

**MINUTES FROM THE
JULY 28 & 29, 2005
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING**

**Embassy Suites Hotel – Tampa Airport / Westshore
555 N. Westshore Blvd.
Tampa, FL 33609**

The Board Meeting was called to order by Chairman Jeffrey M. Kiner at 8:45 a.m.

PLEDGE OF ALLEGIANCE AND INVOCATION – Paul Sandefer

ROLL CALL- Members Present

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

ROLL CALL- Member Absent

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

- The board approved the May 18, 19 & 20, 2005 Meeting Minutes, Naples, FL.

Disciplinary Cases – Drew Winters, Assistant General Counsel

Charles C. Arendes
602 Krazy Lane
Lutz, FL 33549
License Number ER10077
Case No.: 2004-026278
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/11/2005 charging the respondent with violation of s. 489.533(1)(o), F.S. failing in any material respect to comply with the provisions of this part and the rules adopted pursuant thereto, through a violation of rule 61G6-5.008(1) and (2), F.A.C. by failing to continually maintain workers' compensation insurance or the exemption, and liability and property damage insurance. Respondent is therefore in violation of s. 489.533(1)(o), F.S.

On 6/23/2005, the Department entered into a Settlement Stipulation with the respondent imposing a penalty of a fine of \$500.00 and costs in the amount of \$88.86.

Respondent was neither present nor represented by counsel.

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

SECOND: Mr. Bellemare.

Motion passed unanimously.

Jerry Corsaut
P.O. Box 817
Ft. Pierce, FL 34954
License Number EF 0009258
Case No.: 2004-030207
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 2/22/2005 charging the respondent with violation of s. 489.533(1)(o), F.S. failing in any material respect to comply with the provisions of this part and the rules adopted pursuant thereto, through a violation of rule 61G6-5.008, F.A.C. by failing to continually maintain workers' compensation insurance or the exemption, and liability and property damage insurance. Respondent is therefore in violation of s. 489.533(1)(o), F.S.

On 6/16/2005, the Department entered into a Settlement Stipulation with the respondent imposing a penalty of a fine of \$100.00 and costs in the amount of \$49.42.

Respondent was neither present nor represented by counsel.

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

SECOND: Mr. Bellemare.

Motion passed unanimously.

William B. Crist
c/o Robert A. Crabill, Esq.
P.O. Box 2828
Orlando, FL 32802-2828
License Number EC671
Case No.: 2003-082023
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 12/13/2004 charging the respondent with violation of s. 489.533(1)(c), F.S., by being disciplined by the State of North Carolina's State Board of Examiners of Electrical Contractors and is therefore subject to disciplinary action by the Board pursuant to 489.533(1)(a) and (2), F.S.

On 6/17/2005, the Department entered into a Settlement Stipulation with the respondent imposing a penalty of probation to run concurrent with the probation that began on March 20, 2003, by the North Carolina Board of Examiners and costs in the amount of \$277.92.

Respondent was neither present nor represented by counsel.

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

SECOND: The motion was seconded.

Motion passed with 2 opposed..

Mark T. Dudley
c/o Byron E. Cotton, P.A.
Cotton, Gates & Cotton
Three Plew Ave.
Shalimar, FL 32579
License Number ER14222
Case No.: 2004-034629
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/11/2005 charging the respondent with violation of s. 489.533(1)(o), F.S. failing in any material respect to comply with the provisions of this part and the rules adopted pursuant thereto, through a violation of rule 61G6-5.008(1), F.A.C. by failing to renew workers' compensation exemption. Respondent is therefore in violation of s. 489.533(1), F.S.

On 6/16/2005, the Department entered into a Settlement Stipulation with the respondent imposing a penalty of a fine in the amount of \$500 and payment of costs in the amount of \$44.43.

Respondent was neither present nor represented by counsel.

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

SECOND: Mr. Roberts

Motion passed unanimously.

Harvey J. Hudgins
3206 Hudgins Lane
Jacksonville, FL 34954
License Number EF 0000087
Case No.: 2004-029423
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/14/2005 charging the respondent with violation of s. 489.533(1)(o), F.S. failing in any material respect to comply with the provisions of this part and the rules adopted pursuant thereto, through a violation of rule 61G6-5.008(1) and (2), F.A.C. by failing provide proof of workers' compensation and liability insurance. Respondent is therefore subject to discipline pursuant to s. 489.533(1)(o) and (2), F.S.

On 6/17/2005, the Department entered into a Settlement Stipulation with the respondent imposing a penalty of a fine in the amount of \$100 and payment of costs in the amount of \$331.75.

Respondent was neither present nor represented by counsel.

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

SECOND: Mr. Bellemare

Motion passed with 1 opposed.

William A. Johnson, III
c/o Jeff G. Peters, Esq.
PMB 175
3539 Apalachee Parkway, Ste. #3
Tallahassee, FL 32311
License Number EC2345
Case No.: 2004-031997
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 2/15/2005 charging the respondent with a violation of s. 489.533(1)(q), F.S., by using a license number that was null and void and a company name that did not correspond with his license. Respondent is therefore subject to discipline pursuant to s. 489.533(1)(q) and (2), F.S.

On 6/24/2005, the Department entered in to a Settlement Stipulation with the respondent imposing a penalty of a fine in the amount of \$100.00 and payment of costs in the amount of \$286.71.

Respondent was not present but was represented by counsel Jeff G. Peters, Esq.

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

SECOND: Mr. Roberts

Motion passed with 2 opposed.

Richard Titus
c/o Garvin Bowden, Esq.
1300 Thomaswood Drive
Tallahassee, FL 32308
License Number ET 528
Case No.: 2004-007371
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 2/15/2005 charging the respondent with a violation of s. 489.533(1)(q) and (2), F.S., by advertising without affixing a registration or certification number. Respondent is therefore subject to discipline pursuant to 489.533(1)(q) and (2), F.S.

On 6/20/2005, the Department entered in to a Settlement Stipulation with the respondent imposing a penalty of a fine in the amount of \$600.00 and payment of costs in the amount of \$171.56.

Respondent was not present nor represented by counsel.

MOTION: Mr. Roberts made a motion to reject the Settlement Stipulation.

SECOND: Mr. Bellemare

Motion passed unanimously.

The board suggested that Mr. Winters have the respondent appear before the board in person and seek the maximum fines in this case.

David Tringo
19737 SW 14th Street
Pembroke Pines, FL 33029
License Number EC13002239

Case No.: 2004-014124
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

Respondent was not present but not represented by counsel.

Case was pulled from the agenda by Mr. Winters due to incorrect information in the stipulation.

Warren C. West
1925 Virginia Avenue, #1401
Ft. Myers, FL 33901
License Number ER0003675
Case No.: 2002-009583
Settlement Stipulation
Recused: Small, Kiner, Mugford

An administrative complaint was filed on 12/3/2002 charging the respondent with violation of s. 489.533(1)(j), F.S., performing any act which assists a person or entity in engaging in the prohibited uncertified and unregistered practice of contracting.

On 6/17/2005, the Department entered in to a Settlement Stipulation with the respondent imposing a penalty of a fine in the amount of \$100.00 and payment of costs in the amount of \$55.37.

Respondent was not present but not represented by counsel.

MOTION: Mr. Langer made a motion to reject the Settlement Stipulation.

SECOND: None

Motion failed for lack of a second.

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

SECOND: Mr. Tibbs.

Motion passed with 1 opposed.

James J. Cox
d/b/a WYE Electric Inc.
PO Box 2927
West Monroe, LA 71294
License Number EC2857
Case No.: 2004-030366
Motion for Waiver of Rights
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/11/2005 charging the respondent with violation of rule 61G6-5.008(4), F.A.C., by failing to submit proof of worker's compensation and liability insurance and is therefore subject to discipline pursuant to s. 489.533(1)(o) & (2), F.S.

Respondent was neither present nor represented by counsel.

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

SECOND: Mr. Penner

Motion passed unanimously

MOTION: Mr. Bramlett 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: Mr. Kiner made a motion to impose costs in the amount of \$44.43 and a fine of \$1000.00.

SECOND: Mr. Langer.

Motion passed unanimously.

Scott Dolhon
d/b/a Scott's Electric
2984 Monica Terrace
Kissimmee, FL 34744
License Number ER10097
Case No.: 2004-034494
Motion for Waiver of Rights
Recused: Small, Sandefer, Tibbs

Mr. Winters pulled this case from the agenda due to incorrect service of hearing notice by board staff.

Charles E. Lewis
d/b/a Sign Art
3200 Powerline Road
Pompano Beach, FL 33069
License Number ES200
Case No.: 2004-039721
Motion for Waiver of Rights
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/11/2005 charging the respondent with violation of rule 489.533(1)(j), F.S. , by performing any act which assists a person or entity in engaging in the prohibited uncertified and unregistered practice of contracting.

Respondent was neither present nor represented by counsel.

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

SECOND: Ms. DeBerry.

Motion passed unanimously

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

SECOND: Ms. DeBerry.

Motion passed unanimously.

MOTION: Mr. Bellemare made a motion to impose a penalty of 1 year probation with quarterly reports, payment of costs in the amount of \$281.25 and a fine of \$1000.00.

SECOND: Mr. Mugford.

Motion passed unanimously.

APPLICATION REVIEW – Jeffrey M. Kiner, Chairman

Second Business Applications

Present during this portion of the meeting were:

Stephen J. Andrews, Strong Alarm Systems, LLC; Raymond G. Bivins, S & W Electrical Contractors, Inc.; Albert Keith Booth, Winter Park Utility Services, LLC; Michael J. Falcone, Secureway, Inc.; Alan G. Geoggrion, Allstar Security & Fire Systems, Inc.; John E. Harden, All State Electric, Inc.; John E. Harden, High Speed Solutions, LLC; Robert Hernandez, Utility Management Services Corp; Robert C. Hodge, 27 Electric, Inc. dba Mr. Electric of Central Florida; Raymond A. Jucha, Insight Wire Management Systems, Inc.; Jack Edward Keefe, Straight Line Communications, Inc.; Kevin Meany, Smart Connect, Inc.; Lee A. Nimmo, WPC Telecom, Inc. dba Appliedlogx; Dominick Porretto, Jr., Vozzcom, Inc. dba Vozzcom Electric; Dwayne A. Schwarz, Structured Broadband Services, LLC; James Scites, Nationwide Electric, Inc. dba Mr. Electric of Jacksonville; Robert G. Slate, Jr., Mr. Electric of Tampa Bay, Inc.; Jerald H. Smith, DMS Florida, LLC; Perry D. Vogler, Done Right Electric, Inc.; Douglas S. White, Audio Video ETC..., LLC; George M. Snodgrass, Ward's Electric, Inc.; Ovilio A. Meneses, Greater Florida Electrical Contractors, Inc.; Mario M Morales, United Home Technologies, Inc.; Jack Bryant, Vistar Maintenance Corp.; George L. Cancio, At Home Technologies, Inc.; J. Howard Van Sciver, Actcom Incorporated dba Actom Security Solutions; David L. Benschhoff, BA Electric, Inc.; Richard W. Perry, Security Networks, LLC dba Marlin Central

Monitoring; Miguel E. Tosar, Ruben Electric Technology, Inc.; Joe Cruz, LSL Electric, Inc.; Edward J. Warminski, Devcon Security Services Corp; Mickey R. Johnston, Gotham Handy Work, Inc.; Lawrence T. Pasetti, Prime Power of Tampa, Inc; Glen Allen Cope, Berg Electrical Consulting, Inc.; Ronald Howe, Southerland Electrical Solutions, Inc.; Cesar Pedrayes, Advanced Multi Sign Corp; Charles C. Wallace, Advanced Cabling Solutions, Inc.; Glen Allen Abbott, Abbott Electric, Inc.

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.

PETITION FOR WAIVER OR VARIANCE, MARY ELLEN CLARK, ESQ., ASSISTANT ATTORNEY GENERAL

Carl Johnson

On April 29, 2005 Mr. Johnson filed a request for a waiver or variance of Rule 61G6-5.0035(3)(c), F.A.C., allowing him to waive the requirement of the rule that the applicant have 5 years experience as an actively licensed building code administrator or inspector.

Mr. Johnson was present with counsel Sandra Allen, Esq.

Mr. Johnson was sworn in by Board Counsel Mary Ellen Clark, Esq.

MOTION: Ms. Small made a motion to grant the waiver.

SECOND: Mr. Roberts

Motion passed unanimously.

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

James G. Bamberg
Application Denial - Certification of a Registered License

This matter originally came before the board on January 27, 2005, the board denied the application on the grounds the application did not show having taken a substantially similar exam as required by section 489.514(2)(b), F.S.. The Notice of intent to Deny was filed on 2/15/2005. Mr. Bamberg timely submitted an Election of rights form. Mr. Bamberg was granted a continuance at the May 19, 2005 meeting.

Mr. Bamberg was present with counsel Sean Pittman, Esq.

Mr. Bamberg was sworn in by Board Counsel Mary Ellen Clark, Esq.

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

SECOND: Ms. Deberry

Motion passed unanimously.

Tharriel Blackerby
Application Denial - Certification of a Registered License

This matter originally came before the board on May 18, 2005, the board denied the application on the grounds the application did not show that he had taken a substantially similar exam pursuant to 489.514(2)(b). The Notice of Intent to Deny was filed on 6/13/2005. Mr. Blackerby timely submitted an Election of rights form.

Mr. Blackerby was not present nor represented by counsel.

MOTION: Mr. Bellemare made a motion to uphold the Denial.

SECOND: Mr. Mugford

After discussion the motion was withdrawn by Mr. Bellemare.

MOTION: Mr. Mugford made a motion to reverse the denial and approve the application contingent upon receipt of a letter from the county that the exam was similar to the Block and Associates exam.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Jonathan Campbell
Application Denial - Certification of a Registered License

This matter originally came before the board on March 17, 2005, the board denied the application on the grounds the applicant had judgments on his credit report pursuant to 489.514(1)(e). The Mr. Campbell timely submitted an Election of rights form.

Mr. Campbell was present and sworn in by Board Counsel Mary Ellen Clark, Esq.

MOTION: Mr. Mugford made a motion to reverse the Denial and grant the license.

SECOND: Ms. Small

The motion passed with 1 opposed.

Maxwell Cobb

Application Denial - Certification of a Registered License

This matter originally came before the board on May 18, 2005, the board denied the application on the grounds the applicant was convicted of felonies and did not provide proof his civil rights had been restored pursuant to section 112.011(1)(b), F.S. The Notice of Intent to Deny was filed on 6/13/2005. Mr. Cobb timely submitted an Election of rights form.

Mr. Cobb was not present and sent a letter requesting a continuance.

MOTION: Mr. Mugford made a motion to grant the continuance.

SECOND: Mr. Bellemare

The motion passed unanimously.

Anthony Diaz

Application Denial – Registration

This matter originally came before the board on May 19, 2005, the board denied the application on the grounds the applicant violated 489.533(1)(b) by willfully misrepresenting information on the application by answering in the negative regarding whether he had ever had a license suspended or revoked, the application was denied per s. 489.533(2)(a), F.S. The Notice of intent to Deny was filed on 6/13/2005. Mr. Diaz timely submitted an Election of rights form.

Mr. Diaz was present and sworn in by Board Counsel Mary Ellen Clark, Esq.

MOTION: Mr. Tibbs made a motion to reverse the Denial and grant the license.

SECOND: Mr. Mugford

The motion passed unanimously.

Carmine Finno

Application Denial - Unlimited Electrical Contractor Examination

This matter originally came before the board on May 18, 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.e., F.S. The Notice of Intent to Deny was filed on 6/13/2005. Mr. Finno timely submitted an Election of rights form.

Mr. Finno was present and sworn in by Board Counsel Mary Ellen Clark, Esq..

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

SECOND: Mr. Sandefer

The motion passed unanimously

Brian Imsand

Application Denial - Unlimited Electrical Contractor Examination

This matter originally came before the board on March 17, 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., F.S. The Notice of Intent to Deny was filed on 4/7/2005. Mr. Imsand timely submitted an Election of rights form.

Mr. Imsand was present and sworn in by Board Counsel Mary Ellen Clark, Esq.

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

SECOND: Mr. Tibbs.

The motion passed unanimously.

Carl Johnson

Application Denial - Certification of a Registered License

This matter originally came before the board on March 17, 2005, the board denied the application on the grounds the application did not demonstrate the experience required by s. 489.514(2)(c), F.S. The Notice of intent to Deny was filed on 4/7/2005. Mr. Johnson timely submitted an Election of rights form.

Mr. Johnson was present and represented by counsel Sandra E. Allen, Esq.

Mr. Johnson was sworn in by Board Counsel Mary Ellen Clark, Esq..

MOTION: Ms. Small made a motion to reverse the denial and grant the license.

SECOND: Mr. Mugford.

The motion passed unanimously.

MOTION: Mr. Bellemare made a motion to reconsider the application.

SECOND: The motion was seconded.

The motion passed unanimously.

Michael Mauldin
Application Denial - Endorsement

This matter originally came before the board on March 17, 2005, the board denied the application on the grounds the application did not show having passed a substantially similar exam pursuant to s. 489.511(6)(a). The Notice of Intent to Deny was filed on 4/7/2005. Mr. Mauldin timely submitted an Election of rights form.

Mr. Mauldin was neither present nor represented by counsel.

MOTION: Mr. Sandefer made a motion to uphold the Denial.

SECOND: Mr. Penner

The motion passed unanimously.

Bradley Patano
Application Denial - Unlimited Electrical Contractor Examination

This matter originally came before the board on May 18, 2005, the board denied the application on the grounds the applicant failed to demonstrate the required work experience in the trade, per section 489.511(2)(a)3.e., F.S. The Notice of intent to Deny was filed on 6/13/2005. Mr. Patano timely submitted an Election of rights form.

Mr. Patano was present and sworn in by Board Counsel Mary Ellen Clark, Esq.

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

SECOND: Mr. Sandefer.

The motion passed unanimously.

Robert Sacht
Application Denial – Certification of a Registered License

This matter originally came before the board on May 18, 2005, the board denied the application on the grounds the applicant failed to demonstrate the required work experience, per section 489.514(2)(c), F.S. The Notice of intent to Deny was filed on 6/14/2005. Mr. Sacht timely submitted an Election of rights form.

Mr. Sacht was present and sworn in by Board Counsel Mary Ellen Clark, Esq.

MOTION: Mr. Mugford made a motion to reverse the Denial and grant the license.

SECOND: Mr. Tibbs.

The motion passed unanimously.

PETITIONS FOR FORMAL HEARING

Alan Ray Hall

Application Denial – Endorsement

This matter originally came before the board on March 17, 2005, the board denied the application on the grounds the application did not show having passed a substantially similar exam pursuant to s. 489.511(6). The Notice of Intent to Deny was filed on 4/7/2005. Mr. Hall timely submitted an Election of rights form requesting a hearing per s. 120.57(1), F.S..

Mr. Hall was present and sworn in by Board Counsel Mary Ellen Clark, Esq. and was represented by counsel Robert A. Hoonhout, Esq.

MOTION: Mr. Bellemare made a motion to find there was no dispute of material facts and hold a hearing pursuant to s. 120.57(2), F.S.

SECOND: Ms. DeBerry.
The motion passed unanimously.

MOTION: Mr. Tibbs made a motion to reverse the denial and grant the license.

SECOND: Mr. Mugford

The motion failed by a vote of 4 in favor and 7 opposed.

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

SECOND: Ms. DeBerry.

The motion passed.

RECONSIDERATIONS - Mary Ellen Clark, Esq., Assistant Attorney General

James Fortkamp

Application Tabled - Endorsement

Mr. Fortkamp requested a continuance.

MOTION: Mr. Sandefer made a motion to grant the continuance.

SECOND: Ms. DeBerry

Motion passed unanimously.

Michael Webb

Application Denial - Endorsement

Mr. Webb was not present and had not provided any additional information regarding his examination.

MOTION: Mr. Tibbs made a motion to table the application until the next meeting.

SECOND: The motion was seconded.

Motion passed unanimously.

**National Training School
Application Denial – Continuing Education Course**

No one was not present.

MOTION: Mr. Bellemare made a motion to reconsider the application.

SECOND: Ms. DeBerry.

Motion passed unanimously.

MOTION: Mr. Bellemare made a motion to reverse the Denial and approve the courses.

SECOND: Ms. DeBerry.

The motion passed unanimously.

**Robert Labaff
Contingent Approval – Additional Business Application**

Mr. Labaff was not present.

MOTION: Mr. Tibbs made a motion to reconsider the application.

SECOND: Mr. Bellemare.

Motion passed unanimously.

MOTION: Mr. Bellemare made a motion to allow the application to be withdrawn.

SECOND: Mr. Roberts.

The motion passed unanimously.

**Pasquale Ruccio
Application Denial – Endorsement**

Mr. Ruccio was not present.

MOTION: Mr. Mugford made a motion to reconsider the application.

SECOND: Mr. Bellemare.

Motion passed unanimously.

MOTION: Mr. Bellemare made a motion to allow the application to be withdrawn.

SECOND: Mr. Tibbs.

The motion passed unanimously.

Juan Peleaz

Application Denial – Unlimited Electrical Contractor Examination

Mr. Peleaz sent a request for continuance.

MOTION: Mr. Mugford made a motion was made to grant the continuance.

SECOND: Mr. Tibbs.

Motion passed unanimously.

Michael Murphy

Application Denial – Unlimited Electrical Contractor Examination

Mr. Murphy was not present.

MOTION: Mr. Sandefer made a motion to reconsider the application.

SECOND: The motion was seconded.

Motion passed unanimously.

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

SECOND: Ms. DeBerry.

The motion passed unanimously.

William Heissenberg

Application Denial – Certification of a Registered License

Mr. Heisenberg was present.

MOTION: Mr. Mugford made a motion to reconsider the application.

SECOND: Mr. Tibbs.

Motion passed unanimously.

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

SECOND: Mr. Tibbs.

The motion passed unanimously.

Viler Cherisol

Contingent Approval of Application for Examination Supplementing original Application

Mr. Cherisol was not present.

MOTION: Mr. Tibbs made a motion to reconsider the application.

MOTION: Mr. Tibbs withdrew his motion to reconsider the application.

Motion passed unanimously.

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 May 16, 2005.

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

Mr. Winters requested permission from the board to continue prosecution of the cases that are more than 1 year old.

The board granted permission to Mr. Winters to continue prosecution of cases that are more than 1 year old.

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 May, 2005.

- ◆ 49 cases in OGC
- ◆ 1 cases awaiting further investigation / expert report
- ◆ 5 cases awaiting Probable Cause determination
- ◆ 3 case set for Probable Cause
- ◆ 26 cases where an Administrative Complaint has been filed
- ◆ 3 cases requesting an Informal Hearing
- ◆ 3 cases requesting a Formal Hearing
- ◆ 8 cases for default / failed to respond to AC
- ◆ 0 cases hearing held; awaiting final order
- ◆ 0 cases re-opened
- ◆ 0 cases on appeal

Mr. Kiner requested that Mark Reddinger attend the November board meeting in Tallahassee, FL.

Issues of concern to the board were;

- ◆ Investigators going to major construction sites such as hospitals looking for unlicensed activity where it is unlikely to occur.
- ◆ Why aren't representatives such as Mark Reddinger and the field office supervisors attending meetings more regularly?

LEGISLATIVE REPORT – Norman R. Mugford

The Board discussed the drafts of the following proposed legislation;

Draft language for 489.5188 – Electrical System Agents

- ◆ The Board members discussed this proposal at length.
- ◆ Mr. Tibbs raised a concern for EC's whose employees do not perform 3 phase work and would not be able to meet the criteria.
- ◆ Mr. Mugford suggested a category for residential and one for commercial such as Electrical System Agent I and II, to address Mr. Tibbs concerns.
- ◆ Mr. Mugford suggested the members take a draft of this proposal to their professional associations for comments and suggestions.
- ◆ Mr. Mugford agreed to make the changes to the draft based on the board's discussion and provide a copy to board staff by email for distribution to the members.

The board agreed to hold a teleconference in September specifically to work on the language for this proposal. 489.5188 Electrical System agents.--

(1) A licensed electrical contractor may not employ a person to perform the duties of an electrical system agent unless the person:

(a) Is at least 18 years of age or has evidence of a court-approved declaration of emancipation.

(b) Has successfully completed a minimum of 400 hours of apprentice training, to include three phase electrical systems in addition to all other electrical systems. Has work experience with installations, repairs and maintenance of electrical systems and equipment such as motors, switches, lighters, heaters, alarm and control systems. Determines need to repair and/or replace equipment. Works from blueprints, specifications and schematic diagrams. Tests wiring system to ensure safety of all components. Plans, coordinates and schedules new or modified electrical systems. Estimates material required for job specific job components. Maintains safe working conditions for self and others. Stores and maintains supplies, tools and equipment. Experience performing standard trade-related methods, materials, tools, and equipment. General knowledge of electrical codes (NEC). Familiar with city and state building codes, OSHA and regulations, standard safety practices and equipment, and other requirements for workplace. Trains other journeymen, apprentices, or other employees' specific skills and tasks, as required. Prepares reports and/or maintenance records and performs other related duties as assigned or requested. Such training shall be from a board-approved provider, and the employee or applicant for employment shall provide proof of successful completion to the licensed employer. The board shall by rule establish criteria for the approval of training courses and providers and may by rule establish criteria for accepting alternative non-classroom education on an hour-for-hour basis. The board shall approve providers that conduct training in other than the English language. The board shall establish a fee for the approval of training providers or courses, not to exceed \$60. Qualified employers may conduct training classes for their employees, with board approval.

(c) Has not been convicted within the last 3 years of a crime that directly relates to the business for which employment is being sought. Although the employee is barred from operating as an electrical system agent for 3 years subsequent to his or her conviction, the employer shall be supplied the information regarding any convictions occurring prior to that time, and the employer may at his or her discretion consider an earlier conviction to be a bar to employment as an electrical system agent. To ensure that this requirement has been met, a licensed electrical contractor must obtain from the Florida Department of Law Enforcement a completed fingerprint and criminal background check for each applicant for employment as an electrical system agent or for each individual currently employed on the effective date of this act as an electrical system agent.

(d) Has not been committed for controlled substance abuse or been found guilty of a crime under chapter 893 or a similar law relating to controlled substances in any other state within the 3-year period immediately preceding the date of application for employment, or the effective date of this act for an individual employed as an electrical system agent on that date, unless he or she establishes that he or she is not currently abusing any controlled substance and has successfully completed a rehabilitation course.

(2) (a) A state-certified electrical contractor, a state registered electrical contractor is not required to complete the training required for burglar alarm or fire alarm system agents, so long as he or she is only doing electrical work up to the alarm panel.

(b) A nonsupervising employee working as a helper or apprentice under the direct, on-site, continuous supervision of a state-certified electrical contractor, a state-registered electrical contractor, a journeyman electrician licensed by any local jurisdiction that requires an examination and experience or training as licensure qualifications, or a qualified electrical system agent is not required to complete the training otherwise required and is not required to be 18 years of age or older.

(3) An applicant for employment as an electrical system agent, or an individual employed as a Journeyman electrician on the effective date of this act, may commence or continue employment pending the completion of the required training and the results of the background

check required by this section for a period not to exceed 90 days after the date of application for employment, or 90 days after the effective date of this act for individuals currently employed as electrical system agents. However, the person must work under the direction and control of a sponsoring licensed electrical contractor pending the completion of the training and the criminal background check. If an applicant or an individual employed on the effective date of this act does not complete the training or receive a satisfactory criminal background check within the 90-day period, the employment must be terminated immediately.

(4)(a) A licensed electrical contractor shall furnish each of its electrical system agents with an identification card.

(b) The identification card shall be designed in a board-approved format. The card must include a picture of the agent, must specify at least the name of the holder of the card and the name and license number of the contractor, and must be signed by the contractor and by the holder of the card. Each identification card is valid for a period of 2 years after the date of issuance. The identification card must be in the possession of each electrical system agent while engaged in electrical system agent duties.

(c) Each person to whom an identification card has been issued shall be responsible for the safekeeping thereof and shall not loan, or allow any other person to use or display, the identification card.

(d) Each identification card must be renewed every 2 years and in a board-approved format to show compliance with the 6 hours of continuing education necessary to maintain certification as a electrical system agent.

(e) Each licensed electrical contractor must obtain an updated criminal background check from the Department of Law Enforcement for each electrical system agent who renews certification.

(5) Each electrical system agent must receive 6 hours of continuing education on electrical system installation and repair and false alarm prevention every 2 years from a board-approved sponsor of training and through a board-approved training course.

(6) Failure to comply with any of the provisions of this section shall be a disciplinable offense against the contractor pursuant to s. 489.533.

Draft language for 489.514 – Certification for Registered Contractors; Grandfathering Provision

- ◆ The board approved the draft as provided below.

489.514 Certification for registered contractors: grandfathering provisions.
Remove entire statute 489.514 (1) thru and including 489.514 (3)

Draft Language for 489.503(1)(b) – Exemptions

- ◆ The board approved the draft as provided below.

489.503 (1) (b) Exemptions

The legislative intent of this subsection is to place equal responsibility on the unlicensed business and its employees for the protection of the consumers in contracting transactions.

For the purpose of this part, “employee” is defined as a person who receives compensation from, and is under the supervision and control of an employer who regularly deducts the F.I.C.A. and withholding tax, is issued an IRS W2 form by the employer or licensed employee leasing company and provides workers compensation, all prescribed by law.

Draft Language for 489.505 (29) – Definitions

- ◆ The board approved the draft as provided below.

489.505 Definition

(29) “Electrical system agent” means a person:

(a) Who is employed by a certified electrical contractor; or a registered electrical contractor.

(b) Who is performing duties which are an element of an activity that constitutes electrical system contracting requiring certification under this part; and

(c) Whose specific duties include any of the following: altering, installing, maintaining, moving, repairing, replacing, servicing, or inspecting, an electrical system for compensation.

RULES REPORT – Clarence K. Tibbs

Ms. Clark presented the Rules report to the board.

Rule 61G6-9.006(11) Approval of Continuing Education Courses – the board reviewed the proposed language and voted to accept it with a change it to read “3 hours business credit”.

(11) Of the required 14 continuing education hours, ~~up to a~~ licensee may earn three hours business credit may be earned by attending, for at least three hours, a meeting of the board wherein disciplinary cases are considered. Licensees must attend the complete agenda of disciplinary cases to receive the continuing education hours. At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with the Clerk of the Board prior to the beginning of disciplinary proceedings. ~~A maximum of 3 hours will be allowed during a renewal cycle.~~ Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.

Rule 61G6-9.003(7), F.A.C., Definitions – this rule was published on 6/10/2005 as approved by the board.

(7) “Interactive Distance Education Course” means a continuing education course, the delivery of which is done via the internet and/or other interactive electronic media. Such offerings or courses shall be interactive, providing for the interchange of information between the student, the teacher, and shall provide for registration, evaluation, monitoring, and verification of continuing education, as well as require a multiple-choice test at the end of the session with a minimum passing score of 75%.

Rule 61G6-9.004(7), F.A.C., Continuing Education Requirements for renewal for Certificateholders and Registrants - this rule was published on 6/10/2005 as approved by the board.

(7) During any biennial period, a licensee may obtain credit for taking a particular approved continuing education course only once.

MOTION: Mr. Tibbs made a motion to accept the rules report.

Mr. Spivey asked the board to review SB1012 regarding Null and Void Licenses and determine if they wanted to create any rules in accordance with the new law. The Board declined to create any rules on this issue.

The Board reviewed HB 113 regarding increased maximum fine amounts.

MOTION: Mr. Bellemare made a motion for Mr. Tibbs to be the liaison for the Board for the purpose of updating the disciplinary guidelines.

SECOND: The motion was seconded.

The motion passed unanimously.

MOTION: Mr. Tibbs made a motion to notice the disciplinary guidelines for rule development.

SECOND: Mr. Roberts

Motion passed unanimously.

PROBATION COMMITTEE REPORT – Paul W. Sandefer

Mr. Sandefer directed the board's attention to the July 2005 Probation Tracking List that staff had prepared and read through the current status information for each probationer. Mr. Sandefer stated that the reports submitted by Stephen M. Cunningham, Case No.: 2003-083802, Thomas Wynn, Case No.: 2002-014058, Donald McConnell; Case No.: 2002-001636, Willie Hamilton, Case No. 2004-007385 and Mark J. Nash, Case No. 2002 and William Hrmodka, Case No. 2002-015393 all appeared to be in order.

Mr. Mugford noted that the FASA/BASA courses being provided by one of the probationers companies (EF950) are not current and expressed concern. Ms. Clark suggested that discipline could be pursued against the licensee if he signed the FASA/BASA cards with knowledge the courses were not current under the disciplinary guidelines for filing a false report. Mr. Winters stated that a complaint would be filed in this matter.

MOTION: Mr. Bramlett made a motion made to approve all the reports as submitted.

SECOND: Mr. Roberts.

Motion passed unanimously.

UNLICENSED ACTIVITY (ULA) REPORT – Kimberly A. DeBerry

The Board was shown the video of the new Public Service Announcement.

The members were provided a copy of the ULA Statistical Report.

The board asked Mr. Winters to look into whether the fine amounts had been increased for unlicensed activity.

FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs

Mr. Tibbs directed the boards' attention to the copies of the March 31, 2005 Quarterly Financial Reports for the Operating Account and the Unlicensed Activity Account provided in the agenda.

EXAMINATION REPORT – Clarence K. Tibbs

Mr. Tibbs directed the board's attention to a letter from Mr. Muffoletto regarding challenges to the March 2005 examination. There were 6 challenges and all of them were found legally insufficient.

ENDORSEMENT REPORT – Jeffrey M. Kiner

Mr. Kiner requested that an item be placed on the September agenda for an in depth discussion of the Endorsement process. Ms. Clark pointed out that the statute requires that the examination taken be similar to the Florida examination for the year it was taken. Mr. Kiner also asked that Mr. Spivey and the member who attends NASCLA bring information to the board regarding the National Exams.

RATIFICATION OF APPLICATIONS - Jeffrey M. Kiner/Pierre Bellemare

Mr. Bellemare asked the board to review the list of the Continuing Education Committee's results. Mr. Bellemere stated 1 course was denied, the rest were approved or approved contingent.

MOTION: Mr. Bellemare made a motion to approve the Continuing Education Committee's results as presented on the list provided to the members.

SECOND: Mr. Bramlett.

Motion passed unanimously.

The application committee reviewed 57 applications for examination, 37 for additional business entities, 1 initial certification, 1 Transfers, 4 endorsements, 1 certified reactivations, 13 certification of registered contractors (grandfathering), and 1 registered contractor.

Mr. Kiner asked the board if they had reviewed the list of all applications approved, approved contingent, tabled, and denied in all categories and the ratification list of the files processed by the Department. The members indicated they had all reviewed the lists. (Lists are attached as exhibit A, B & C). Ms. Clark stated the lists should be attached to the minutes and incorporated by reference. Ms. Clark asked that the list be corrected regarding the endorsement applications so that the statutory citation did not include (a).

MOTION: Mr. Bellemare moved to approve the lists as presented to the board.

SECOND: Mr. Tibbs.

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

ADDITIONAL BUSINESS ENTITIES APPROVED:

See Exhibit A

APPROVED APPLICATIONS

See Exhibit A

APPROVED EXAM APPLICATIONS

See Exhibit B

DENIED APPLICATIONS

ENDORSEMENT

See Exhibit A

CERTIFICATION OF REGISTERED CONTRACTOR (GRANDFATHERING)

See Exhibit A

REGISTRATION

See Exhibit A

EXAMINATION

See Exhibit B

CONTINUING EDUCATION COMMITTEE

CE APPLICATIONS RESULTS

CE APPLICATIONS - Classroom

- A. Contractors Exam School
 - 1. Electrical Business & Law Seminar
 - 2. Electrical Seminar Technical Course
- B. Electrical Council of Florida (EFC)
 - 1. Understanding Worker's Compensation Declaration Page – Approved Contingent upon receipt of signed attest statement
 - 2. Understanding Professional Employer Organizations (PEO's) – Approved Contingent upon receipt of signed attest statement
 - 3. Understanding Worker's Compensation 2 Percent Safety Credit– Approved Contingent upon receipt of signed attest statement
 - 4. Romancing the Night– Approved Contingent upon receipt of signed attest statement
 - 5. Fundamentals of Landscape Design for Electrical Contractors– Approved Contingent upon receipt of signed attest statement
 - 6. Understanding Drug Free Workplace– Approved Contingent upon receipt of signed attest statement
 - 7. Understanding Small Group Health Plans– Approved Contingent upon receipt of signed attest statement
 - 8. Understanding Disability Insurance– Approved Contingent upon receipt of signed attest statement
 - 9. FPL Electric Service Standards Manual Refresher & Update– Approved Contingent upon receipt of signed attest statement
- C. Florida Association of Electrical Contractors
 - 1. ARC Flash
 - 2. 7 Come 11 - Improve Your Odds thru Better Contracting & Project Documentation
- D. Florida Department of Community Affairs
 - 1. Manufactured Buildings Program Workshop
- E. Gold Coast School of Construction
 - 1. Regulatory Compliance
 - 2. Contract & Project Management
 - 3. Financial Management
- F. ICC
 - 1. ICC Installer Certification Training Program

- G. Koning Enterprises Inc., dba Contractors Institute
 - 1. NEC Calculations for Alarm & Specialty Contractors– Approved Contingent upon receipt of signed attest statement
- H. North Carolina Association of Electrical Contractors
 - 1. 2005 NEC Code Changes – **DENIED per 61G6-9.006(4)**
- I. Stay Safe Enterprises, LLC
 - 1. Alarm Company Qualifier Course
 - 2. Effective Central Station Operations– Approved Contingent upon receipt of course timetable breakdown
- J. Surge Suppression Incorporated
 - 1. Transient Voltage Surge Suppression
- K. The Systems Depot
 - 1. Understand Digital Video Recorders (DVR)
 - 2. Alternative Means of Video Transmission

CE APPLICATIONS – Internet

- A. Gold Coast School of Construction
 - 1. Financial Management (Internet)
 - 2. Contract & Project Management (Internet)
 - 3. Regulatory Compliance (Internet)
- B. Koning Enterprises Inc., dba Contractors Institute
 - 1. NEC Calculations for Alarm & Specialty Contractors-Internet

CE APPLICATIONS – Classroom: Renewals

- A. Gray Systems, Inc.
 - 1. A Review of the 2002 Changes to the N.E.C.

FIRE ALARM SYSTEM AGENT APPLICATIONS- Classroom

- A. Stay Safe Enterprises, LLC
 - 1. FASA/BASA 18 Hour Agent Course (Training)
 - 2. FASA/BASA Agent Renewal Course (CE)
- B. James McGregor
 - 1. Protective Signaling Systems One (Training)
 - 2. Protective Signaling Systems Two (CE)

ALARM SYSTEM AGENT APPLICATIONS- Classroom

- A. Stay Safe Enterprises, LLC
 - 1. Effective Central Station Operations (CE)
- B. James McGregor
 - 1. Protective Signaling Systems One (ASA Training)

MOTION: Mr. Bellemare made a motion to approve the courses as listed on the list provided to the board.

SECOND: Mr. Penner.

OLD BUSINESS/ NEW BUSINESS

Mr. Tibbs asked what different areas of the state were doing for Low Voltage Contractors who are trying to become licensed, were they being allowed to continue to work or being shut down.

Mr. Sandefer stated that Duval County was not requiring licenses or permits for low voltage work. Mr. Mugford stated Flagler and St. Johns County were the same.

Mr. Tibbs stated that a county in his area has stopped renewing occupational licenses until the individuals become licensed.

Mr. Sandefer asked Mr. Spivey how the board could get the building departments to enforce this requirement. Mr. Spivey suggested that it would best be done through enforcement, by filing complaints against unlicensed individuals and issuing Cease and Desist orders.

Ms. Clark suggested that it may be a violation of the Building Code Administrators rules, and the board could possibly file a complaint with that board.

DISCUSSION OF SB442

Mr. Tibbs explained that the Educational TAC Committee had been restructured and a member must be appointed to participate on behalf of the Electrical Contractors' Licensing Board.

MOTION: Mr. Sandefer made a motion to have Mr. Tibbs attend the Building Code Education and Outreach Council.

SECCOND: Mr. Mugford.

Motion passed with 1 opposed.

DISCUSSION OF FORMS CHANGES

The Board was provided with copies of updated application forms.

MOTION: Mr. Mugford made a motion to adopt the new drafts of the application forms as provided in the addendum package.

SECCOND: Mr. Tibbs

Motion passed unanimously.

Discussion of HB41 with Jeff Collins of Florida Fire Marshals and Inspectors Association

Jeff Collins from the Florida Fire Marshals' and Inspectors Association (FFMIA) was present. Mr. Spivey explained that the HB41 requires that anyone working on an Alarm System must be a licensed Contractor. Mr. Mugford explained to Mr. Collins that he had been asked by FFMIA to have someone speak to the board about HB41 and SB

442. Mr. Mugford also stated that the board wanted to be ensure that the Fire Marshals were familiar with the FASA card requirements and that it was understood that licensed contractors were not required to have the FASA card, only their employees had to have them. Mr. Mugford explained that the recent legislative changes also gave the Fire Marshals authority to remove individuals without FASA/BASA cards from the job sites. Mr. Collins assured the board that he was familiar with the changes and that Palm Beach County has implemented procedures to ensure a FASA/BASA card holder is on site. Mr. Collins also stated that he would suggest bringing these issues up on the agenda at the FFMIA's annual conference. Mr. Collins expressed appreciation for the legislative changes and stated it would assist the Fire Marshals in performing their duties.

BOARD COUNSEL'S REPORT – Mary Ellen Clark, Esq., Assistant Attorney General

Ms. Clark updated the Board on the status of the appeal before the DCA on the denial of Keith Vetter's application for registration due to lack of civil rights. The case is still pending before the DCA and Ms. Clark expects a decision within the next 6 months..

EXECUTIVE DIRECTOR'S REPORT – Anthony B. Spivey

Mr. Spivey provided the board with copies of the ECLB Monthly Performance Standards Report, the Enforcement Report and an article from the 5/28/2005 Orlando Sentinel for their information.

Mr. Spivey informed the board of a possible change in the location for the September meeting, due to a cancellation by another board. The ECLB may be required to take over a contract to meet in Palm Beach Florida at the Four Seasons Resort. The Board agreed that would be acceptable and an alternative location would be North East Florida.

Mr. Spivey told the board 2 people would be attending the NASCLA conference in Utah. The board stated they wished it to be the new Chairman and Mr. Spivey attend the conference on behalf of the Board.

Mr. Spivey informed the board that a plaque was sent to Mr. Abreu for his service with the Board.

Mr. Spivey referred the board to a letter from Lighthouse Landscape Lighting to review possible examination questions for inclusion in the Limited Energy Specialty Examination.

MOTION: Mr. Sandefer made a motion to forward the information to the Bureau of Education and Testing for review.

SECOND: Mr. Tibbs.

Mr. Tibbs noted it only references low voltage lighting which may be a problem.

Mr. Spivey addressed issue of reactivation. George Ayrish had expressed concern that the rule for reactivation does not address the Building Code Core Course or the

advanced module. Mr. Tibbs stated he did not think it was an issue since once the license is reactivated the regular CE requirements would be in place and they address the Advanced Module requirement.

The Board asked staff to research how the Building Code Core Course was credited if an individual grandfathered their license after completing the core course.

Mr. Spivey asked for suggested dates for the September Conference Call of Electrical System Agents. The board members suggested Thursday September 8, 2005 at 10:00 a.m.

Mr. Spivey stated he would let the board members know as soon as he had a definite location for the September meeting. The board members suggested Fernandina Beach or St. Augustine as alternates if the Palm Beach Location did not work out.

ELECTION OF OFFICERS

MOTION: Ms. Small made a motion to nominate Norman Mugford as Chairman and Paul Sandefer as Vice Chairman of the Electrical Contractors' Licensing Board.

SECOND: Mr. Tibbs

Motion passed unanimously

CHAIRPERSON'S COMMENTS – Jeffrey M. Kiner

Mr. Kiner noted that the September meeting would start at 8:30 a.m. on Thursday and may start at 9:00 a.m. on Friday depending on Ms. Clark's schedule.

Mr. Kiner expressed appreciation for the work done by the board members, counsel and staff.

Adjournment.