

**FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD**

**GENERAL SESSION MINUTES**

**HYATT REGENCY JACKSONVILLE RIVERFRONT  
225 EAST COAST LINE DRIVE  
JACKSONVILLE, FLORIDA 32202  
904.588.1234 (hotel phone)**

**MARCH 10, 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  
Mark Pietanza  
Robert Stewart  
Jacqueline Watts  
Edward Weller  
Don Wilford

**BOARD MEMBERS ABSENT**

Thomas Thornton (Excused - General  
Session only)  
Barry Kalmanson (Excused)

**OTHERS PRESENT**

Diane Guillemette, Board Counsel. AGO  
Patrick Creehan, Chief Prosecuting Attorney  
Tim Vaccaro, 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 Ms. Watts led the Pledge of Allegiance.

## **REVIEW OF MINUTES**

- **Final Action – February, 2006**

The Board voted unanimously to approve these minutes.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Vaccaro announced that he accepted a promotion and would be the new Division of Professions' Director. The Board Members expressed their joy in his promotion and stated that they would miss him as their Executive Director.

## **CHAIRMAN'S REPORT**

Mr. Brown stated that Mr. Kalmanson's absence was excused. She also stated that Mr. Thornton's absence for General Session was excused.

## **PROSECUTING ATTORNEY'S REPORT**

### **Ratification of Local Disciplinary Orders List**

The Board voted unanimously to approve this list.

Mr. Creehan gave the following report:

As of February, there were 510 cases in Legal (to be reviewed), there were 219 cases set for probable cause, 165 cases has Probable Cause found/Administrative Complaints filed and 56 cases were ready for default. There were 33 cases with Stipulations executed/Informal Hearing requested, 111 cases that had requested Formal Hearings, 12 cases were referred to DOAH, 70 cases were awaiting Final Orders and 9 cases were trying to reach Settlement Negotiations. There were also 3 cases that were re-opened and 3 cases set for Board Presentation. For the month of February 2006, 60 cases were closed.

## **ATTORNEY GENERAL'S REPORT**

### **Kent Brenneman – Informal Hearing**

Mr. Brenneman was not present for this hearing.

Ms. Guillemette presented this case stating that Mr. Brenneman's application for a change of status was denied at the November meeting of the Board.

Mr. Brenneman timely filed a petition for review of Notice of Intent to Deny.

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

### **Stephen Crain, Jr. – Informal Hearing**

Mr. Crain was not present for this hearing.

Ms. Guillemette presented this case stating that Mr. Crain's application for Certification of Registered Contractor's license was denied at the October meeting of the Board.

Mr. Crain timely filed a petition for review of Notice of Intent to Deny.

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

James Hatton (FRO with Eric Vanhorn) – Informal Hearing

Mr. Hatton requested a continuance to the April 2006 meeting. The Board voted unanimously to approve this continuance.

#### **Todd King – Informal Hearing**

Mr. King was present.

Ms. Guillemette presented this case stating that Mr. King's application for Certification of Registered Contractor's license was denied at the September meeting of the Board.

Mr. King timely filed a petition for review of Notice of Intent to Deny.

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

#### **Troy Kirby – Informal Hearing**

Mr. Kirby was not present for this hearing.

Ms. Guillemette presented this case stating that Mr. Kirby's application for Certification of Registered Contractor's license was denied at the September meeting of the Board.

Mr. Kirby timely filed a petition for review of Notice of Intent to Deny.

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

#### **Mario Prieto – Informal Hearing**

Mr. Prieto was present with his daughter.

Ms. Guillemette presented this case stating that Mr. Prieto's application for Certification of Registered Contractor's license was denied at the October meeting of the Board.

Mr. Prieto timely filed a petition for review of Notice of Intent to Deny.

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

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

**This item was pulled.**

#### **Billy Young – Informal Hearing**

Mr. Young was present.

Ms. Guillemette presented this case stating that Mr. Young's application for change of status was denied at the November meeting of the Board.

Mr. Young timely filed a petition for review of Notice of Intent to Deny.

After discussion, the board voted unanimously to approve Mr. Young's application contingent upon the receipt of a properly completed experience affidavit verifying 4 years of experience. This affidavit must be received within 30 days.

### **AAA Construction School, Inc. – Informal Hearing**

Rob Irion was present.

Ms. Guillemette presented this case stating that AAA Construction School, Inc.'s application for continuing education courses were denied at the November meeting of the Board.

Mr. Irion timely filed a petition for review of Notice of Intent to Deny.

After discussion, the board voted unanimously to approve these course applications.

### **Hardhat Technologies – Informal Hearing**

No one was present for this hearing.

Ms. Guillemette presented this case stating that Hardhat Technologies' application for continuing education courses were denied at the July meeting of the Board.

Hardhat Technologies timely requested a DOAH hearing to contest the denial.

The parties have since relinquished jurisdiction back to the Board, so that they present the courses for reconsideration.

After discussion, the board voted unanimously to deny these course applications.

### **St. Petersburg College Corporate Training – Informal Hearing**

No one was present for this hearing.

Ms. Guillemette presented this case stating that St. Petersburg College Corporate Training's application for continuing education course was approved for 10 hours instead of 12 hours at the September meeting of the Board.

After discussion, the board voted unanimously to approve this course application for 12 hours.

### **Steven Lake – Request for Reinstatement of Null and Void License**

Mr. Lake was present.

Ms. Guillemette presented this case stating that Mr. Lake was requesting to reinstate his null and void license.

Mr. Lake's license went into null and void status on September 13, 1998.

After discussion, the Board voted unanimously to deny Mr. Lake's request.

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

Mr. Rullman was present.

Ms. Guillemette presented this case stating that Mr. Rullman was requesting to reinstate his null and void license.

Mr. Rullman's license went into null and void status before the computer conversion in 1992.

After discussion, the Board voted unanimously to deny Mr. Lake's request.

### **Michael Marchica – Informal Hearing**

Mr. Marchia was present.

Ms. Guillemette presented this case stating that Mr. Marchia's application for plumbing license by endorsement was denied at the January meeting of the Board.

Mr. Marchia timely filed a petition for review of Notice of Intent to Deny.

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

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

No claims were reviewed at this meeting.

### **COMMITTEE REPORTS**

#### **Application Review Committee**

Ms. Watts gave the following report:

#### Applications denied

Adams, Jeffrey  
Channel, Clarence  
Lucas, Roger  
Moore, Gregory  
Morgan, Ricky  
Veltri, Frank

#### Applications withdrawn

Burgin, James  
Cavage, Michael  
McIntosh, Troy  
Parish, Jason  
Pratt, John R.  
Sliemers, Stephen  
Williams, Charlie

#### Applications approved

Dickson, Brent  
Emmanuelli, Fabricio – with 2 years of probation. Building contractor only.  
Kodsey, Sheriff – with 6 years of probation.  
Pizzi, Carlos  
Scherer, Daniel  
Stillwagon, Joseph – as a residential contractor.  
Thomas, Paul – with 6 years of probation.  
Turner, Gary – with 2 years of probation.  
Watson, Joseph  
Wright, Wayne – with probation until judgments are satisfied.

Applications continued

Blaney, Richard – 30 days.  
Marcinko, Nick – 30 days.  
Peterson, Roger – 60 days.  
Thompson, Vernon – 30 days.

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

**Probations Committee**

Mr. Del Vecchio gave the following report:

**Kristopher T. Ashenback**, (CC C057686, CB C054507)  
Result: Continued to September 14, 2006

**Richard Arpad Bauer**, (CA C057340)  
Result: Stay Lifted - Failure to Appear

**Richard J. Cook**, (CB C047782)  
Result: Stay Lifted - Failure to Appear

**Russell Federspiel**, (CR C022305)  
Result: Satisfactory

**Walter Francis**, (CGC060141 & CCC056782)  
Result: Satisfactory, conditional upon the receipt of a completed qualified business license application within 60 days.

**Carrie Frazier**, (RG 45685)  
Result: Satisfactory

**Darryl Frazier**, (RC66631)  
Result: Tolled

**Joseph Ghezzi**, (CGC046468)  
Result: Stay Lifted - Failure to Appear

**William Goode**, (CG C014847)  
Result: Unsatisfactory

**Craig Greene**, (CG C1505891)  
Result: Satisfactory

**Gordon Heal, (CF C058048)**

Result: Satisfactory

**Alberto A. Hernandez, (CGC013664)**

Result: Tolled

**John B. Morton, III, (CC C011043)**

Result: Satisfactory, conditional upon the receipt of a completed qualified business license application within 60 days.

**Dale Brian Potter, (CC C051580)**

Result: Stay Lifted - Failure to Appear

**Ray Rey, (CF C057546)**

Result: Stay Lifted - Failure to Appear

**Jorge Sordo, (CG C056871)**

Result: Unsatisfactory

**Frank Stellino, (CG C033957)**

Result: Satisfactory, conditional upon the receipt of a renewed qualified business license within 60 days.

**Rhonda Vetzal, (CB C060081)**

Result: Stay Lifted - Failure to Appear

**James Waid, (CGC004677)**

Result: Unsatisfactory

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

### **Additional Entity Committee**

Mr. Pietanza gave the following report:

#### Applications approved

Atkins, Alva

Bourbeau, Randy

Brazelton, Scott – contingent upon proof of employment.

Camp, Kevin

Hefflex II, Albert

Kirkland, Gordon

Mitchell, Shawna

Peiffer, James – with 2 years of probation.

Reis, Ronald – contingent upon proof of employment.

Ritter Sr., Daniel W.

Sleezer, Patrick

Steinhauser, Eric

Swinson, John

Unzueta, Horacio

Wasch, Daniel

White, Brent

Wilson, Jerry – contingent upon proof of employment.

Worsham, Raleigh

Applications denied

Bracey, Bradford  
Fradley III, Charles  
Hudson, James  
Pielago, Raul

Applications withdrawn

Cenk, Robert  
Kirkey, Dennis

Applications continued

Dixon, Jonathan – 30 days.  
Janicki, Joseph – 30 days.  
Klopstad, Lynn - 60 days.  
Schultz, Michael – 30 days.

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

**Rules Review Committee**

Mr. Weller gave the following report:

The following Rules have been noticed:

61G4-17.001 Normal Penalty Ranges

61G4-12.006 Approved Form: Incorporation

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

**Exams/CE/Public Awareness Committee**

Mr. Holloway gave the following report:

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

1<sup>st</sup> Course: Construction Claims: New Law – approved.

2<sup>nd</sup> Course: Florida's New Construction Claims Statutes and Related Claims Issues – approved.

**CONTRACTORS EXAM SCHOOL (0000862)**

1<sup>st</sup> Course: Legislative Changes Affecting the Construction Industry – approved without workplace safety.

**BUILDING OFFICIALS & INSPECTORS EDUCATIONAL ASSOCIATION (BOIEA) (0000865)**

1<sup>st</sup> Course: 2004 Building Code Changes – approved.

2<sup>nd</sup> Course: Residential Plumbing Code – approved.

3<sup>rd</sup> Course: Florida Energy Code – approved.

4<sup>th</sup> Course: Florida Laws and Rules for Code Professional – approved.

5<sup>th</sup> Course: Introduction to the 2004 Florida Plumbing Code – approved.

6<sup>th</sup> Course: Smoke Control – approved.

7<sup>th</sup> Course: Florida Mechanical Code – approved.

8<sup>th</sup> Course: Jobsite Safety and Workers Compensation – approved.

**FRSA EDUCATIONAL AND RESEARCH FOUNDATION (0000910)**

1<sup>st</sup> Course: To Lien or Bond: How to Exercise Your Right to Prompt Payment – approved.

**STETSON UNIVERSITY COLLEGE OF LAW (0000999)**

1<sup>st</sup> Course: Fair Housing Seminar – denied – unrelated to contracting.

**FLORIDA CONTRACTORS SCHOOL OF CONTINUING EDUCATION (0001038)**

1<sup>st</sup> Course: Advanced Accessibility Code & Construction Defects – approved.

2<sup>nd</sup> Course: Basic First Aid, Lien Law Update, Commercial Insurance & Contracts Clauses – approved.

3<sup>rd</sup> Course: Workers' Compensation, Safety & Business Skills – approved.

**CONSTRUCTION SPECIFICATIONS INSTITUTE - PENSACOLA CHAPTER (0001162)**

1<sup>st</sup> Course: An Overview of Insulated Concrete Forms – approved.

2<sup>nd</sup> Course: Geothermal Heating and Cooling – approved.

**BRB CODE EDUCATORS, INC. (0001728)**

1<sup>st</sup> Course: 2004 Florida Building Code Energy/Mechanical Code Update – approved.

2<sup>nd</sup> Course: Florida Building Code High Velocity Hurricane Zone Requirement – approved.

**(Note: These courses have not been sent to the FBC by the provider to be accredited for the Advanced Module so they are requesting General CE credit for the courses listed above)**

**SEALOFLEX, INC (0003188)**

1<sup>ST</sup> Course: Solutions and Methods for Waterproofing the Entire Building Envelope – denied.

**FLORIDA AIR CONDITIONING APPRENTICESHIP ASSOCIATION LLC. (0003374)**

1<sup>st</sup> Course: Introduction to OSHA – approved with workplace safety & business practices.

**LINZAMAIER & ASSOCIATES, INC.**

1<sup>st</sup> Course: Pressure-Enthalpy Charts and their Use – denied – no timeline.

2<sup>nd</sup> Course: Compressor Failure and Analysis – approved.

**NATIONAL SWIMMING POOL FOUNDATION**

1<sup>st</sup> Course: Pool – Spa Operator-nspf.org – denied – incorrect timeline.

**STURDEVANT – BEACH & ASSOCIATES LLC (0002847) – approved.**

1<sup>st</sup> Course: Risk Management or Home Builders (# 0007637, Expired 07/10/2005) – approved.

2<sup>nd</sup> Course: Workers Compensation (# 0007638, Expired 07/10/2005) – approved.

3<sup>rd</sup> Course: Workplace Safety (# 0007639, Expired 07/10/2005) – approved.

4<sup>th</sup> Course: Contracts with Subcontractors (# 0007706, Expired 08/14/2005) – approved.

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

**Recovery Fund/Finance Committee**

**OLD BUSINESS**

There was no old business to discuss.

## **NEW BUSINESS**

Ms. Brown asked that the schedule for the next Board Meeting allow time for the Nominating Committee to meet. The Committee will consist of Ms. Kane, Mr. Weller, Mr. Del Vecchio and Ms. Brown.

With no other business to discuss, the meeting was adjourned at 10:14 a.m.