

**MINUTES FROM THE  
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING  
Hilton Westshore  
2225 North Lois Avenue  
Tampa, FL 33607  
PH: 813-877-6688  
May 20-21, 2010**

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

**PLEDGE OF ALLEGIANCE  
INVOCATION**

**ROLL CALL**

**Members Present**

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

**Members Absent**

None

**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 – Argus Reporting, LLC d/b/a Bay Park Reporting

**Approval of the Agenda**

**MOTION:** Mr. Tibbs made a motion to approve the agenda.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

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

Michael Vandergriff  
Electric Controls, Inc.  
EC655  
2009-0012148  
Hearing Pursuant to 120.57(2), F.S.  
Recused: Bellemare, Bramlett, Tibbs

Mr. Vandergriff was not present nor represented by counsel. The Respondent sent a letter requesting a continuance.

**MOTION:** Mr. Flaherty made a motion to continue the case.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

Roger Lehmkuhl  
Lehmkuhl Electric, Inc.  
EC13002289  
2009-012510  
Hearing Pursuant to 120.57(2) , F.S.  
Recused: Bellemare, Bramlett, Tibbs

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

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

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Langer made a motion to impose a fine of \$2,500 costs of \$131.18 and 1 year probation.

**SECOND:** Mr. Huff.

Motion passed unanimously.

Charles Hart  
Platinum Protection, LLC  
Represented by: Michael Melzer  
EF20000564  
2009-016013  
Hearing Pursuant to 120.57(2) , F.S.  
Recused: Bellemare, Bramlett, Tibbs

Electrical Contractors' Licensing Board  
Meeting Minutes  
May 2010

Mr. Hart was present and sworn in by the court reporter, he was represented by counsel Tim Atkinson. Mr. Hart was charged with violation of 489.533(1)(r), F.S., failure to obtain permits or inspections.

**MOTION:** Mr. Flaherty made a motion to adopt the findings of fact as stated in the administrative complaint.

**SECOND:** Mr. Huff.

Motion passed unanimously.

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

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**MOTION:** Mr. Hoffmann made a motion to impose a fine of \$2,500 and costs of \$66.61 and suspension requiring and appearance before the Board for reinstatement.

**SECOND:** Mr. Langer.

Motion passed unanimously.

Larry Evers

APX Alarm Security Solutions, Inc.

Represented by: Dylan Rivers, Esq.

EG13000290

2008-051011

Hearing Pursuant to 120.57(2) , F.S.

Recused: Thomas, Bramlett

Mr. Evers was present and sworn in by the court reporter, he was represented by counsel Dylan Rivers. Mr. Evers was charged with violation of 489.533(1)(s), F.S., contracting beyond the scope of license.

**MOTION:** Mr. Flaherty made a motion to adopt the findings of fact as stated in the administrative complaint with correction of the license number.

**SECOND:** Mr. Huff.

Motion passed unanimously.

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

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**MOTION:** Mr. Bellemare made a motion to impose a fine of \$2,500 costs of \$181.02 and 1 year probation.

**SECOND:** Mr. Hoffmann.

Motion passed unanimously.

Electrical Contractors' Licensing Board  
Meeting Minutes  
May 2010

Terry Blankenship  
American Security Alarm Systems, Inc  
EF20000786  
2009-019110  
Settlement Stipulation  
American Security Alarm Systems, Inc  
Recused: Bellemare, Bramlett, Tibbs

Mr. Blankenship was not present nor represented by counsel. Mr. Blankenship was charged with violation of 489.533(1)(e),F.S., filing a false report.

**MOTION:** Mr. Flaherty made a motion to reject the stipulation.

**SECOND:** Mr. Huff.

Motion passed unanimously.

**MOTION:** Mr. Hoffmann made a motion for a counter offer to impose a fine of \$1,000, costs of \$148.53 and a 2 year suspension with 1 year probation to follow.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

Loth Victor  
Hardwire Electrical Services, Inc.  
ER1301651  
2009-017446  
Settlement Stipulation  
Recused: Thomas, Bellemare, Bramlett

Mr. Loth was not present nor represented by counsel. Mr. Loth was charged with violation of 489.533(1)(n),F.S., being disciplined by a municipality.

**MOTION:** Mr. Tibbs made a motion to reject the stipulation.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Tibbs made a motion for a counter offer to impose a fine of \$1,000, costs of \$116.45 and a 2 year suspension with appearance before the Board for reinstatement and 1 year probation to follow.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

Sergio Lopez DeMesa  
Saw Technologoes, Inc.  
Represented by: George Zednek, P.A.  
EC2002

Electrical Contractors' Licensing Board  
Meeting Minutes  
May 2010

2007-045869  
Settlement Stipulation  
Recused: Thomas, Tibbs

Mr. DeMesa was present and sworn in by the court reporter, his counsel was not present. Mr. DeMesa was charged with violation of 489.533(1)(m)2, 489.533(1)(p) & 489.533(1)(r), F.S., financial mismanagement or misconduct.

**MOTION:** Mr. Flaherty made a motion to reject the stipulation.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**MOTION:** Mr. Bellemare made a motion for a counter offer to impose revocation, a fine of \$5,000 and costs of \$302.15.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

Sergio DeMesa  
Saw Technologoes, Inc.  
Represented by: George Zednek, P.A.  
EC2002  
2008-059078  
Settlement Stipulation  
Saw Technologoes, Inc.  
Recused: Thomas, Tibbs

Mr. DeMesa was present and sworn in by the court reporter, his counsel was not present. Mr. DeMesa was charged with violation of 489.533(1)(m)2 489.533(1)(p), F.S., financial mismanagement or misconduct.

**MOTION:** Mr. Tibbs made a motion to reject the stipulation.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion for a counter offer to impose revocation, a fine of \$5,000 and costs of \$288.51.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

Rene Valdes  
Demco Electric Company  
ER5766  
2009-034136  
Motion for Waiver of Rights  
Demco Electric Company

Recused: Bellemare, Bramlett, Tibbs

Mr. Valdes was present and sworn in by the court reporter. Mr. Valdes was charged with violation of 489.533(1)(h),F.S., contracting on a delinquent license.

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

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**MOTION:** Mr. Hoffmann made a motion to dismiss the case.

**SECOND:** Mr. Huff.

Motion passed unanimously.

### **APPLICATION REVIEW –Noel Thomas, Chairman**

#### Second Business Applications

The following applicants were present during this portion of the meeting:

Appin, Richard Walton - Sound Source Inc

Barber, Buddy R - Armor Fire And Security Inc

Borderick, F Rance - Tri-City/4evolution VI Joint Venture

Borderick, F Rance - Tri-City/4evolution V Joint Venture

Borderick, F Rance - Tri-City/4evolution VII Joint Venture

Borderick, F Rance - Tri-City/4evolution VIII Joint Venture

Borderick, F Rance - Tri-City Electrical Contractors Inc DbA South Atlantic Tri-City

Browning, William Eugene - Complete Signs LLC D/B/A Complete Signs Of Dothan LLC

Burress, Donald L - Covenant Home Security LLC

Cancio, George L - Total Electrical Contractors Inc

Candea, Michael - Audio Advisors Inc D/B/A Ask The Advisors

Casassa, Paul A - Alarmco LLC

Davis, Harold - G & D Electrical LLC

Dix, Robert Noah - Pro Tech Home Automation LLC

Everly, William Herbert Jr - Evergreen Electrical Services LLC

Forbis, Ronald - Mtf Inc

Garcia, Alberto C - Sas Alarm Technologies LLC

Gaydos, Paul John - M J G Electric Inc.

Guillen, Ramon - All About Construction Inc

Hansen, Seth - Daktronics Installation Inc

Hollod, James E - Southern Sound & Security LLC

Horn, Hendrik - Applications By Design Inc

James, Harry - Aten Electric LLC

Jarosz, Dale - Generx Generators Inc

Jennings, Russell Brian - Palm Beach Generator Inc

Jesram, Michael Khemraj - All Nation Electrical Inc

Katz, Evan - Sprinklermatic Fire Sprinklers And Fire Alarms, Inc

Electrical Contractors' Licensing Board  
Meeting Minutes  
May 2010

Keith, Lewis - Crowther Roofing And Sheet Metal Of Florida, Inc  
Lawrence, Roger Lynn - Advanced Management Group Technical Services LLC  
Lowe, David - Action Electronics, LLC DbA Summit Security Alarm  
Miller, Garrett - Rme & Associates, LLC  
Morway, Robert T - Securpoint Corporation  
Moyers, Richard Earl - Edwards Ornamental Iron  
Pagan, Edgardo - Icu Surveillance Pro Inc  
Pasetti, Lawrence Tony III - Semper Electric LLC  
Phillips, James Michael - Hoffman Electrical LLC  
Pollack, Roy - Devcon Residential Services Corp.  
Ream, Leroy - Safe At Home Inc D/B/A Leader Security Systems  
Riley, Bryan - Pah Constructors, Inc  
Rogers, Avery James - Up To Code Systems Inc  
Scoville, Gary D - Advanced Design Technology Systems Inc  
Sikes, Benjamin Gary - Dan's Fan City LLC  
Tate, Stephen Gregory - Trinity Technology Systems, LLC  
Van Buskirk, William Dale - Affordable Satellite Services Inc DbA Dr Hook It Up  
Waggoner, Michael A - Msi Construction Management LLC  
Washington, Richard - Total Protection Specialists 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. Flaherty 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 DECLARATORY STATEMENT, Deborah Loucks, Esq., Assistant Attorney General**

**Richard Szpyrka, Brevard County Land Development Engineer**

Mr. Szpyrka was not present nor represented by counsel.

**MOTION:** Mr. Tibbs made a motion to answer yes to the question stated in the petition for declaratory statement.

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

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

**Robert Matos - Waiver of 61G6-017**

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

**MOTION:** Mr. Hoffmann made a motion to deny the request for waiver stating Mr. Matos did not demonstrate a hardship.

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

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

**Aaron Allen**

**Application Denial – Initial by Examination**

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

**MOTION:** Mr. Huff made a motion to reverse the denial and approve the application contingent on a letter from the bank showing a \$5,000 balance.

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

**Ronald Dushek**

**Application Denial – Endorsement**

Mr. Dushek 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. Huff.  
Motion passed unanimously.

**Geoffrey Doyle**

**Application Denial – Initial by Examination**

Mr. Doyle 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. Langer.  
Motion passed unanimously.

**Omar Hernandez**

**Application Denial – Additional Business**

Mr. Hernandez 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. Huff.

Motion passed unanimously.

**Tiffan Jones**

**Application Denial – Initial by Examination**

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

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

**SECOND:** Mr. Langer.

Motion passed unanimously.

**Jonathan Miller**

**Application Denial – Initial by Examination**

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

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

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Joseph Michel**

**Application Denial – Additional Business**

Mr. Michel 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. Langer.

Motion passed unanimously.

**Vladimir Scutt**

**Application Denial – Initial by Examination**

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

**MOTION:** Mr. Bramlett made a motion to uphold the denial.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

Mr. Scutt requested to be allowed to withdraw the application.

**MOTION:** Mr. Tibbs made a motion to reverse the denial and permit the applicant to withdraw the application.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**Henry Wiggins**

**Application Denial – Endorsement**

Mr. Wiggins 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. Huff.

Motion passed unanimously.

**Michael Harvey**

**Application Denial – Endorsement**

Mr. Harvey 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. Huff.

Motion passed unanimously.

**Byron Cropp**

**Application Denial – Endorsement**

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

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

**SECOND:** Mr. Huff.

Motion passed unanimously.

**William McKinney**

**Application Denial – Additional Business**

Mr. McKinney 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. Huff.

Motion passed unanimously.

**Kevin Kossick**

**Application Denial – Initial by Examination**

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

**MOTION:** Mr. Bellemare made a motion to reverse the denial and approve the application with downgrade to Alarm System II Contractor.

**SECOND:** Mr. Langer.

Motion passed unanimously.

**Carl Parks**

**Application Denial – Endorsement**

Mr. Parks 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.

**Thomas Borders**  
**Application Denial – Endorsement**

Mr. Borders 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.

**Brian Hoops**  
**Application Denial – Initial by Examination**

Mr. Hoops 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.

**RECONSIDERATIONS – Deborah Loucks, Esq., Assistant Attorney General**

**Gruia Ionescu**  
**Approved Contingent – Initial by Examination**

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

**MOTION:** Mr. Tibbs made a motion to consider the documents presented sufficient to meet the contingency and approve the application.

**SECOND:** Mr. Hoffmann.

Motion passed 7 in favor 2 opposed (Flaherty and Bramlett).

**Diederick Jordaan**  
**Application Denial – Additional Business**

Mr. Jordaan 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.

**Pontifax Corp. – Contractors Comprehensive CE Seminar**  
**Application Denial – CE Course**

Mr. Atkinson 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. Langer.

Motion passed unanimously.

**REQUEST FOR REINSTATEMENT FROM NULL & VOID, Deborah Loucks, Esq., Assistant Attorney General**

**Denis Kenner – ES0000170**

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

**MOTION:** Mr. Sandefer made a motion to approve the request and reinstate the license to inactive.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**LEGISLATIVE REPORT**

Mr. Flaherty informed the Board SB 508, dealing with journeymen did not pass and the bill regarding licensure of locksmiths died.

**RULES REPORT – Clarence K. Tibbs**

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

Rule 61G6-5.002, F.A.C. – Rule Development Published

Rule 61G6-5.003, F.A.C. – Rule Development Published

Rule 61G6-5.0061, F.A.C. – Notice Published (JAPC Letters)

Rule 61G6-5.009, F.A.C. – Effective 5/5/2010

Rule 61G6-8.001, F.A.C. – Notice Published (JAPC Letter)

Rule 61G6-8.002, F.A.C. – Effective 4/25/2010

Rule 61G6-10.0065, F.A.C. – Approved by Board

**Registration Form for Rule 61G6-5.0061, F.A.C.**

**MOTION:** Mr. Tibbs made a motion to approve the new form for registration with the new financial statement included.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**Draft Language for Rule 61G6-7.001(4), F.A.C.**

**MOTION:** Mr. Tibbs made a motion to approve the language as provided and notice the rule for development.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**MOTION:** Mr. Tibbs made a motion that change to the language would not have a negative financial impact on small businesses.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**Approved Language Rule 61G6-7.001(4), F.A.C.**

(4) Limited Energy Systems Specialty. The scope of certification of a limited energy systems

specialty contractor includes the installation, repair, fabrication, erection, alteration, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, conduit, and fiber optics (transmission of light over stranded glass) or any part thereof not to exceed 98 volts, ~~when those items are for the purpose of transmitting data, proprietary video (satellite systems which are not part of a community antenna television, cable television, or radio distribution system), radio frequency, central vacuum, or electric locks, data distribution networks, home theater systems, surround sound systems, public address systems or telephone systems.~~ The scope of work of this license does not include installation, repair, fabrication, erection, alteration, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, conduit, that are part of an alarm system.

(a) The scope of certification is limited to electrical circuits and equipment governed by the applicable provisions of Articles 725 (Class 2 and 3 circuits only), 770, 800, 810, and 820 of the National Electrical Code, 1984 Edition, or 47 C.F.R. Part 68.

(b) The scope of certification shall not include work performed by public utilities exempt under the terms of Section 489.503(4), F.S., or exempt due to the regulatory jurisdiction of the Florida Public Service Commission.

(c) The scope of work of this license may also be performed by the following certified and registered license categories; Unlimited Electrical Contractor , Alarm System I Contractor, Alarm System II Contractor & Residential Electrical Contractor.

#### **PROBATION COMMITTEE REPORT**

**MOTION:** Mr. Sandefer made a motion to accept the probation report of Jorge Hernandez

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

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

No report given.

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

The Board received the financial reports for the Operating and Unlicensed Activity accounts for the period ending March 31, 2010. Ms. Chastain noted the renewal period currently under way would help resolve the negative balances.

#### **EXAMINATION REPORT – Kenneth Hoffmann**

**MOTION:** Mr. Tibbs made a motion to have the Limited Energy Specialty examination reviewed for relevance to the scope of work of the license and remove questions that are outside the scope of work of the license.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

#### **ENDORSEMENT REPORT**

No changes.

#### **RATIFICATION OF APPLICATIONS**

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

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

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

See Exhibits A,B & C.

### **APPROVAL OF MINUTES**

**MOTION:** Mr. Hoffmann made a motion to approve the minutes from May 2009 and March 2010 meetings as presented.

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

### **OLD BUSINESS/ NEW BUSINESS**

None

### **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 May 17, 2010.

- 7 cases assigned to Legal after investigation
- 40 cases set for Probable Cause presentation

**MOTION:** Mr. Sandefer made a motion to continue prosecution of year old cases.

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

### **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.

Ms. Chastain also provided the board with information on CE courses being offered by the Division of Workers Compensation.

### **CHAIRPERSON'S COMMENTS – Noel Thomas**

None

Electrical Contractors' Licensing Board  
Meeting Minutes  
May 2010

**Adjournment.**