

**FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD**

**GENERAL SESSION MINUTES**

**DOUBLETREE GUEST SUITES BOCA RATON  
701 NW 53<sup>RD</sup> STREET  
BOCA RATON, FLORIDA 33487  
561.997.9500 (hotel phone)**

**APRIL 14, 2006**

The meeting was called to order by Joan Brown, Chair, at 8:30 a.m.

**BOARD MEMBERS PRESENT**

Joan M. Brown, Chair  
Paul Del Vecchio, Vice-Chair  
Peggy Bailey  
Lee-En Chung  
Carl Engelmeier  
James Flaherty  
Raymond Holloway  
Michelle Kane  
Barry Kalmanson  
Mark Pietanza  
Robert Stewart  
Thomas Thornton  
Jacqueline Watts  
Don Wilford

**BOARD MEMBERS ABSENT**

Edward Weller (excused)

**OTHERS PRESENT**

Dennis Yecke, Deputy Secretary  
Diane Guillemette, Board Counsel. AGO  
Patrick Creehan, Chief Prosecuting Attorney  
G.W. Harrell, Executive Director  
Stacey Merchant, Government Analyst II  
Andy D. Janecek, Government Analyst I  
Adrienne Rodgers, FHCRF Attorney  
Valeria Singleton, Regulatory Consultant/Supervisor

Mr. Holloway gave the invocation and Mr. Wilford led the Pledge of Allegiance.

## **REVIEW OF MINUTES**

- **Final Action – March, 2006**
- **General Session – February, 2006**

The Board voted unanimously to approve this minutes.

## **EXECUTIVE DIRECTOR'S REPORT**

Deputy Secretary Dennis Yecke introduced G.W. Harrell as the new Executive Director replacing Tim Vaccaro. The board welcomed Mr. Harrell to the board.

## **CHAIRMAN'S REPORT**

The board voted to excuse Edward Weller's absence.

Ms. Brown announced the Don Wilford was named the National Mentor of the Year. The board congratulated Mr. Wilford on this accomplishment.

## **PROSECUTING ATTORNEY'S REPORT**

- **Ratification of Local Disciplinary Orders List**

The board voted unanimously to ratify these orders.

## **ATTORNEY GENERAL'S REPORT**

### **Joseph Michael Fontana – Informal Hearing**

Mr. Fontana was present for this hearing.

Ms. Guillemette presented this case stating that Mr. Fontana's application was denied during the September meeting of the board based on failure to provide a current certificate of competency.

Mr. Galloway has requested that the Board reconsider his application and a copy of his current certificate of competency.

After discussion, the Board voted unanimously to approve Mr. Fontana's application.

### **James Hatton (FRO with Eric Vanhorn) – Informal Hearing**

Mr. Hatton was present for this hearing.

Mr. Hatton was asked if he wanted to continue this hearing without his attorney present and he stated that he did.

Ms. Guillemette presented this case stating that Mr. Hatton's FRO application was denied during the October meeting of the board based on failure to provide proof of financial stability.

Mr. Hatton requested the board reconsider his application.

After discussion the board voted unanimously to approve Mr. Hatton's application with probation until he has resolved pending issues on his credit report.

#### **Robert Lawr Holman – Informal Hearing**

This hearing was continued to the May 2006 board meeting at the applicant's request.

#### **Juan S. Lageyre – Informal Hearing**

This hearing was continued to the May 2006 board meeting at the applicant's request.

#### **Robert Muzzo – Informal Hearing**

Mr. Muzzo was present for this hearing.

Ms. Guillemette presented this case stating that Mr. Muzzo's change of status application was denied during the January meeting of the board based on lack of good moral character.

Mr. Galloway has requested that the Board reconsider his application and submitted additional documentation.

After discussion the board voted unanimously to approve Mr. Muzzo's application.

#### **Timothy Payton – Informal Hearing**

Mr. Payton was not present for this hearing.

Ms. Guillemette presented this case stating that Mr. Peyton's application for certification of a registered license was denied during the September meeting of the board based on failure to submit a completed application, certificate of competency and credit reports.

Mr. Payton has requested that the Board reconsider his application.

After discussion the board voted unanimously to uphold the previous denial of Mr. Payton's application.

#### **Fred Szewczak – Informal Hearing**

Mr. Payton was not present for this hearing.

Ms. Guillemette presented this case stating that Mr. Szewczak's application by endorsement was denied during the January meeting of the board.

Mr. Szewczak has requested that the Board reconsider his application.

After discussion the board voted unanimously to continue Mr. Szewczak's application for 30 days to allow his attorney to be present.

#### **Eric Vanhorn (contractor with James Hatton) – Informal Hearing**

Mr. Vanhorn was present for this hearing.

Mr. Vanhorn was asked if he wanted to continue this hearing without his attorney present and he stated that he did.

Ms. Guillemette presented this case stating that Mr. Vanhorn's change of status application was denied during the October meeting of the board based on the business having liens and judgments against it.

Mr. Vanhorn has requested that the Board reconsider his application and submitted additional documentation.

After discussion the board voted unanimously to approve Mr. Vanhorn's application.

### **Michael Williams – Informal Hearing**

Mr. Williams withdrew his request for a hearing.

### **Contractor's Education Source, Inc. – Informal Hearing**

No one was present for this hearing.

Ms. Guillemette presented this case stating that Contractor's Education Source, Inc.'s application for a continuing education course was denied during the January meeting of the board.

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

### **John Michael Karaphillis – Request for Reinstatement of Null and Void License**

Mr. Karaphillis and his attorney Larry Crowe were present for this hearing.

Ms. Guillemette presented this case stating that Mr. Karaphillis has submitted a petition for reinstatement of a contractor's license. The board is in the process of promulgating rules to establish the form and fees for the null and void application. Ms. Guillemette further advised the board that they may consider the petition in lieu of an application while the rules relating to the application and fees are not yet effective.

After discussion the board voted unanimously to deny Mr. Karaphillis' petition based on no proof of continuing education.

### **Lee Pastorius – Request for Reinstatement of Stay of Suspension**

Mr. Pastorius was not present for this hearing.

Ms. Guillemette presented this case stating that Mr. Pastorius was placed on probation as a condition of licensure at the October 2003 meeting of the board.

Mr. Pastorius has requested that his probation be tolled due to his not working as a contractor. Mr. Pastorius' contractor license was suspended as a result of a failure to file paperwork and appear at the February 2006 meeting of the probations committee.

Mr. Pastorius has provided a request for re-instatement of his stay of suspension.

After discussion the board voted unanimously to deny Mr. Pastorius' request.

## **Christopher Paoli – Petition for Declaratory Statement**

Mr. Paoli was present for this hearing.

Ms. Guillemette presented this case stating that Mr. Paoli filed a petition for declaratory statement.

The petition was noticed in the Florida Administrative Weekly on March 17, 2006. Ms. Guillemette stated that the board needs to consider whether the petition meets the standard for a declaratory statement.

After discussion the board voted unanimously that the petition does not meet the declaratory requirement.

## **RECOVERY FUND ATTORNEY'S REPORT**

There were no claims at this meeting.

## **COMMITTEE REPORTS**

### **APPLICATION REVIEW COMMITTEE**

Ms. Watts gave the following report:

#### Applications approved

John Taylor

Allan Thompson

#### Applications continued

Frank Veltri

#### Applications denied

Robert Alvarez

Ronald Frances

Thomas Harpster

John Hogan

Nick Marcinko

James Panchisin

James Patterson

William Pegnato

Mark Sanders

#### Applications withdrawn

Iaim Barratt

Richard Blaney

Steve Camper

Michael Esmond

David Glynn

Stanley Holsombeck

William Millard

John Verhoff

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

## **PROBATIONS COMMITTEE**

Mr. Del Vecchio gave the following report:

**Timothy Burke**, (CFC57951)

Result: Unsatisfactory

**William Campbell**, (CB C039121)

Result: Unsatisfactory

**Raul Casanova**, (CG C044420)

Result: Stay Lifted - Failure to Appear

**Henry K. Cavaliere**, (CBC1251258)

Result: Unsatisfactory

**Ronald Dwyer**, (CB C057349)

Result: Continued to July, 2006

**Billy Ray Ford, Jr.**, (CG C019478, CG C1509971)

Result: Unsatisfactory

**Santiago Fuertes**, (CGC1506135)

Result: Satisfactory

**Fernando Gomez-Pina**, (CGC 2540)

Result: Tolled

**Juan Gonzalez**, (CFC037086)

Result: Unsatisfactory

**Roger W. Griffis**, (CG C024765)

Result: Unsatisfactory

**Michael L. Hayden**, (CG C1508586)

Result: Tolled

**Robb C. Imperato**, (CG C057221)

Result: Stay Lifted - Failure to Appear

**Rock Miller**, (CPC056698)

Result: Satisfactory

**Robert Sackrider**, (RC29027126)

Result: Satisfactory

**Thomas W. Smith**, (CCC057079)

Result: Tolled

**Khosrow Taymouri**, (CC C056899, CG C041851)

Result: Request for Continuance Denied - Stay Lifted for Failure to Appear

**Richard J. Thomas**, (CBC019954)

Result: Tolled

**Thomas Webb**, (RR 0066830)

Result: Satisfactory

**Clarence Williams**, (CG C028851)

Result: Request for Co

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

#### **ADDITIONAL ENTITY COMMITTEE**

Mr. Pietanza gave the following report:

##### Applications approved

Kirk Angelocci

Jeffrey Berman

Walter Brailly

Daron Bridges

Douglas Turner

Gordon Cone

Mark Correia

Donald Di Russo

Jonathan Dixon

Michael Grafton

Anthony Guccione

Madelyn Guzman

Craig Hoffman

James Hofford

Hassan Jalali-Bidgoli

Alan LaFoy

Kelly Lewis

Michael Marzano

John Maus

John Mercede

Jay Meyers – upon payment of \$1500 assessment.

Scott Moss

Sean Murphy

Mark Odom

James Padgett

Heath Pennington

John Pierson

Douglas Rebeor – upon payment of \$1500 assessment.

Michael Richter

Jeffrey Saul

Michael Schultz

Petuna Schvartz

Charles Smith

Marvin Spires

Guillermo Villar

Peter Zakhary

Applications continued

Albert Cohen – to May 2006 meeting.

Joseph Janicki – to May 2006 meeting.

Teofilo Rodriguez – to May 2006 meeting.

Sharon Talbot – to June 2006 meeting.

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

**EXECUTIVE COMMITTEE**

There were no scheduled items for this committee.

**RULES REVIEW COMMITTEE**

Mr. Weller gave the following report:

The following rules have been developed:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants

61G4-16.0031 Practical Examination for Swimming Pool Specialty Contractors

- Review Proposed Rule 61G4-17.001, Normal Penalty Ranges  
(to be distributed at meeting) – The committee made some corrections and voted to move this to the next general session meeting.

The following rules have been noticed:

61G4-15.001 – The committee decided to not move forward with changes at this time.

61G4-12.006 List of Approved Forms

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:

**EXISTING PROVIDER – NEW COURSES**

**GARY SYSTEMS, INC. (0000815)**

1<sup>st</sup> Course: Contractor Licensing and Legal Compliance Issues – approved.

2<sup>nd</sup> Course: Construction Business Management – approved.

**LORMAN BUSINESS CENTER, INC. (0000837)**

1<sup>st</sup> Course: Change Orders Seminars and Hands-On Workshop: Get Your Questions Answered - approved

2<sup>nd</sup> Course: Management of Construction Recovery Issue/Post Hurricane Season – approved.



FRSA EDUCATIONAL & RESEARCH FOUNDATION (0000910)

- 1<sup>st</sup> Course: Florida Low-Slope Roof Design and Installation Requirements & FM Requirements for Wind Resistant Roof Systems – approved.  
2<sup>nd</sup> Course: CPR – Basic Rescuer Skills – approved without business practices.  
3<sup>rd</sup> Course: Florida Low-Slope Roof Design and Installation - approved without business practices.

NBI, INC. DBA NATIONAL BUSINESS INSTITUTE (0000954)

- 1<sup>st</sup> Course: Managing Complex Construction Law Issues – approved.

PROTRAC, INC. (0001106)

- 1<sup>st</sup> Course: Computerized Residential HVAC Load Calculation – approved.

UF PROGRAM FOR RESOURCE EFFICIENT COMMUNITIES (0001129)

- 1<sup>st</sup> Course: Residential Duct Design Calculations – approved.  
2<sup>nd</sup> Course: Residential Heat Gain and Loss Calculations Clauses – approved.

ENVIRONMENTAL SAFETY & HEALTH INSTITUTE (0001215)

- 1<sup>st</sup> Course: Lead Based Paint Pre-Renovation Education Rule – approved.

ADVANCED BENEFITS, INC.

- 1<sup>st</sup> Course: Understanding the Basics in WC Premium Calculations – approved.  
2<sup>nd</sup> Course: Understanding Hays's – denied – not related.

BRB CODE EDUCATORS, INC. (0001728)

- 1<sup>st</sup> Course: Florida Building Codes 101 –approved.  
2<sup>nd</sup> Course: Product Approval – approved.

DIVERSIFIED CONSTRUCTION SAFETY, INC. (0003316)

- 1<sup>ST</sup> Course: Construction Safety Overview (1 Hour) – approved.  
2<sup>nd</sup> Course: Construction Safety Overview (2 Hours) – approved.

FLORIDA AIR CONDITIONING APPRENTICESHIP ASSOCIATION LLC. (0003374)

- 1<sup>st</sup> Course: Residential Air Conditioning Design – approved.

BUILDERS ESTIMATING & EXAM SCHOOL (0003636)

- 1<sup>st</sup> Course: Scheduling Old and New – approved.  
2<sup>nd</sup> Course: Computerized Estimating Spreadsheet Basics and Not So Basics – approved.  
3<sup>rd</sup> Course: Financial Success in Construction – approved.

FLORIDA ATLANTIC UNIVERSITY (0001015)

- 1<sup>st</sup> Course: Construction Workplace Health and Safety Course – approved.

**NEW PROVIDERS WITH COURSES**

KELLY S. WINSLOW – approved.

- 1<sup>st</sup> Course: The Complete Home Mold Inspection – denied – not related.

EDUCO, INC. – approved.

- 1<sup>st</sup> Course: Work Place Safety –w/c – Concrete Paving – Quality Control – Blue Prints – approved.

INSTITUTE FOR SAFETY & RISK MANAGEMENT – approved.

- 1<sup>st</sup> Course: OSHA 10 Hour Construction Training Course – approved.

## **EXISTING PROVIDER – COURSE RENEWALS**

CONTRACTORS EXAM SCHOOL (0000862)

1<sup>st</sup> Course: Get Even with the I.R.S. (# 0000283, Expired 06/01/2001) – denied.

## **EXISTING PROVIDER - COURSE RENEWALS & NEW COURSES**

FLORIDA HOME BUILDERS ASSOCIATION (00009160)

1<sup>st</sup> Course: Durability & Disaster Mitigation (0007598, Expires 06/12/2005) – approved.

2<sup>nd</sup> Course: Modular Construction Efficiencies (0007602, Expires 06/12/2005) – denied.

3<sup>rd</sup> Course: OSHA 10-Hour Training (0007600, Expired 06/12/2005)  
(Provider changed the credit use so this course must be treated as a new course) – approved.

## **PROVIDER ASKING FOR RECONSIDERATION OF A COURSE**

DEPARTMENT OF COMMUNITY AFFAIRS (0001042)

1<sup>st</sup> Course: Manufactured Buildings Program Workshop – approved.

## **EXISTING PROVIDER – PROVIDER RENEWALS**

**PLUMBERS JOINT APPRENTICE AND EDUCATIONAL COMMITTEE (0001065) – approved.**

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

## **OLD BUSINESS**

There was no old business to discuss.

## **NEW BUSINESS**

There was no new business to discuss.

With no other business to discuss, the meeting was adjourned at 10:54 a.m.