

FLORIDA ELECTRICAL CONTRACTORS' LICENSING BOARD

**Hampton Inn & Suites Downtown
80 Beach Drive NE
St. Petersburg, FL 33702
(727)892-9900**

July 20 & 21, 2017

The Board Meeting was called to order by Chairman David Botknecht on Thursday, July 20, 2017, at 8:30 a.m. and Friday, July 21, 2017, at 8:30 a.m.

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Members Present

David Botknecht (Chairman)
Clarence Tibbs (Vice-Chairman)
Benjamin Smith
Brian Flaherty
Kathleen Krak
Rafael Echarri
Douglas Bassett

Members Absent

Eric Vilkoski
John (Jay) Cannava

Others Present

Ruthanne Christie, Executive Director
Stacey Buccieri, Government Analyst II
Deborah Loucks, Esq., Assistant Attorney General
Court Reporter - Integra Reporting Group, LLC – (813) 868-5130
Phillip Wilde – for compliance with an application order.

PETITION FOR DECLARATORY STATEMENT

Petition for Declaratory Statement from Warren C. Thompson, Certified Public Accountant - DS 2017-034

Heather Sladey was present and sworn in by the court reporter.

MOTION: Mr. Flaherty made a motion that “forces” means employed by utility company only and does not include subcontractors.

SECOND: Mr. Tibbs.

Motion passed 6 to 1. Mr. Krak was opposed.

RECONSIDERATIONS

James Parasco

Petition to Remove Probation

Mr. Parasco was present and sworn in by the court reporter.

MOTION: Mr. Tibbs made a motion to remove probation from Mr. Parasco’s license.

SECOND: Mr. Smith.

Motion passed unanimously.

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACTS

Emilio Delia

Application Denial

Mr. Delia was not present.

MOTION: Mr. Flaherty made a motion to continue the application.

SECOND: Mr. Smith.

Motion passed unanimously.

Bryan Dempsey

Application Denial

Mr. Dempsey was present and sworn in by the court reporter.

MOTION: Mr. Flaherty made a motion to reverse the denial and approve the application contingent upon proof his California C10 License.

SECOND: Mr. Smith.

Motion passed unanimously.

Maverick Gaddy
Application Denial

Mr. Gaddy was present with his Attorney Elizabeth Barnes and sworn in by the court reporter.

MOTION: Mr. Smith made a motion to reverse the denial and approve the application.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Michael Krebs
Application Denial

Mr. Krebs was present and sworn in by the court reporter.

MOTION: Mr. Botknecht made a motion to reverse the denial and approve the application.

SECOND: Mr. Bassett.

Motion passed unanimously.

Jose D Morales
Application Denial

Mr. Morales was present and sworn in by the court reporter.

MOTION: Mr. Tibbs made a motion to reverse the denial and approve the application.

SECOND: Mr. Smith.

Motion passed unanimously.

Michael Spencer
Application Denial

Mr. Spencer was present and sworn in by the court reporter.

MOTION: Mr. Botknecht made a motion to reverse the denial and approve the application.

SECOND: Mr. Bassett.

Motion passed unanimously.

COMMITTEE REPORT

MOTION: Mr. Echarri made a motion to accept the probation reports of Jay Berry, Edsel Hargis, Kevin Kelly, Karen King, Manuel Linares, Ram Schratte, Charlie Smith, Gregory Stevenson and Roger Wells.

SECOND: Mr. Flaherty.

Motion passed unanimously.

LEGISLATIVE REPORT

There was no report at this time.

RULES REPORT, DEBORAH LOUCKS, ESQ., ASSISTANT ATTORNEY GENERAL

Ms. Loucks reported all of the Board's open rules have taken effect.

Discussion of 61G6-8.001, F.A.C.

Ms. Christie presented the Board with draft language for rule 61G6-8.001, F.A.C., which would lower the delinquent license fee to \$25.

MOTION: Mr. Flaherty made a motion to approve the draft language and to open this rule for development.

SECOND: Mr. Bassett.

Motion passed unanimously.

MOTION: Mr. Flaherty made a motion there was no adverse financial impact in excess of \$200,000 in one year or \$500,000 over five years and no Statement of Estimated Regulatory Costs was required.

SECOND: Mr. Tibbs.

Motion passed unanimously.

The Board stated that this rule would not be a minor violation pursuant to Section 120.695, F.S.

The approved draft language was as follows:

CHAPTER 61G6-8 FEES

61G6-8.001 Fees

61G6-8.001 Fees.

The following fees are prescribed by the Board:

- (1) The application fee for the certification examination for electrical or alarm systems contractor shall be two hundred dollars (\$200.00). The initial examination fee for the examination for electrical or alarm systems contractor shall be one hundred sixteen dollars and twenty-five cents (\$116.25) payable to the Department. The applicant shall pay the professional testing service directly for any test administration fee. When the examination is not conducted by a professional testing service pursuant to Section 455.2171, F.S., the entire examination fee shall be payable to the Department.
- (2) The initial application fee for licensure as a certified electrical, alarm system or specialty contractor by endorsement or certification of a registered contractor shall be two hundred dollars (\$200.00).
- (3) The fee for issuance, renewal or reinstatement of certification for electrical contractor or alarm systems contractor shall be two hundred ninety five dollars (\$295.00).
- (4) The fee to reinstate a null and void license shall be five hundred dollars (\$500.00).

- (5) The re-examination fee for the certification examination shall be one hundred twenty dollars (\$120.00) payable to the Department. The re-examination fee for the Business Computer-Based Test shall be paid directly to the professional testing service. When the computer-based testing (CBT) of the examination is not conducted by a professional testing service pursuant to Section 455.2171, F.S., the entire examination fee shall be payable to the Department.
- (6) The initial fee for registration shall be one hundred fifty dollars (\$150.00).
- (7)(a) The fee to be paid for placement of a license in an inactive status shall be fifty dollars (\$50.00).
- (b) The fee to be paid for the renewal of license voluntarily placed on inactive status shall be \$50.00.
- (8) The fee for renewal of registration shall be one hundred twenty dollars (\$120.00).
- (9) Delinquent Fee. If licensee becomes delinquent, an applicant must elect for active or inactive status, and a ~~fifty dollar (\$50.00)~~ twenty five dollar (\$25.00) delinquent fee will be charged.
- (10) The fee to be paid for the reactivation of a certified or registered license from inactive to active status shall be fifty dollars (\$50.00).
- (11) Transfer fee. The fee to transfer a certificate or registration from one business organization to another shall be one hundred fifty dollars (\$150.00) for a certified contractor and fifty dollars (\$50.00) for a registered contractor.
- (12) The fee for the review of the Technical/Safety examination pursuant to the provisions of Chapters 455 and 489, F.S., shall be seventy-five dollars (\$75.00). The fee for review of the Business Computer-Based Test (at the site where the original exam was taken) shall be paid directly to the professional testing service.
- (13) The fee for a duplicate copy of a previously issued license shall be twenty-five dollars (\$25.00).
- (14) The initial application fee for licensure by second entity as certified electrical contractor or alarm system contractor shall be two hundred fifty dollars (\$250.00).
- (15) Pursuant to Section 455.2281, F.S., in addition to all other fees collected from each licensee, there shall be a five dollar (\$5.00) fee collected at the request of the Department, both upon initial licensure and license renewal for the purpose of combatting unlicensed activity.
- (16) The fee to process a change of licensure status at any time other than the beginning of the licensure cycle shall be twenty-five dollars (\$25.00).

Discussion of 61G6-12.015, F.A.C.

MOTION: Mr. Tibbs made a motion to approve the draft language and to open this rule for development.

SECOND: Mr. Bassett.
Motion passed unanimously.

MOTION: Mr. Bassett made a motion there was no adverse financial impact in excess of \$200,000 in one year or \$500,000 over five years and no Statement of Estimated Regulatory Costs was required.

SECOND: Mr. Tibbs.
Motion passed unanimously.

The Board stated that this rule would not be a minor violation pursuant to Section 120.695, F.S.

The approved draft language was as follows:

61G6-12.0015 Requirements for Burglar Alarm System Agent Identification Card.

After the completion of the course outlined in Rule 61G6-12.001, F.A.C., the licensee shall issue identification cards to each of the alarm system agents. The card shall be at least 3 1/4 x 2 1/4 inches in size. The card shall contain: 1 x 1 1/4 inch full face picture of the alarm system agent; name of the holder of the card; name and license number of the unlimited electrical contractor or licensed alarm system contractor; name and address of the business organization; signature of the contractor and the card holder; and issue date and expiration date of the card. The expiration date must be within 2 years of the issue date. The identification card must be in the possession of the burglar alarm system agent while engaged in all burglar alarm system agent duties. **An electronic or digital facsimile of the identification card available on a mobile device is acceptable in lieu of a physical copy of the card.**

The card shall be issued in the following format:

BURGLAR ALARM SYSTEM AGENT	
The bearer of this card has met the training requirements pursuant to Section 489.518, F.S.	
PHOTO HERE	Name: Tom Brown Business: Alarm Center, Inc., Address: 1940 N. Monroe St. Tallahassee, FL 32399 Signature: <i>Tom Brown</i>
_____ Qualifier: John Doe Signature: <i>John Doe</i> Issued: October 1, 2004	_____ License # EC 0012345 Expires: September 30, 2006

BURGLAR ALARM SYSTEM AGENT	
The bearer of this card has met the training and CE requirements pursuant to Section 489.518, F.S.	
PHOTO HERE	Name: Tom Brown Business: Alarm Center, Inc., Address: 1940 N. Monroe St. Tallahassee, FL 32399 Signature: <i>Tom Brown</i>
_____ Qualifier: John Doe Signature: <i>John Doe</i> Issued: October 1, 2004	_____ License # EC 0012345 Expires: September 30, 2006

Discussion of 61G6-12.003, F.A.C

MOTION: Mr. Tibbs made a motion to approve the draft language and to open this rule for development.

SECOND: Mr. Bassett.

Motion passed unanimously.

MOTION: Mr. Tibbs made a motion there was no adverse financial impact in excess of \$200,000 in one year or \$500,000 over five years and no Statement of Estimated Regulatory Costs was required.

SECOND: Mr. Bassett.

Motion passed unanimously.

The Board stated that this rule would not be a minor violation pursuant to Section 120.695, F.S.

The approved draft language was as follows:

61G6-12.003 Requirements for Fire Alarm System Agent Identification Card.

After the completion of the course outlined in Rule 61G6-12.002, F.A.C., the licensee shall issue identification cards to each of the alarm system agents. The card shall be at least 3 1/4 x 2 1/4 inches in size. The card shall contain: 1 x 1 1/4 inch full face picture of the alarm system agent; name of the holder of the card; name and license number of the unlimited electrical contractor or licensed alarm system contractor; name and address of the business organization; signature of the contractor and the card holder; and issue date and expiration date of the card. The expiration date must be within 2 years of the issue date. The identification card must be in the possession of the fire alarm system agent while engaged in the fire alarm system agent duties. **An electronic or digital facsimile of the identification card available on a mobile device is acceptable in lieu of a physical copy of the card.** The card shall be issued in the following format:

FIRE ALARM SYSTEM AGENT	
The bearer of this card has met the training requirements pursuant to Chapter 489.5185, Florida Statutes.	
PHOTO HERE	Name: Tom Brown Business: Alarm Center Inc. Address: 1940 N. Monroe St. Tallahassee, FL 32399 Signature: <i>Tom Brown</i>
Qualifier: John Doe Signature: <i>John Doe</i> Issued: Oct. 1, 1998	License # EC0012345 Expires: Sept 30, 2000

FIRE ALARM SYSTEM AGENT	
The bearer of this card has met the training and CE requirements pursuant to Chapter 489.5185, Florida Statutes.	
PHOTO HERE	Name: Tom Brown Business: Alarm Center Inc. Address: 1940 N. Monroe St. Tallahassee, FL 32399 Signature: <i>Tom Brown</i>
Qualifier: John Doe Signature: <i>John Doe</i> Issued: Oct. 1, 1998	License # EC0012345 Expires: Sept 30, 2000

FINANCIAL BUDGET LIAISON REPORT

Ms. Christie directed the Board to the 3rd quarter financial statements.

MOTION: Mr. Tibbs made a motion to transfer \$250,000 from the operating account to the ULA account after the fourth quarter financials are reviewed to make sure the account is healthy.

SECOND: Mr. Bassett.
Motion passed unanimously.

UNLICENSED ACTIVITY (ULA) REPORT

The Board reviewed the ULA report.

Ms. Christie stated she has requested someone from the South Florida Investigations Office attend the September meeting to report to the Board.

EXAMINATION REPORT

The Board reviewed the May and June 2017 performance summaries.

ENDORSEMENT REPORT

- No Change

APPROVAL OF MINUTES

Draft May 2017 Meeting Minutes

MOTION: Mr. Tibbs made a motion to approve the meeting minutes.

SECOND: Mr. Bassett.

Motion passed unanimously.

RATIFICATION OF APPLICATIONS

The ratification lists for the results of the Grandfathering Committee and Initial Licensure Application Review. The lists will be attached to the minutes and incorporated by reference.

MOTION: Mr. Flaherty made a motion to approve the ratification lists not including Nicholas Schullar.

SECOND: Ms. Krak.

Motion passed unanimously.

MOTION: Mr. Botknecht made a motion to approve the ratification of Nicholas Schullar.

SECOND: Ms. Krak.

Mr. Smith was recused. Motion passed unanimously.

PROSECUTING ATTORNEYS' REPORT – CLAYTON OSTEEN, ASSISTANT GENERAL COUNSEL (Not Present)

Ms. Christie directed the Board's attention to the details of the report. The report included case information for all open cases as of 7/18/17.

BOARD COUNSEL'S REPORT – DEBORAH LOUCKS, ASSISTANT ATTORNEY GENERAL

Ms. Loucks stated she covered all of her information in the Rules Report.

EXECUTIVE DIRECTOR'S REPORT – RUTHANNE CHRISTIE

Ms. Christie directed the Board's attention to the enforcement report.

Ms. Christie also asked the Board Members to review the delegations list. (Attached as exhibit)

MOTION: Mr. Botknecht made a motion to approve the delegation list.

SECOND: Mr. Bassett.

Motion passed unanimously.

ELECTION OF OFFICERS

CHAIRMAN

MOTION: Mr. Tibbs made a motion to nominate Mr. Botknecht as Chairman and Mr. Bassett as Vice-Chairman.

SECOND: Ms. Krak.

Motion passed unanimously.

OLD BUSINESS/NEW BUSINESS

There was no Old/New Business at this time.

CHAIRPERSON'S COMMENTS – DAVID BOTKNECHT

Mr. Botknecht thanked the Board for re-electing him as Chair. Mr. Botknecht also thanked everyone for their hard work.

ADJOURNMENT – Thursday, July 20, 2017, at 2:15 p.m. and Friday, July 21, 2017, at 10:00 a.m.