FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

One Ocean 1 Ocean Blvd Atlantic Beach, FL 32233 904.249.7402

August 13, 14 – 16, 2019

MEETING MINUTES

Approved January 10, 2020

Board Members Present

Aaron Boyette, Vice Chair Frank Cawthon Donald Cesarone Brian Donovan James "Jim" Evetts Mario Famada Ted Feaster Rick Kane Edgar Laney Robert Maphis Edward McCullers Michael Strickland Rachelle Wood

Board Members Absent

Keith Lawson, II, Chari William "Brian" Cathey

Others Present

Dan Biggins, Executive Director, DBPR
Donald Shaw, Senior Management Analyst Supervisor, DBPR
Aimee Odom, Government Analyst, DBPR
lan Brown, Chief Construction Attorney, DBPR
Sally Raines, Deputy Chief Construction Attorney, DBPR
Jim Burkhart, Assistant Construction Attorney, DBPR

<u>ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II</u>

Division II Board members met for Additional Business Entities Review on August 15, 2019 from 2:00-3:00 pm. Mr. McCullers led the meeting. Of the 20 applications on the agenda, 8 were approved, 3 were approved contingent, 4 were denied, 3 were continued, 2 were pulled, and 0 were withdrawn.

APPROVED (8)

Ferrara, Michael Goas, Ramon de Jesus Jemison, Shawn Polk, Stephen Taboada, Wilmer Vilau, Manuel Wolf, William Wolf, William

APPROVED CONTINGENT (3)

Berry, Jerry Jaehne, Patrick Toffanello, Giuliano

DENIED (4)

Campello de Longo, Romina Gonzalez, Ricardo Gresham, Matthew Watts, John

CONTINUED (3)

Amoedo, Julio – 180 day continuance Messner, Kim – 30 day continuance Pop-Buia, Pavel – 60 day continuance

PULLED (2)

Kantor, Ori Masiero, Mark

WITHDRAWN (0)

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on August 15, 2019 from 3:00 – 4:07pm. Mr. Cesarone led the meeting. Of the 31 applications on the agenda, 7 were approved, 1 was approved contingent, 8 were denied, 9 were continued, 3 were pulled, and 3 were withdrawn.

APPROVED (7)

Crowder, Edwin Jamieson, Calmore Langford, William Liller, David Marco, Harvey Moayer, Sassan Pointek, Carrie

APPROVED CONTINGENT (1)

Antolchick, James

DENIED (8)

Contreras, Alvaro Davis, Lanell Gillis, Kevin Lobo, Marielo Moreno, Randelier Pace, Justin Rodriguez, Jose Wensel, Nicholas

CONTINUED (9)

Diaz, Ariel – 30 day continuance
Dotson, Perry – 90 day continuance
Eisner, Gerald – 60 day continuance
Loukili, Sidi – 30 day continuance
MacFawn, Joseph – 30 day continuance
Maldonado, Elma – 60 day continuance
Ohlstein, Joseph – 60 day continuance
Triana, Eduardo – 30 day continuance
Wickens, Dennis – 1 year continuance

PULLED (3)

Barfield, Kevin Greene, James Terrell, Dana

WITHDRAWN (3)

Carrigan, Shane Ramirez, Omar West, William

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

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on August 15, 2019 from 1:30–2:40pm. Mr. Cawthon led the meeting. Of the 53 applications on the agenda, 27 were approved, 6 were approved contingent, 7 were denied, 10 were continued, 2 were pulled, and 1 was withdrawn.

APPROVED (27)

Adler, David

Calabrese, Robert

Carrasquillo, Edwin

Fernandez Villegas, Adriana

Garner, Bobby

Garrett, Britt

Jaynes, K. Edward

Kibbe, Alan

Manrique Urdaneta, Pedro

Marotta, Frank

Mentkow, Jake

Mills, Ryan

Murphy, Thomas

Olson, Frederick

Parker, Christopher

Pittman, Dan

Polk, Stephen

Rigsby, William

Robles, Ruby

Salinas Cervantes, Jesus

Smith, Phillip

Sulvaran, Jose

Weber, Andrew

Westberry, Gregory

Whitmer, Michael

Wilson, Christopher

Wolf, William

APPROVED CONTINGENT (6)

Berry, Jerry

Gardner, Brandon

Hotary, Nathan

Igou, Devon

Moreno, Robert

Stern, Craig

DENIED (7)

Bridges, Gary

Briones, Luis

Lehman, Andrea

Lichwala, Conrad

Olimpiyuk, Anatoliy

Tapper, Claudius

Vichot, Michael

CONTINUED (10)

Ables, Jason -180 day continuance Davis, David – 60 day continuance Gomez, Doris – 60 day continuance Kipnis, Donald – 90 day continuance Londeree, Robert – 60 day continuance Lubarsky, Jonathon – 30 day continuance Nagy, Jozsef – 180 day continuance Reutlinger, Adolfo – 30 day continuance Rionda, Carlos – 30 day continuance Schneider, Carl – 60 day continuance

PULLED (2)

Kantor, Ori Thompson, Timothy

WITHDRAWN (1)

Souto, Armand

<u>APPLICATION REVIEW DIVISION I</u>

Division I Board members met for Application Review on August 15, 2019, from 2:48 – 3:53p.m. Mr. Evetts led the meeting. Of the 23 applications on the agenda, 5 were approved, 2 were approved contingent, 3 were denied, 7 were continued, 5 were pulled, and 1 was withdrawn.

APPROVED (5)

Barber, Teric – *Downgrade to CRC*McPherson, Kyle
Nacer, Adam
Nicodemus, Joshua
Wirth, James – *Downgrade to CBC*

APPROVED CONTINGENT (2)

Avellan, Alberto Beck, John

DENIED (3)

Bodzy, Lyon Dalca, Alexandru Fishman, Steven

CONTINUED (7)

Estis, Thuy – 30 day continuance Linn, Chad – 90 day continuance Osika, Aleksandra – 90 day continuance Turner, Hugh – 180 day continuance Whitson, Brennan – 180 day continuance Wilcox, Laurie – 180 day continuance Woods, Michael – 30 day continuance

PULLED (5)

Barfield, Kevin

Hammock, Jason Ondra, Tomas Rios, Miguel Showalter, Robert

WITHDRAWN (1)

Aranda, Dieter

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

Division II Board members met for Final Action on August 15, 2019, from 9:19am – 9:35am. Mrs. Wood led the meeting.

Case #(s): 2018038542 Robert Allard, Jr.

License #(s): CPC13782

2608 Castilla Isle

Ft. Lauderdale. FL 33301

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 \$258.35 Present with counsel at hearing

Case #(s): 2017051714
Kathy Browning

License #(s): CAC57104, CAC1816895

3601 Bessent Rd. Jacksonville, FL 32218

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$1,500 and costs of \$267.52

Present at hearing

Case #(s): 2019003292 Colby Van Cooper Fisher License #(s): CCC1331186 616 N. Bronough Street Tallahassee, FL 32301

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$3,500 and costs of \$496.77

Not present at hearing

Case #(s): 2018001633

Aftene lacob

License #(s): CCC1327622

4404 Tevalo Dr. Valrico, FL 33596

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 \$136.11 Not present at hearing

Case #(s): 2018019979

Eric Rodriguez

License #(s): CMC120591, CMC1249973, CFC1428381

7550 W 2nd Ct. Hialeah, FL 33014 Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$8,000 and costs of \$226.60

Not present at hearing

Case #(s): 2018055371

Taylor, Damon

License #(s): CCC1327731

1440 N River Road Halifax, PA 17032

PULLED

Case #(s): 2018060382

Taylor, **Damon**

License #(s): CCC1327731

1440 N River Road Halifax, PA 17032

PULLED

Case #(s): 2018062152

Taylor, Damon

License #(s): CCC1327731

1440 N River Road Halifax, PA 17032

PULLED

Case #(s): 2018003488
John Howard Wescott
License #(s): CCC58313
4412 Amberwood Circle

Pace, FL 32751 Revocation

Pay administrative fines in the amount of \$26,000 and costs of \$357.78

Division I & II Board members met for Final Action on August 15, 2019, from 9:49am – 10:06am. Mrs. Wood and Mr. Boyette led the meeting.

Case #(s): 2018020176 William Bruce Earl, III

License #(s): CCC1217511, CGC58131

2807 Duke Lane

Delray Beach, FL 33445

Revocation

Pay administrative fines in the amount of \$10,000 and costs of \$98.87

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Present at hearing

Case #(s): 2018033588 Kevin Wayne Hensley

License #(s): CBC1256525, CCC1330001

1951 Ocean Drive South, Unit 1A Jacksonville Beach, FL 32250

Probation for 2 years

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 \$355.97

Present at hearing

Case #(s): 2018023456 Patrick Lambeth

License #(s): CGC1506447, CFC1427619, CMC42546

9810 East US Hwy 92 Tamoa, FL 33610 Probation for 2 years

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 \$181.28

Present at hearing

Case #(s): 2017025979

Ezzard Matute

License #(s): CGC31508, CCC1327978, CFC1427616, CMC1239932

12985 Tangerine Blvd. West Palm Beach, FL 33412

Probation for 2 years

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 \$485.37

Counsel present at hearing

Division I Board members met for Final Action on August 15, 2019, from 10:07am – 10:31am. Mr. Boyette led the meeting.

Case #(s): 2017048531

Charles Burke

License #(s): CGC1515702 5003 Twin Pine Drive Plant City, FL 33566 Probation for 4 years

7 hours additional live Continuing Education w/emphasis on Financial Management

Pay administrative fines in the amount of \$10,500 and costs of \$101.00

Present at hearing

Case #(s): 2018026002

Thomas Ondra

License #(s): CBC1256282

50 S. Pace Blvd.

Pensacola, FL 32502

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$3,000 and costs of \$286.19 Present with counsel at hearing

Case #(s): 2018023661

Joseph Vann

License #(s): CGC1511042
4460 Hodges Blvd., Apt. 716
Jacksonville, FL 32224
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 \$235.10

Present at hearing

Case #(s): 2017004634 Kalvin Weathersby

License #(s): CGC1524005, CGC1512142

1007 Davis Drive Tampa, FL 33619 Voluntary Relinquish

Restitution to claimants listed in Final Order

Pay administrative fines in the amount of \$45,500 and costs of \$638.92

Not present at hearing

Division II Board Members convened for Probation on August 15, 2019, from 8:30am— 9:05am. Mr. McCullers led the meeting.

PROBATION

CHAVEZ, ROBERTO, CCC1330086

Result: Satisfactory

EILBERG, HERMAN, CCC1331230

Result: Satisfactory

FARRIS, MIKE, CCC058245

Result: Satisfactory

GUERRERO, MARCO, CCC1331081

Result: Satisfactory

HEDAYAT, ARMAN, CCC048173

Result: Satisfactory

MANNING JR., WILLIAM P., CCC1329522

Result: Satisfactory

SACCONE, II, JOHN, CAC1817047

Result: Satisfactory

WATSON, SHERRIED, CMC1148033

Result: Satisfactory

WOLBER, DALE, CPC1457953

Result: Satisfactory

STAYS OF SUSPENSION TO BE LIFTED:

COOK, BRANDON - CAC1817608

Result: 6 Month Continuance

LAWHORN, DONALD - CAC1814489

Result: PULLED

MARTIN, MICHAEL - CCC56884, CCC1331256

Result: PULLED

TELLEZ, LEXTER - CFC1429335

Result: PULLED

WARHURST, MATTHEW - CAC1817612, CAC1819209

Result: Stay Lifted

Division I Board Members convened for Probation on August 15, 2019, from 10:37am- 11:03am. Mr. Strickland led the meeting.

BRAVERMAN, JONATHAN, CGC1518201

Result: Satisfactory

CHAVEZ, ROBERTO, CGC1518468

Result: Satisfactory

CONNER, STEPHANIE, SCC131149884

Result: Satisfactory

COSTIN, CHARLES, CGC61027

Result: Satisfactory

EILBERG, HERMAN, CGC1525449 Result: Satisfactory – Early Termination

FARRIS, MIKE, CGC062496

Result: Satisfactory

GUERRERO, MARCO, CGC1505860

Result: Satisfactory

HEDAYAT, ARMAN, CRC035325

Result: Satisfactory

ISELIN, PHILIPSE, CGC062205 Result: Satisfactory Contingent

KING, RICARDO, CBC1261840

Result: Satisfactory

LAVADO, EDELSO, CGC1515049

Result: Satisfactory

MANNING JR. WILLIAM P., CBC1252962

Result: Satisfactory

MOCK, JUSTIN, CGC1508123

Result: Satisfactory

OQUENDO, KEISY, CGC1518854

Result: Satisfactory

PASCALE, MICHAEL, CGC1505689

Result: Satisfactory

RODRIGUEZ, EDUARDO, CGC002283 Result: Satisfactory – Early Termination

SEMBIANTE, ROBERTO, CGC1506057

Result: Satisfactory

SILAS, PATRICK, CBC1254328 Result: Satisfactory Contingent

UDOVIK, OLEG, CRC1331614

Result: Satisfactory

REINSTATE PROBATION:

KNIGHTEN, LISA - CBC1256809

Result: Reinstated

MINARDI, JOSEPH - CBC1254893

Result: Reinstated

STAY OF SUSPENSION TO BE LIFTED:

CHATMAN, MARIO - CGC1514617

Result: Already Suspended for Failure to Comply

KORMAN, JONATHAN - CRC1330315

Result: PULLED

MARTIN, MICHAEL - CBC59289, CBC1261823

Result: PULLED

GENERAL SESSION

The meeting was called to order by Mr. Lawson, at 9:03am. Mr. Boyette gave the Invocation. Mr. Lawson led the Pledge of Allegiance.

REVIEW OF MEETING MINUTES

Meeting Minutes for May 2019 meeting – approved

EXECUTIVE DIRECTOR'S REPORT – Daniel Biggins

Mr. Biggins requested the Board excuse absences for the following board members:

- Mr. Cathey
- Mr. Lawson

Mr. Biggins introduced Mario Famada, the recently appointed board member, who was appointed to sit in the previously vacant roofing contractor position.

Mr. Biggins introduced Mr. Norman from the Department of Education. Mr. Norman presented information to the Board regarding the Department of Education's apprenticeship programs. Mr. Biggins thanked Mr. Norman and requested the Board open a rule for development that would allow applicants in apprenticeship programs to use their experience in said program to count towards meeting the requirements for licensure. Mr. Biggins presented a preliminary draft of proposed rule language. After discussion, the Board voted unanimously to open a rule for development. Mr. Biggins thanked the Board and suggested the Board's counsel would work with the Department of Education to refine the rule language to suit their requirements and would present it to the Board at a future meeting.

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

CHAIRMAN'S REPORT -Keith Lawson

The Board Chair had nothing to report.

PROSECUTING ATTORNEY'S REPORT - Ian Brown

Mr. Brown gave the following report:

For the month of June 2019, the overall license activity case load was 1741, up from 1693 in May of 2019, and up from 1174 in June of 2018.

There were 676 cases currently in Legal to be reviewed, 602 cases awaiting PC Panel/ Initial Review Completed, 7 cases set for probable cause, 80 cases where probable cause had been found/administrative complaints filed, 0 settlement stipulation approved, 10 informal hearings requested,

0 cases were awaiting outside action, 40 cases ready for default, 142 formal hearings requested, 0 cases referred to DOAH, 6 cases in settlement negotiations, 0 case pending board date, 90 cases set for board presentation, 64 cases awaiting final orders, 0 cases under appeal and 0 cases had been reopened.

For the month of May 2019, 173 cases were closed.

Mr. Brown also recognized Investigator Lemery, who was present in the audience and Ms. Sally Raines from the Office of General Counsel for their continuous hard work and dedication.

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

ATTORNEY GENERAL'S REPORT – Tom Barnhart

ARONOW, DAVID - REQUEST FOR INFORMAL HEARING

Mr. Aronow was present with Counsel.

Mr. Barnhart presented this case stating Mr. Aronow's application for a Certified Pool/Spa Contractor's license was denied at the June 2019 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 July of 2019. Mr. Aronow timely requested board reconsideration.

After discussion, the board voted to vacate the previous denial and approve the application as a Certified Pool/Spa Specialty License.

BENZIGER, TRISTAN - REQUEST FOR INFORMAL HEARING

Mr. Benziger was present with Counsel.

Mr. Barnhart presented this case stating Mr. Benziger's application for a Certified Roofing Contractor's license was denied at the May 2019 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 April of 2019. Mr. Benziger timely requested board reconsideration.

After discussion, the board voted to vacate the previous denial and allowed the applicant to withdraw the application.

BUTLER, MICHAEL E. – REQUEST FOR INFORMAL HEARING

Mr. Butler was present.

Mr. Barnhart presented this case stating Mr. Butler's application for a Certified Air Conditioning Contractor's license, Class B was denied at the March 2019 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 September of 2019. Mr. Butler timely requested board reconsideration.

After discussion, the board voted to vacate the previous denial and approved the application.

DAVIS, ANNA - REQUEST FOR INFORMAL HEARING

Ms. Davis was present.

Mr. Barnhart presented this case stating Ms. Davis' application for a Certified General Contractor's license was denied at the March 2019 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 and the applicant is currently under investigation or prosecution in a jurisdiction for an action that would constitute a violation of this chapter or the professional practice acts administered by the Department and the boards, contrary to section 455.213(3),F.S. The Notice of Intent to Deny was filed in April of 2019. Ms. Davis timely requested board reconsideration.

After discussion, the board voted to uphold the denial.

LEVY, ALON - REQUEST FOR INFORMAL HEARING

Continued 60 days.

SCHOLLENBERGER, ANDREW - REQUEST FOR INFORMAL HEARING

Mr. Schollenberger was present.

Mr. Barnhart presented this case stating Mr. Schollenberger's application for a Certified General Contractor's license was denied at the February 2019 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 March of 2019. Mr. Schollenberger timely requested board reconsideration.

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

MORGAN, JEFFREY - REQUEST FOR RECONSIDERATION

Mr. Morgan was present.

Mr. Barnhart presented this case stating Mr. Morgan's application to qualify SGM Building Group, Inc. as an additional business was approved contingent at the July 2019 meeting of the Board. The Notice of Intent to Approve with Conditions was filed in August of 2019. Mr. Morgan timely requested board reconsideration.

After discussion, the board voted to vacate the previous order and to extend the condition for approval to one year.

MORGAN, JEFFREY - REQUEST FOR RECONSIDERATION

Mr. Morgan was present.

Mr. Barnhart presented this case stating Mr. Morgan's application to qualify Krehling Construction Services as an additional business was approved contingent at the July 2019 meeting of the Board. The Notice of Intent to Approve with Conditions was filed in August of 2019. Mr. Morgan timely requested board reconsideration.

After discussion, the board voted to vacate the previous order and grant the license with no conditions.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE - Ted Feaster

Mr. Feaster gave the following report:

AAA CONSTRUCTION SCHOOL, INC.

1st course: Florida Building Code Endorsement Course (Online): **approved** 2nd course: Florida Building Code Endorsement Course (Classroom): **approved**

AZS CONSULTIN, INC.

1st course: Commercial Energy Code Enforcement for Mechanical Applications and Plumbing

Provisions: approved

BOSS CONSTRUCTION SCHOOL

1st course: Online Swimming Pool Electrical Safety: approved

2nd course: Swimming Pool Electrical Safety: approved

CONSTRUCTION ESTIMATING INSTITUTE:

1st course: 14 Hour Complete Continuing Education Course: approved

2nd course: 14 Hour Complete Online Continuing Education Course: approved

CONSTRUCTION SPECIFICATIONS INSTITUTE:

1st course: Managing Condensation, Water, Intrusion, and Energy In the Real World: **denied**

2nd course: Rust-Oleum How to Treat Concrete: **denied**

CONTRACTORS CONTINUING EDUCATION

1st course: Pool Electrical Requirements: approved

EDUCATION TRAINING INSTITUTE:

1st course: Basic Mathematics: approved

2nd course: Electronic Licensing for 2018 Renewals & Other Changes: approved

3rd course: ELSS Highrise and 61G4-15 Challenges: approved

4th course: Fire Flow and Demand: approved

5th course: FL Fire Prevention Code 5th Ed-Fire Protection Contractor: **approved**

6th course: Go With the Flow: approved

7th course: Inspection Procedures: approved

8th course: Underground Fire Protection: approved

9th course: Worker's Compensation: approved

FLORIDA IRRIGATION SOCIETY, INC.:

1st course: Are You Paying Your Employees the Correct Overtime Pay: **approved** 2nd course: Communication & Collaboration- Successful Irrigation: **approved**

3rd course: Irrigation Equipment Technical Update: approved

FLORIDA POOL & SPA ASSOCIATION DBA FLORIDA SWIMMING POOL ASSOCIATION:

1st course: DOH Inspection and Explanation of Code References: approved

GULFSHORE INSURANCE, INC.

1st course: OSHA 10: **denied**

JADE LEARNING, LLC:

1st course: 2018 International Mechanical Code: approved

2nd course: Electrical Safety (NFPA 70E): **approved** 3rd course: Florida Business Statutes: **approved**

4th course: Residential HVAC Systems Replacements: approved

5th course: Worker's Compensation: **approved**

JC CODE & CONSTRUCTION CONSULTANTS, INC.:

1st course: 2017 Advanced Training-Impact Protection Under the FBC: approved

2nd course: Roof Trusses Under the FBC: **approved**

REDVECTOR.COM, INC.:

1st course: Construction Project Management- Project Coordination: **approved**

2nd course: Construction Project Management- Project Cost System: approved

3rd course: Construction Project Management- Project Financial Management: approved

4th course: Construction Project Management- Project Scheduling Applications: **approved**

5th course: Construction Project Management- Resource Management: **approved**

6th course: Electrical Fire Alarm Systems: approved

7th course: Florida- Wind Design and Wind Mitigation Requirements: approved

OLD BUSINESS

Current CIU Criminal Guidelines

HB7125- Criminal History/Records List

Removal of old materials from laptops.

NEW BUSINESS

With no further business the meeting was adjourned at 10:13am.