

**MINUTES FROM THE  
Electrical Contractors' Licensing Board Meeting  
March 19-20, 2009  
Hilton Cocoa Beach Oceanfront  
1550 North Atlantic Ave.  
Cocoa Beach, Florida 32931**

The Board Meeting was called to order by Chairman Clarence Tibbs at 8:30 a.m.

**PLEDGE OF ALLEGIANCE AND INVOCATION  
ROLL CALL**

**Members Present**

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

**Members Absent**

Reagan Huff

**Others Present**

Anthony B. Spivey, Executive Director  
Ruthanne Christie, Government Analyst I  
Michael Flury, Esq., Assistant Attorney General  
LeChea Parson, Assistant General Counsel  
Court Reporter – American Court Reporting

**Disciplinary Cases – LeChea Parson, Assistant General Counsel Attorney**

William A. Johnson, III  
Hearing pursuant to 120.57(2), F.S.  
License #: EC 0002345  
Case #: 2008-003384  
Recused: Thomas, Bellemare

Mr. Johnson was not present he was represented by Tom Fitzgibbons, Esq.

**MOTION:** Mr. Hoffmann made a motion to reject the stipulation and grant a continuance.

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**SECOND:** Mr. Bramlett.  
The motion passed unanimously.

Jorge L. Hernandez  
Settlement Stipulation  
License #: EC 1359  
Case #: 2007-061224  
Recused: Thomas, Bellemare

Mr. Hernandez was not present nor represented by counsel.

**MOTION:** Mr. Langer made a motion to reject the stipulation.  
**SECOND:** Mr. Bellemare.  
The motion passed unanimously.

Thomas R. Lindquist  
Settlement Stipulation  
License #: EC001246  
Case #: 2008-006506  
Recused: Thomas, Tibbs

Mr. Lindquist was not present nor represented by counsel.

**MOTION:** Mr. Bellemare made a motion to reject the stipulation.  
**SECOND:** Mr. Hoffman.  
The motion passed unanimously.

Roger Black  
Settlement Stipulation  
License #: EF334  
Case #: 2007-011145  
Recused: Thomas, Bellemare

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

**MOTION:** Mr. Langer made a motion to reject the stipulation and impose a fine of \$1,500 and costs of \$246.52 with the addition of 1 year probation.  
**SECOND:** Mr. Flaherty.  
Mr. Black accepted the counter offer as proposed.  
The motion passed unanimously.

#### **APPLICATION REVIEW**

Second Business Applications  
BALDAUF, DONALD - STARR PROTECTIVE LLC  
BORDERICK, F - TRI-CITY/4EVOLUTION JOINT VENTURE

BORDERICK, F - TRI-CITY/4EVOLUTION II JOINT VENTURE  
BROWN, EDWIN - BROADWAY SIGN & LIGHTING LLC  
CALVERT, STEPHEN - SECURITY INTERNATIONAL GROUP INC  
DALE, STEVE - INSTALLATION AND SERVICE TECHNOLOGIES INC  
GIL, NELSON - ARRACAL INC DBA HOME SOUND SOLUTIONS  
IRVIN, JAMES - RIVERSIDE ELECTRIC AND CONTRACTING SERVICES LLC  
KINER, JEFFREY - BAY AREA ELECTRIC FLORIDA LLC  
KRIEGER, ROBERT - KRIEGER ELECTRIC INC  
LYES, ALAN - FTS USA LLC  
MARTINEZ, LUIS - ALPHAOMEGA SOLUTIONS LLC  
MCGRAW, MICHAEL - ADVANCE SYSTEMS LIMITED INC  
MENDEZ, JUAN - SOUTH TECHNOLOGY CONTRACTOR CORP  
MORRISON, DANIEL - GUARANTEED POWER SOLUTIONS CORP  
MORRISON, MARK - EDI OF CENTRAL FLORIDA INC  
PADGETT, RONNIE - AGGRESSIVE ELECTRIC OF JACKSONVILLE LLC  
PERNA, TODD - COMMUNITY SECURITY SERVICES INC  
REGISTER, SHAWN - FOUR POINTS ELECTRIC INC  
ROBINSON, JAMES - COUNTERFORCE INC  
SCHUMANN, MILTON - COMMERCIAL ELECTRIC SERVICE CO LLC  
TEXIDOR, ARNALDO - CITIZEN PROTECTION INC  
WIXSON, DOUGLAS - MAGICAL MEDIA INC

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. Thomas 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.

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT –  
Michael Flury, Assistant Attorney General**

Oscar Anderson  
Application Denial – Initial Registration

Mr. Anderson 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. Bellemare.

Motion passed 5 in favor 3 opposed.

Oshik Amiga

Application Denial – Initial by Endorsement

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

**MOTION:** Mr. Langer made a motion to reverse the denial and approve the application contingent on proof the Bellsouth account was paid off.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

George Mowers

Application Denial – Additional Business Entity EMZ Electrical LLC

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

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

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

George Mowers

Application Denial – Additional Business Entity VASC, Inc

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

**MOTION:** Mr. Hoffmann made a motion to allow withdrawal of the application.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

James Robinson

Application Denial - Additional Business Entity

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

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

**SECOND:** Mr. Hoffmann.

Motion passed unanimously.

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Eduardo Pagan  
Application Denial – Initial by Endorsement

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

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

**SECOND:** Mr. Hoffmann.  
Motion passed unanimously.

### **Reconsiderations, Michael Flury, Esq., Assistant Attorney General**

Lee Levenson  
Application Denial - Additional Business Entity  
Mr. Levenson 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. Bramlett.  
Motion passed unanimously.

Gregory Connelly  
Application Denial – Additional Business Entity

Mr. Connelly 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.

Arnaldo Texidor – Request for withdrawal

Mr. Texidor was not present nor represented by counsel.

**MOTION:** Mr. Bellemare made a motion to allow withdrawal of the application.

**SECOND:** Mr. Hoffmann.  
Motion passed unanimously.

### **Requests for Reinstatement of Null and Void Licenses, Michael Flury, Esq., Assistant Attorney General**

Stephen D. Harding – EC 13003065

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

**MOTION:** Mr. Hoffmann made a motion to reinstate the license to active status upon payment of past due fees.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

### **Request for Reinstatement of Suspended License**

Joan Briddes – ER0012191

Ms. Briddes was present and sworn in by the court reporter.

**MOTION:** Mr. Sandefer made a motion to lift the suspension and reinstate the license.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

### **PROSECUTING ATTORNEY'S REPORT – LeChea Parson, 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 March 17, 2009.

- 13 cases in Legal after investigation
- 25 cases set for Probable Cause presentation
- 14 cases where an Administrative Complaint has been filed
- 0 cases for reconsideration
- 4 cases pending Supplemental Investigation
- 7 cases requesting a Formal Hearing
- 6 cases set for Board presentation
- 3 cases awaiting Final Order
- 3 cases for settlement negotiations
- 39 cases a year old or more

### **UNLICENSED ACTIVITY REPORT – LeChea Parson, Assistant General Counsel**

No report given.

### **LEGISLATIVE REPORT - Brian Flaherty**

The Board members expressed concern about the proposed changes to the statute regarding financial responsibility and that they were not consulted about the change. Mr. Spivey agreed to relay the Board's concerns to the Department.

### **RULES REPORT – Clarence K. Tibbs**

Mr. Flury presented the report with the following statuses:

Rule 61G6-8.001, F.A.C. – Waiting on SERC  
Rule 61G6-5.002, F.A.C. – On JAPC hold 11/7/2008  
Rule 61G6-5.003 – 5.009, F.A.C. - On JAPC hold 11/7/2008  
Rule 61G6-5.009, F.A.C. – On JAPC hold 11/7/2008  
Rule 61G6-7.001, F.A.C. – effective 12/2/2008

The Board reviewed the form for Reinstatement from Null & Void.

**MOTION:** Mr. Sandefer made a motion to adopt the form.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**PROBATION COMMITTEE REPORT - Paul Sandefer**

The Board reviewed the probation report of Kenneth Holmes.

**MOTION:** Mr. Sandefer made a motion to approve the report presented.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**UNLICENSED ACTIVITY (ULA) REPORT – Paul Sandefer**

No report given.

**FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs**

Spivey presented the December 2008 financial reports.

**EXAMINATION REPORT – Kenneth Hoffmann**

The Board reviewed the 2009 exam statistics.

**ENDORSEMENT REPORT**

No changes were made to the matrix.

The Board reviewed an email from Psychometrician, Steve Allen explaining his review of the Georgia exams found that they are still similar and the references are current.

**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. Bellemare made a motion to ratify the lists as presented.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

See Exhibits A & B.

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**OLD BUSINESS/ NEW BUSINESS**

None

**BOARD COUNSEL'S REPORT – Michael Flury, Esq., Assistant Attorney General**

No report given.

**EXECUTIVE DIRECTOR'S REPORT – Anthony B. Spivey**

The Board reviewed the resume of Juanita Chastain, Executive Director of the Electrical Contractors' Licensing Board.

**MOTION:** Mr. Bellemare made a motion to accept Ms. Chastain as the Executive Director.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

The Board reviewed the Emergency Registration issued to Citizen Protection Inc.

The Board reviewed the proposed travel dates.

**CHAIRPERSON'S COMMENTS – Clarence Tibbs**

Mr. Tibbs asked the Board to review a letter from Dr. Robert O'Neil regarding board compensation payments. The Board discussed the letter but did not take any action on the issue.

**Adjournment.**