

**MINUTES FROM THE  
MARCH 17-18, 2005  
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING**

**Embassy Suites Boca Raton  
661 N.W. 53<sup>rd</sup> Street  
Boca Raton, FL 33487**

The Board Meeting was called to order by Chairman Jeffrey M. Kiner at 11:00 a.m.

**PLEDGE OF ALLEGIANCE AND INVOCATION –**

**ROLL CALL- Members Present**

Arnaldo L. Abreu  
Pierre A. Bellemare  
Kimberly A. DeBerry  
Jeffrey M. Kiner, Chairman  
Norman R. Mugford, Vice-Chairman  
Donald C. Penner  
Lewis Roberts  
Paul W. Sandefer  
Rae Small  
Clarence K. Tibbs

**ROLL CALL- Member Absent**

Roger E. Langer

**OTHERS PRESENT**

Anthony Spivey, Executive Director  
Ruthanne Christie, Government Analyst I  
Mary Ellen Clark, Esq., Assistant Attorney General  
Drew F. Winters, Esq., Assistant General Counsel  
Court Reporter  
See Attachment 1 for others present

- The board approved the January 27-28, 2005 Meeting Minutes, St. Augustine, FL the language on page 32 corrected to read as follows:

“Mr. Kiner pointed out that this meeting’s agenda was heavier than usual, and that the Board should be prepared to possibly experience two full days of business. Counsel pointed out that the FAW meeting notice should be made for 8:00 a.m. and hearing notice letters will state 9:00 a.m. so the Board could make the collective decision to actually start at 9:00 if the agenda is light.”

**Disciplinary Cases – Drew Winters, Assistant General Counsel**

**Michael B. Bradshaw**  
**236 19<sup>th</sup> Avenue North**  
**Lake Worth, FL 33460**  
**License Number ER 10142**  
**Case No.: 2004-012713**  
**Hearing Not Involving Disputed Issues of**  
**Material Fact**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 12/13/2004 charging the respondent with violation of Rule 61G6-5.008(1)(h), F.A.C., by failing to maintain a minimum combined single limit policy of \$800,000 and failing to maintain coverage of \$500,000 in products coverage. Respondent is therefore in violation of 489.533(1)(o), F.S. Respondent timely completed an Election of Rights form requesting and Informal Hearing.

Respondent was present but not represented by counsel.

MOTION: Mr. Abreu made a motion to accept the findings of fact and conclusions of law as stated in the Administrative Complaint.

SECOND: Mr. Bellemare

Motion passed unanimously.

MOTION: A motion was made a motion to accept the department’s recommendation of a \$500.00 fine and \$74.05 administrative costs.

SECOND:

Motion passed unanimously.

**Chad C. Douberly**  
**15998 Lemack Road**  
**Dade City, FL 33523**  
**License Number ER14263**

**Case No.: 2004-034495**  
**Motion For Waiver of Rights and Final Order**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 12/13/2004 charging the respondent with violation of Rule 61G6-5.008(1), F.A.C., by failing to continually maintain mandated levels of liability insurance and workers' compensation insurance in 2003. Respondent is therefore in violation of 489.533(1)(o), F.S.

Respondent was present but not represented by counsel.

MOTION: Mr. Abreu made a motion to accept the motion for Waiver of Rights and Final Order.

SECOND: Mr. Bellemare

Motion passed unanimously

MOTION: Mr. Abreu made a motion to accept the findings of fact and conclusions of law as stated in the Administrative Complaint.

SECOND: Mr. Penner

Motion passed unanimously.

MOTION: Mr. Abreu made a motion to accept the department's recommendation of a \$500.00 fine and \$59.24 administrative costs and Proof of insurance and Workers' Compensation, license is suspended until compliance is shown.

SECOND: Mr. Mugford

Motion passed unanimously.

**Riley Hart**  
**P.O. Box 789**  
**Estell Boulevard**  
**Cross City, FL 32628**  
**License Number ER 9300**  
**Case No.: 2004-037923**  
**Hearing Not Involving Disputed Issues of**  
**Material Fact**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 12/13/2004 charging the respondent with violation of Rule 61G6-5.008(2), F.A.C., by failing to continually maintain liability insurance as required by 61G4-6.5008(1), F.A.C. Respondent is therefore in violation of 489.533(1)(o), F.S. Respondent timely completed an Election of Rights form requesting and Informal Hearing.

Respondent was not present nor represented by counsel.

MOTION: Mr. Bellemare made a motion to accept the findings of facts and conclusions of law as stated in the Administrative Complaint.

SECOND: Mr. Penner

Motion passed unanimously

MOTION: Mr. Bellemere made a motion to accept the department's recommendation of a \$500.00 fine and \$44.43 administrative costs and a reprimand.

SECOND: Ms. Deberry

Motion passed unanimously.

**James M. Hyde**  
**37808 CR 439**  
**Eustis, FL 32736**  
**License Number ER9552**  
**Case No.: 2004-038003**  
**Hearing Not Involving Disputed Issues of**  
**Material Fact**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 12/13/2004 charging the respondent with violation of Rule 61G6-5.008(1), F.A.C., by failing to continually maintain appropriate levels of liability, property damage and workers' compensation coverage or appropriate exemption. Respondent is therefore in violation of 489.533(1)(o), F.S. Respondent timely completed an Election of Rights form waiving his appearance before the board.

Respondent was not present nor represented by counsel.

MOTION: Mr. Abreu made a motion to accept the findings of facts and conclusions of law as stated in the Administrative Complaint.

SECOND: Mr. Bellemare

Motion passed unanimously

MOTION: Mr. Abreu made a motion to accept the department's recommendation of a \$500.00 fine and \$29.62 administrative costs and imposing suspension until respondent provides proof of compliance, license can not be renewed until compliance is shown.

SECOND: Mr. Bellemare

Motion passed unanimously.

**Leon Legot**  
**1910 NE 57<sup>th</sup> Street**  
**Ft. Lauderdale, FL 33308**  
**License Number EF 247**

**Case No.: 2004-029944**  
**Settlement Stipulation**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 1/18/2005 charging the respondent with violation of s. 489.518(4)(a), F.S. failing to obtain pre-hiring background checks, failing to issue board approved identification cards to employees, violating 489.533(1)(o) and 489.518(c) by employing a convicted child abuser. Respondent is therefore in violation of 489.533(1)(o) and (2), F.S.

On 2/16/2005, the Department entered in to a Settlement Stipulation with the respondent imposing a penalty of \$4,000.00 fines and \$429.48 costs and will provide proof that all employees are in compliance within 30 days of the filing of the final order accepting the Settlement Stipulation.

Respondent was present and represented by Counsel Laura E. Schwartz.

MOTION: Mr. Abreu made a motion to accept the Settlement Stipulation.

SECOND: Ms. DeBerry

Motion passed unanimously.

**Roy Messer**  
**P.O. Box 183**  
**Bonifay, FL 32425**  
**License Number ER10323**  
**Case No.: 2003-083020**  
**Motion for Waiver of Rights and Final Order**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 12/13/2004 charging the respondent with violation of 489.533(1)(a), F.S., by failing to comply with Final Order. Respondent is therefore in violation of 489.533(1)(o), F.S.

Respondent was not present nor represented by counsel.

MOTION: Mr. Abreu made a motion to accept the motion for Waiver of Rights and Final Order.

SECOND: Ms. DeBerry

Motion passed unanimously

MOTION: Mr. Abreu made a motion to accept the findings of fact and conclusions of law as stated in the Administrative Complaint.

SECOND: Mr. Penner

Motion passed unanimously.

MOTION: Mr. Penner made a motion to impose a fine \$5000.00 and \$334.44 administrative costs and Revoke the Respondent's license.

SECOND: Ms. DeBerry

Motion passed unanimously.

**Richard Pardo**  
**6170 Mid Metro Drive, Unit 6**  
**Ft. Myers, FL 33912**  
**License Number EF 273**  
**Case No.: 2004-007366**  
**Hearing Not Involving Disputed Issues of**  
**Material Fact**  
**Recused: Small, Sandefer, Tibbs**

This case was pulled from the agenda by Drew Winters, Assistant General Counsel

**Michael Perla**  
**99 NW 183<sup>rd</sup> Street, #207**  
**Miami, FL 33169**  
**License Number EG 15**  
**Case No.: 2003-076519**  
**Hearing Not Involving Disputed Issues of**  
**Material Fact**  
**Recused: Small, Kiner, Mugford.**

An administrative complaint was filed on 6-11-2004 charging the respondent with violation of 489.533(1)(s), F.S. by offering to contract for the installation and monitoring of a fire alarm system. Respondent timely completed an Election of Rights form disputing the facts alleged in the administrative complaint. Subsequently on 8/16/2005 the respondent sent a letter to Mr. Winters stating he was choosing not to dispute the facts and requesting an informal hearing.

Respondent was not present nor represented by counsel.

Holly Sawicki, President of American Alarms, Inc. was present but did not have legal authority to represent the Respondent in this matter.

MOTION: Motion was made to accept the findings of facts and conclusions of law as stated in the Administrative Complaint.

SECOND: Motion was seconded.

Motion passed unanimously

MOTION: Mr. Sandefer made a motion to impose a \$2,500.00 fine and \$511.86 administrative costs and require the respondent to correct any business cards and advertisements to reflect the new qualifiers license number.

SECOND: Ms. DeBerry

Motion passed unanimously.

## **SECOND BUSINESS APPLICATION REVIEW**

### **APPLICATION COMMITTEE – Jeffrey M. Kiner, Chairman**

#### **Second Business Applications**

Present during this portion of the meeting were:

Bigalow, Mark Paul - Alpha Technology LLC dba Z Technology, Bonner, Charles T. - Edwards Electric Service, LLC, Christlieb, Robert S. - Cousins Electrical Contracting, Inc., Cope, Glen Allen - Allclay Electric, Inc., Cope, Glen Allen - Seabreeze Electric, Inc., deSercey, Nicolas A. - Integrity Fire & Security Systems, LLC, Earnest, Michael, Gotham Handywork, Inc., Echarri, Rafael - Elecplumb of Florida, Inc., Estrada, Roger - Jansen Taylor Technologies, LLC, Jackson, William H. - Advanced Detection Systems, Inc., Lewis, Randy H. - Fortune Electrical Construction, Inc., Lurtz, Mark - Comet Electric and Equipment, Masseo, Edward J. - Masseo Electric, Inc., Mertz, Thomas T. - National Integration Services LLC, Oliver, James D., - Advanced Protection Systems LP, Oliver, James D. - W.B.E. Services LP dba Hometeam Security, Renzi, Edward Jr. - Ray's Electrical Supplies, Inc., Stafford, J. Wayne - Mr. Electric of Lake County, Sullivan, Chris E. - South Florida Security Services, Inc., Varhol, William N. - E.C. Ernst Southeast, Inc., Wright, Christopher - Advanced Protection Industries, Inc. dba National Monitoring Center

Mary Ellen Clark 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. Mugford 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. After review of each individual application Mr. Kiner advised each applicant that the Committee's recommendation at this time was only a recommendation and would be subject to approval by the entire board on the following day.

### **HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT – Mary Ellen Clark, Assistant Attorney General**

**Christopher M. Cox**  
**Application Denial – Unlimited Electrical Contractor Examination**

This matter originally came before the board on January 27, 2005, the board denied the application on the grounds the application did not show the work experience required by section 489.511(2)(a)3.b, . The Notice of intent to Deny was filed on 2/9/2005. Mr. Cox timely submitted an Election of rights form.

Mr. Cox was present, but not represented by counsel. Mr. Cox was sworn in by the Court Reporter and Ms. Clark introduced the matter for the record. The board entered into an extensive discussion regarding Mr. Cox's application and experience. After the discussion:

MOTION: Mr. Sandefer moved to uphold the denial.

SECOND: Mr. Tibbs

The board voted on the motion and it passed 7 in favor, 3 opposed.

**Russell K. Noyes**  
**Application Denial – Unlimited Electrical Contactor Examination**

This matter originally came before the board on October 5, 2004, the board denied the application on the grounds the application did not show the work experience required by section 489.511(2)(a)3, . The Notice of intent to Deny was filed on 11/29/2004. Mr. Noyes timely submitted an Election of rights form.

Mr. Noyes was present, but not represented by counsel. Mr. Noyes was sworn in by the Court Reporter and Ms. Clark introduced the matter for the record. The board entered into an discussion regarding Mr. Noyes' application, experience and supplemental information. After the discussion:

MOTION: Mr. Tibbs moved to reverse the denial.

SECOND: Mr. Sandefer

The board voted on the motion and it passed unanimously.

**Gregory B. Reed**  
**Application Denial – Certified Alarm System Contractor I Examination**

This matter originally came before the board on January 27, 2005, the board denied the application on the grounds the application did not show the work experience required by section 489.511(2)(a)3.b, . The Notice of intent to Deny was filed on 2/9/2005. Mr. Noyes timely submitted an Election of rights form.

Mr. Noyes was present, but not represented by counsel. Mr. Noyes was sworn in by the Court Reporter and Ms. Clark introduced the matter for the record. The board entered into an discussion regarding Mr. Noyes' application, experience and supplemental information. After the discussion:



MOTION: Mr. Tibbs moved to reverse the denial.

SECOND: Mr. Sandefer

The board voted on the motion and it passed unanimously.

### **RECONSIDERATIONS - Mary Ellen Clark, Assistant Attorney General**

#### **Leslie Seyforth**

##### **Application Denial – Unlimited Electrical Contractor License by Endorsement**

This matter originally came before the board on November 18, 2004, the board denied the application on the grounds the applicant failed to demonstrate he had taken an exam substantially equivalent to the exam required in 489.511(6)(a) and had met the requirements of 489.521, . The Notice of intent to Deny was filed on 12/9/2004. Mr. Seyforth did not timely submitted an Election of rights form but did request reconsideration of the application with supplemental information.

Mr. Seyforth was present, but not represented by counsel. No motion for reconsideration was made by any of the board members. The matter was therefore considered complete and no action was taken.

#### **Prosecuting Attorney's Report – Drew Winters, Assistant General Counsel**

Mr. Winters directed the board's attention to the Prosecuting Attorney's Report. Details of the report included the following as of March 8, 2005.

- ◆ 28 cases assigned to Legal after investigation
- ◆ 35 cases set for Probable Cause presentation
- ◆ 17 cases where an Administrative Complaint has been filed
- ◆ 0 case where Probable Cause was found
- ◆ 8 cases awaiting outside action
- ◆ 5 cases requesting a Formal Hearing
- ◆ 0 cases sent to consultant / expert
- ◆ 9 cases set for Board presentation
- ◆ 1 case referred to DOAH
- ◆ 1 cases awaiting Final Order
- ◆ 1 cases for settlement negotiations
- ◆ 0 case ready for default
- ◆ 3 cases for Stipulation or Request for Informal Hearing
- ◆ 0 cases requiring supplemental investigation
- ◆ 108 total cases in Legal
- ◆ 20 total year old cases

**Unlicensed Activity Report – Drew Winters, Assistant General Counsel**

Mr. Winters directed the Board's attention to the Unlicensed Activity Report prepared by Laura Gaffney. Details of the report include the following:

- ◆ 39 cases in OGC
- ◆ 4 cases awaiting further investigation / expert report
- ◆ 9 cases awaiting Probable Cause determination
- ◆ 2 case set for Probable Cause
- ◆ 6 cases where an Administrative Complaint has been filed
- ◆ 0 cases requesting an Informal Hearing
- ◆ 2 cases requesting a Formal Hearing
- ◆ 0 cases for default / failed to respond to AC
- ◆ 16 cases hearing held; awaiting final order
- ◆ 0 cases on appeal

**Ratification of Applications Committee Reports – Jeffrey Kiner, Chairman**

The application committee reviewed 43 applications for examination, 22 for additional business entities, 28 Transfers, 3 endorsements, 17 certification of registered contractors (grandfathering), and 1 registered contractor.

Mr. Kiner read into the record the lists of all applications approved, approved contingent, tabled, and denied in all categories.

MOTION: Mr. Mugford moved to approve the lists as read into the record.

SECOND: Ms. DeBerry

The board voted on the motion. The motion passed unanimously.

**ADDITIONAL BUSINESS ENTITIES APPROVED**

- |  |  |  |
|--|--|--|
| 1. Bigalow, Mark Paul<br>Alpha Technology<br>LLC dba Z<br>Technology | 7. Earnest, Michael<br>Gotham Handywork,<br>Inc.               | 12. Lewis, Randy H.<br>Fortune Electrical<br>Construction, Inc.        |
| 2. Bonner, Charles T.<br>Edwards Electric<br>Service, LLC            | 8. Echarri, Rafael<br>Elecplumb of<br>Florida, Inc.            | 13. Lurtz, Mark<br>Comet Electric and<br>Equipment                     |
| 3. Christlieb, Robert S.<br>Cousins Electrical<br>Contracting, Inc.  | 9. Estrada, Roger<br>Jansen Taylor<br>Technologies, LLC        | 14. Maseo, Edward J.<br>Maseo Electric, Inc.                           |
| 4. Cope, Glen Allen<br>Allclay Electric, Inc.                        | 10. Galbreath, James P.<br>BHE Corp                            | 15. Mertz, Thomas T.<br>National Integration<br>Services LLC           |
| 5. Cope, Glen Allen<br>Seabreeze Electric,<br>Inc.                   | 11. Jackson, William H.<br>Advanced Detection<br>Systems, Inc. | 16. Oliver, James D.<br>Advanced Protection<br>Systems LP              |
| 6. deSercey, Nicolas<br>A.   |  | 17. Oliver, James D.<br>W.B.E. Services LP<br>dba Hometeam<br>Security |

Electrical Contractors' Licensing Board

Meeting Minutes

March 17-18, 2005

- |   |   |  |
|---|---|--|
| 18. Renzi, Edward Jr.<br>Ray's Electrical<br>Supplies, Inc. | South Florida<br>Security Services,<br>Inc.             | Advanced Protection<br>Industries, Inc. dba<br>National Monitoring<br>Center |
| 19. Stafford, J. Wayne<br>Mr. Electric of Lake<br>County    | 21. Varhol, William N.<br>E.C. Ernst<br>Southeast, Inc. |  |
| 20. Sullivan, Chris E.                                      | 22. Wright, Christopher                                 |  |

**ENDORSEMNT APPROVED**

None

**TRANSFER APPLICATIONS APPROVED**

- |  |  |   |
|--|--|---|
| 1. Adkins, Virgil<br>Adkins Electric, Inc.                           | Walker Electric<br>Company, Inc. dba<br>M.J. Walker Electric<br>Company, Inc.            | Structured Cabling<br>Solutions, Inc.   |
| 2. Brown, Albert S. Jr.<br>General Contractors<br>and Engineers, LLC | 12. Gratz, Ronald C.<br>MCS of Tampa, Inc.   | 21. Murphy, Michael J.<br>American Electric of<br>Jacksonville, Inc.          |
| 3. Cox, James J. Jr.<br>L B Electric, LLC                            | 13. Haight, Gary R.<br>MTS Partners, LLC<br>dba Corporate<br>Electric Services           | 22. Payton, Eric<br>P & B Electric<br>Company, LLC                            |
| 4. Dorman, Charles A.<br>Dickey Electrical<br>Construction, Inc.     | 14. Henry, William E.<br>Global Alarms, Inc.   | 23. Tranford, Robert<br>Interstate Electrical<br>Services, Inc.               |
| 5. Ellis, James M.<br>General Fiber<br>Communications,<br>Inc.       | 15. Hinsberg, Donald<br>Alliance Fire &<br>Safety. Inc. dba<br>Alliance Fire &<br>Safety | 24. Strickland, Rhett<br>Strickland Power,<br>Inc.                            |
| 6. Fertic, Thomas<br>Thomas D. Fertic<br>Electric, LLC               | 16. Hogarth, David K.<br>Space Coast<br>Electric, Inc.                                   | 25. Sullivan, Chris E.<br>CTS Protective<br>Services, Inc.                    |
| 7. Flanigan, Michael<br>Current Electric,<br>LLC                     | 17. Lanford, Arthur B.<br>Premier Contracting,<br>LLC                                    | 26. Sweeney, Charles<br>Custom Satellite &<br>Security, Inc.                  |
| 8. Fries, Randy M.<br>Ellis Environmental<br>Group, LC               | 18. McCreary, Leslie R.<br>Empire Electric, Inc.   | 27. Wasmiller, Mark A.<br>Southeastern<br>Engineering &<br>Construction, Inc. |
| 9. Furdock, Michael<br>Globaltech, Inc.                              | 19. McLean, Scott H.<br>McLean<br>Technologies,  | 28. Worthington,<br>Thomas A.<br>Animas Electrical<br>Services, Inc.          |
| 10. Glen, Jay<br>Proactive Solutions,<br>Inc.                        | 20. Miller, Marvin D.  |   |
| 11. Gower, Joe D.  |  |   |

**CERTIFICATION OF REGISTERED LICENSE APPLICATIONS (GRANDFATHERING)**

- |   |   |  |
|---|---|--|
| 1. Chaple, Bernardo A.<br>Easy On Electric,<br>Inc.   | 5. Lonsberry, James F.<br>Jim the Electrician,<br>Inc.            | 9. Standing, John<br>Sunshine Electric of<br>Pinellas, Inc.    |
| 2. Crump, Joe H.<br>L. Crump Electric                 | 6. Powell, Anthony<br>B. C. I. Mechanical,<br>Inc.                | 10. Snodgrass, George<br>M.<br>Ban Electrical, Inc.            |
| 3. Cruz, Joseph L.<br>Cruz Electric<br>Services, Inc. | 7. Prophitt, Wayne<br>Superior Electric of<br>South Florida, Inc. | 11. Wirrick, Samuel<br>Wirrick Electrical<br>Contractors, Inc. |
| 4. Long, Kenneth<br>Long's Air<br>Conditioning, Inc.  | 8. Schonher, Paul C.<br>Muzak, LLC                                |  |

**REGISTERED LICENSE APPLICATIONS APPROVED**

1. Hood, Charles E.  
Buck's Electrical Contractor, LLC.

**EXAMINATION APPLICATIONS APPROVED**

**Unlimited**

1. Applekuist, Liana
2. Beyer, Eric
3. Breed, James
4. Byers, Jeffrey
5. Crowley, Daniel
6. Crowley, Jackie
7. Edwards, Timothy
8. Hill, Benjamin
9. Henn, Joseph
10. Jarosz, Dale
11. Johnson, Douglas
12. Masias, Julio
13. Riley, Bryan
14. Soloway, Steven
15. Tafelski, Edwin
16. Thiros, Louis
17. Varcadipane, Leonard

**Alarm I**

18. Brown, David
19. Buckley, John Gregory
20. Galarza, Gilberto
21. Nguyen, Hung
22. Quintana, Eric
23. Ranski, Adam
24. Shaver, Bryan

**Alarm II**

25. Mouriz, Mario-  
**Spanish Exam**
26. Pelaez, Fernando

**Residential**

27. Quintanilla, Benito
28. Johnson, Damor

**Limited Energy**

29. Brandon, Kerry
30. Friedel, Michael
31. Galleti, Rene
32. Holly, Joseph
33. McKelvey, Jack

**Utility Line**

34. Combass, David

**Sign**

35. Presley, Larry

**Lighting**

35. Ezammudeen, Dwayne

**ADDITIONAL BUSINESS ENTITIES APPLICATIONS DENIED**

None

### **ENDORSEMENT APPLICATIONS DENIED**

1. Hall, Alan R.  
Hill Electric Company, LLC – DENIED; no proof of a substantially similar examination taken in Virginia per 489.511(6)(a)
2. Mauldin, Michael C.  
Mauldin Electric, Inc. DENIED; no proof of a substantially similar examination taken in South Carolina per 489.511(6)(a)
3. Wrenn, William E.  
Gulf States Electrical Contractors, Inc. DENIED; no proof of a substantially similar examination taken in Mississippi per 489.511(6)(a)

### **TRANSFERS APPLICATIONS DENIED**

None

### **CERTIFICATION OF REGISTERED LICENSE APPLICATIONS (GRANDFATHERING) DENIED**

1. Campbell, Jonathan N  
"Individual"
2. Johnson, Carl S.  
Avcon, Inc.
3. Losley, Frederick A.  
Summerland Electric, Inc.
4. Lowry, Walter R.  
T.V. Antenna Systems, Inc.
5. Sacht, Robert W.  
Extreme Voice and Data Communications, Inc.
6. Pannell, Johnny  
J& B Air and Electric Service, LLC

### **REGISTERED LICENSE APPLICATIONS DENIED**

None

### **EXAMINATION CANDIDATE APPLICATIONS DENIED**

#### **Unlimited**

1. Imsand, Brian
2. Flaman, Randall
3. Govea, Jose'
4. Ragatz, James
5. Scriptor, Daniel
6. Sidwell, Sean

#### **Alarm II**

1. Thompson, Daniel

## **CONTINUING EDUCATION COMMITTEE – Arnoldo Abreu**

Mr. Abreu read into the record the CE courses and BASA/FASA Courses Approved and Approved Contingent.

MOTION: Ms. Small moved to approve the list as read into the record.

SECOND: Mr. Bellemare

### **CE APPLICATIONS – Classroom**

- A. Charles M. Trout
  1. Electrical Installation and Inspection – APPROVED CONTINGENT –needs to provide a more detailed course syllabus per Rule 61G6-9.008, F.A.C.
- B. Continuing Education Academy, The
  2. Understanding Workers' Compensation - APPROVED
  3. Worksite Safety- APPROVED
  4. Business Entities - APPROVED
  5. Business Benchmark - APPROVED
  6. Asset Protection for Contractors - APPROVED
  7. The 10-Hour OSHA Certification Course - APPROVED
  8. Construction Business Management - APPROVED
  9. Labor & Liability Challenges of Today's Contractor – APPROVED CONTINGENT - must provide and additional 30 minutes for business portion
  10. Physical Abilities Testing - APPROVED
  11. Business Planning for the Future - APPROVED
  12. Hazard Recognition - APPROVED
  13. The Tools and Techniques of Business Management - APPROVED
  14. Fall Protection - APPROVED
- C. Contractor's Institute
  1. NEC Electrical Calculations – APPROVED CONTINGENT only for Electrical Contractors per 61G6-9.006(6)
- D. Florida Association of Electrical Contractors
  1. 2005 NEC Code Review - APPROVED
  2. Exit Planning Process – How to Run Your Business So You Can Leave it In Style - APPROVED
  3. Managing Vendor's & Subcontractors - APPROVED
  4. Project Planning & Scheduling – APPROVED for all target audiences
- E. International Association of Electrical Inspectors – Florida Chapter
  1. Business, Safety & Workers' Compensation - APPROVED
  2. Contractors & Inspectors Liability and Sound Inspection Practices - APPROVED
  3. Emergency/Standby Power Sources & Requirements – Part I - APPROVED
  4. Fundamentals Fuse Protection - APPROVED
  5. General Requirements NEC Articles 90-210 – Part I - APPROVED
  6. General Requirements NEC Articles 215-230 – Part II - APPROVED
  7. Installation of Armored Cables – APPROVED; remove utility line Electrical Contractors and Limited Energy System Specialty Contractors from target audiences per Rule 61G6-9.006, F.A.C.

- 8. Introduction to Transformers - APPROVED
- 9. Nationally Recognized Testing Laboratory (NRTL) - APPROVED
- F. Jake Leahy's Electrical Code Connection
  - 1. Swimming Pools - APPROVED
- G. National Training School
  - 1. Security Networking Institute - APPROVED for all audiences

#### **CE APPLICATIONS – Internet/Homestudy Format**

- A. Contractor's Institute
  - 1. NEC Electrical Calculations (Internet) – APPROVED CONTINGENT –remove Alarm Contractor I, Alarm Contractor II, Residential Alarm Contractor and Limited Energy System Specialty Contractor from targeted audiences per Rule 61G6-9.006(6)

#### **CE APPLICATIONS – Classroom: Renewals**

- A. Independent Electrical Contractors, Inc.
  - 1. Lightning Protection - APPROVED

#### **CE APPLICATIONS ADDENDUM**

- A. Contractors Exam School
  - 1. Construction Law and Contract Issues - APPROVED
  - 2. National Electrical Code Review - APPROVED only for Electrical Contractors and Utility Line Electrical Contractors per 61G6-9.006(6)
  - 3. National Electrical Code Review (Video) - APPROVED CONTINGENT on attendees must pass test with a score of 75% or better to receive credit. The provider was present and agreed to this requirement, also it is only approved for for Electrical Contractors and Utility Line Electrical Contractors per 61G6-9.006(6)
  - 4. National Electrical Code Review Part I - APPROVED only for Electrical Contractors and Utility Line Electrical Contractors per 61G6-9.006(6)
  - 5. National Electrical Code Review Part II - APPROVED only for Electrical Contractors and Utility Line Electrical Contractors per 61G6-9.006(6)
  - 6. Electrical Safety (Video) – APPROVED CONTINGENT on attendees must pass test with a score of 75% or better to receive credit. The provider was present and agreed to this requirement.

#### **CONTINUING EDUCATION APPLICATION – DENIALS**

Mr. Abreu read into the record the CE courses and BASA/FASA Courses Denied

MOTION: Mr. Bellemare moved to approve the denied courses as read into the record

SECOND: The motion was seconded.

The board voted and the motion passed unanimously.

### **FIRE ALARM SYSTEM AGENT APPLICATIONS- Classroom**

- A. National Training School
1. Certified Alarm Technician Level I (FASA Training) DENIED; doesn't meet required qualifications of course instructor per Rule 61G6-9.007, F.A.C.

### **ALARM SYSTEM AGENT APPLICATIONS- Classroom**

- A. National Training School
1. Certified Alarm Technician Level I (ASA Training) – DENIED; doesn't meet required qualifications of course instructor per Rule 61G6-9.007, F.A.C.

### **Old Business / New Business**

**Board Counsel's Report – Mary Ellen Clark** – Ms. Clark indicated she had nothing to report for the Board this month.

### **EXECUTIVE DIRECTOR'S REPORT - Anthony Spivey, Executive Director**

#### **ECLB Monthly Performance Standards Report**

Mr. Spivey presented the ECLB Performance Standards Report for Fiscal Year 2004-2005, as of March 16, 2005. Highlights of the report included the following data for February 2005: (Page 356 older version, updated report was distributed)

- An average of 18.8-days for Complaint Analysis to generate a Field Investigation.
- An average of 47.5-days for Complaint Analysis to generate an Administrative Closure.
- An average of 193-days to Conduct an Investigation.
- An average of 255-days from receipt of Complaint to legal Prosecution.
- An average 26 days time to process non-deficient license applications.
- An average 22 days time to process non-deficient examination applications.
- An average 38 days time to process license applications reconsiderations.
- An average 30 days time to process examination applications reconsiderations.
- A total of 1943 calls received in the Department concerning the ECLB.
- A total of 35 calls transferred to the ECLB board office for resolution.

Mr. Spivey asked for the board's input regarding the issue of licensees receiving CE credits for the same courses taken during a renewal cycle more than 1 time. The board agreed to discuss creating a rule to prevent this practice at the May meeting.

Mr. Spivey asked the board whether the members felt that an EC not acting as an alarm contractor should be required to take the false alarm prevention course.

Comments from the members included:

- There is no practical way to determine which EC's are and which are not performing this type of work.
- Allowing EC's to not take the course could possibly open the door to the loss of this type of work from the EC's scope in the future through legislative action
- 489.516(b) "engaged in" is statutory language; a possible change in language will be discussed at the May legislative portion of the board meeting.



- The board determined at this time they had no authority to do anything further to require all EC's to take it and the Department had no way to determine which EC's were engaged in Alarm Contracting.

Therefore the board agreed that all EC's would have to take the false alarm prevention course.

The board discussed the False Alarm CE course and determined it would be considered to meet the false alarm requirement and the technical requirement.

Mr. Spivey requested the board consider making some changes to their meeting procedures to help make the meetings run more efficiently. The following suggestions were discussed:

- Holding Probable Cause by telephone every month or every other month.
- Holding Probable Cause and or CE Committee on the Wednesday afternoon of the meeting rather than Thursday morning. The start time anywhere from 2:00 p.m. to 4.p.m. based on the case load.
- Allowing transfer applications to be processed without going before the board unless there were problems noted by staff and presenting the board with a ratification list.
- Having applications copied and mailed out to the members in advance of the meeting rather than passing around the original files.
- Holding CE Committee in the main meeting room with Board Counsel present, while the other members of the board silently review the applications for the application committee.

Mr. Kiner suggested the board take on a few of the suggested changes next month and consider additional changes in the future. The board agreed to make the following changes for the May meeting.

- Staff will copy and mail all the additional business applications to the members for review prior to the meeting.
- Transfer applications can be processed by the department with out going before the board. The board will continue to receive any applications that have problems including transfers. Staff will provide the board with a ratification list of transfers approved in house.
- Probable Cause Panel will meet on Wednesday afternoon with a start time between 2:00 p.m. and 4:00 p.m. based on the meeting location and size of the agenda.
- CE Committee will meet in the main meeting room with Board Counsel present, while the other members of the board silently review the applications for the application committee.

#### **Legislative Report – Norman Mugford**

- Mr. Mugford had nothing to report but did note he would look at 489.503 for possible changes. Mr. Mugford brought up the issue of General Contractors under 489 Part I are contracting to perform alarm services and/or alarm monitoring and then subbing it out to a license Alarm contractor. Bob Neely, Executive Director of the Alarm Association of Florida, Inc. provided a letter to

the board on this issue. The board agreed that any occurrences of this practice should be reported to the Department for investigation and prosecution as unlicensed activity. Mr. Spivey mentioned that this would be a possible topic for discussion at a joint meeting between the ECLB and CILB.

- A copy of Changes to Section 553.841, Florida Statute was provided to the board for their information.

### **Rules Report – Clarence Tibbs**

- The board was informed that the changes to 61G6-9.001. F.A.C.; Continuing Education for Reactivation is now effective.
- The board discussed the availability of false alarm prevention courses.
- Ms. Clark and Mr. Tibbs will bring proposed language before the board in May regarding taking the same course twice within a renewal cycle.
- Ms. Clark brought up Rule 61G6.9006 and suggested the board change item # 9 to require a test for video courses, with score of 75% if they intend to require this in the future. This issue will be added to the Rules Agenda for May 2005.

### **Financial Budget Liaison Report – Clarence Tibbs**

The board members were provided with the financial reports for the Operating Account and the Unlicensed Activity Account dated December 31, 2004. Regarding the Operating Account, Mr. Tibbs noted that on page 2 of the financial report the boards net assets are \$352,000. He pointed out with expenses for the first 6 months of the fiscal year at approximately \$1,000,000 the board faces a deficit. Mr. Tibbs suggested the board consider raising future renewal fees to cover the deficit. Mr. Tibbs noted the deficit was a result of the sweep and the no fee renewal of 2002. Various members noted the expenses were up significantly from 2003. Mr. Spivey explained that the increase in expenses is directly related to the increased services utilized during the 2004 renewal cycle.

### **Probation Committee Report – Paul Sandefer**

Mr. Sandefer directed the board to the submitted reports from Donald McConnell, Case No.: 2002-001636 and William L. Hromadka, Case No.: 2002-015393.

Mr. Mugford questioned whether these reports were complete. The board asked staff to do further review of each licensee and the information provided and present that information at the May meeting. No further action was taken on the reports.

Mr. Mugford suggested having probationers and do investigation to see if they are pulling reports in other jurisdictions other than those reported by the licensee.

Staff will provide a complete list of probation license holders and will look into methods of verifying the accuracy of a probation report.

The board discussed having Quarterly Reports submitted on a regular schedule. Ms Clark pointed out the current rule would not allow that practice. The board discussed changing the rule to have the reports due at set dates within the calendar year for everyone. Ms. Clark expressed concern that probation would end before the 4<sup>th</sup> quarter report was due. Board agreed to review the process and rules for probation. Ms.

Christie will provide Ms. Clark with the probation language from a CILB order which addresses the time frame issue.

### **Unlicensed Activity Report (ULA) – Kimberly DeBerry**

Ms. DeBerry updated the board members on the planned Public Service Announcement. The PSA is in a cartoon format and set to run from March to June 2005. Ms. DeBerry asked Mr. Spivey to find out the current status of the PSA.

### **Endorsement Report – Jeffrey Kiner, Chairman**

Mr. Kiner referred the members to the Endorsement Matrix and asked for staff to get further clarification of the notations made by Mr. Muffaletto. Mr. Kiner also expressed concern that applicants have more information regarding which states can be endorsed. Staff informed the board that the matrix had been updated on the certification application to clarify that process.

### **Enforcement Report**

Mr. Spivey presented the ECLB Complaints and Investigative Statistics for July 2004-February 2005, highlights of the report included: (Page 355)

- 391 Complaints
- 254 Complaints legally sufficient
- 168 Unlicensed complaints legally sufficient
- 208 Investigations assigned
- 213 Investigations completed
- 4 informal recovery
- 3 Notices of non-compliance
- 61 citations filed

### **Chairperson's Comments – Jeffrey Kiner**

Mr. Kiner thanked everyone for their input and hard work. Mr. Kiner welcomed Mr. Spivey back to the board and welcomed Mrs. Christie.

The meeting was adjourned at 2:10 pm.