

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006

**MINUTES FROM THE
July 20 & 21 2006
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING
The Ritz Carlton
1111 Ritz-Carlton Drive
Sarasota, FL 34236**

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

PLEDGE OF ALLEGIANCE AND INVOCATION

ROLL CALL- Members Present

Pierre A. Bellemare
Robert Bramlett
Kimberly A. DeBerry
Jeffrey M. Kiner
Norman R. Mugford, Chairman
Donald C. Penner
Rae Small
Clarence K. Tibbs
Roger E. Langer

ABSENT

Lewis Roberts
Paul W. Sandefer, Vice-Chairman

OTHERS PRESENT

Anthony B. Spivey, Executive Director
Heather Cash, OPS - Government Analyst I
Reginald Dixon, Esq., Assistant Attorney General
Drew F. Winters, Esq., Assistant General Counsel
Court Reporter – Bay Park Reporting, Peggy Huffman/ Maryellen O'Brien

The board approved the May 2006 and November 2005 meeting minutes.

Disciplinary Cases – Drew Winters, Assistant General Counsel

**Walter G. Coppen
d/b/a Coppen Enterprises
2826 Lenox Ave.
Jacksonville, FL 32254
License Number:ER 12526
Case Number: 2004-032955
Motion for Waiver of Rights and Final Order
Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 4/3/2006 charging the respondent with

Electrical Contractors' Licensing Board

Meeting Minutes

July 2006

violation of s. 489.533(1)(d), F.S., committing a crime related to the practice of electrical contracting, 455.227(1)(h), F.S. renewing or obtaining a license through fraud or error of the Department. Respondent was not present, nor represented by counsel.

MOTION: Mr. Bellemare made a motion to find waiver of rights.

SECOND: Mr. Langer.

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: Mr. Langer.

Motion passed unanimously.

MOTION: Mr. Langer made a motion to revoke the respondent's license and impose costs of \$171.32.

SECOND: Mr. Roberts.

Motion passed unanimously.

Lonnie Breitweiser

312 Wildwood Drive

Edgewater, FL 32132

License Number: EC165

Case Number: 2004-044487

Motion for Waiver of Rights

Recused: Small, Sandefer, Tibbs

Case continued to the September 2006 Board Meeting.

Walter G. Coppen

d/b/a Coppen Enterprises

2826 Lenox Ave.

Jacksonville, FL 32254

License Number: ES 115

Case Number: 2004-032955

Motion for Waiver of Rights and Final Order

Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/3/2006 charging the respondent with violation of s. 489.533(1)(d), F.S., committing a crime related to the practice of contracting. Respondent was not present nor represented by counsel.

MOTION: Mr. Bellemare made a motion to find waiver of rights.

SECOND: Mr. Penner.

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: Mr. Penner.

Motion passed unanimously.

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006

MOTION: Mr. Kiner made a motion to revoke the respondent's license and impose costs of \$178.53.

SECOND: Ms. DeBerry.
Motion passed unanimously.

Louis Littele
d/b/a Suno Enterprises, Inc.
2300 NW 8th Street
Ft. Lauderdale, FL 33311
License Number: ER10527
Case Number: 2004-004365
Hearing pursuant to 120.57(2)
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 2/16/2005 charging the respondent with violation of s. 489.533(1)(a), F.S., failing to maintain minimum required liability insurance. Respondent was present and sworn in by the court reporter.

MOTION: Mr. Bellemare made a motion to find waiver of rights.

SECOND: Mr. Penner.
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 fine of \$500.00 and costs of \$158.40.

SECOND: Mr. Bramlett.
Motion passed unanimously.

Joan Briddes
1802 E. 97th Avenue
Tampa, FL 33612
License Number: ER 12191
Case Number: 2005-047615
Hearing pursuant to 120.57(2)
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/3/2006 charging the respondent with violation of s. 489.533(1)(m)(4), F.S., committing financial mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Respondent was present and sworn in by the court reporter.

MOTION: Mr. Langer made a motion to find waiver of rights.

SECOND: Ms. DeBerry.
Motion passed unanimously.

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006

MOTION: Mr. Langer 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. Penner made a motion to impose costs of \$261.67, 3 years of probation, restitution and suspension of license until a payment schedule is established for restitution and licensee appears before the board with proof of payments.

SECOND: Mr. Bellemare.
Motion passed unanimously

Richard D. Byrne
4009 Biscayne Drive
Casselberry, FL 32708
License Number: EF 47
Case Number: 2005-053505
Settlement Stipulation
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 2/7/2006 charging the respondent with violation of s. 489.533(1)(j), F.S., aiding and abetting and unlicensed contractor and 489.533(1)(s), F.S., practicing beyond the scope of certification or registration. Respondent was neither present nor represented by counsel.

MOTION: Mr. Penner made a motion to accept the stipulation imposing a fine of \$1,000.00 and costs of \$196.77 and 1 year of probation.

SECOND: Mr. Bramlett.
Motion passed unanimously

Charles E. Lewis
d/b/a Sign Art
3200 Powerline Road
Pompano Beach, FL 33069
License Number: EF 47
Case Number: 2004-039721
Motion to Vacate Final Order
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 4/11/2005 charging the respondent with violation of s. 489.533(1)(j), F.S., aiding and abetting an unlicensed contractor. Respondent was neither present nor represented by counsel.

The Board entered a Final Order on August 22, 2005. The Respondent contact the Department and provided proof the Department did not properly serve the administrative complaint on the respondent, therefore Mr. Winters filed a Motion to vacate the Final Order.

MOTION: Mr. Bellemare made a motion vacate the Final Order.

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006

SECOND: Ms. DeBerry.
Motion passed unanimously.

Bruce W. Parrish, Jr., P.A.
1870 Forest Hill Blvd., Suite 203
West Palm Beach, FL 33406
License Number: ES352
Case Number: 2004-030912
Settlement Stipulation
Recused: Sandefer, Tibbs

Case continued to the September 2006 Board Meeting.

Jonathon S. Gordon
d/b/a Gordon Electric
905 N. Oak Drive
Leesburg, FL 33069
License Number: ER 14136
Case Number: 2005-048544
Motion for Waiver of Rights and Final Order
Recused: Small, Sandefer, Tibbs

An administrative complaint was filed on 2/7/2006 charging the respondent with violation of s. 489.533(1)(m)(4), F.S., committing financial mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Respondent was present and sworn in by the court reporter.

MOTION: Ms. DeBerry made a motion to find waiver of rights.

SECOND: Mr. Bellemare.
Motion passed unanimously.

MOTION: Ms. DeBerry 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. Penner made a motion to dismiss the case based on the documentation provided by the respondent showing the judgment had been paid.

SECOND: Mr. Langer.
Motion passed unanimously

Robert D. Love
6530 Bayshore Drive
St. Cloud, FL 34771
License Number: ER 7640
Case Number: 2004-020012
Motion for Waiver of Rights and Final Order
Recused: Small, Sandefer, Tibbs

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006

An administrative complaint was filed on 8/15/2005 charging the respondent with violation of s. 489.533(1)(a), F.S., by failing to comply with a final order of the Board. Respondent was neither present nor represented by counsel

MOTION: Ms. DeBerry made a motion to find waiver of rights.

SECOND: Mr. Bellemare.

Motion passed unanimously.

MOTION: Ms. DeBerry 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. Bellemare made a motion to impose costs of \$435.05 and Suspension of the respondents license until he appears before the Board and shows proof of complying with the previous final order..

SECOND: Ms. Deberry.

Motion passed unanimously

APPLICATION REVIEW – Norman Mugford, Chairman

Second Business Applications

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

William Castrillon; Nestor Corvea; Michael Hinson; Keven Tinsley; Israel Carratala; Kenneth Edison; Charles Link; Dennis Bernabe; Michael Sharp; Francisco Gonzalez; David Brabham; Roberto Franco; Dale Yox; Ray Williams; Jack Oliver; Michael Mahoney; Isaac Sasson; James Oliver; John Sheridan.

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. 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.

PETITIONS FOR DECLARATORY STATEMENT – Reginald Dixon, Assistant Attorney General

Outdoor Lighting Perspectives Petition for Declaratory Statement

Electrical Contractors' Licensing Board

Meeting Minutes

July 2006

On May 24, 2006 Outdoor Lighting Perspectives Franchising, Inc. filed a Petition for Declaratory Statement. The petition requested the Board's opinion regarding the licensure requirements if any for work performed by Outdoor Lighting Perspectives franchisees during the installation of detailed landscape lighting..

No one was present on behalf of Outdoor Lighting Perspectives Franchising, Inc..

MOTION: Mr. Bellemare made a motion to issue a Declaratory Statement based on the facts outlined in this petition that at the minimum a Limited Energy Specialty License is required.

SECOND: Mr. Tibbs.

Motion passed unanimously.

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT –
Reginald Dixon, Assistant Attorney General**

Jeff Nagy

Application Denial – Certification of Registered Contractor

Mr. Nagy was not present nor represented by counsel. The application was denied at the January 26, 2006 meeting, a Notice of Intent to Deny was filed on March 14, 2006.

MOTION: Ms. Small made a motion to reverse the denial and approve the application.

SECOND: Mr. Bellemare.

Motion passed unanimously.

Dean Nelson

Application Denial – Certification of Registered Contractor

Mr. Nelson was not present nor represented by counsel. The application was denied at the January 26, 2006 meeting, a Notice of Intent to Deny was filed on March 13, 2006.

Mr. Nelson requested a continuance.

MOTION: Mr. Bellemare made a motion to deny Mr. Nelson's request for a continuance.

SECOND: Mr. Langer.

Motion passed unanimously.

MOTION: Mr. Penner made a motion to reverse uphold the denial.

SECOND: Mr. Bellemare.

Motion passed unanimously.

Maurice Bailey

Application Denial – Certification of Registered Contractor

Mr. Bailey was not present nor represented by counsel. The application was denied at the January 26, 2006 meeting, a Notice of Intent to Deny was filed on March 10, 2006.

MOTION: Ms. Tibbs made a motion to reverse the denial and approve the application.

SECOND: Ms. Small.

Motion passed, 2 opposed, Mr. Langer and Mr. Bramlett.

Eugene Antini, Jr.

Application Denial – Unlimited Electrical Contractor Examination

Mr. Antini, Jr. was present and sworn in by the Court Reporter. The application was denied at the January 26, 2006 meeting, a Notice of Intent to Deny was filed on February 28, 2006.

Mr. Antini, Jr. requested to withdraw the application.

Electrical Contractors' Licensing Board

Meeting Minutes

July 2006

MOTION: Mr. Bramlett made a motion to reverse the denial and withdraw the application.

SECOND: Ms. Small.

Motion passed unanimously.

Henry Vidal

Application Denial – Certification of Registered Contractor

Mr. Vidal. was present and sworn in by the Court Reporter. The application was denied at the January 26, 2006 meeting, a Notice of Intent to Deny was filed on March 14, 2006.

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

SECOND: Mr. Tibbs.

Motion passed unanimously.

Raymond Lovell

Application Denial – Certification of Registered Contractor

Mr. Lovell. was present and sworn in by the Court Reporter. The application was denied at the January 26, 2006 meeting, a Notice of Intent to Deny was filed on March 8, 2006.

MOTION: Mr. Tibbs made a motion to reverse the denial contingent upon receipt of a bank letter.

SECOND: Ms. Small.

Motion passed unanimously.

Eric Urban

Application Denial – Unlimited Electrical Contractor Examination

Continued to the September Meeting.

Robert Cornelius

Application Denial – Unlimited Electrical Contractor License

Mr. Cornelius. was present and sworn in by the Court Reporter. The application was denied at the March 23, 2006 meeting, a Notice of Intent to Deny was filed on June 7, 2006.

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

SECOND: Mr. Tibbs.

Motion passed unanimously.

Louis Roig

Application Denial – Certification of Registered Contractor

Mr. Roig was present and sworn in by the Court Reporter. The application was denied at the March 23, 2006 meeting, a Notice of Intent to Deny was filed on June 7, 2006.

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

SECOND: Mr. Bellemare.

Motion passed unanimously.

Carl Mello

Application Denial – Unlimited Electrical Contractor Examination

Mr. Mello was not present nor represented by counsel. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Mr. Bramlett.

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006
Motion passed unanimously.

Darius Caswell

Application Denial – Unlimited Electrical Contractor Examination

Mr. Caswell was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Mr. Kiner.

Motion passed unanimously.

Mr. Caswell requested to withdraw his application.

MOTION: Mr. Langer made a motion to reverse the denial and withdraw.

SECOND: Ms. Small.

Motion passed unanimously.

Roland Gutierrez

Application Denial – Certification of Alarm System II Contractor

Mr. Gutierrez was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Ms. Small.

Motion passed 1 opposed, Mr. Tibbs.

Ivan Triff

Application Denial – Certification of Registered Contractor

Mr. Gutierrez was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 16, 2006.

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

SECOND: Mr. Tibbs.

Motion passed unanimously.

William New

Application Denial – Unlimited Electrical Contractor Examination

Mr. New was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Ms. Small.

Motion passed unanimously.

Timothy Foley

Application Denial – Residential Specialty Examination

Mr. Foley was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Ms. DeBerry.

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006
Motion passed unanimously.

Stephen Risley

Application Denial – Unlimited Electrical Contractor Examination

Mr. Risley was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Ms. Small.

Motion passed unanimously.

Harry Sibley

Application Denial – Unlimited Electrical Contractor Examination

Mr. Sibley was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Mr. Kiner.

Motion passed unanimously.

Robert Mitchell

Application Denial – Certification of Registered Contractor

Mr. Mitchell was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Ms. Small.

Motion passed unanimously.

John Cawley

Application Denial – Certification of Alarm System II Contractor Examination

Mr. Cawley was present and sworn in by the Court Reporter. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Mr. Bramlett.

Motion passed, 1 opposed, Mr. Kiner.

Clyde Carden

Application Denial – Unlimited Electrical Contractor Examination

Mr. Carden was neither present nor represented by counsel. The application was denied at the May 18, 2006 meeting, a Notice of Intent to Deny was filed on June 12, 2006.

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

SECOND: Mr. Langer.

Motion passed unanimously.

James Alligan

Application Denial – Unlimited Electrical Contractor Examination

Continued to the September Meeting.

RECONSIDERATIONS – Reginald Dixon, Esq., Assistant Attorney General

John Glaser

Application Denial – Certification of Registered Contractor

Mr. Glaser was neither present nor represented by counsel.

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

SECOND: Ms. Small.

Motion passed unanimously.

Mark Richards

Application Denial – Unlimited Electrical Contractor Examination

Mr. Richards was neither present nor represented by counsel.

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

SECOND: Mr. Bramlett.

Motion passed unanimously.

Robert Rodriguez

Application Denial – Unlimited Electrical Contractor Examination

Mr. Rodriguez was neither present nor represented by counsel.

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

SECOND: Ms. Small.

Motion passed unanimously.

Charles Triglianios

Application Denial – Unlimited Electrical Contractor Examination

Mr. Triglianios was present and sworn in by the Court Reporter.

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

SECOND: Mr. Bellemare.

Motion passed unanimously.

John Varadi

Application Denial – Endorsement

Mr. Varadi was neither present nor represented by counsel.

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

SECOND: Ms. DeBerry

Motion passed unanimously.

Winston Clarke

Application Denial – Certification of Registered Contractor

Mr. Clarke was present and sworn in by the Court Reporter.

MOTION: Mr. Bellemare made a motion to deny the request for reconsideration.

SECOND: Mr. Bramlett.

Motion passed unanimously.

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

Mark Reddinger, Unlicensed Activity Coordinator for the Department of Business and Professional Regulation updated the Board on the Unlicensed Activity Program's activities. Highlights included:

Electrical Contractors' Licensing Board

Meeting Minutes

July 2006

- Education for licensees
- Outreach to Building Departments and Law Enforcement
- Unlicensed Activity Brochure – addressing the unlicensed contractors – informing them of penalties for unlicensed activity.
- Law Enforcement quick reference guide for unlicensed activity after storms.

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 July 14, 2006.

- 33 cases assigned to Legal after investigation
- 12 cases set for Probable Cause presentation
- 11 cases where an Administrative Complaint has been filed
- 0 case where Probable Cause was found
- 0 cases awaiting outside action
- 3 cases requesting a Formal Hearing
- 0 cases sent to consultant / expert
- 13 cases set for Board presentation
- 1 case referred to DOAH
- 0 cases awaiting Final Order
- 7 cases for settlement negotiations
- 3 case ready for default
- 0 cases for Stipulation or Request for Informal Hearing
- 0 cases requiring supplemental investigation
- 0 case pending informal hearing
- 83 total cases in Legal
- 19 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 July, 2006.

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

LEGISLATIVE REPORT – Norman R. Mugford

Electrical Contractors' Licensing Board

Meeting Minutes

July 2006

Mr. Mugford informed the Board that House Bill 1351 was signed by the Governor and became law July 1, 2006. He also directed the Board's attention to his letter to Governor Bush regarding HB 1351, encouraging the Governor to sign the Legislation approved by the House and Senate.

Mr. Kiner noted that the rule regarding Limited Energy Specialty reflected 77 volts, in light of the statute change would it be appropriate to increase it to 98 volts.

The Rules Committee will look into increasing the voltage to 98 volts.

Mr. Mugford thanked the Alarm Association of Florida for assisting with this legislation.

Mr. Mugford also stated that there are continued issues regarding FM and UL certification to get Certificates of Occupancy, and this may be the subject of a class action law suit.

Mr. Mugford stated the journeyman issue is in the hands of the associations to draft legislation and provide their proposal to the Board for their input.

Mr. Mugford asked the members to go back to their individual organizations and ask them to pursue legislation for journeyman licensing and training.

RULES REPORT – Clarence K. Tibbs

Mr. Dixon informed the Board that the rule for a Special Assessment was adopted and in effect for this renewal.

Mr. Dixon stated that he received a JAPC letter requesting a copy of the standards referenced in the rule re: Verification Calls.

Mr. Dixon also informed the board that the rules on Disciplinary Guidelines are moving along and should be in effect by the next meeting.

PROBATION COMMITTEE REPORT – Paul W. Sandefer

Mr. Sandefer directed the board's attention to the May 2006 Probation Tracking List Mr. Sandefer stated that the report submitted by Kenneth Wayne Alderman, Case No.: 2004-058839.

MOTION: Mr. Sandefer moved to approve the report of Kenneth Wayne Alderman as submitted.

SECOND: Mr. Tibbs.

Motion passed unanimously.

UNLICENSED ACTIVITY (ULA) REPORT – Kimberly A. DeBerry

Ms. DeBerry reported that her local unlicensed activity "watch-dog" committee feels like they are getting support from the state.

FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs

Mr. Spivey directed the Board's attention to the financial reports dated March 31, 2006 for the Operating Account and the Unlicensed Activity Account. Mr. Spivey stated the Board was still in the red but the special assessment was now in place.

EXAMINATION REPORT – Clarence K. Tibbs

Mr. Tibbs informed the Board that there was an exam 2 weeks ago but he had no information on that exam to report at this time.

ENDORSEMENT REPORT – Jeffrey M. Kiner

No Report

RATIFICATION OF APPLICATIONS – Norman Mugford/Pierre Bellemare

The ratification lists included the Continuing Education Committee results (Exhibit C), Examination Application Review results (Exhibit B), Additional Business Application Review results & Application Review results (Exhibit A). 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 approve the lists as presented.

SECOND: Mr. Bellemare.

Motion passed unanimously.

See Exhibits A, B and C.

OLD BUSINESS/ NEW BUSINESS

Mr. Mugford made a motion to remove Mr. Penner from CE Committee since he had taken on additional duties as a member of the probable cause and add Mr. Bramlett to the CE committee.

MOTION: Mr. Bellemare made a motion to approve nomination.

SECOND: Mr. Penner.

Motion passed unanimously.

Mr. Tibbs had a call from an association about a member had renewed online but had not taken the building code core course. Mr. Tibbs was informed by Mr. Ayrish that the course is required to be taken, but it is not a continuing education course required for renewal by the Board, so the Department is not preventing the licensee from renewing.

The Board requested that the Department send notices to all individuals who have not taken the core course informing them they must take it within 6 months. If it is not provided within that time frame the Board will discipline them.

Mr. Tibbs informed the Board that the 2005 National Electric Code (N.E.C.) would be adopted in November 2006 as part of the Florida Building Code.

BOARD COUNSEL'S REPORT – Reginald Dixon, Esq., Assistant Attorney General

Mr. Dixon informed the Board that he had referred 3 cases to DOAH which had been denied by the Board due to failure to demonstrate ability to supervise. He stated he expected to have hearing on at least 2 of them before the next Board Meeting.

EXECUTIVE DIRECTOR'S REPORT – Anthony B. Spivey

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

Electrical Contractors' Licensing Board
Meeting Minutes
July 2006

Mr. Spivey asked the Board to suggest uses for the \$4.00 DCA fee. The Board suggested classes and information from the DCA. Mr. Spivey informed the Board that the DCA would meet on this issue in September.

ELECTION OF OFFICERS

MOTION: Ms. Small made a motion to nominate Paul Sandefer as Chairman of the Board and Pierre Bellemare as Vice Chairman of the Board.

MOTION: Mr. Tibbs made a motion to close the nominations.

SECOND: Mr. Kiner

Motion passed unanimously.

CHAIRPERSON'S COMMENTS – Norman Mugford

Mr. Mugford stated that the Board had had a great year, he highlighted the things that had been accomplished during the past year.

- The 1-800 unlicensed activity line
- \$25 assessment to balance the budget
- Working with the industry to rectify the UL and FM issue
- Passing of House Bill 1351 and other
- Lightning Protection Legislation
- Joint Meeting with the CILB
- Enhanced Call Verification to reduce false Alarm Dispatches
- New Addition to the ECLB, Ruthanne Christie and her husband had a son
- Mr. Dixon joined the ECLB as Board Counsel
- New Staff Heather Cash

Mr. Mugford stated he had a great year as Chairman and thanked everyone for their support.

Mr. Mugford informed the Board that the State had increased the per diem to \$80.00, mileage to \$.445 per mile and meals to \$36.00 per day.

Adjournment.