FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

The Orlando Marriott Lake Mary 1501 International Parkway Lake Mary, FL 32746 407.995.1100

September 13, 14-16, 2016

MEETING MINUTES
Approved October 14, 2016

Board Members Present

Andrew Allocco
James "Jim" Evetts, Chair
Ted Feaster
Rick Kane
Albert Korelishn
Keith Lawson, II
Roy Lenois
Robert Moody
Mark Strickland
Scott Thomason
Jackie Watts
Rachelle Wood

Board Members Absent

Aaron Boyette (excused)
Hector Castro (unexcused)
William "Brian" Cathey (unexcused)
Christopher Cobb, Vice Chair (excused)
William Sheehan (excused)
Jason Wolf (unexcused)

Others Present

Dan Biggins, Executive Director, DBPR
Amanda Wynn, Senior Management Analyst Supervisor, DBPR
Aimee Odom, Government Analyst I, DBPR
Donald Shaw, Government Analyst II, DBPR
Brian Lynch, Regulatory Consultant, DBPR
Rachel Clark, Legal Advisor, AGO
Robert Milne, Legal Advisor, AGO
lan Brown, Prosecuting Attorney, DBPR
Kelly Wright, Assistant Attorney, DBPR
Kimberly Murray, Assistant Attorney, DBPR

ADDITIONAL BUSINESS ENTITIES REVIEW

Division II Board members met for Additional Business Entities Review on September 14, 2016 from 2:02 – 3:11pm. Mr. Lawson led the meeting. Of the 17 applications on the agenda, 8 were approved, 3 were continued, 4 were denied, 1 was withdrawn and 3 was pulled.

APPROVED (8)

Hayden, Keith Kaplan, Steven B. King, Aaron P. King, Donald P. Leiva Jr., Wilfredo Merckle, Noah J. Saoud, Raja E. Sapp, Marty K.

CONTINUED (3)

Bendana, Ricardo- 30 day continuance Gillim, Jonathon L. – 60 day continuance Zrallack, Robert J. – 30 day continuance

DENIED (4)

Chapman, Blake J. Chitarath, David DePrenger, Benjamin M. Gomez, Doris E.

WITHDRAWN (1)

Bray, Ryder N.

PULLED (1)

Colley, Larry A.

ADDITIONAL BUSINESS ENTITIES COMMITTEE MEETING

Division I Committee members met for Additional Business Entities Review on September 15, 2016, from 1:43 – 3:34pm. Mr. Kane led the meeting. Of the 41 applications on the agenda, 20 were approved, 9 were approved contingent, 7 were continued, 4 were denied, and 1 was withdrawn.

APPROVED (20)

Bayless, Howard D.
Brown, Louis S.
Cortez Jr., Allen J.
Dallacosta, Daniel R.
Davis, Daniel R.
Hubbard, Todd D.
Ilcken, Edwin

King, Donald P.
Klein, Jason G.
Leiva Jr., Wilfredo
Lopez, Dennis E.
Lowenberg Jr., Craig L.
Merckle, Noah J.
Merlano, Alejandro L.
Munyan, Daniel R.
Racine, Dale A.
Ritter Jr., Michael M.
Romanchuk, Ryan
Soash, Curtis J.
Stasinos, Christos E.

APPROVED CONTINGENT (9)

Berntsen, Bryan F.
Collis, Richard B.
La Rocca, Luigi
Mucenic, Ricardo
Parrish, Michael C.
Peyton, Jamey L.
Schonfeld, Leonard A.
Wood, Zhon P.
Zaden, David N.

CONTINUED (7)

Balbi, Hilda M. - 30 day continuance Blackburn, Kirk A. - 120 day continuance Chapman, Blake J. - 60 day continuance Clark, Wendy J. - 60 day continuance Dyer, William F. - 120 day continuance Foster, James D. - 60 day continuance Sieckhaus, Steven R. - 120 day continuance

DENIED (4)

Austin, Shawn L. Gosselin, Yvan P. Meena, Scott A. Stern, Eric J.

WITHDRAWN (1)

Hustus, Bruce

APPLICATION REVIEW

Division II Board members met for Application Review on September 14, 2016, from 3:21 – 4:59pm. Ms. Watts led the meeting. Of the 28 applications on the agenda, 10 were approved, 1 was continued, 7 were denied, 2 were pulled and 4 were withdrawn.

APPROVED (10)

Barreto, Luis G.

Fuentes, David

Howell, Brian W. - downgrade to Class B AC Contractor's license

Koch Sr., Jason M.

Maynard, Matthew

Montano, David S.

Soucy Jr., Philippe

Whittaker, Ryan C.

Wilson, Derek H.

Young, Rickey B.

CONTINUED (1)

Wernicke, Paul T. – 60 day continuance

DENIED (7)

Angerhofer, Richard L.

Barrett, Richard J.

Coats, Michael K.

De La Mora, Michael A.

Fernandez, Hector L.

Genaro, Yanelis

Holtsinger, Michael G.

PULLED (2)

Holsbeke, Robert A.

Monteau, Gregory C.

WITHDRAWN (4)

Cordier, Robert E.

Ozard, Scott W.

Sexton, Ronald L.

Wilson Jr., Albert

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

APPLICATION REVIEW COMMITTEE MEETING

Division I Committee members met for Application Review on September 15, 2016, from 3:51–5:21p.m. Mr. Evetts led the meeting. Of the 26 applications on the agenda, 14 were approved, 4 were continued, 1 was pulled, and 2 were withdrawn.

APPROVED (14)

Atkinson, Donald J. - downgrade to CBC

Bell, Roger H.

Blanton Jr., Larry C.

Gray, Joseph F. – as amended specialty structure

Hagen, David M. Jones, Michael D. Miller, Christopher S.

Morris, David M.

Pagnucco Jr., Ralph F. - downgrade to CBC

Peterkin Jr., Daniel G.

Richter, Paul M.

Simons, Larry A. - as amended to Residential

Spill, Toby L.

Thermes, Marcus C.

CONTINUED (4)

Decelles, Eric N. – 60 day continuance Joseph, John A. – 30 day continuance Levine, Daniel A. – 60 day continuance Pryor Jr., Eligha L. – 60 day continuance Grimm, Jennifer L.

PULLED (1)

Campagnolo Jr., Roger J.

WITHDRAWN (1)

Ouellette, Kevin D. Schillaci, Leonard J.

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

Division I Board members met for Final Action on September 15, 2016 from 8:33am- 9:16am. Mr. Evetts led the meeting.

Case #(s): 2016014404 JOSE C. ALVAREZ

License #(s): CGC1516851

P.O. BOX 831471 MIAMI, FL 33283

Restitution in the amount of \$31,443.31 SATISFACTION OF CIVIL JUDGMENT

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative costs of \$59.21

Not Present

Case #(s): 2015019027 SALVATORE D. ANNESE

License #(s): CGC6142, CGC1106142/CGCA6142

9510 BISCAYNE BLVD. MIAMI SHORES, FL 33138

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 \$170.41 Not Present

Case #(s): 2015043584

GEORGE DOUGLAS III ATKINS

License #(s): CBC1255971 206 MORNINGSIDE AVE. LADY LAKE, FL 32159 Probation for 2 years

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 \$219.58 Not Present

Case #(s): 2015013683

PHILIP NATHANIEL BLAKE-LAWRENCE

License #(s): CBC1251090 8171 112TH TERRACE NORTH WEST PALM BEACH, FL 33412

Pay administrative fines in the amount of \$12,500 and costs of \$248.49

Present w/ Counsel

Case #(s): 2013038631 **CHARLES BOYD**

License #(s): CGC12754 174 NORTH ATLANTIC AVE. COCOA BEACH, FL 32931

PULLED

Case #(s): 2014042580, 2014053106, 2015001825, 2015003367

JAMES L. FIFE

License #(s): CBC1252527 **405 BOLENDER STREET** PUNTA GORDA, FL 33982 **VOLUNTARY RELINQUISHMENT**

Pay administrative fines in the amount of \$70,000 and costs of \$1,416.51

Not Present

Case #(s): 2016024768

LASZLO ISTVAN HARANGOZO

License #(s): CGC59782 2820 WEST BAY AVE. TAMPA, FL 33611 60 day continuance

Present

Case #(s): 2015028394 CAMILO MEJIA

License #(s): CGC1508327

1101 SW 18TH CT.

FT. LAUDERDALE, FL 33315

Restitution in the amount of \$7,963.04

Probation for 4 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$4,000 and costs of \$55.86

Present w/ Counsel

Case #(s): 2016003166 FRANK SORRENTINO

License #(s): CBC1258275 212 BEECHWOOD LANE PALM COAST, FL 32137

Restitution in the amount of \$1,500

Probation for 6 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$13,000 and costs of \$85.42

Not Present

Case #(s): 2016022343 HUGO VILLABONA

License #(s): CGC1512478 11335 SW 74TH LANE MIAMI, FL 33173

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 \$32.7

Not Present

Division I & II Board members met for Final Action on September 15, 2016, from 9:16am–10:16am. Mr. Evetts and Mr. Moody led the meeting.

Case #(s): 2015015768 JOSHUA L. ALBERTIE

License #(s): CBC1258694, CCC1329061 7965 AMANDAS CROSSING DR. WEST

JACKSONVILLE, FL 32244
Probation for 2 years

Probation for 2 years

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 \$382.82

Not Present

Case #(s): 2016004676 CHRISTOPHER BARRASS

License #(s): CPC1458305, CGC1504788, CCC1325949

3855 NW 124TH AVE.

CORAL SPRINGS, FL 33065

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Rejected Stip: Case Dismissed

Present

Case #(s): 2015034848 MAURICIO CORREDOR

License #(s): CCC1328145, CGC1513259

11865 SW 26TH ST, STE. J-7

MIAMI, FL 33175

Restitution in the amount of \$

Present w/ Counsel

Case #(s): 2015045953

RAYMOND FOX

License #(s): CBC1253545, CMC056844

647 POINSETTIA RD. BELLEAIR, FL 33756

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$1,000 and costs of \$229.24

Present

Case #(s): 2015047739 STEPHEN J. SIEGEL License #(s): FRO3316

880 SOUTH ANDREWS AVE. POMPANO BEACH, FL 33069

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 \$38.88

Not Present

Case #(s): 2015016657 CODY R. VANDEGRITT

License #(s): FRO6516

8615 COMMODITY CIRCLE, STE. 2

ORLANDO, FL 32819

REVOCATION

Restitution in the amount of \$103,543.83 SATISFACTION OF CIVIL JUDGMENT

Pay administrative costs of \$734.74

Not Present

Division II Board members met for Final Action on September 15, 2016, from 10:17am-11:33am. Mr. Moody led the meeting.

Case #(s): 2015014520

MARK HETZEL

License #(s): CPC1458335 5431 NW 15th Street, Unit 10

Margate, FL 33063 30 day continuance

Not Present

Case #(s): 2015034394 KHEMRAJ SHIVMANGAL License #(s): CAC1817739

8815 CONROY WINDERMERE RD., STE. 165

WINDERMERE, FL 32835

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 \$305.18 Not Present

PROBATION

Division II Board Members convened for Probation on September 15, 2016 from 10:49am – 11:33a.m. Mr. Korelishn led the meeting.

BLESSITT, KEVIN - CCC1330602

Result: Satisfactory

BOOKHARDT, ALDON – CCC57655

Result: Satisfactory

BRYANT, TED L. – CCC1325922

Result: Satisfactory

HAMM, JR., TOMMY - CCC1328518

Result: Unsatisfactory

HIGGINS, JASON L. - SCC131151285

Result: Satisfactory

MYERS, HAROLD J. - CFC1428321

Result: Satisfactory

PYBUS, ROBERT - CAC1817420

Result: Satisfactory

REEVES, TIMOTHY - CAC1816451

Result: Satisfactory

SCARDINA, JAMES - CCC57964

Result: Satisfactory

Stays of suspension lifted

DEEKMAN, DAN - CCC1328830

Result: Stay Lifted

MUNROE, DUNCAN - CCC57622

Result: Stay Lifted

WESCOTT, JOHN HOWARD – CCC58313

Result: Continued to next appearance

Division I Board Members convened for Probation on September 15, 2016 from 1:00 – 1:31pm. Mr. Sheehan led the meeting.

ANNUNZIATA, STEVEN - CGC25623

Result: Satisfactory

BARNEY, GARRETT - CRC1331024

Result: Satisfactory

BLANCO, MANUEL ENRIQUE – CGC1513249

Result: Satisfactory

BOOKHARDT, ALDON - CGC1505081

Result: Satisfactory

BURNS, BRIAN - CGC20464

Request to reinstate probation

Result: Denied

CALZON, BENNY - CGC1514577

Result: Satisfactory

CHECHO, ROBERT C. – CBC40782

Result: Satisfactory

CORREA, JUAN PABLO - CGC1520504

Result: Satisfactory

DAVIS, JOEL - CGC1519612

Result: Satisfactory

FORREST, LINDA - CGC49650

Result: Satisfactory

GANNAWAY, GUY - CGC1508012

Result: Satisfactory

GREENE, CRAIG - CGC1505891

Result: Satisfactory

HAMM, JR., TOMMY EARL - CGC1520176

Result: 180 day continuance

HAMM, JR., TOMMY EARL - CGC1520715

Result: Satisfactory

HOOKER, JEFFREY - SCC131151627

Result: Satisfactory

SANDERS, JC - CGC1511678

Result: Satisfactory

VALLADARES, JOSE – CGC 1511678

Result: Satisfactory

GENERAL SESSION

The meeting was called to order by Jim Evetts, at 9:00am. Mr. Lenois gave the Invocation. Mr. Strickland led the Pledge of Allegiance.

EXECUTIVE DIRECTOR'S REPORT – Daniel Biggins

Mr. Biggins gave the following report: CILB Complaint Summary

Mr. Biggins requested the Board excuse absences for the absent board members and the Board voted to take each absence individually (see results on page 1)

The Board requested that Mr. Biggins provide an attendance report at the next meeting detailing board member attendance for the last year.

Mr. Biggins recognized former Board member Mary Layton, and provided her with a plaque for her time of service on the Board.

He would like to welcome our new Board member, Ted Feaster as well as new Board staff Donald Shaw.

Mr. Biggins announced this was Ms. Wynn's last meeting with the board, and would like to thank her for all of her time and dedication over the years with the Board.

Anti-Trust: Keeping an eye on the status of the insurance policy and will update the Board as soon as he has new information.

Mr. Biggins also announced that the joint CILB/ECLB meeting that will be held on October 28, 2016 in Daytona Beach, FL. Please be sure to make your reservations by September 27, 2016.

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

CHAIRMAN'S REPORT – Jim Evetts

Nothing to report

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 August 2016, the overall license activity case load was 1005, down from 1071 in July of 2016, and up from 638 in August of 2015.

There were 576 cases currently in Legal to be reviewed, 8 cases set for probable cause, 60 cases where probable cause had been found/administrative complaints filed, 1 settlement stipulation approved, 5 informal hearings requested, 0 cases awaiting outside action, 40 cases ready for default, 57 formal hearings requested, 2 cases referred to DOAH, 41 cases in settlement negotiations, 0 case pending board date, 24 cases set for board presentation, 61 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of August 2016, 133 cases were closed.

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

ATTORNEY GENERAL'S REPORT – Rachel Clark

JORGE E. FERNANDEZ - REQUEST FOR INFORMAL HEARING

Mr. Fernandez was not present.

Ms. Clark presented this case stating Mr. Fernandez's application for a Certified Plumbing Contractor's license, was previously reviewed and considered at the April 2016 meeting of the Board. The application was denied for failure to demonstrate the required experienced, pursuant to section 489.111, Florida Statute, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2016. Mr. Fernandez timely requested board reconsideration.

After discussion, the board voted to uphold the denial.

THOMAS J. FRACCACRETA - REQUEST FOR INFORMAL HEARING

Mr. Fraccacreta was not present.

Ms. Clark presented this case stating Mr. Fraccacreta's application to qualify Taylor Made Pool and Spa, LLC., was previously reviewed and considered at the February 2016 meeting of the Board. The application was denied for failure to demonstrate the required experienced, pursuant to section 489.111, Florida Statute, and Rule 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in June of 2016. Mr. Fraccacreta timely requested board reconsideration.

After discussion, the board voted to vacate the previous denial and approve the application contingent within 60 days.

JOHN ARTHUR JOSPEH - PETITION FOR VARIANCE & WAIVER

Mr. Joseph was not present.

Ms. Clark presented this case stating that Mr. Joseph filed a petition for Variance or Waiver on July 12, 2016. The petition was noticed in the Florida Administrative Register on August 10, 2016. Ms. Clark noted the petitioner asks the Board for a variance from or a waiver of four year duration of validity of examination scores.

After discussion: The board granted the petitioners request for a 30 day continuance.

RICHARD A. MINNICK – REQUEST FOR INFORMAL HEARING

Mr. Minnick was present

Ms. Clark presented this case stating Mr. Minnick's application for a Certified Roofing Contractor's license, was previously reviewed and considered at the May 2016 meeting of the Board. The application was approved contingent upon the following: the applicant shall provide his IRS service schedule K-1's for the last three years from Maxwell Urethane within sixty days of the date of the final order. Mr. Minnick timely requested board reconsideration.

After discussion, the board voted to uphold the denial.

NICHOLAS ZEMBA - REQUEST FOR INFORMAL HEARING

Mr. Zemba was present.

Ms. Clark presented this case stating Mr. Zemba's application for a Certified Roofing Contractor's license was denied at the March 2016 meeting of the Board for failure to demonstrate required experience, pursuant to Florida Statute 489.111 and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in June of 2016. Mr. Zemba timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Christopher Cobb

Mr. Cobb gave the following report:

AIR CONDITIONING CONTRACTORS ASSOCIATION OF NORTHWEST FLORIDA

1st course: Modern Refrigeration & Air Conditioning – Chapter 4: approved

AZS CONSULTING INC

1st course: Electrical Safety and the Florida Building Code 2014: approved

2nd course: Insulation and Installation: approved

3rd course: Site Energy Versus Source Energy in FBC 5th Edition 2014: approved

4th course: Understanding Basic Energy Definitions in the Florida Building Code 2014: approved

5th course: Windows and Day Lighting for Commercial Applications: approved

6th course: Window Basics for Energy Code Compliance: approved

BUILDING TRADES EDUCATION SERVICES LLC

1st course: Financial Responsibility 14 Hours: approved contingent

EDUCATION INSTITUTE OF FLORIDA

1st course: OSHA Recordkeeping Requirements: approved

FLORIDA POOL & SPA ASSOCIATION DBA FLORIDA SWIMMING POOL ASSOCIATION

1st course: Achieving Water Balance for Pools and Spas: approved

2nd course: Basic Electrical Requirements for Pools and Spas, 75 Minutes: approved

3rd course: Chlorine-free. Is it for Me? **approved**

4th course: Dealing with Difficult People: **approved**

5th course: Heat Pump Selection and Application: **approved**

6th course: Hydraulics for the Service Professional: approved

7th course: Installing and Managing Salt Chlorine Generators on Today's Equipment Pads: approved

8th course: Pool Service and Maintenance Agreements: approved

9th course: Product and Service Pricing for Profit: approved

10th course: Proper Heat Pump Installation and Plumbing Practices: approved

11th course: Proper Pool Testing: approved

12th course: Proven Green Technologies for Commercial Pools: approved

13th course: Relationship Marketing in today's Connection Economy: approved

14th course: The Heart of the System, Pool/Spa Pumps and Motors: approved

15th course: The Practical Application of UV/Ozone Systems for Residential Pools: approved

JC CODE & CONSTRUCTION CONSULTANTS INC

1st course: Interpreting the NEW FEMA Elevation Certificate Form: approved

2nd course: Understanding the ERI (Energy Rating Index) Compliance Path Option: approved

NATIONAL ROOFING CONTRACTORS ASSOCIATION (NRCA)

1st course: CERTA Train-the-Trainer Authorization: denied

PGT INDUSTRIES

1st course: Virtual World of Glass: approved

PINCH A PENNY INC

1st course: Advanced Pool & Spa Care and Repair: **30 day continuance**

2nd course: Introduction to the Department of Transportation Regulations for the Pool Industry: 30 day

continuance

UNIVERSITY OF FLORIDA PROGRAM FOR RESOURCE EFFICIENT COMMUNITIES

1st course: Swimming Pool Electrical Safety: **denied**

RULES/PUBLIC/LEGISLATIVE COMMITTEE – Roy Lenois

Ms. Clark gave the following report:

61G4-15.001: Qualification for Certification

Sent to OFARR: RD: 06/04/2015

• Rules Development Published: 06/12/2015

Department of Business & Professional Regulation Construction Industry Licensing Board Meeting Minutes September 2016 Page 14 of 16 Notice Published: 12/2/2015

Adopted:12/15/2015Tolled: 2/5/2016

61G4-12.011: Definitions

• Sent to OFARR: 05/19/2016

Rules Development Published: 05/31/2016

61G4-12.011: Definitions

Sent to OFAAR: 5/19/2016

Rules Development Published:5/31/2016

61G4-21.002: Definitions

Sent to OFAAR: 08/08/2016

Rules Development Published: 08/17/2016

Language Approved

61G4-21.003: Filing Claims

Sent to OFAAR: 08/08/2016

Rules Development Published: 08/17/2016

Notice Published: 09/08/2016

61G4-21.004: Claims Review

Sent to OFAAR: 08/08/2016

Rules Development Published: 08/17/2016

Language Approved

New Business: The rules committee voted to open a new rule for development that would create a directional drilling specialty license.

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

RECOVERY FUND COMMITTEE - Rick Kane

Mr. Kane gave the following report:

Burrows vs. Martini: Claim No. 2014-023971: \$9,592.34

DeMeo vs. Schottenstein: Claim No. 2016-010015: \$50,000.00

Savill vs. Warmack: Case No. 2015-042943: \$8,550.00

Denny vs. Christy: Case No. 2007-041270: denied

Mauldin vs. Rostkowski: Case No. 2016-007612: \$50,000.00

Zdravkovich vs. Baker: Case No. 2015-053151: \$11,300.00

Smykel vs. Leli: Case No. 2010-004343: \$16,220.00

Lopez vs. Haskell: Case No. 2013-028521: \$7,000.00

Vega vs. Wilder: Case No. 2010-009158: \$2,950.00

Rich vs. Houpt: Case No. 2015-047334: \$10,000.00

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 10:50am.