

**MINUTES FROM THE
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING
Embassy Suites Hotel
1100 SE 17th Street
Fort Lauderdale, FL 33316
PH: 954-527-2700
September 15, 16 & 17, 2010**

The Board meeting was called to order by Chairman Brian Flaherty at 8:30 a.m.

**PLEDGE OF ALLEGIANCE
INVOCATION**

ROLL CALL

Members Present

Noel Thomas
Brian Flaherty (Chairman)
Clarence K. Tibbs
Roger E. Langer
Kenneth Hoffmann (Vice-Chairman)
Robert Bramlett
Pierre Bellemare
Paul Sandefer

Members Absent

Reagan Huff (excused)

Others Present

Juanita Chastain, Executive Director
Ruthanne Christie, Government Analyst II
Deborah Loucks, Esq., Assistant Attorney General
LeChea Parson, Esq., Assistant General Counsel
Court Reporter – Official Reporting, Daisy Amador – 954-467-8204

Approval of the Agenda

MOTION: Mr. Langer made a motion to approve the agenda.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Disciplinary Cases – LeChea Parson, Assistant General Counsel

Benjamin Brady
GCI Electrical & Engineering, Inc.
EC13001634
Case #: 2009-043989
Recused: Bellemare, Bramlett & Tibbs

Ms. Brady was not present nor represented by counsel. Mr. Brady was charged with violation of 489.533(1)(p), F.S. & 489.533(1)(l), F.S. abandonment and 489.533(1)(n), F.S. being disciplined locally.

MOTION: Mr. Langer made a motion to accept the stipulation imposing 1 year probation, fines of \$1,000 and costs of \$230.25.

SECOND: Mr. Sandefer.
Motion passed unanimously.

Ahmed Dastjerdi
Remote Electric, Inc.
EC1464
Case #: 2008-056486
Recused: Bellemare & Bramlett

Mr. Dastjerdi was present and sworn in by the court reporter. Mr. Dastjerdi was charged with violation of 489.533(1)(j)4, F.S., aiding and abetting unlicensed activity.

MOTION: Mr. Langer made a motion to accept the stipulation imposing a fine of \$1000 and costs of \$364.48.

SECOND: Mr. Sandefer.
Motion passed unanimously.

Victor Gonzalez
Master Electric & Maintenance, Inc.
ER14377
Case #: 2009-012455
Recused: Bramlett, Bellemare & Tibbs

Mr. Gonzalez was not present, his son Duviel Gonzalez was present and sworn in by the court reporter. Mr. Gonzalez was charged with violation of 489.533(1)(e), F.S., making or filing a false report & 489.533(1)(f) committing deceit.

MOTION: Mr. Sandefer made a motion accept the settlement stipulation imposing suspension for 90 days followed by 1 year probation, fines of \$4,500 and costs of \$358.36.

SECOND: Mr. Langer.

Motion passed unanimously.

Leonard Handsel
O & J Electric Corp.
EC122
Case #: 2009-015278
Recused: Bellemare, Bramlett & Tibbs

Mr. Handsel was present and sworn in by the court reporter, he was represented by counsel Diane Perera, Esq. Mr. Handsel was charged with violation of 489.129(1)(m)4, F.S., failing to pay a civil judgment and 489.533(1)(b), F.S., attempting to procure a certificate by fraud or willful misrepresentation.

MOTION: Mr. Sandefer made a motion to accept the stipulation imposing 2 years probation, fines of \$2,000 and costs of \$169.79.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Willie Harden
Harden Electric
ER3733
Case #: 2009-051572
Recused: Bellemare, Bramlett & Tibbs

Mr. Harden was not present nor represented by counsel. Mr. Harden was charged with violation of 489.533(1)(m)4, F.S., failing to pay a civil judgment.

Ms. Christie read Mr. Harden's request for continuance into the record.

MOTION: Mr. Hoffmann made a motion to waive the appearance requirement in the stipulation.

SECOND: Mr. Sandefer.

Motion passed unanimously.

MOTION: Mr. Langer made a motion to reject the stipulation and make a counteroffer of suspension until payment of \$1,500 fine, costs of \$260.49 and satisfaction of civil judgment and a payment plan of \$200 per month.

SECOND: Mr. Sandefer.

Motion passed unanimously.

Sergio DeMesa
Saw Technologies
EC2002
Case #: 2007-045869
Recused: Thomas & Tibbs

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Mr. DeMesa was present and sworn in by the court reporter. Mr. DeMesa was charged with violation of 489.533(1)(m), F.S. financial mismanagement or misconduct & 489.533(1)(p), F.S., abandonment.

MOTION: Mr. Bellemare made a motion to reject the stipulation and make a counteroffer of 1 year suspension followed by 4 years probation, \$8,000 fine and 5 credits continuing education in business and costs of \$302.15.

SECOND: Mr. Langer.

Motion passed unanimously.

Sergio DeMesa
Saw Technologies
EC2002
Case #: 2008-059078
Recused: Bramlett & Bellemare

Mr. DeMesa was present and sworn in by the court reporter. Mr. DeMesa was charged with violation of 489.533(1)(m), F.S. financial mismanagement or misconduct & 489.533(1)(p), F.S., abandonment.

MOTION: Mr. Langer made a motion to accept the revised stipulation imposing 6 months suspension followed by 2 years probation, fines of \$4,000, costs of \$288.51 and 5 additional hours of continuing education.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Francisco Lemus
Lightgate, Inc.
EC13003130
Case #: 2010-009225
Recused: Thomas, Bramlett & Tibbs

Mr. Lemus was present and sworn in by the court reporter, he was represented by counsel Leslie Florez, Esq. Mr. Lemus was charged with violation of 489.533(1)(j), F.S. aiding and abetting unlicensed activity.

MOTION: Mr. Langer made a motion to reject the stipulation.

SECOND: Mr. Flaherty.

Motion passed 3 in favor, 2 opposed.

MOTION: Mr. Langer made a motion for a counteroffer of 1 year suspension, \$5,000 fine and 6 credits continuing education in business and costs of \$65.80.

SECOND: Mr. Flaherty.

Motion passed 3 in favor, 2 opposed.

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Istvan Petrics
Correntes, Inc
EC2059
Case #: 2009-029956 & 2009-025069
Recused: Bellemare, Bramlett & Tibbs

Mr. Petrics was present and sworn in by the court reporter. Mr. Petrics was charged with violation of 489.533(1)(j), F.S., aiding and abetting unlicensed activity and 489.533(1)(o), F.S., failing to comply with rule 61G6-5.008(2), F.A.C.

MOTION: Mr. Langer made a motion to reject the stipulation and make a counteroffer of revocation, fines of \$6000 and costs of \$723.28 with 90 days to pay.

SECOND: Mr. Thomas.

Motion passed unanimously.

Keith Vetter
A Vetter Electric Company
ER13013494
Case #: 2009-040349
Recused: Bellemare, Bramlett & Tibbs

Mr. Vetter was not present nor represented by counsel. Mr. Vetter was charged with violation of 489.533(1)(m)4, F.S., financial misconduct for failure to pay a civil judgment.

MOTION: Mr. Hoffmann made a motion to accept the stipulation imposing voluntary relinquishment of the license, a fine of \$3000, costs of \$224.60 and restitution on the civil judgment.

SECOND: Mr. Langer.

Motion passed unanimously.

Terry Blankenship
American Alarm Systems, Inc.
EF20000786
Case #: 2009-019110
Recused: Bellemare, Bramlett & Tibbs

Mr. Blankenship was present and sworn in by the court reporter, he was represented by counsel Patrick McKamey, Esq. Mr. Blankenship was charged with violation of 489.533(1)(e), F.S., filing a false inspection report.

MOTION: Mr. Sandefer made a motion to adopt the findings of fact and conclusions of law as stated in the administrative complaint.

SECOND: Mr. Langer.

Motion passed unanimously.

MOTION: Mr. Langer made a motion to impose a fine of \$1,000 and costs of \$159.33.

SECOND: Mr. Langer.

Motion passed unanimously.

Thomas Botlick
Nationwide Communication Services, LLC
ES1200076
Case #: 2009-025902
Recused: Bramlett, Bellemare & Tibbs

Mr. Botlick was not present nor represented by counsel. Mr. Botlick was charged with violation of 489.533(1)(l), F.S., contracting in a name other than licensed and 489.533(1)(s), F.S. practicing beyond the scope of license.

MOTION: Mr. Hoffmann made a motion to adopt the findings of fact as those of the Board.

SECOND: Mr. Sandefer.

Motion passed unanimously.

MOTION: Mr. Sandefer made a motion to adopt conclusions of law as stated in the administrative complaint.

SECOND: Mr. Thomas.

Motion passed unanimously.

MOTION: Mr. Langer made a motion to impose a fine of \$5,000, costs of \$274.10 and revocation of licensure.

SECOND: Mr. Thomas.

Motion passed unanimously.

Michael Butler
Fire Security Communications, Inc.
ER929
Case #: 2009-050692
Recused: Bellemare, Bramlett & Tibbs

Mr. Butler was present and sworn in by the court reporter. Mr. Butler was charged with violation of 455.533(1)(m)4, F.S., financial misconduct for failure to pay a civil judgment.

MOTION: Mr. Sandefer made a motion to adopt the findings of fact and conclusions of law in the administrative complaint as those of the Board.

SECOND: Mr. Hoffmann.

Motion passed unanimously.

MOTION: Mr. Hoffmann made a motion to impose a fine of \$1,000, costs of \$288.90 and allow 90 days to pay.

SECOND: Mr. Sandefer.

Motion passed unanimously.

John Gerle
Snitzel, Inc.
EG13012444
Case #: 2009-035118
Recused: Bellemare, Bramlett & Tibbs

Mr. Gerle was not present nor represented by counsel. Mr. Gerle was charged with violation of 489.533(1)(m)4, F.S., financial misconduct for failure to pay a civil judgment

MOTION: Mr. Thomas made a motion to find the respondent had waived his rights to dispute the facts in the case.

SECOND: Mr. Sandefer.

Motion passed unanimously.

MOTION: Mr. Sandefer made a motion to adopt the findings of fact and conclusions of law as stated in the administrative complaint.

SECOND: Mr. Thomas.

Motion passed unanimously.

MOTION: Mr. Thomas made a motion to find the respondent had been properly served with the administrative complaint.

SECOND: Mr. Thomas.

Motion passed unanimously.

MOTION: Mr. Hoffmann made a motion to impose a fine of \$3,000 and costs of \$447.95 and revocation of licensure.

SECOND: Mr. Langer.

Motion passed unanimously.

Steven Zubatuk
Hyperlink, Inc.
EZ117
Case #: 2009-055441
Recused: Bellemare, Bramlett & Tibbs

Mr. Zubatuk was present and sworn in by the court reporter. Mr. Zubatuk was charged with violation of 489.533(1)(m)2, F.S., financial misconduct and 489.533(1)(p), F.S. abandonment.

MOTION: Mr. Thomas made a motion to find the respondent had been properly served.

SECOND: Mr. Sandefer.

Motion passed unanimously.

MOTION: Mr. Thomas made a motion to find the respondent had waived his rights to dispute the facts in the case.

SECOND: Mr. Sandefer.
Motion passed unanimously.

MOTION: Mr. Sandefer made a motion to adopt the findings of fact and conclusions of law as stated in the administrative complaint.

SECOND: Mr. Thomas.
Motion passed unanimously.

MOTION: Mr. Sandefer made a motion to impose costs of \$75.62, payment of fines and costs in prior case and a reprimand with 18 month payment plan.

SECOND: Mr. Tibbs.
Motion passed unanimously.

Andrew Schmeider
Accent Electronic Integrators, Inc.
ES 12000266
Case #: 2010-000860
Recused: Bellemare, Bramlett & Tibbs

Mr. Schmeider was present and sworn in by the court reporter. Mr. Schmeider was charged with violation of 489.533(1)(j), F.S., aiding and abetting unlicensed activity.

MOTION: Mr. Sandefer made a motion to accept the stipulation imposing fines of \$1,500 and costs of \$196.61 and 1 year probation.

SECOND: Mr. Thomas.
Motion passed 3 in favor, 2 opposed (Langer, Flaherty).

APPLICATION REVIEW –Brian Flaherty, Chairman Second Business Applications

See exhibit A for a list of applicants were present during this portion of the meeting:

The Court Reporter swore in, as a group, the applicants and those persons providing testimony on behalf of the applicant. During the review each applicant and their respective designees were interviewed in turn and answered general questions concerning the business entity they wished to qualify and direct questions concerning their understanding of their responsibilities and obligations as primary qualifying agent.

Mr. Hoffmann asked of the second business applicants collectively as a group:

~ "Do you understand that you will be legally responsible for every job undertaken by this business?"

~ Do you understand that you will be financially responsible for every job

undertaken by this business?"

~ Do you understand that you are required to approve the work done on every job undertaken by this business?"

~ Do you understand that your license is dependent upon how seriously you take these responsibilities?"

Each applicant answered affirmatively to each of the preceding questions.

PETITION FOR VARIANCE OR WAIVER, Deborah Loucks, Esq., Assistant Attorney General

Larry Andrews - Waiver of 61G6-6.017, F.A.C.

Mr. Andrews was not present nor represented by counsel.

MOTION: Mr. Bellemare made a motion to grant request for waiver and approve the license.

SECOND: Mr. Hoffmann.

Motion passed unanimously.

HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT – Deborah Loucks, Assistant Attorney General

Ernesto Brito

Application Denial

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

MOTION: Mr. Tibbs made a motion to reverse the denial and approve the application based on 4 years of supervisory experience.

SECOND: Mr. Thomas.

Motion passed unanimously.

Harry James

Application Denial

Mr. James was not present nor represented by counsel.

MOTION: Mr. Hoffmann made a motion to accept the request for withdrawal.

SECOND: Mr. Langer.

Motion passed unanimously.

Shane Johnson

Application Denial

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

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

SECOND: Mr. Langer.

Motion passed unanimously.

Ryan McCollum
Application Denial

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

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

SECOND: Mr. Tibbs.

Motion passed unanimously.

Jefferson Morgado
Application Denial

Mr. Morgado was not present nor represented by counsel.

MOTION: Mr. Langer made a motion to accept the request for withdrawal.

SECOND: Mr. Bramlett.

Motion passed unanimously.

James Mikell Murray
Application Denial

Mr. Murray 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. Sandefer.

Motion passed unanimously.

Eric Pridmore
Application Denial

Mr. Pridmore 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. Bramlett.

Motion passed unanimously.

Alexander Rosa
Application Denial

Mr. Rosa was present with associate Mark Taber, both were sworn in by the court reporter.

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

SECOND: Mr. Sandefer.

Motion passed unanimously.

Frank Santoyo
Application Denial

Mr. Santoyo 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. Bramlett.

Motion passed unanimously.

Rodney Sheldon
Application Denial

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

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

SECOND: Mr. Bramlett.

Motion passed unanimously.

Stephen Warner
Application Denial

Mr. Warner 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. Bramlett.

Motion passed unanimously.

Kaleb Brashear, Elite CEU
Application Denial

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

MOTION: Mr. Langer made a motion to uphold the denial.

SECOND: Mr. Sandefer.

Motion passed unanimously.

Eduardo Hoyos
Application Denial

Mr. Hoyos 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. Sandefer.

Motion passed unanimously.

W. Michael McGonigle
Application Denial

Mr. McGonigle 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. Bellemare.

Motion passed unanimously.

RECONSIDERATION –
Deborah Loucks, Assistant Attorney General

Corbett Bowen

Mr. Bowen was not present nor represented by counsel.

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

SECOND: Mr. Tibbs.

Motion passed unanimously.

**Request for Continuing Education Credits
Deborah Loucks, Assistant Attorney General**

Robert Streath

Mr. Streath was not present nor represented by counsel. Mr. Streath requested continuing education credits for the 2010 renewal cycle for college courses not already approved by the board.

MOTION: Mr. Tibbs made a motion to deny the request.

SECOND: Mr. Bramlett.

Motion passed unanimously.

LEGISLATIVE REPORT

Ms. Chastain updated the Board on the statutory provision allowing temporary licensure for spouses of the military.

RULES REPORT – Clarence K. Tibbs

Ms. Loucks provided the Board with a rules report updating the status of their open rules.

Draft Language Rule 61G6-9.006, F.A.C.

MOTION: Mr. Tibbs made a motion to notice the rule with the language discussed and that no SERC would be necessary.

SECOND: Mr. Bramlett.

Motion passed unanimously.

61G6-9.006 Approval of Continuing Education Courses.

(1)(a) Any registered course provider may submit an application for approval of a continuing education course by filing with the Board a completed Training Provider and Continuing Education Course Approval Application form Number 4455-1 available online at http://www.myfloridalicense.com/dbpr/pro/elboard/documents/training_provider_and_ce_course_approval_package_enterable.pdf

~~ECLB Continuing Education Course Approval Application, Form No. BRP/ECLB/CONT.ED.COURSE.APP/REV/4/2004~~ adopted and incorporated herein by reference, copies of which may be obtained from the Board office. Copies of which shall be provided upon request to the Board.

(b) Those courses offered by a university or college which is regionally accredited by an accrediting agency recognized by the United States Department of Education (USDOE); and which university or college offers courses in the contracting areas specified in Part II, Chapter 489, F.S., and pursuant to Rule Chapter 61G6-9, F.A.C., shall be approved upon receipt of a completed course application and the Board shall not charge a fee for such approval.

(2) Upon receipt of a course application and the appropriate fee, the Board shall approve any, seminar or conference in the electrical or alarm system contracting area provided by any university, community college, vocational-technical center, public or private school, firm, association, organization, person, corporation, or entity which meets the criteria provided in this rule.

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(3) Any course approved for the continuing education requirements for persons certified under Chapter 468, Part XII, F.S., shall be accepted for continuing education for renewal under this rule, for persons who are certified under Part XII and who are certified or registered under this part.

(4) The application shall include the total number of classroom hours, the course syllabus, a detailed outline of the contents of the course, the name and qualifications of all instructors known at the time of the application and the minimum qualifications of any instructors not known at the time of application.

(5) The Board shall approve continuing education courses which appropriately relate to the general business skills or the technical skills required of certificateholders or registrants, and which is taught by qualified instructors.

(6) A continuing education course which addresses specific technical materials or trade knowledge shall be approved if applicable to a specific category or categories of contractor as defined in Section 489.505, F.S.

(7) Continuing education course approval is valid until May 31st of odd numbered years, provided no substantial change is made in the course.

(8) The Board shall approve or deny any application for a continuing education course at the next regularly scheduled Board meeting, provided the application is filed with the agency within forty five (45) days of that meeting. If the application is denied, the Board shall identify the specific reasons for the denial in writing.

(9) A course which has been denied may be resubmitted to the Board with modifications.

(10) The Board shall not deny nor withdraw approval for any course on the basis that another course provider is conducting the same or similar course approved by the Board.

(11) Of the required 14 continuing education hours, a licensee may earn three business hours credit by attending, for at least three hours, a meeting of the Board wherein disciplinary cases are considered. Licensees must attend the complete agenda of disciplinary cases to receive the continuing education hours. ~~At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the~~ The licensee must check in with the Clerk of the Board prior to the beginning of disciplinary proceedings. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action. A licensee may receive continuing education credit for attending the Board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose.

(12) The Board shall grant a maximum of seven (7) continuing education credits to any licensee who participates in examination development with the approval of the Board upon submission of documentation of such participation by the Department or a testing provider under contract with the Department. The licensee shall use such credits for the current renewal cycle and provide documentation of participation at least ninety days prior to the end of the renewal cycle.

(13) Providers shall use the following prefixes to designate the number of approved hours in each of the four statutorily mandated categories: "T" for technical subjects, "C" for workers' compensation, "S" for workplace safety, and "B" for business practices.

(14) The Board shall grant a maximum of four (4) continuing education credits to any licensee who participates as a member of any technical advisory committee to the Florida Building Code Commission within the Department of Community Affairs. The licensee shall use such credits for the current renewal cycle and provide documentation of participation at least ninety days prior to the end of the renewal cycle.

MOTION: Mr. Tibbs made a motion to incorporate the CE application form DBPR ECLB 4455-1 by reference in rule 61G6-9.006, F.A.C.

SECOND: Mr. Hoffmann.

Motion passed unanimously.

Draft Language Rule 61G6-5.003, F.A.C.

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61G6-5.003 Application for Examination for Certification.

(2) Every applicant must submit:

(a) A comprehensive financial statement reflecting the financial condition of the individual applicant during the previous fiscal year; provided, however, that the statement must have been prepared within 12 months of the date of filing of the application. The financial statement shall include a balance sheet. ~~Unless prepared by a certified public accountant, the financial statement shall be signed in the presence of a notary by the individual applicant.~~

MOTION: Mr. Tibbs made a motion to notice the rule with the language reviewed and that no SERC would be necessary.

SECOND: Mr. Sandefer.

Motion passed unanimously

Draft Language Rule 61G6-12.001, F.A.C.

61G6-12.001 Requirements for Burglar Alarm System Agent Training Courses.

(1) The course fee shall be \$15.00 per hour, not to exceed \$60.00 per course.

(2) The completed Training Provider and Continuing Education Course Approval Application form Number 4455-1 available online at :

http://www.myfloridalicense.com/dbpr/pro/elboard/documents/training_provider_and_ce_course_approval_package_enterable.pdf course sponsor form, ASASPONS.APP Rev. 2/98, titled Alarm System Agent Sponsor Application, which is hereby incorporated by reference and will be effective 5-11-98, copies of which may be obtained from the Board office.

~~(3) The course application form, ASACOURS.APP Rev. 2/98, titled Alarm System Agent Course Application, which is hereby incorporated by reference and will be effective 5-11-98, copies of which may be obtained from the Board office.~~

(4) Instructor Requirements are as follows:

(a) All course instructors shall be qualified, by education or experience, to teach the course, or parts of a course, to which the instructor is assigned.

1. Any person with a four year college degree or graduate degree is qualified to teach any course in their field of study.

2. Any certified or registered contractor with at least five years experience may teach any technical course regarding contracting within the scope of the contractor's license.

(b) Course sponsors may request approval by the board regarding the qualifications of a particular instructor for a particular course.

(5) Each course sponsor must maintain the following records with respect to each course:

(a) The time, date and place each course is conducted.

(b) The name, address and qualifications of each instructor who teaches any portion of the course.

(c) The name, address and certificate or registration number of each person who registered for the course.

(d) The original sign-in sheet used at the site of the course to register persons who attend each course. The sign-in sheet shall require all attendees to print and sign their name.

(e) The course syllabus used for each course.

(f) The attendance forms.

(g) Each person who completes an approved course shall be issued a certificate of completion by the course sponsor. The certificate of completion shall contain the name of the person who completed the course. The course sponsor shall maintain a list of the name of each person who completes each course conducted by the course sponsor.

(h) The records must be maintained for at least three years following the date the course is completed.

(i) Each course sponsor shall provide the board with copies of any of these required records, upon request by the board.

(6) Course requirements: The Board shall approve burglar alarm system agent courses which address basic alarm system electronics, in addition to related training, including CCTV and access control, communication and signaling.

(7) A course syllabus shall be presented to the Board for approval which shall specify the name of the course, the number

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of the course assigned, the name and address of the course sponsor and a description or outline of the contents of the course.

(8) Courses may be offered and conducted on-line but must comply with this rule in their entirety. Such courses must include real time (contemporaneous) interactive discussions with the instructor and other attendees.

MOTION: Mr. Tibbs made a motion to notice the rule with the language reviewed and that no SERC would be necessary.

SECOND: Mr. Sandefer.

Motion passed unanimously

Draft Language Rule 61G6-12.002, F.A.C.

61G6-12.002 Requirements for Fire Alarm System Agent Training Courses.

(1) The training provider application fee shall be \$200.00.

(2) The course fee shall be \$25.00 per hour, not to exceed \$100.00 per course.

(3) The completed Training Provider and Continuing Education Course Approval Application form Number 4455-1 available online at :

http://www.myfloridalicense.com/dbpr/pro/elboard/documents/training_provider_and_ce_course_approval_package_enterable.pdf course sponsor form, FASASPN.APP (Revised 8/6/98), titled Fire Alarm System Agent Sponsor Application, effective 2-18-99, which is hereby incorporated by reference and can be obtained from the Board office.

~~(4) The course application form, FASACOU.APP (Revised 8/6/98), titled Fire Alarm System Agent Course Application, effective 2-18-99, which is hereby incorporated by reference and can be obtained from the Board office.~~

(5) Instructor requirements are as follows:

(a) All course instructors shall be qualified, by education or experience, to teach the course, or parts of a course, to which the instructor is assigned.

(b) Any person with a four year college degree or graduate degree is qualified to teach any course in his/her field of study.

(c) Any certified or registered contractor with at least five years experience may teach any technical course regarding contracting within the scope of the contractor's license.

(d) Course sponsor may request approval by the Board regarding the qualifications of a particular instructor for a particular course.

(6) Course record requirements are as follows:

(a) Each course sponsor must maintain the following records with respect to each course.

1. The time, date and place each is conducted.

2. The name, address and qualifications of each instructor who teaches any portion of the course.

3. The name and address of each person who registered for the course.

4. The original sign-in sheet used at the site of the course to register persons who attend each course. The sign-in sheet shall require all attendees to print and sign their names.

5. The course syllabus used for each course.

6. The attendance forms.

(b) Each person who completes an approved course shall be issued a certificate of completion by the course sponsor. The certificate of completion shall contain the name of the person who completed the course, date the course was offered, name of the course, length of the course and the course approval number assigned by the Board.

(c) The course sponsor must maintain the records for at least three years following the date the course is completed.

(d) Each course sponsor shall provide the Board with copies of any of these required records, upon request by the Board.

(7) Course requirements: The Board shall approve fire alarm system agent courses which address basic fire alarm system technology in addition to related training in National Fire Protection Association (NFPA) codes and standards and access control training.

(8) A course syllabus shall be presented to the Board for approval which shall specify the name of the course, the name and address of the course sponsor and a description or outline of the contents of the course.

(9) Courses may be offered and conducted on-line but must comply with this rule in their entirety. Such courses must include real time (contemporaneous) interactive discussions with the instructor and other attendees.

MOTION: Mr. Tibbs made a motion to notice the rule with the language reviewed and that no SERC would be necessary.

SECOND: Mr. Sandefer.

Motion passed unanimously

Draft Language Rule 61G6-5.004, F.A.C.

61G6-5.004 Requirement for Business Organizations.

In order that the Board may carry out its statutory duty to investigate the financial responsibility, credit, and business reputation of an applicant proposing to engage in contracting as a partnership, corporation, business trust, or other legal entity other than a sole proprietorship, an applicant shall be required to forward the following to the Department for review by the Board:

~~(1) A statement signed and sealed by an officer of a surety company licensed to do business in Florida, certifying that the company would issue a performance or payment bond in an amount of at least \$10,000.00 to an applicant for a specialty certification and in an amount of at least \$25,000.00 to an applicant for unlimited electrical or alarm certification at the time of application. However, an applicant may substitute an Unexpired Irrevocable Letter of Credit from a responsible financial institution in an amount of at least \$10,000.00 or \$25,000.00 respectively, in lieu of this requirement.~~

(2) A comprehensive financial statement reflecting the financial condition of the business organization in its previous fiscal year; provided, however, that the statement be prepared within 12 months of the date of filing of the application. The financial statement shall be prepared in accordance with generally accepted accounting principles, as defined by Rule 61H1-20.007, F.A.C. (February, 2004). The financial statement must indicate a minimum net worth as indicated below for the following categories:

(a) Unlimited electrical and alarm contractor \$10,000

MOTION: Mr. Tibbs made a motion to notice the rule with the language reviewed and that no SERC would be necessary.

SECOND: Mr. Hoffmann.

Motion passed unanimously

PROBATION COMMITTEE REPORT

MOTION: Mr. Sandefer made a motion to accept the probation reports of William Rye, Jorge Hernandez, Saverio Cerra and Arnold Pearson.

SECOND: Mr. Tibbs.

Motion passed unanimously.

UNLICENSED ACTIVITY (ULA) REPORT – Paul Sandefer

No report given.

FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs

Ms. Chastain presented the reports for the operating and unlicensed activity accounts ending June 30, 2010. She explained the projections show the board coming out of its deficit in the next quarter.

EXAMINATION REPORT – Kenneth Hoffmann

No report given.

ENDORSEMENT REPORT

Update the matrix to show Kentucky is not substantially similar.

RATIFICATION OF APPLICATIONS

The lists will be attached to the minutes and are hereby incorporated by reference. (Lists are attached as exhibits A & B).

MOTION: Mr. Tibbs made a motion to accept the lists as presented.

SECOND: Mr. Bramlett.

Motion passed unanimously.

See Exhibits A & B.

APPROVAL OF MINUTES

MOTION: Mr. Sandefer made a motion to approve the minutes from July 2010 minutes.

SECOND: Mr. Thomas.

Motion passed unanimously.

OLD BUSINESS/ NEW BUSINESS

Albert Young – Request to Vacate Notice of Intent to Deny

Mr. Young was not present nor represented by counsel.

MOTION: Mr. Sandefer made a motion to vacate the notice of intent to deny.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Charles Allen Case 2007-017546 – Request to Vacate Final Order

Mr. Allen was not present nor represented by counsel.

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

SECOND: Mr. Bellemare.

Motion passed unanimously.

Mr. Sandefer mentioned that he has been working with several of the industry associations regarding journeyman licensing and they are still working toward legislative action.

PROSECUTING ATTORNEY'S REPORT – LeChea Parson, Esq., Assistant General Counsel

Ms. Parson directed the Board's attention to the details of the report which was distributed to the members. The report included the following case information as of September 10, 2010.

- 4 cases assigned to Legal after investigation

Electrical Contractors' Licensing Board
Meeting Minutes
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- 24 cases set for Probable Cause presentation
- 28 set for Board review
- 3 cases to DOAH
- 2 cases awaiting service of AC
- 2 cases ready for default
- 4 cases requested formal hearings
- 3 cases in settlement negotiation
- 2 cases awaiting reconsideration

BOARD COUNSEL'S REPORT – Deborah Loucks, Esq., Assistant Attorney General

No report given.

EXECUTIVE DIRECTOR'S REPORT – Juanita Chastain

Ms. Chastain directed the Board's attention to the enforcement report and the proposed meeting dates which were provided for their information.

The Board asked Ms. Chastain to invite Michael Green and Jerry Wilson to the November Board meeting. They also asked her to invite G.W. Harrell to discuss solar contracting issues.

CHAIRPERSON'S COMMENTS – Brian Flaherty

Mr. Flaherty presented a plaque to Noel Thomas commemorating his year as chairman of the ECLB.

Adjournment.