regulatory Consultant

Ms. Bailey gave the invocation. Ms. Chung led the pledge of allegiance.

REVIEW OF MINUTES

- **February 2006 Final Action Minutes**

The Board voted unanimously to approve these minutes.

EXECUTIVE DIRECTOR'S REPORT

Mr. Vaccaro reviewed the complaints and investigative statistics with the Board.

Mr. Vaccaro also announced that Ruthanne Christie would be leaving the Board office and introduced her replacement, Andy Janecek. The Board members stated that they would miss Ms. Christie and thanked her for her hard work with the Board. The Board welcomed Mr. Janecek and stated that they looked forward to working with him in the future.

CHAIRMAN'S REPORT

Ms. Kane asked the Board to excuse Mr. Pietanza's absence. The board voted unanimously to excuse this absence.

PROSECUTING ATTORNEY'S REPORT

Mr. Creehan gave the following report:

As of February 2005, there were 718 cases. Of these cases, 275 cases were to be reviewed, 112 cases were set for probable cause and 99 cases have had probable cause found/administrative complaints found. 42 cases were ready for default, 38 cases have had stipulations executed/informal hearings requested and 84 cases have requested formal hearings. There were 46 cases awaiting final orders and 1 case re-opened.

ATTORNEY GENERAL'S REPORT

EDUCO, INC.

Stephen Caspari was present.

Ms. Clark presented this case stating that Educo, Inc.'s course titled "Construction C.E. Requirements" was denied at the September 2004 Board meeting. The Notice of Intent to Deny was filed October 24, 2005. The course was denied because 11 hours of the content was not related to construction.

After discussion the Board voted unanimously to uphold the previous denial.

ROBERT SELF

This case was pulled from this agenda.

ESTON ANDERSON

Mr. Anderson was not present.

Ms. Clark presented this case stating that Mr. Anderson's application for initial certified general contractor's license was denied at the November 2005 Board meeting. The reason for the denial was failure to provide proof of restoration of civil rights. The request for review or extension was received by the Department of the 22nd day after the certified mail green card was signed.

After discussion the Board voted to uphold the previous denial.

MICHAEL NAVAROLI

Mr. Navaroli was not present.

Ms. Clark presented this case stating that Mr. Navaroli's application for certified plumbing contractor's license by Grandfathering was denied at the November 2005 Board meeting. The reason for the denial was due to outstanding judgments.

After discussion the Board voted unanimously to uphold the denial of this application.

JAMES DARRELL LEWIS

Mr. Lewis was present.

Ms. Clark presented this petition for a rule waiver stating that Mr. Lewis was requesting for rule 61G4-16.005, F.A.C. be waived and allow him to submit an application for certified plumbing contractor's license. Mr. Lewis passed the examination in December 1998 and this rule states that grades are only valid for 3 years.

After discussion the Board voted unanimously to deny this petition.

RULE 61G4-18.004

This was continued until the April 2005 Board meeting.

News Release – FYI

Ms. Clark stated that this article was for the Board's information only. No action required.

COMMITTEE REPORTS

APPLICATION REVIEW COMMITTEE

Ms. Watts gave the following report:

Applications Approved

Hasty, Michael

Lee, Jimmy

Webb, Thomas H. – with probation until civil rights are restored.

Applications Withdrawn

Hausmann, Jeffrey

Applications Denied

Brown, Charles J.
Bryant, Paul D., Jr. (2 applications)
Carey, Michael T.
Juliano, Robert
Kihm, John B. III
Levesque, Robert G.
Mitchell, Charlie
Patel, Harish
Pigg, Allen
Valdes-Zuazo, William
Molter, William
Koster, Samuel

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

PROBATIONS COMMITTEE

Mr. Del Vecchio gave the following report:

The committee reviewed and considered the following probation packets:

David Bailey (CGC1506040), Condition of Licensure - Comments: **3 of 4**

Timothy Burke, (CFC057951), Condition of Licensure - Comments: **2 of 4 Until Civil Rights are Restored**

Jesse Carr, (CBC013022), Case # 2003-002379 Comments: **1 of 4 (Continued from July 2004 to show bank statements with minimum cash) – no materials as of mail out date**

Andrew Dittenber, (RX11066767), Condition of Licensure Comments: **3 of 4 Until Civil Rights are Restored**

Craig Greene, (CGC01505891) Condition of Licensure Comments: **1 of 4**

Norrie S. Holmes, (CCC44906), Case # 2003-001983 Comments: **2 of 4 Dennis Hubbard**, (RP 252554743), Condition of Relicensure. Comments: **4 of 4 (Final Appearance)**

Richard Lehman, (CRC1326852), Condition of Licensure Comments: **3 of 4**

James Waid, (CGC004677), Case # 2000-05488 Comments: **1 of 4**

Ricky Smith (RC67100), Condition of Licensure Comments: **3 of 4**

Kenneth Whyrick (CBC1251231), Condition of Licensure Comments: **2 of 4**

RECONSIDERATIONS:

Mark Wolfe, (RF11067159), Condition of Licensure, Comments: **2 of 4 (Unsatisfactory in February – Requesting Reconsideration)**

Anthony Nicholas, (CRC022278), Condition of Licensure Comments: 3 of 4 (Continued in February to show a corrected financial statement)

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

ADDITIONAL ENTITY

Mr. Pietanza gave the following report:

Applications Approved

Billmyre, Gary

Boutin, Paul (2 applications – general and roofing contractor)

Bryan, Lawrence

Carnley, Quincy

Carpenter, Charles – with an assessment of \$750 and 7 hours of CE credit in Chapter 489.

Carter, Michael

Coleman, Stephen

Davis, Bradford

Denmark, Lawrence Jr.

Fingerle, Eckart

Freese, Patrick

Hackney, Thomas

Lacour, James

Looney, John (2 applications- building and roofing)

Marin, Henry

Minor, Steven

Morra, John

Myers, John

Pick, Raymond – with \$500 assessment and 7 hours of CE credit in Chapter 489.

Pidgeon, Stephen

Reid, Charles

Spangler, Richard

Tate, Larry

Taylor, Michael

Wachman, Michael

Winters, Edward Jr.

Applications Continued

Smith Brian – 30 days.

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

RULES REVIEW COMMITTEE

Mr. Kalmanson gave the following report:

The following rules were considered:

61G4-15.0023, 61G4-15.0024 and 61G4-15.025 – New rules for specialty pool contractors. – draft language was approved and this rules are ready to move forward.

The following rules were adopted:

61G4-12.006- List of approved forms: Incorporation

61G4-12.009 - Fees

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

EXAMS/CE/PUBLIC AWARENESS COMMITTEE

Mr. Holloway gave the following report:

FASTENING SPECIALIST, INC. (0001328)

TieMax: The Perfect Solution to High Wind Construction (# 0002359, Expired 01/09/2005) – denied – not relevant to contracting.

CONTRACTORS EDUCATION SERVICES, INC. (0002623)

Workplace Safety and the Value of Ethics (MATERIAL CHANGE)(# 0007459, Expires 04/10/2005) – approved.

Principal Economic and Legislative Contracting Issues (MATERIAL CHANGE)(# 0007460, Expires 04/10/2005) – approved.

CONTRACTORS INSTITUTE (0001189)

Organizing and Managing a Construction Business (MATERIAL / TITLE CHANGE)(# 0005557, Expires 04/12/2005) – approved.

LORMAN BUSINESS CENTER, INC. (0000837)

Public Contracts and Procurement Regulations in Florida (# 0007383, Expired 01/09/2005) – approved.

Law of Easements: Legal Issues and Practical Considerations (# 0007454, Expires 03/13/2005) - denied – not relevant to contracting.

Pre-Construction Budgeting and Estimating (NEW) – approved.

Public Contract Code and Competitive Public Bidding (NEW) – denied.

Eminent Domain (NEW) – denied – not relevant to contracting.- denied – not relevant to contracting.

Zoning and Land Use – Sarasota (NEW) – denied – not relevant to contracting.

BUILDING OFFICIALS & INSPECTORS EDUCATIONAL ASSOCIATION (BOIEA) (0000865)

Florida Building Code Updates (NAME CHANGE) (# 0007414, Expired 01/09/2005) – approved.

B.C.A.I.B. Updates (NEW) - approved – without credit for business practices.

Chapter 11, Florida Accessibility Code (NEW) – approved.

Florida Residential Building Code (NEW) – approved.

Plumbing Inspection Checklist (NEW) approved.

Existing Building Code (NEW) – approved.

Plumbing Code Amendments and Updates (NEW) - approved.

Mechanical Code Changes **(NEW)** approved.

Window and Door Hurricane Performance **(NEW)** – approved.

Mechanical Inspection Checklist **(NEW)** – approved.

SMITH, CURRIE & HANCOCK, LLP (0000998)

Federal Government Construction Contracting (New Opportunities & Challenges in the 21st Century)**(MATERIAL CHANGE)(# 0007625, Expires 06/12/2005)** – approved.

Construction Dispute and Claim Avoidance (Practical Project Documentation and Workplace Safety) **(NOT RENEWAL HRS CHANGE)(NEW)** – approved.

Construction and Labor Law Update **(NOT RENEWAL CREDIT USE CHANGE)(NEW)** – approved.

THE INSTITUTE OF CLASSICAL ARCHITECTURE (0002127)

Advanced Program in Traditional Residential Design I: Spanish Colonial & Spanish Revival Style – denied – not relevant to contracting.

Advanced Program in Traditional Residential Design II: French Colonial, Coastal Cottage, and French Normandy Style -denied – not relevant to contracting.

Advanced Program in Traditional Residential Design III: Mediterranean and Spanish Revival Styles - denied – not relevant to contracting.

Advanced Program in Traditional Residential Design IV: New Towns and New Homes - denied – not relevant to contracting.

CONSTRUCTION PROFESSIONAL TRAINING, INC. (0002473)

Basics of Threshold Inspection– approved.

Contractors and the World Wide Web- denied – not relevant to contracting.

Fundamentals of Concrete – approved.

Construction Safety for Contractors- approved.

FLORIDA HOME BUILDERS ASSOCIATION (0000916)

Energy & Renewable Home Building Options – approved for 1 hour of credit as amended.

Low-Cost, Hard-Hitting Business Strategies – approved for 1.5 hours after deleting marketing information.

Managing Conflict – Dealing with Difficult Issues - denied – not relevant to contracting.

High Performance Housing – approved.

MIAMI-DADE COLLEGE (0001050)

Florida and Federal Access Requirements – approved.

FSA EDUCATIONAL AND RESEARCH FOUNDATION (0000910)

Employer Responsibility for OSHA Compliance – approved.

Injury Costs Direct and Indirect – approved for 1 hour of credit and no business practices credit.

UNITED POOL & SPA ASSOCIATION (0002996)

Swimming Pool Renovation and Remodeling – approved.

KNOTT, CONSOER, EBELINI, HART & SWETT, P.A. (0001098)

Construction Law Seminar 2005 – approved.

FLORIDA ENERGY EXTENSION SERVICE

Advanced Training Course: Energy – approved for 2 hours and no business practices credit.

THE CONTINUING EDUCATION ACADEMY (0003208)

Understanding Workers Compensation – approved.

Worksite Safety – approved.

Business Entities – approved.

Business Benchmark - approved.

Asset Protection for Contractors – approved.

The 10-hour OSHA Certification Course – approved.

Labor and Liability Challenges of Today's Contractor – approved.

Physical Abilities Testing – approved.

Business Planning for the Future – approved.

Hazard Recognition – approved.

Fall Protection – approved.

The Tools and Techniques of Business Management – approved.

Construction Business Management – approved.

ROGERS TOWERS, PA - approved.

Contracts – approved.

Construction Bonds – approved.

Florida Construction Lien Law – approved.

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

OLD BUSINESS

There was no Old Business at this meeting.

NEW BUSINESS

There was no Old Business at this meeting.

With no other business to discuss, the meeting was adjourned at 9:55 a.m.