

**MINUTES FROM THE
March 22 & 23, 2007
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING
Tradewinds Sandpiper Hotel & Suites
6000 Gulf Blvd.
St. Pete Beach, FL**

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

**PLEDGE OF ALLEGIANCE AND INVOCATION
ROLL CALL**

Members Present

Pierre A. Bellemare, Vice-Chairman
Robert Bramlett
Norman R. Mugford
Donald C. Penner
Paul W. Sandefer, Chairman
Rae Small
Clarence K. Tibbs
Roger E. Langer
Jeffrey Kiner

Members Absent

Curtis Falany - Excused
Lewis Roberts - Excused

Others Present

Anthony Spivey, Executive Director
Ruthanne Christie, Government Analyst I
Joy Tootle, Esq., Assistant Attorney General
Drew F. Winters, Esq., Assistant General Counsel
Court Reporter – Patricia K. Gough, CVR, Argus Bay Park Reporting, Ph. 813-490-0003.

The Board voted to approve the minutes from the January 2007 Meeting.

Disciplinary Cases – Drew Winters, Assistant General Counsel

**Charles Woodward
1143 Fromage Circle West
Jacksonville, FL 32225
License Number: ECA001124
Case Number: 2006-022598**

**Motion to Reconsider Board Action
Recused: Small, Penner and Tibbs**

The respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to set aside the Board's decision of January 18, 2007 in the above case and refer the case to the Division of Administrative Hearings.

SECOND: Mr. Bramlett.

Motion passed unanimously

**Eldilio Perdomo
Flash Power Electric, Inc
6120 SW 92 Ave.
Miami, FL 33173
License Number: ER13013391
Case Number: 2006-045992
Hearing pursuant to 120.57(2)
Recused: Small, Penner and Tibbs**

An administrative complaint was filed on 12/14/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to accept the findings of fact and conclusions

of law as stated in the Administrative Complaint.

SECOND: Mr. Bramlett.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose a fine of \$15,000.00 and costs of \$123.80

SECOND: Mr. Langer.

Motion passed unanimously

**Lawrence J. Bill
C & L Bill Electric
1635 Jefferson Avenue
Ft. Myers, FL 33901
License Number: ER 11828
Case Number: 2005-050606)
Hearing pursuant to 120.57(2)
Recused: Small, Penner and Tibbs**

An administrative complaint was filed on 8/25/2006 charging the respondent with violation of s. 489.533(1)(m)4, committing financial mismanagement or misconduct. The respondent was present and sworn in by the Court Reporter.

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

SECOND: Mr. Bramlett.

Motion passed unanimously

A supplemental document was distributed to the Board outlining Mr. Bill's payment plan with City Electric Supply Company.

MOTION: Mr. Mugford made a motion to impose costs of \$112.43 and put the respondent's license on probation until all payments are made to City Electric Supply Company, the respondent will provide quarterly reports showing proof of payments to City Electric Supply Company.

SECOND: The motion was seconded.

Motion passed unanimously

Anthony Fundora
c/o Lawrence J. Kerr, Esq.
1401 Brickell Ave.
Miami, FL 33131
License Number: ER 13013455
Case Number: 2006-045963)
Hearing pursuant to 120.57(2)
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 10/27/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

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

SECOND: Mr. Langer.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose a fine of \$15,000.00 and costs of \$164.57.

SECOND: Mr. Kiner.

Motion passed unanimously

Paul Demaio
Universal Built In Productions, Inc. d/b/a Built in Home Solutions
2323 NW Federal Highway
Stuart, FL 34991
License Number: ES 343
Case Number: 2006-027861
Hearing pursuant to 120.57(2)
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/14/2006 charging the respondent with violation of s. 489.533(1)(s), F.S., practicing beyond the scope of a license. The respondent was not present nor represented by counsel.

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

SECOND: Mr. Bramlett.

Motion passed unanimously

MOTION: Mr. Bellemare made a motion to impose a fine of \$2,500.00 and costs of \$65.02 and place the respondent's license on probation for 1 year.

SECOND: Mr. Kiner.

Motion passed unanimously

Joseph A. Jimenez
Robert M. Perez, Esq.
Salas, Ede, Peterson & Lage, LLC.
6301 Sunset Drive
South Miami, FL 33143
License Number: ER 0011854
Case Number: 2006-026876)
Hearing pursuant to 120.57(2)
Recused: Small, Penner and Tibbs

The respondent requested a continuance in this matter.

MOTION: Mr. Mugford made a motion to grant the continuance and stated no more continuance will be allowed.

SECOND: Mr. Bramlett.

Motion passed unanimously

Santiago I. Hernandez
10731 #4 103rd Street
Jacksonville, FL 32210
License Number: EC 13003264

Case Number: 2006-039242
Hearing pursuant to 120.57(2)
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/14/2006 charging the respondent with violation of s. 489.533(1)(j), F.S. performing any act which assists a person in the uncertified or unregistered practice of contracting. The Respondent was present and sworn in by the court reporter.

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

SECOND: Mr. Mugford.
Motion passed unanimously

Mr. Hernandez made a statement to the Board in which he disputed material facts of the case.

Mr. Winters terminated the hearing based on the respondent's dispute of material facts and informed the Board he would refer the case to the Division of Administrative Hearings.

Dorryn V. Svec
4734 Holly Lake Drive
Lake Worth
License Number: EC 1605
Case Number: 2003-055179
Settlement Stipulation
Recused: Small, Kiner, Mugford

An administrative complaint was filed on 10/22/2003 charging the respondent with violation of s. 489.533(1)(j), F.S. performing any act which assists a person in the uncertified or unregistered practice of contracting. The Respondent was neither present nor represented by counsel.

MOTION: Mr. Tibbs made a motion to accept the stipulation imposing a fine of \$1,000, costs of \$348.23 and placing the respondent's license on probation for 2 years.

SECOND: Mr. Penner.
Motion passed unanimously

Garry Hillman
215 SE 22nd Street
Cape Coral, FL 33990
License Number: ER 13361
Case Number: 2005-049779

**Motion to Vacate Final Order
Recused: Small, Penner and Tibbs**

Mr. Winters informed the Board that due to a miscommunication between the Prosecutor's office and the Assistant Attorney General's Office, 2 final orders were filed in this case. Mr. Winters asked the Board to vacate the first final order and leave the second final order in force. The Respondent neither present nor represented by counsel.

MOTION: Mr. Mugford made a motion to vacate the first final order and leave the second final order in force.

SECOND: Mr. Bramlett.
Motion passed unanimously

Carlos Leyva
c/o J.C. Codias, Esq
The Four Ambassadors
825 Brickell Bay Drive
Tower 3, Suite 1243
License Number: ER 13013530
Case Number: 2006-045959)
Settlement Stipulation
Recused: Small, Penner and Tibbs

Mr. Winters withdrew this case from the agenda since the stipulation required the respondent to appear before the Board.

Richard R. Pernini
6820 NW 57th Way
Gainesville, FL 32653
License Number: EC 0000579
Case Number: 2005-058765)
Settlement Stipulation
Recused: Small, Sandefer and Tibbs

The respondent requested a continuance in this matter.

MOTION: Mr. Mugford made a motion to grant the continuance and stated no more continuance will be allowed.

SECOND: Mr. Bramlett.
Motion passed unanimously

Abraham Narkes
c/o Bruce H. Lehr, Esq.
Lehr, Fischer & Feldman

**1401 Brickell Avenue, Ste. 810
Miami, FL
License Number: ER 13013469
Case Number: 2006-045900)
Settlement Stipulation
Recused: Small, Penner and Tibbs**

An administrative complaint was filed on 10/27/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was present with counsel Bruce Lehr, Esq. and sworn in by the Court Reporter.

MOTION: Mr. Bramlett made a motion to accept the stipulation imposing Revocation of the respondent's license, with the provision that he never apply again, a fine of \$2,500 and costs of \$212.90.

SECOND: Mr. Kiner.

Motion passed unanimously

**Sandro Roman
Roman Electric Corp.
12264 SW 123 Place
Miami, FL 33186
License Number: ER 13013282
Case Number: 2006-045937)
Motion for Waiver of Rights and Final Order
Recused: Small, Penner and Tibbs**

An administrative complaint was filed on 12/4/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Kiner.

Motion passed unanimously

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

SECOND: Mr. Kiner.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose a fine of \$15,000.00 and costs of \$142.04.

SECOND: Mr. Kiner.
Motion passed 1 opposed, Paul Sandefer.

Armando Perez
AP Electrical Services
4585 SW 128th Avenue
Miami, FL 33175
License Number: ER 13013230
Case Number: 2006-045893)
Motion for Waiver of Rights and Final Order
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/14/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Kiner.
Motion passed unanimously

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

SECOND: Mr. Kiner.
Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose a fine of \$15,000.00 and costs of \$138.89.

SECOND: Mr. Kiner.
Motion passed 1 opposed.

Sergio M. Lopez
Gold Electric Contractor
9366 N.W. 13th Street, Bay # 34
Miami, FL 33172
License Number: ER 13013155
Case Number: 2006-049175)
Motion for Waiver of Rights and Final Order
Recused: Small, Penner and Tibbs

The respondent requested a continuance in this matter.

MOTION: Mr. Bramlett made a motion to grant the continuance and stated no more continuance will be allowed.

SECOND: Mr. Mugford.
Motion passed unanimously

Rolando Delgado
Tri-County Telesystems
3510 SW 139 Court
Miami, FL 33175
License Number: ET 11000691)
Case Number: 2006-049189)
Motion for Waiver of Rights
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/14/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was present and sworn in by the court reporter.

MOTION: Mr. Mugford made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Bramlett.
Motion passed unanimously

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

SECOND: Mr. Bramlett.
Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose a fine of \$15,000.00 and costs of \$138.34.

SECOND: Mr. Kiner.
Motion passed 1 opposed, Paul Sandefer.

Hector Sigler
9715 SW 132 Court
Miami, FL 33186
License Number: ER 13013023
Case Number: 2006-049170
Motion for Waiver of Rights and Final Order
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/4/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Bramlett.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to accept the findings of fact and conclusions

of law as stated in the Administrative Complaint.

SECOND: Mr. Kiner.

Motion passed unanimously

MOTION: Mr. Langer made a motion to revoke the license and impose a fine of \$20,000.00 and costs of \$128.66, aggravating factor – 50 permits were pulled increasing the consumer harm.

SECOND: Mr. Kiner.

Motion passed unanimously.

Gonzalez Lorenzo

Lorelys Electric Corp.

7490 NW 8th Street

Miami, FL 33199

License Number: ER 13013083

Case Number: 2006-053675

Motion for Waiver of Rights and Final Order

Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/4/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Langer.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to accept the findings of fact and conclusions

of law as stated in the Administrative Complaint.

SECOND: Mr. Kiner.

Motion passed unanimously

MOTION: Mr. Langer made a motion to revoke the license and impose a fine of \$20,000.00 and costs of \$155.34, aggravating factor – the high number permits pulled increasing the consumer harm.

SECOND: Mr. Kiner.

Motion passed unanimously.

Kevin Kuhn

Black Dog Electric Ltd.

6862 141st Lane

Palm Gardens, FL 33418

License Number: ER 13012920

Case Number: 2005-063064

Motion for Waiver of Rights and Final Order

Recused: Small, Penner and Tibbs

An administrative complaint was filed on 10/11/2006 charging the respondent with violation of s. 489.533(1)(m)4, committing financial mismanagement or misconduct.

Respondent was not present nor represented by counsel.

MOTION: Mr. Mugford made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Kiner.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to accept the findings of fact and conclusions

of law as stated in the Administrative Complaint.

SECOND: Mr. Langer.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose costs of \$267.02 and join the case with case 2006-003824 and issue 1 final order for both cases.

SECOND: Mr. Bellemare.

Motion passed 2 opposed.

Kevin Kuhn
Black Dog Electric Ltd.
6862 141st Lane
Palm Gardens, FL 33418
License Number: ER 13012920
Case Number: 2006-003824
Motion for Waiver of Rights and Final Order
Recused: Small, Penner and Tibbs

See case 2005-063064.

Carlos Pacheco
Carly Electrical Signs Manuf.
15825 SW 146th Ave.
Miami, FL 33177
License Number: ET 11000727
Case Number: 2006-053684
Motion for Waiver of Rights and Final Order
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 12/4/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation. The respondent was not present nor represented by counsel.

MOTION: Mr. Bramlett made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

SECOND: Mr. Mugford.

Motion passed unanimously

MOTION: Mr. Langer made a motion to accept the findings of fact and conclusions

of law as stated in the Administrative Complaint.

SECOND: Mr. Bramlett.

Motion passed unanimously

MOTION: Mr. Mugford made a motion to revoke the license and impose a fine of \$15,000.00 and costs of \$166.25.

SECOND: Mr. Langer.

Motion passed unanimously.

Gary W. Miller
4834 S. Teal Pt.
Floral City, FL 34436

License Number: ER 11631
Case Number: 2005-047600
Motion to Vacate Final Order
Recused: Small, Sandefer and Tibbs

Mr. Winters informed the Board that due to a miscommunication between the Prosecutor's office and the Assistant Attorney General's Office, two (2) final orders were filed in this case. Mr. Winters asked the Board to vacate the first final order and leave the second final order in force.

MOTION: Mr. Bramlett made a motion to vacate the first final order and leave the second final order in force.

SECOND: Mr. Mugford.

Motion passed unanimously

Wilbur E. Gifford
c/o Elton J. Gissendanner, Esq.
1304 S. Desoto Avenue, #100
Tampa, FL 33606
License Number: EC 13002445
Case Number: 2005-048528
Motion to Vacate Final Order
Recused: Small, Sandefer and Tibbs

Mr. Winters informed the Board that due to a miscommunication between the Prosecutor's office and the Assistant Attorney General's Office, two (2) final orders were filed in this case. Mr. Winters asked the Board to vacate the first final order and leave the second final order in force.

MOTION: Mr. Mugford made a motion to vacate the first final order and leave the second final order in force.

SECOND: Mr. Bramlett.

Motion passed unanimously

Glaubert Regalado
c/o Sergio J. Guzman, Esq
2440 Coral Way
Miami, FL 33145
License Number: ER 13013482
Case Number: 2005-063064
Motion to Vacate Final Order
Recused: Small, Penner and Tibbs

An administrative complaint was filed on 9/7/2006 charging the respondent with violation of s. 489.533(1)(h) and 455.227(1)(h), F.S., obtaining or renewing a license by bribery, fraud or misrepresentation.

Respondent was present with counsel Sergio Guzman, Esq. and sworn in by the Court Reporter.

This matter originally came before the Board on November 16, 2006 at which time the Board rejected the settlement stipulation. The respondent's counsel filed a motion to vacate and set aside the order rejecting the settlement stipulation on 2/12/2007.

MOTION: Mr. Mugford made a motion to adopt the settlement stipulation imposing revocation with the provision never to apply again, a fine of \$1,000.00 and costs of \$121.01.

SECOND: Mr. Bramlett.

Motion passed unanimously.

Robert Thomas Bexley
c/o Garvin Bowden, Esq.
Gardner, Wadsworth, Duggar, Bist & Weiner, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308-7914
License Number: EF 2000377
Case Number: 2005-022888
Settlement Stipulation
Recused: Small, Sandefer and Tibbs

Mr. Winters withdrew this matter from the agenda.

APPLICATION REVIEW – Norman Mugford, Chairman

Second Business Applications

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

Jorge Anillo, Ring Electric Engineering & Consortium Corp.; Ralph Annunziata, 1st Fire & Security, Inc.; James Ballash, Specialized Telephone Systems, Inc; Pierre Bellemare, ISI Partnership; Harold Brown, Adroit Electronics, Inc.; Juan Calvo, Electricorp Service, Inc; Frank Carollo, Cadillac Electric, LLC; Mark Cox, Power Solutions Electric, Inc; Mark (2nd Addtl Bus) Cox, Willard and Sons Electric, Inc.; John Eisenbeis, Matrix Communications Group, Inc.; Michael Ellis, M. Ellis Electrical, Inc.; Charles Foote, Orr Protection Systems, Inc. d/b/a Borell Fire Systems, Inc.; Justin Gwin, Kurtiss Inc. d/b/a Sunlight Electric; Kevin Huntzinger, Zinger Electrical Services, Inc.; Joseph Jimenez, Connecticut Engineering Inc.; Carl Johnson II, Rilee SandKris Construction, LLC; Joseph Kessler, Empire Tele Data, Inc.; Anthony Marchetta, Frankie Electric Corp.; Raymond McCue, CCU, Inc.; J.B. Miller, PAH Constructors, Inc.; Acey Mixon Jr,

Millenium Monitoring, Inc; Roger Nodruff, CE Power Solutions of Florida, LLC; Jack H Oliver, Best Coastal Investment, Inc. d/b/a/ BCI Security; Angel Perez, Nortec Energy; Mark Pleffner, Florida Power Specialists; Harold Rauguth, Phil McCullem.com, LLC; Eric Richy, Cobra Communications, Inc.; Maurice Scott, Ramatt, Inc.; William Shockley, Industrial Electric Company; Gary Trotter, Millenium Fire and Security, Inc; Cospert Tullos Jr, SRQ Electric, Inc.; Warren West, Technology Innovations, Inc.; Douglas Zwit, Prime Power & Electric; James Robinson, Power Home Technologies, Inc.; Ronald LaFontaine, Glades Telecommunications, Inc; Floyd Smothers, Johnny's Service by Juan Olivo, Inc.; Alexander Romanach, Southeast Utilities Group, Inc.; Steven Brown, ;

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. Bellemare 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 – Reginald Dixon, Assistant Attorney General

Charles Triglianios

Application Denial – Additional Business

Mr. Triglianios was not present nor represented by counsel. The application was denied at the March 23, 2006 meeting, a Notice of Intent to Deny was filed April 27, 2006. Mr. Triglianios timely filed a letter requesting reconsideration. The board reconsidered the application on July 21, 2006 a second Notice of Intent to Deny was filed on December 13, 2006. Mr. Triglianios timely filed an election of rights form requesting an evidentiary hearing pursuant to 120.57(1), F.S. Mr. Triglianios requested to withdraw his application.

MOTION: Mr. Tibbs made a motion to grant the withdrawal and vacate the notice of intent to deny.

SECOND: Mr. Bramlett.
Motion passed unanimously.

Goerge Cancio

Application Denial – Additional Business

Mr. Cancio was not present nor represented by counsel. The application was denied at the November 16, 2006 meeting, a Notice of Intent to Deny was filed on January 4, 2007. Mr. Cancio requested to withdraw his application.

MOTION: Mr. Bramlett made a motion to grant the withdrawal and vacate the notice of intent to deny.

SECOND: Mr. Tibbs.
Motion passed unanimously.

Gerald Caldwell

Application Denial – Additional Business

Mr. Caldwell was present and sworn in by the Court Reporter. The application was denied at the January 18, 2007 meeting, a Notice of Intent to Deny was filed on February 16, 2007.

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

SECOND: Ms. Small.
Motion passed unanimously.

James William Kepner

Application Denial – Alarm System I Contractor Examination

Mr. Kepner was present and sworn in by the Court Reporter. The application was denied at the January 18, 2007 meeting, a Notice of Intent to Deny was filed on February 16, 2007.

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

SECOND: Mr. Tibbs.
Motion passed unanimously.

Ms. Tootle stated that the Board had articulated new reasons for the denial and it would be appropriate to issue an amended Notice of Intent to Deny.

MOTION: Mr. Tibbs made a motion to issue an amended Notice of Intent to Deny for failure to demonstrate financial responsibility and prior unlicensed activity.

SECOND: Mr. Penner.
Motion passed 1 opposed.

Alan Sindelar

Application Denial – Unlimited Electrical Contractor Examination

Mr. Sindelar was present. The application was denied at the January 18, 2007 meeting, a Notice of Intent to Deny was filed on February 16, 2007.

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

SECOND: Mr. Bramlett.

Motion passed unanimously.

**PETITION FOR ADMINISTRATIVE HEARING – Reginald Dixon, Esq.,
Assistant Attorney General**

None.

RECONSIDERATIONS – Reginald Dixon, Esq., Assistant Attorney General

None

**PROSECUTING ATTORNEY'S REPORT – Drew F. Winters, Esq., Assistant
General Counsel**

Mr. Winters 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 2007.

- 18 cases assigned to Legal after investigation
- 29 cases set for Probable Cause presentation
- 8 cases where an Administrative Complaint has been filed
- 0 case where Probable Cause was found
- 0 cases awaiting outside action
- 9 cases requesting a Formal Hearing
- 0 cases sent to consultant / expert
- 23 cases set for Board presentation
- 3 case referred to DOAH
- 8 cases awaiting Final Order
- 3 cases for settlement negotiations
- 5 case ready for default
- 1 cases for Stipulation or Request for Informal Hearing
- 0 cases requiring supplemental investigation
- 0 case pending informal hearing
- 107 total cases in Legal
- 30 cases a year old or more

**UNLICENSED ACTIVITY REPORT – Drew F. Winters, Esq., Assistant
General
Counsel**

Mr. Winters 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 2007.

- 76 cases in OGC
- 7 cases awaiting further investigation / expert report
- 9 cases awaiting Probable Cause determination
- 0 cases Probable Cause Found
- 21 cases where an Administrative Complaint has been filed
- 23 cases requesting an Informal Hearing
- 3 cases requesting a Formal Hearing
- 3 cases for default / failed to respond to AC
- 5 cases hearing held; awaiting final order
- 4 cases referred to DOAH

LEGISLATIVE REPORT – Norman R. Mugford

Mr. Mugford informed the Board that the Legislative Session had begun but at this time there were no issues relating to Electrical Contracting pending before the Legislature. Mr. Mugford stated he would keep the Board informed.

Mr. Sandefer stated he had attended a meeting at which the Florida Association of Electrical Contractors (F.A.E.C.) discussed the issue of licensing journeyman and the association was working on drafting language for a statute. Mr. Sandefer stated that J.B. Clark, the lobbyist for the association was working on it as well as Mike Williams with the International Brotherhood of Electrical Workers' (I.B.E.W.).

The Board offered their assistance to both groups to help advance the issue.

The Board directed the legislative committee to draft a proposed change to 489.511(2)(a)3c, F.S. regarding government experience.

RULES REPORT – Clarence K. Tibbs

Rule 61G6-5.001 Definitions – Lightning Rods or Related Systems

The Board reviewed the following language:

61G6-5.001 Definitions.

As used in this chapter:

(1) through (16) No change.

(17) "Lightning rods or related systems" means:

- a) Lightning rod – a strike termination device that is a receptor for attachment of flashes to the lightning protection system and is listed for the purpose...

- b) Related system – a conductor system connecting the strike termination device(s) to the ground terminal(s).

AUTHORITY: Specific Authority 489.503(22), 489.505(2), 489.507(3), 489.511 FS.
Law Implemented 489.503(22), 489.505(10), (12), 489.511(2)(a)3.c. FS.

HISTORY

New 1-2-80, Amended 2-15-82, Formerly 21GG-5.01, Amended 2-23-86, 3-21-88, 11-26-90, 7-8-91, 5-20-92, 11-3-92, Formerly 21GG-5.001, Amended 12-26-93, 3-24-94, 7-13-95, 5-2-96, 5-6-96, 8-27-96, 2-13-97, 8-3-97, 1-4-98, 9-7-98, 10-1-03, _____.

MOTION: Mr. Tibbs made a motion to accept the language for 61G6-5.001 as written.

SECOND: Mr. Mugford.
Motion passed unanimously.

The Board voted to begin rule development and Notice Development on 61G6-5.0061, F.A.C. Registration of Additional New Business Entity or Transfers.

The Board voted to begin rule development and Notice Development on a Rule for Reinstatement of Null and Void Licenses.

The Board stated the changes being drafted on the limited energy specialty should include a change from 77 volts to 98 volts.

PROBATION COMMITTEE REPORT – Paul W. Sandefer

Robert E. Douglas – Case No. 2005-005967

Mr. Douglas was present.

MOTION: Mr. Mugford made a motion to accept the report and end Mr. Douglas' probation.

SECOND: Mr. Mugford.
Motion passed unanimously.

Kenneth W. Alderman, Case No. 2004-058839

MOTION: Mr. Tibbs made a motion to accept the report and end Mr. Aldermans' probation.

SECOND: Mr. Bramlett.
Motion passed unanimously.

Mr. Sandefer also directed the Boards' attention to the Probation Tracking Report provided by staff.

Ms. Christie informed the Board of an issue regarding 1 probationer, Thomas Davis. Mr. Davis has allowed his primary license EF190 to go null and void, but continues to hold additional business qualifications. Additionally he has not paid fines or costs as required in the final order for case No. 2003-089625. The Board directed Ms. Christie to refer a case to legal for prosecution.

UNLICENSED ACTIVITY (ULA) REPORT – Norman Mugford

Mr. Spivey informed the Board that there was a new Unlicensed Activity Coordinator at D.B.P.R., Michael Green. The Board requested that they be provided with his contact information and that Mr. Spivey extend an invitation to Mr. Green to attend a meeting of the Board and discuss their Unlicensed Activity concerns.

FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs

Mr. Spivey directed the Board's attention to the financial reports dated December 31, 2006, for the Operating Account and the Unlicensed Activity Account.

EXAMINATION REPORT – Clarence K. Tibbs

Mr. Tibbs informed the Board that the new psychometrician in the Bureau of Education and Testing, Julia Gould had found a glitch in the system that was randomly picking the exam questions from the question bank. The system is supposed to randomly pick 100 questions from the bank of 2,500, however for the last several exams the percentage of repeated questions was much higher than usual. Mr. Tibbs informed the Board that this issue had been corrected and it was likely that the change would be reflected in pass/fail rates more in line with previous years.

ENDORSEMENT REPORT – Jeffrey M. Kiner

No report.

RATIFICATION OF APPLICATIONS – Norman Mugford

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

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

SECOND: Ms. Small.

Motion passed unanimously.

Mr. Bellemare informed the Board that the C.E. Committee had approved all the applications they reviewed.

MOTION: A motion was made to accept the lists as presented.

SECOND: The motion was seconded.

Motion passed unanimously.

See Exhibits A, B and C.

OLD BUSINESS/ NEW BUSINESS

Emergency Registration Upon Death of a Contractor – Lewis H. Green and Associates d/b/a/ Green Electric

MOTION: Ms. Small made a motion to grant the emergency registration to Patrick Green for Green Electric.

SECOND: Mr. Tibbs.

Motion passed unanimously.

BOARD COUNSEL'S REPORT – Joy Tootle, Esq., Assistant Attorney General

- Ms. Tootle informed the appeals re: Alan Ray Hall were still pending before the D.C.A.

EXECUTIVE DIRECTOR'S REPORT – Anthony B. Spivey

Emergency Registration Upon Death of a Contractor – Delegation of authority to issue them to the Executive Director of the Board.

MOTION: Mr. Tibbs made a motion to delegate the authority for approval of emergency registrations upon death of the contractor the Executive Director of the Electrical Contractors Licensing Board.

SECOND: Mr. Mugford.

Motion passed unanimously.

The Board discussed future meeting dates and locations and determined that the May meeting would only be a normal 2 day meeting since there were no legislative issues ready for extended discussion and decided to have a 3 day meeting in Tallahassee in November and invite lobbyists and others from the association to discuss the journeyman issue.

The Board was provided a list of proposed meeting dates for fiscal year 2007-2008. The Board made the following suggestions for locations.

May 16-18, 2007 – Courtyard by Marriott – Cocoa Beach (contract in place)

July 26-27, 2007 – Ft. Myers, Key West, Sebring or South Florida

September 20-21, 2007 – Panhandle, Destin, Ft. Walton

November 14 -16, 2007 (3 day meeting) - Tallahassee

January 17 -18, 2008

March 13-14, 2008

May 14-16, 2008

The Board requested that Mr. Spivey invite the Investigators from the various field offices to attend Board Meetings when they are in their area. They also asked that local building official be invited to attend as well. Mr. Spivey stated he

would let investigators and Building Officials know when the Board would be meeting in their area

Mr. Spivey directed the board's attention to the Enforcement Report which provides statistical information on incoming complaints and the ECLB monthly performance report which provides statistical information of calls, applications and complaints received by DBPR.

CHAIRPERSON'S COMMENTS – Paul Sandefer

The chairman thanked the attorneys and staff for their efforts and adjourned the meeting at 10:30 a.m.

Adjournment.