FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Doubletree Jacksonville Riverfront
1201 Riverplace Boulevard
Jacksonville, FL 32207
(904) 398-8800

March 9, 10, 11, 2016

MEETING MINUTES
Approved June 10, 2016

Board Members Present
Roy Lenois
Robert Moody
Jacqueline Watts
Albert Korelishn
Aaron Boyette
Richard Kane
William Sheehan
Mary Layton
James Evetts, Chair
Keith Lawson II
Edward Weller
Brian Cathey
Andrew Allocco
Scott Thomason
Raychelle Wood

Board Members Absent
Hector Castro
Jason Wolf
Christopher Cobb, Vice Chair- partial absence

Others Present
Dan Biggins, Executive Director, DBPR
Amanda Wynn, Senior Management Analyst Supervisor, DBPR
Aimee Odom, Government Analyst, DBPR
Brian Lynch, Regulatory Consultant, DBPR
Douglas Dolan, Legal Advisor, AGO
Rachel Clark, Legal Advisor, AGO
Ian Brown, Prosecuting Attorney, DBPR
Daniel Brackett, Assistant Attorney, DBPR
Division II Board members met for Additional Business Entities Review on March 9, 2016 from 2:01 – 3:25pm. Mr. Lawson led the meeting. Of the 19 applications on the agenda, 14 were approved, 1 was continued, 2 were approved contingent, and 2 were denied.

APPROVED (14)
Barber, Robert E.
Cichanowicz, Lawrence V.
Elkins Sr., Paul B
Galvez, Humberto
Galvez, Humberto
Garcia Sr., Philip
Gaskin, Richard C.
Ghazvini, Behzad
Grant, John A.
Ryder, Mark A.
Scelzi III, Frank N.
Sinclair, James W.
Staton Jr., Kenneth E.
Tilka, Jackie B.

CONTINUED (1)
Carr, Christopher M. - 60 day continuance

CONTINGENT (2)
Kaplan, Steven B.
Luehring, Barbara B.

DENIED (2)
Camacho, Luis
Purcella, Jeffery W.

Division I Board members met for Additional Business Entities Review on March 10, 2016 from 2:17 – 3:48pm. Mr. Boyette led the meeting. Of the 33 applications on the agenda, 16 were approved, 4 were approved contingent, 6 were continued, 6 were denied, and 1 was withdrawn.

APPROVED (16)
Ameika, Christopher
Barber, Robert E.
Boyll, Paul C.
Campesi, Patrick O.
Corbin, John
Corredora, Peter C.
Gaskin, Richard C.
Ghazvini, Behzad
Gruenthal, Robert
Hidalgo, Jordan P.
Seldin, Joel M.
Sinclair, Neil J.
Slone, Gene W.
Stewart, Timothy J.
Vilchez, Anthony J.
Ameika, Christopher

APPROVED CONTINGENT (4)
Caban, Benjamin G.
Johnson, Gary R.
Simigran, David R.
Wohl, Martin M.

CONTINUED (6)
Chambers, Michael A. - 90 day continuance
Dolis, Slav – 90 day continuance
Extejt, Zachary- 90 day continuance
Graeve, Raymond J. - 90 day continuance
Korman, Jonathan S. – 90 day continuance
Valdini, Gene L. - 30 day continuance

DENIED (6)
Gotfredson III, Lawrence
Holbrooke, Troy A.
Peacock, Robert T.
Rivera, Jeannette M.
Rodrigues, Joseph M.
Zofay, Francis

WITHDRAWN (1)
Cichanowicz, Lawrence V.

APPLICATION REVIEW

Division II Board members met for Application Review on March 9, 2016, from 3:36 – 5:02pm. Ms. Watts led the meeting. Of the 37 applications on the agenda, 18 were approved, 4 were continued, 10 were denied, 3 were withdrawn and 2 were pulled.

APPROVED (18)
Bendezu, Marcos E.
Bendezu, Marcos E.
Blasko, Jordan C.
Burkett, Roy L.
Davis, Brian K.
Donayri, Daniel
Ferrari, William K.
Gagne, Michael J.
Good, Christopher J.
Hart, Terry M. - downgrade to residential
Holup, Amanda A.
Division II voted unanimously to ratify the list of financially responsible officer approvals.

\textit{Division I Board members met for Application Review on March 10, 2016, from 4:04– 5:36pm. Mr. Evetts led the meeting. Of the 20 applications on the agenda, 6 were approved, 6 were continued, 2 were denied, 4 were withdrawn and 2 were pulled.}
Division I voted unanimously to ratify the list of financially responsible officer approvals.

Division I Board members met for Final Action on March 10, 2016 from 8:30am– 8:44am. Mr. Evetts led the meeting.

Case #(s): 2015041680
Trevor Lloyd McBayne
License #(s): CGC1510139
710 nw 201st Street
Miami Gardens, FL 33169
Restitution in the amount of $
Rejected stip

Division I & II Board members met for Final Action on March 10, 2016, from 8:45am– 9:09am. Mr. Evetts and Mr. Cobb led the meeting.

Case #(s): 2014025904
James Leonard Butler
License #(s): FRO4128
3750 Osprey Avenue
Sarasota, FL 34239
REVOCATION
Restitution in the amount of $65,204.57
Pay administrative fines in the amount of $5,000 and costs of $167.02
Probation for 4 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $8,500 and costs of $311.80

Case #s: 2015034256, 2015037142, 2015042978, 2015042990, 2015041583, 2015047704, 2015049916, 2015045984

Judy Anne Noel
License #s: SCC131149788
122 Southwest 21st Street
Okeechobee, FL 34974
VOL. RELINQUISHMENT
Restitution in the amount of $3,000; $3,217; $3,000; $6,904; $1,946; $1,318
Pay administrative fines in the amount of $60,000 and costs of $949.27

Case #s: 2015016671

Cody R. Vandegrift
License #s: FRO6516
8615 Commodity Circle, Ste. 2
Orlando, FL 32819
Restitution in the amount of $12,401.45
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $12,500 and costs of $1531.09

Division II Board members met for Final Action on March 10, 2016, from 9:17am– 9:36am. Mr. Cobb led the meeting.

Case #s: 2014018634

Randy Michael Castricone
License #s: CAC57943
909 s Military Trail
West Palm Beach, FL 33415
Dismissed case
Pay administrative fines in the amount of $ and costs of $

Case #s: 2015015423

Rolando L. Figueroa
License #s: CCC1329338
6112 Wilbur Way
Lake Worth, FL 33467
VOL. RELINQUISHMENT
Vacated previous order
Pay administrative fines in the amount of $10,000 and costs of $268.01

Case #s: 2015016036

Anton Michael Kozak
License #s: CPC23585
1843 Barber Road
Sarasota, FL 34240
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $5,000 and costs of $352.67

Case #(s):  2015001824
Cynthia Ann Levy
License #(s):  CCC1326445
P.O. Box 3697
Riverview, FL 33569
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of $2,500 and costs of $163.24

PROBATION

Division II Board Members convened for Probation on March 10, 2016 from 9:38am – 10:05am. Mr. Korelishn led the meeting.

BLESSITT, KEVIN, CCC1330602
Result: Suspension lifted- probation reinstated

BOOKHARDT, ALDON, CCC57655
Result: Satisfactory

BRYANT, TED L, CCC1325922
Result: Satisfactory

HIGGINS, JASON L, SCC131151285
Result: Satisfactory

MUNROE, DUNCAN, CCC57622
Result: Unsatisfactory

PYBUS, ROBERT, CAC1817420
Result: Satisfactory

REEVES, TIMOTHY E, CAC1816451
Result: Satisfactory

SCARDINA, JAMES, CCC57964
Result: Satisfactory

WALSH, TIMOTHY J, CAC1817419
Result: Satisfactory

WESCOTT, JOHN H, CCC58313
Result: Satisfactory

WILLIAMS, GREGORY SR., CCC1327297
Result: Continued to May 2016 meeting

Division I Board Members convened for Probation on March 10, 2016 from 1:33 – 2:05pm. Mr. Sheehan led the meeting.

ANNUNZIATA, STEVEN, CGC025623
Result: Satisfactory

BARNEY, GARRETT, CRC1331024
Result: Satisfactory

BOOKHARDT, ALDON, CGC1505081
Result: Unsatisfactory

CALZON, BENNY, CGC1514577
Result: Satisfactory

CHECHO, ROBERT, CBC40782
Result: Satisfactory

FORREST, LINDA, CGC49650
Result: Unsatisfactory

GANNAWAY, GUY, CGC1508012
Result: Satisfactory

GREEN, CRAIG STEPHEN, CGC1505891
Result: Satisfactory

HOOKER, JEFFREY, SCC131151627
Result: Satisfactory

O' BRIEN, MATTHEW, CBC1256531
Result: Satisfactory

REED, DAVIS, CRC1330937
Result: Unsatisfactory

RYNEARSON, BRUCE K. JR, CRC1329212
Result: Pulled

SANDERS, JC, CBC060567
Result: Satisfactory

STAYS OF SUSPENSION TO BE LIFTED

BLASI, JOHN JAY, CBC1251556 – None of 4 Satisfactory Appearances Completed; No Previous Continuances- Stay Lifted
GENERAL SESSION

The meeting was called to order by Roy Lenois, Chair, at 9:00am. Mr. Cathey gave the Invocation. Mr. Cobb led the Pledge of Allegiance.

EXECUTIVE DIRECTOR’S REPORT – Daniel Biggins

Mr. Biggins gave the following report:

Mr. Biggins requested the Board excuse the following absences:

Mr. Castro
Mr. Wolf

Partial absences:

Ms. Watts
Mr. Cobb
Mr. Boyette

The Board voted unanimously to excuse the above absences.

Mr. Biggins would also like to welcome new Board Member Michael Strickland.

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

CHAIRMAN’S REPORT – Jim Evetts

Mr. Evetts gave the following report: Anti-Trust: This information may be something we would like to bring up in New Business.

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

PROSECUTING ATTORNEY’S REPORT – IAN BROWN

Mr. Brown gave the following report:

For the month of February 2016, the overall license activity case load was 848, up from 788 in January of 2016, and up from 659 in February of 2015.

There were 630 cases currently in Legal to be reviewed, 66 cases set for probable cause, 11 cases where probable cause had been found/administrative complaints filed, 1 settlement stipulation approved, 2 informal hearings requested, 0 cases awaiting outside action, 15 cases ready for default, 32 formal hearings requested, 7 cases referred to DOAH, 0 cases in settlement negotiations, 0 case pending board date, 42 cases set for board presentation, 42 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of February 2016, 37 cases were closed.
With nothing further to report the board voted unanimously to approve this report.

ATTORNEY GENERAL’S REPORT – Douglas Dolan

PEDRO HUMBERTO ALFARO JR. – REQUEST FOR INFORMAL HEARING

Mr. Alfaro was not present.

Mr. Dolan presented this case stating Mr. Alfaro’s application for a Certified Roofing Contractors’ license was denied at the November 2015 meeting of the Board for failure to demonstrate required experienced, as required by Rule 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code, and the applicant has been convicted, found guilty of, or entered a plea of nolo contendere to crimes related to the practice of contracting, contrary to sections 455.227(1)(c) and 489.129(1)(b), Florida Statutes. The Notice of Intent to Deny was filed in January of 2016. Mr. Afaro timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

CITY OF PORT ST. LUCIE – PETITION FOR DECLARATORY STATEMENT

The petition for Declaratory Statement was withdrawn

CLIMBWORKS – PETITION FOR DECLARATORY STATEMENT

The petition for Declaratory Statement was pulled

JOE DRUMMOND – REQUEST FOR INFORMAL HEARING

Mr. Drummond was present with counsel.

Mr. Dolan presented this case stating Mr. Drummond’s application to qualify Certified Air Contractor, Inc., as an additional business entity was denied at the April 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111 and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in June of 2015. Mr. Drumond timely requested board reconsideration.

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

CODY J HASTINGS – RECONSIDERATION

Mr. Hastings was present with counsel.

Mr. Dolan presented this case stating Mr. Hastings application for a Certified Roofing Contractor’s license was denied at the May 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111 and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in June of 2015. Mr. Hastings timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial and approve the application.
ROBERT MACDONALD – REQUEST FOR INFORMAL HEARING

Mr. Macdonald was not present.

Mr. Dolan presented this case stating Mr. Macdonald’s application for a Certified Pollutant Storage Contractor’s license was denied at the November 2015 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2016. Mr. Macdonald timely requested board reconsideration.

After discussion, the Board voted to grant the applicants request for a 30 day continuance.

PETER MAXWELL – REQUEST FOR INFORMAL HEARING

Mr. Maxwell was present.

Mr. Dolan presented this case stating Mr. Maxwell’s application for a Certified Class A Air Conditioning Contractors’ license denied at the November 2015 meeting of the Board for failure to demonstrate required experienced, 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 2016. Mr. Maxwell timely requested board reconsideration.

After discussion, the Board voted to grant the applicant request for a 180 day continuance.

JAMES EUGENE MOSS – REQUEST FOR INFORMAL HEARING

Mr. Moss was present with counsel.

Mr. Dolan presented this case stating Mr. Moss’ application to qualify Moss Pools, LLC as an additional business entity was denied at the November 2015 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2016. Mr. Moss timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial and allow the applicant to withdraw.

JOSE CARLOS PORTA JR. – REQUEST FOR INFORMAL HEARING

Mr. Porta was not present.

Mr. Dolan presented this case stating Mr. Porta’s application for a Certified Roofing Contractors license was denied at the November 2015 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2016. Mr. Porta timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.
DAVID STAPLETON – REQUEST FOR INFORMAL HEARING

Mr. Stapleton was present.

Mr. Dolan presented this case stating Mr. Stapleton’s application for a Certified Building Contractors license was denied at the January 2016 meeting of the Board failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in April of 2016. Mr. Stapleton timely requested board reconsideration.

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

DAVID LOWELL – PETITION FOR DECLARATORY STATEMENT

Mr. Lowell was present

Mr. Dolan presented this case stating Mr. Lowell filed a petition for a declaratory statement on January 28, 2016. The petition was noticed in the Florida Administrative Register on December 23, 2014. Mr. Dolan noted the petition seeks the Board’s interpretation as to whether a Marine Specialty Contractor license allows them to do the wiring of boat lift motors to the switch that operates the boat lift, whether this license includes the wiring of the power supply to the switch, and whether this license includes the changing out of motors, wiring between the motor and switch, and the switch on an existing boat lift.

After discussion, the Board voted the petition had standing. After further discussion, the Board voted to decline to answer the declaratory statement, because it is already answered in statute.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Christopher Cobb

Mr. Cobb gave the following report:

AZS CONSULTING INC
2nd course: 2014 Residential Energy Update Overview for Residential Applications: approved
3rd course: 2014 Residential Energy Update Overview for Residential Remodeling Applications: approved
4th course: 2014 Residential Envelope Air Sealing Requirements: approved
7th course: Infiltration & Duct Leakage Training for Building Performance Institute Certification: approved
8th course: OSHA Confined Spaces in Construction: approved
9th course: What’s New and Noteworthy for New Residential Construction: approved

BERNHARD MCC LLC
1st course: Medical Gas Installer/Brazer Certification: 60 day continuance
FRSA EDUCATIONAL AND RESEARCH FOUNDATION
1st course: OSHA Recording Requirements: approved
2nd course: Roofing is a Team Sport: approved
3rd course: The Use and Application of Unmanned Aircraft Systems in the Roofing Industry: approved

INTERNATIONAL CODE COUNCIL
1st course: 2015 IBC Performing Nonstructural Plan Reviews: approved
2nd course: 2015 IBC Performing Structural Plan Reviews: approved
3rd course: 2015 IRC Performing Residential Building Inspections: approved
4th course: 2015 IRC Performing Residential Mechanical Inspections: approved
5th course: 2015 IRC Performing Residential Plan Reviews: approved
6th course: 2015 IRC Performing Residential Plumbing Inspections: approved
7th course: Building Department Financial Management: approved
8th course: Building Department Human Resources Management: approved
9th course: Ethics in Public: approved
10th course: Fire & Life Safety Institute: approved
11th course: Increasing the Credibility of the Code Official: approved
12th course: Permit Technician Institute: approved
13th course: When Disaster Strikes Institute: approved

JC CODE & CONSTRUCTION CONSULTANTS INC
2nd course: Fair Housing under the FBC – Accessibility: approved
3rd course: FRC Fuel Gas Fundamentals: approved
4th course: FRC Mechanical Fundamentals Part I Chapters 12 – 14: approved
5th course: FRC Mechanical Fundamentals Part II Chapters 15 – 18: approved
6th course: FRC Plumbing Fundamentals: approved
8th course: OSHA 1926 Ladder Safety: approved
9th course: Townhouse Fire and Life Safety Provisions: approved

KELLEY KRONENBERG, P.A.
1st course: Interplay Among the Americans with Disabilities Act, the Family Medical Leave Act and Workers’ Compensation: denied
2nd course: When OSHA Comes Knocking: denied

KONING ENTERPRISES INC DBA CONTRACTORS INSTITUTE
1st course: Basic Building Energy Science – Classroom: approved
2nd course: Basic Building Energy Science – Online: approved
3rd course: Duct Pressurization – Online: approved
4th course: Duct Pressurization – Classroom: approved
5th course: Energy Saving Options – Classroom: approved
6th course: Energy Saving Options – Online: approved
7th course: Identifying Building Infiltration Areas – Classroom: approved
8th course: Identifying Building Infiltration Areas – Online: approved
9th course: Residential Energy Audits – Classroom: approved
10th course: Residential Energy Audits – Online: approved
11th course: Source of Building Air Infiltration – Classroom: approved
12th course: Source of Building Air Infiltration – Online: approved
13th course: Understanding House Pressurization – Classroom: approved
14th course: Understanding House Pressurization – Online: approved
15th course: Understanding Infiltration and Duct Leakage – Online: approved
16th course: Understanding Infiltration and Duct Leakage – Classroom: approved

MIKE HOLT ENTERPRISES INC
1st course: 2014 NEC Update Key Focus Grounding and Bonding: denied
2nd course: Business Skills: denied
3rd course: Understanding Low Voltage Systems: denied

NATIONAL ROOFING LEGAL RESOURCE CENTER (NRLRC)
1st course: Roofing Issues – Decks to Docks (RV-10835): approved

ONE EXAM PREP INC
1st course: Advertising: approved
2nd course: Broward County Chapter 9: approved
3rd course: Business Overhead: approved
4th course: Contracts: approved
5th course: Customer Service: approved
6th course: Entrepreneurship – Your Own Biz: approved
7th course: Financial Responsibility and Stability: approved
8th course: Hiring Employees and Initial Documentation: approved
9th course: Insurance: approved
10th course: Internet and Social Media: approved
11th course: Laws and Rules: approved
12th course: Successful Business Practices: approved
13th course: Wind Mitigation: approved
14th course: Workers’ Compensation: approved
15th course: Workplace Safety – OSHA: approved

REDVECTOR.COM INC
1st course: 2012 International Residential Code (IRC) Update (RV-10639): approved
11th course: 2015 International Fire Code Essentials – Site and Building Services (RV-10936): approved
14th course:  2015 International Residential Code Significant Changes (RV-10727): **approved**
15th course:  Concrete 1 Evaluation and Causes of Damage (RV-10957): **approved**
16th course:  Electrical and Arc Flash Hazards (RV-10888): **approved**
17th course:  HVAC Refrigeration Essentials (RV-10825AW): **approved**
18th course:  Lead Safety in Construction Keeping you Safe and Compliant (RV-10952AW): **approved**
19th course:  Structural Insulated Panels (SIPs) (RV-10795AW): **approved**

ROETZEL & ANDRESSL P A
1st course:  C3: Construction, Contracts and Courts: **denied**

THE SEMINAR GROUP
1st course:  Construction Project Scheduling and delay Claims: **approved**

STAN WEAVER & CO
1st course:  Fire, Smoke and Radiation Dampers Used in Life Safety Applications: **approved**

ADDENDUM:

INTERNATIONAL CODE COUNCIL
1st course:  Legal Aspects of Code Administration: **approved**

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

RULES/PUBLIC/LEGISLATIVE COMMITTEE – ROY LENOIS

Mr. Dolan gave the following report:

61 G 4-15.001 Qualification for Certification
- Sent to OFARR 6/4/15
- Rule Development Published 6/12/15
- Notice Published 12/2/15
- Adopted language 12/15/15
- Tolled 2/5/16

61G4-15.032 Certification of Swimming Pool Specialty Contractors
- Sent to OFARR 9/24/15
- Rule Development Published 10/2/15
- Notice Published 3/4/16

61G4-12.011 Definitions
- Sent to OFARR 12/4/15
- Rules Development Published 12/21/15

61 G 4-18.004 Approval of Continuing Education Courses
- Rule has been opened for Development
- Handout of language provided and approved by Board
With nothing further to report the board voted to approve this report.

RECOVERY FUND COMMITTEE – Rick Kane

Mr. Kane gave the following report:

Talerico vs. Farinella; Claim No. 2015-029836 (continued from January) - $16,085.00
Richards vs. Wilmot; Claim No. 2015-031392- $50,000.00
Wiener vs. Beeler; Claim No. 2015-032092- $19,521.29
Pursell, vs. DiSimone; Claim No. 2015-050207- 90 day continuance

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

OLD BUSINESS
Removal of old materials from laptop.

NEW BUSINESS
With no further business the meeting was adjourned at 11:00am.