Board Members Present
Roy Lenois, Chair
Robert Moody
Jacqueline Watts
Albert Korelishn
Richard Kane
William Sheehan
Mark Pletanza
Mary Layton
Keith Lawson II
Andrew Allocco
Hector Castro

Board Members Absent
Aaron Boyette
Edward Weller
Brian Cathey
James Evetts
Christopher Cobb

Others Present
Dan Biggins, Executive Director, DBPR
Amanda Wynn, Government Analyst, DBPR
David Spingler, Government Analyst, DBPR
Aimee Odom, Regulatory Consultant, DBPR
Douglas Dolan, Legal Advisor, AGO
Rachel Clark, Legal Advisor, AGO
Kelly Wright, Assistant Prosecuting Attorney, DBPR
Sorin Ardelean, Assistant Prosecuting Attorney, DBPR
ADDITIONAL BUSINESS ENTITIES REVIEW

Division II Board members met for Additional Business Entities Review on March 11, 2015 from 2:00 – 3:02pm. Mr. Lawson led the meeting. Of the 14 applications on the agenda, 7 were approved, 2 were continued, 1 was denied and 3 were withdrawn.

APPROVED (7)
Atkinson, Duane
Buckley, Shawn
Dickerman, Douglas W.
Griffis Jr., Andrew W.
McCulloch, Peter
Powell, Samuel
Toth, Roberto C.

CONTINUED (2)
Corredor, Mauricio- 60 day continuance
Konnick, Mark J.- 60 day continuance

CONTINGENT (1)
Che, Fook M.

DENIED (1)
Clark, Kelly S.

WITHDRAWN (3)
Gregoire, Daniel P.
O'Keefe, Michael
O'Keefe, Michael

Division I Board members met for Additional Business Entities Review on March 12, 2015, from 1:37 – 2:34pm. Mr. Boyette led the meeting. Of the 21 applications on the agenda, 8 were approved, 4 were approved contingent, 4 were continued, 3 were denied, 1 was withdrawn and 1 was pulled.

APPROVED (8)
Brugge, Jonas
Evans, Grayson
Foote, David G.
McMahon, Michael F
Meeks, David L.
Mobley, Eric J.
Tackett, David
Ulkus, Richard

APPROVED CONTINGENT (4)
Sumner, Stanley
Vitale, Frank V
Derogatis, Anthony V.
ContiNuEd (4)
David, John A- continued 60 days
Davis II, Glenn- continued 60 days
Vlahos, Phillip J- continued 60 days
Konnick, Mark J.- continued 60 days

DeNied (4)
Bertot, Peter
Hoffman, Adam
Quevedo, Juan

WithDrAin (1)
O'Keefe, Michael G.

Pulled (1)
Hartman-Ferruolo, Monika

ApPliCation Review

Division II Board members met for Application Review on March 11, 2015, from 3:10 – 4:45pm. Mr. Cobb led the meeting. Of the 29 applications on the agenda, 11 were approved, 4 were continued, 0 were approved contingent, 9 were denied, 3 were withdrawn and 2 were pulled.

Approved (11)
Broyles, Mark J.
Clay, Timothy
Furrow, Kristi L.
Jones, James D.
Kimbrough, Joseph D.
Marus, Eric M.
Sierra Jr., Miguel A.
Soares, Polynne
Sorg, Christopher S
Trainor, Daniel N.
Wilder, John A.

Continued (4)
Mannix, Jayson T.- continued to June
Rawlins Jr., John D.- continued 30 days
Holmes, Shawn M. – continued 7 months
Webb, Troy M.- continued 90 days

DeNied (9)
Johnson, Christopher N.
Hamil, William G.
Hardy, Dustin R.
Holub, Michael R.
Division II voted unanimously to ratify the list of financially responsible officer approvals.

Division I Board members met for Application Review on March 12, 2015, from 3:05–4:21pm. Ms. Layton led the meeting. Of the 23 applications on the agenda, 12 were approved, 3 were continued, 0 were approved contingent, 5 were denied, 3 were withdrawn and 0 were pulled.

APPROVED (12)
Campbell, Renee
Caronna, Joseph M.
Gittinger, Christopher G.
Gutman, Jorge
Holt, Richard N.
Hooker Sr., Jeffrey K.
Leigh, Jamie L.
Nelson, Douglas A.
Pell, Thomas A.
Schaefer, Eric J.
Simpson, Fredric E.
Stanton, Johnathan M.

CONTINUED (3)
Diaz, Edward H. – continued 60 days
Smith, Terry S. – continued 180 days
Raulerson, Tracy B. – continued 60 days

DENIED (5)
Rasmus, Mark K.
Baggs, Jack O.
Hamil, William G.
McCawley, Shane M.
Sola Jr., James

WITHDRAWN (3)
Hochschild-Smith, Birgit P.
Moraes, Vicente A.
Nakonecznyj, Stephan M.

Division I voted unanimously to ratify the list of financially responsible officer approvals.

**PROBATION**

*Division II Board Members convened for Probation on March 12, 2015 from 9:15am – 9:34am. Mr. Korelishn led the meeting.*

**CHERISOL, VILER**, CCC1327330
Result: Satisfactory

**GRIFFITH, GLEN**, CCC1330167
Result: Satisfactory

**HANSEN, JEFFREY**, CFC1428851
Result: Satisfactory

**WALSH, TIMOTHY**, CAC1817419
Result: Satisfactory

**WILLIAMS, GREGORY**, CCC1327297
Result: Unsatisfactory

**WRONG, BRIAN**, CAC042669
Result: Satisfactory contingent upon change of status

*Division I Board Members convened for Probation on March 12, 2015 from 1:00 – 1:28pm. Mr. Sheehan led the meeting.*

**ANNUNZIATA, STEVEN**, CGC025623
Result: Satisfactory

**BARNEY, GARRETT**, CRC1331024
Result: Satisfactory

**BERMAN, SCOTT**, CGC1509450
Result: 7 & 8 appearance will be held at the 8th appearance due to lack of quorum.

**CHECHO, ROBERT**, CBC040782
Result: Satisfactory

**GANNAWAY, GUY**, CGC1508012
Result: Satisfactory

**GREENE, CRAIG**, CGC1505891
Result: Satisfactory
O'BRIEN, MATTHEW, CBC1256531  
Result: Satisfactory

REED, DAVIS, CRC1330937  
Result: Satisfactory

SANDERS, JC, CBC060567  
Result: Unsatisfactory

GENERAL SESSION

The meeting was called to order by Roy Lenois, Chair, at 9:20am. Ms. Watts gave the Invocation. Mr. Sheehan led the Pledge of Allegiance.

EXECUTIVE DIRECTOR’S REPORT – Daniel Biggins

Mr. Biggins gave the following report:

Mr. Biggins informed the board that the Department is monitoring closely Senate Bill 1168, and House Bill 915.

Mr. Biggins requested the Board excuse the following absences:

Mr. Cobb  
Mr. Boyette  
Mr. Evetts  
Mr. Weller  
Mr. Cathey

The Board voted unanimously to excuse the above absences.

With nothing further to report the board voted unanimously to approve this report.

CHAIRMAN’S REPORT – Roy Lenois

Mr. Lenois gave the following report: He would like to thank the board staff for all of their work in providing the information to the board each month with plenty of time to review.

With nothing further to report the board voted unanimously to approve this report.

PROSECUTING ATTORNEY’S REPORT – KYLE CHRISTOPHER

Mr. Christopher gave the following report:

For the month of January 2015, the overall license activity case load was 686, up from 633 in December of 2014, and up from 468 in January 2014.

There were 473 cases currently in Legal to be reviewed, 26 cases set for probable cause, 36 cases where probable cause had been found/administrative complaints filed, 1 settlement stipulation
approved, 4 informal hearings requested, 0 cases awaiting outside action, 20 cases ready for default, 47 formal hearings requested, 6 cases referred to DOAH, 2 cases in settlement negotiations, 0 case pending board date, 19 cases set for board presentation, 52 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of January 2015, 51 cases were closed.

With nothing further to report the board voted unanimously to approve this report.

ATTORNEY GENERAL’S REPORT – Douglas Dolan

MATTHEW BERTHOLD – REQUEST FOR INFORMAL HEARING

Mr. Berthold was present.

Mr. Dolan presented this case stating Mr. Berthold’s application for a Certified Building Contractors’ license was denied at the November 2014 meeting of the Board for failure to demonstrate required experience, pursuant to section 489.111 Florida Statutes and by Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January 2015. Mr. Berthold timely requested board reconsideration.

After discussion, the board voted to uphold the denial.

RONALD CLARK – PETITION FOR VARIANCE & WAIVER

Mr. Clark was present.

Mr. Dolan presented this case stating on January 30, 2015 filed a Petition for Variance and Waiver from the Department. Mr. Clark seeks a waiver from Rule 61G4-16.005, Florida Administrative Code, to extend the duration of validity of his exam scores beyond the 4 year time limit, and allow him to submit his expired test scores with an application for license in lieu of retaking the examination. Mr. Clark has asked the Board to consider the petition and grant or deny the waiver as required.

After discussion, the Board voted to deny the petition.

JAMES JOHANNESSSEN – PETITION FOR DECLARATORY STATEMENT

Mr. Johannessen was present.

Representatives from Fort Pierce Utilities Authority were not present -pulled prior to meeting

Mr. Dolan presented this case stating that Mr. Johannessen filed a petition for a declaratory statement on February 6, 2015. The petition was noticed in the Florida Administrative Register on February 18, 2015. Mr. Dolan noted the petition seeks the Board’s interpretation as to when contracting for a project that exclusively includes electrical or low voltage work it is their interpretation of the Florida Statutes that a contract for the work can be awarded to a “general contractor”, provided the general contractor subcontract the work to an appropriately licensed electrical or low voltage subcontractor.
The board determined the petitioner had standing, after further discussion, the board answered yes, when contracting for a project that exclusively includes electrical or low voltage work that a contract for the work can be awarded to a “general contractor”, provided the general contractor subcontract the work to an appropriately licensed electrical or low voltage subcontractor.

NEAL KRAJEWSKI – REQUEST FOR INFORMAL HEARING

Mr. Krajewski was present.

Mr. Dolan presented this case stating Mr. Krajewski’s application for a Certified Building Contractors’ license denied at the November 2014 meeting of the Board for failure to demonstrate required experience, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2015. Mr. Krajewski timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and the applicant requested to withdraw his application.

MARIO MONTERO – REQUEST FOR INFORMAL HEARING

Mr. Montero was present.

Mr. Dolan presented this case stating Mr. Montero’s application for a Certified Mechanical Contractors’ license denied at the November 2014 meeting of the Board for failure to demonstrate required experience, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2015. Mr. Montero timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial and approve contingent.

PAUL PINEDA – REQUEST FOR INFORMAL HEARING

Mr. Pineda was present.

Mr. Dolan presented this case stating Mr. Pineda’s application for a Certified General Contractors license was denied at the January 2015 meeting of the Board due to the applicant having open enforcement contrary to section 455.213(3) Florida Statutes. The Notice of Intent to Deny was filed in February 2015. Mr. Pineda timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and approve the application.

CHARLES HUNT – RECONSIDERATION OF PETITION FOR DECLARATORY STATEMENT

Mr. Hunt was present.

Mr. Dolan presented this case stating that Mr. Hunt submitted a request for reconsideration of a petition for declaratory statement originally considered and answered by the Board at their October 10, 2014 meeting. The Board issued a declaratory statement that, if required by the local building department, petitioner needs to complete the specialized continuing education courses specified in Section
489.115(4)(b)(2), F.S. and Rule 61G4-18.001(2)(f), F.A.C. As to whether local building departments are allowed to require liability releases, special training or other item not specifically addressed in the state statutes, the Board declined to hear this matter as the Board does not have jurisdiction over the matter.

After discussion, the Board declined to hear the request for reconsideration as due to the order previously issued, it now lacks jurisdiction over the matter.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Christopher Cobb

Due to Mr. Cobb’s absence, Board staff gave the following report:

BOAF – FHBA CONSTRUCTION TRAINING

BOSS CONSTRUCTION SCHOOL INC
1st course: ECO Friendly Construction: approved

BUILDING OFFICIALS AND INSPECTORS EDUCATIONAL ASSOCIATION (BOIEA)
1st course: Carbon Monoxide: approved
2nd course: Concrete: approved
3rd course: Existing Building Code: approved
4th course: FBC & FRC Floodplain: approved
5th course: FBC Chapter 10 Egress: approved
6th course: FBC Plan Review: approved
7th course: Threshold Buildings and Special Inspectors: approved
8th course: Type 1 Hoods: approved
9th course: Understand Steel: approved

COHEN BATTISTI ATTORNEYS AT LAW
1st course: Insider Secrets: Assignment of Insurance Benefits: contingent approval to provide a breakdown of the outline within 30 days or the Department will deny.

FLORIDA REFRIGERATION AND AIR CONDITIONING CONTRACTORS ASSOCIATION
1st course: Air Diagnostics Lab: approved
2nd course: Determining the Real Cost of Your Sales, Advertising and Marketing: approved
3rd course: Entrepreneurial DNA: A Breakthrough Approach to Building Your Team: approved
4th course: Humidity Energy & Economics for HVAC Contractors: approved
5th course: No Good Deed Shall Go Unpunished HVAC Efficiency: approved
6th course: Residential Ventilation Code Required Calculation and Methods of Compliance for HVAC Contractors: approved
8th course: Social Media and Your Business Avoiding Pitfalls: approved
9th course: Sucking and Blowing for Fun and Profits: approved
10th course: The Role of the HVAC Contractor in Building Commissioning: approved
11th course: Understanding Benefits Paid Under the Florida Workers’ Compensation Law: approved
12th course: Understanding OSHA Regulations: approved
13th course: What Happened to my SEER?: approved
15th course: What you Don’t Know About Wage and Hour Can Cost You Big Time: approved

MAKO REP GROUP INC
1st course: Weather Resistant Barriers in Vertical Wall Construction: approved

MIAMI DADE COLLEGE
1st course: Metal Roofing Profiles: Continued 60 days

NATIONAL COMFORT INSTITUTE INC
1st course: Commercial Air Balancing I: approved
2nd course: Commercial Air Balancing II: approved
3rd course: Commercial Air Balancing III: approved

PINCH A PENNY INC
1st course: Electric Swimming Pool Cleaners: approved

PLUMBING CONTRACTORS ASSOCIATION
1st course: Proposed ASHRAE Standard 188P as it Relates to Water Quality & Minimizing Microbial Growth: approved

SEMINAR GROUP
1st course: All is Not Lost! Improving Outcomes for Construction Industry Creditors in Bankruptcies: approved

COMPLIANCE DATA SERVICES INC DBA CALCS-PLUS
1st course: Building Science Workshop: approved

With nothing further to report the board voted to approve this report.

RULES/PUBLIC/LEGISLATIVE COMMITTEE – MARK PIETANZA

Mr. Pietanza gave the following report:

61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors
- Sent to OFARR 12/8/2014
- Rule Development Published 12/15/2014
- Adopted language
61G4-15.001(2)(b) and 61G4-12.001(1)
  • Amend the language to add “new, commercial, and habitable”.

Mr. Dolan informed the Board that they will receive language regarding the Public Comment Rule in the near future.

With nothing further to report the board voted to approve this report.

**RECOVERY FUND COMMITTEE – Rick Kane**

Mr. Kane gave the following report:

Morris vs. Oberhofer; Claim No. 2012-007284 – reconsideration – $37,583.90
Green vs. Myura; Claim No. 2009-08076 – reconsideration - $19,145.46
Libidinsky vs. Foltz; Claim No. 2013-021015 – continued from February - $18,555.00
Milligan vs. Eggertsson; Claim No. 2010-052065 - $50,000.00
Gell vs. Cantens; Claim No. 2012-002345 – continued from February- denied
Tutterow vs. Fortis Construction; Claim No. 2010-026500 - $13,779.25
Sobreiro vs. Lei; Claim No. 2009-059204 - 22,500.00
McCulue vs. Converse; Claim No. 2009-055367 - $245.90
Altman vs. Foltz; Claim No. 2012-011911 - $50,000.00
Lucas-Minott vs. Hernandez; Claim No. 2010-016590 - $5,000.00
Smith-Bonilla vs. vs. Thomas; Claim No. 2012-019697 - $3,788.74
Gammage vs. Mirabella; Claim No. 2013-045000 - $24,000.00
Cassella vs. Howel Homes, LLC; Claim No. 2009-056294 - $50,000.00
Hagood vs. Lockard; Claim No. 2012-022852 - $50,000.00
Mailland vs. Kurth; Claim No. 2014-028146 – continued 30 days
Bronhard vs. Pfleger; Claim No. 2012-013966 - $25,000.00
Kirk-Hormilla vs. Navas; Claim No. 2013-003278 - $50,000.00
Kruske vs. Sullivan; Claim No. 2014-028066 - $21,000.00
Edwards vs. Exantus; Claim No. 2014-030689 - $17,500.00
Rosenmeier vs. Battell; Claim No. 2014-018021 - $50,000.00

With nothing further to report the board voted to approve this report.

**EXAMS/CE/ PUBLIC AWARENESS COMMITTEE DISCUSSION REGARDING TIMELINE REQUIREMENTS**

*Exams/CE/Public Awareness Members convened on March 13, 2015 from 9:00 – 10:04am. Mr. Cobb led the meeting.*

Public attendees present: Ronda Koning, Fred Dudley, Joe Roebuck

The providers will provide language to the Department of Business and Professional Regulation to add a definition to (641G4-18.00(3) or (18.002) to explain what a detailed timeline consists of.

**OLD BUSINESS**
Removal of old materials from laptop.
NEW BUSINESS
With no further business the meeting was adjourned at 10:03am.