



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

**EMBASSY SUITES HOTEL
1100 SE 17th STREET
FORT LAUDERDALE, FL 33316**

GENERAL SESSION MINUTES

NOVEMBER 14, 2003

APPROVED APRIL 16, 2004



Jeb Bush
Governor

Diane Carr
Secretary

Division of
Professions and Regulation

Construction Industry
Licensing Board

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BOARD MEMBERS PRESENT

Edward Weller, Chair
Michelle Kane, Vice-Chair
Michael Blankenship
Joan Brown
Lee-En Chung
John J. Cox, III
Raymond Holloway
Elizabeth Karcher
Robert Lang
Mark Pietanza
John Smith
Jacqueline Watts

BOARD MEMBERS ABSENT

Paul DeVecchio (Friday only)
Barry Kalmanson (Friday only)
Carl Engelmeier

OTHERS PRESENT

Tim Vaccaro, Executive Director
Erica Glover, Board Counsel
Patrick Creehan, Prosecuting Attorney
Adrienne Rodgers, CIRF Attorney
Stacey Merchant, Government Analyst II
Ruthanne Christie, Government Analyst I

The meeting was called to order by Edward Weller, Chair, at approximately 8:04 a.m. Mr. Holloway gave the invocation. Ms. Watts led the Pledge of Allegiance.

REVIEW OF MINUTES

The board voted unanimously to approve the September and October 2003 board meeting minutes.

EXECUTIVE DIRECTOR'S REPORT

Mr. Vaccaro stated that he has been working with Mark Whitten, Acting Director of Professions & Regulation, regarding the board's concern with contractors that are under investigation having workers comp and public liability insurance. Mr. Vaccaro stated that the letters sent out to the contractors ask them to provide proof of these types of insurances. If they do not provide proof of these insurances, those charges will also be added to the case.

Mr. Vaccaro recapped the changes in the workers' comp law stating that Senate Bill 50A, provides in part that the sole proprietor contractor would have to incorporate in order to keep his workers' comp exemption.

Mr. Vaccaro stated that the newsletter should be mailed out in the next two weeks and he feels sure that the board would approve of the final product. Mr. Vaccaro stated that he had been in contact with Bob McCormick to have the Final Action Minutes on the web.

Mr. Vaccaro stated that there renewal notices sent out to 14,060 active registered contractors. The Bureau of Education has sent out letters 4, 325 letters to contractors showing deficiencies for the required continuing education hours. Of these 4,325, there were 705 responses, 374 were in compliance and 252 were still deficient.

Mr. Vaccaro introduced Mr. Cox and Mr. Pietanza.

CHAIRMAN'S REPORT

The board voted unanimously to excuse the following absences:

Paul Del Vecchio – Friday General Session only.
Carl Engelmeier - Thursday & Friday only.
Barry Kalmanson – Friday General Session only.

Mr. Weller also stated that he had the opportunity to attend many of the committee meetings on Thursday and he was pleased with the effort of the board members to raise the level of professionalism in the industry.

PROSECUTING ATTORNEY'S REPORT

Mr. Creehan stated that his section has prosecuted approximately 650 – 700 cases this past year. The number of cases that are awaiting final orders has decreased thanks to his staff, Ms. Glover and board staff. Mr. Creehan stated that he was hoping to have the 80 final orders for the cases that the board heard on Thursday pushed through as soon as possible.

There were 277 cases in legal, 18 set for probable cause, 84 that probable cause has been found/administrative complaints filed and 117 are ready for default. There are 57 cases that have stipulations executed/informal hearings requested, 109 have requested formal hearings

and 21 have been referred to DOAH. There are 11 awaiting final orders, 7 in settlement negotiations and 2 under appeal.

ATTORNEY GENERAL'S REPORT

Samuel B. Lewis – Review of Board's Final Order

Mr. Lewis and Kevin Taylor, Attorney were present.

Ms. Glover presented this case stating that Mr. Lewis appeared before the Board on October 11, 2001, after challenging a recommended penalty of the Broward County Central Examining Board of Building Construction Trades. The County Board recommended revocation of Mr. Lewis' license; however the Board decided to suspend his license for two years. It appears that the Board allowed Mr. Lewis two years to resolve all pending matters with the County Board before taking any further action against his license. According to the Final Order filed by the Board on November 26, 2001, Mr. Lewis' license shall be revoked at the end of the suspension period unless he appears before the Board prior to that date and either the Board extends the period of his suspension or the Board reinstates his registered license to active status. Ms. Glover also added that the burden is on Mr. Lewis to show why his license should be reinstated.

Mr. Taylor stated that he has been working with Mr. Lewis to get this matter resolved. Mr. Taylor asked the board to allow Mr. Lewis a couple more months to resolve his issues with Broward County.

Ms. Watts stated that she was concerned because the local board had revoked his local comp card and Mr. Lewis could not pull permits in Broward County, maybe the CILB should deny his request for this license as well.

The board voted unanimously to revoke Mr. Lewis' license.

James S. Thornton, Informal Hearing –

Guy McKenzie, Attorney were present.

Ms. Glover presented this case stating that Mr. Thornton applied for licensure as a certified roofing contractor. Mr. Thornton's application was reviewed by the Application Review Committee on August 14, 2003. The application was denied for failure to provide proof of having satisfied all liens and judgments entered against Roth Brothers, Inc. in accordance with rule 61G4-15.005, F.A.C. On September 2, 2003, a Notice of Intent to Deny was filed with the Department's Agency Clerk's Office. On September 22, 2003, Mr. Thornton filed a timely Request for Informal Proceeding. Ms. Glover further stated that the burden is on Mr. Thornton to prove that all liens and judgments have been satisfied.

Mr. McKenzie stated that the lien and judgment satisfactions have now been provided.

The board voted to unanimously approve Mr. Thornton's application.

RECOVERY FUND ATTORNEY'S REPORT

Claim Number 02-C0203 of Fred W. Connell & Celia Connell v. Glenn L. Mustapick - Informal Hearing

Mr. & Mrs. Connell were present with James Merola, Counsel. Mr. Mustapick was also present.

Ms. Rodgers presented this case stating that the Connell's claim was heard and the only missing piece of information was the asset search. The asset search has been submitted and she is recommending approval of this claim for \$25,000.

The board voted unanimously to approve this claim for \$25,000.

Claim Number 01-C0020 of Joseph Frigenti v. Steven Joseph Shadler - Informal Hearing

Mr. Frigenti was present for this case.

Ms. Rodgers presented this case stating that this claim was filed on February 28, 2001. The contract was dated May 6, 1998 for the amount of \$3,700. Claimant was awarded restitution from the CILB on February 8, 2001, in the amount of \$1,500, which was equal to the price of storm shutter tracks and installation costs. The CILB found that the facts stated in the Administrative Complaint were not in dispute. The Administrative Complaint stated that the full contract price had been paid to the contractor. A letter from the Claimant's attorney states that the work was not completed in accordance with the contract since the contractor failed to repair leaks in the roof, the poured foundation was uneven and the contractor failed to install storm shutter tracks. Section 489.129(1)(h), F.S., 1997 states that it is a violation to abandon a customer's job if the percentage of completion is less than the percentage of the total contract price paid to the contractor as of the time of abandonment. Claimant satisfied all requirements for payment from the Recovery Fund.

The board voted unanimously to approve the claim in the amount of \$1,500.

Claim Number 02-C0140 of Juan Piloto v. Oscar S. Benitez- Informal Hearing

Ms. Piloto was present.

Ms. Rodgers presented this case stating that the claim application was timely filed. Contract was dated May 12, 1998. The contract executed by claimant called for remodeling for a price of \$37,890. Claimant was awarded restitution under a Construction Industry Licensing Board. Final Order that adopted the findings of fact and conclusions of law, as modified by the exceptions filed by the department, February 8, 2002, in the amount of \$19,164.73, of which \$19,164.73 is compensable from the Recovery Fund. The board approved and adopted the following findings of fact from the ALJ decision:

- a. Claimant paid the contractor a total of \$26,664.
- b. The value of the work performed by the Respondent did not exceed \$10,000.
- c. Contractor refused to complete the work on the project for the contracted amount. Instead he abandoned the project.
- d. Contractor committed violation of sections 489.129(1)(h) and 489.129(k), F.S.

An asset search shows no assets available from which claimant can satisfy the claim.

The board voted to send this case back to the committee in January 2004.

Claim Number 00-C0244 of Richard Strauss v. Daniel Eugene Baker - Informal Hearing

No one was present for this case.

Ms. Rodgers presented this case stating that she is requesting permission to vacate the order to correct a Scribner's error regarding suspension of the contractor's license that has filed bankruptcy.

The committee voted unanimously to vacate the order and issue a corrected one.

COMMITTEE REPORTS

APPLICATION REVIEW COMMITTEE

Ms. Watts gave the following report:

Applications approved

Bequette, Lawrence
Connelly, Kenneth
Daher, Estephan
Daragjati, Tish
De Los Santos, Orlando
De Rolf, Steven C.
Elmer, Jerry B.
Fedor, Steven A.
Gulsby, David
Guzman, Madelyn
Landrum, James G.
Lane, Saul
Moynihan, James M.
Nicol, Michelle
Rains, Thompson M.
Sanchez, Armando E.
Sands, Dallas C.
Segal, Richard
Sievers, Mark
Silver, William
Skamagos, Nicholas
Smith, Robin Lee
Tamsett, Tommy D.
Watts, William Ira

Applications approved with conditions

Kobs, Martin – 2 years of Probation.
Lima, Jose A. – 1 year of Probation.
Munroe, James D., Jr. – (Change of Status) – Probation until Civil Rights are restored.
Pickford, Donnie – Probation until proof of payment plan or 2 years.

Applications denied

Barksdale, Bruner – (Grandfather Application) - No County level exam taken.
Hoyle, David H. – Lack of Civil Rights.
Munroe, James D., Jr. – (initial certified plumbing) – Lack of Civil Rights.
Norman, Richard - (Grandfather Application) - No County level exam taken.
Price, Thomas B. – Lack of Civil Rights.

The Board voted unanimously to accept the recommendations of this Committee.

PROBATIONS COMMITTEE

Mr. Weller gave the following report:

William Chandler, CCC039865, CGC026001 – Satisfactory
Michael Thomas Donnell, CRC057111 – Satisfactory
Robert J. Foster, CC C044924 & CB C059642 - Satisfactory
Allen Gillard, CFC01425928 – Satisfactory
Frederick Ingle, CAC014666 – Satisfactory, final appearance
Jack G. Jennings, CRC026282 - Unsatisfactory, Failure to submit materials by deadline
Jeremy Logar, CRC01326523 – Satisfactory, final appearance
George Merritt, CRC01326699 - Unsatisfactory, Cash did not meet minimum requirements
John Olin Milstead, III, CAC033632 - Satisfactory
Robert Nance, CRC042470 - Unsatisfactory, No CIRF Notice, Cash did not meet minimum requirements.
Jack L. Stearns, CGC1505374 – Satisfactory
Daryl Strickland, CAC01813368 – Satisfactory

The Board voted unanimously to accept the recommendations of this Committee.

ADDITIONAL ENTITY COMMITTEE

Ms. Karcher gave the following report:

Applications approved

Alstrom, Clyde R.
Cloutier, Richard J.
Dalton, John E.
Fite, Richard Lee
Gerov, Miguel
Gydosh, David
Lalonde, Mark D.
Lambeth, Patrick
Luttrell, Paul
Marcum, Kelly E.
McDaniel, David G.
McGuire, Dennis K.
Pantaras, Demosthene
Scavone, Mitchell J.
Smith, George E.
Thompson, Perry E.
Thornton, William O.
Ullrich, Jack

Applications denied

Beychok, Daniel – failure to appear.
Navarra, Dennis J. – renting license.
Terrible, Frederick – no bank statements.

Applications continued

Martling, Leonard – 60 days – Notice letter returned (incorrect address).
Waters, Robert T. – 60 days - Per applicant's request.

The Board voted to unanimously accept the recommendations of this Committee.

EXECUTIVE COMMITTEE

Mr. Weller gave the following report:

The Committee considered a request from Mary Tucker, Monroe County, regarding whether cleaning dryer vents (commercial and/or residential) requires the cleaning company to be licensed by the CILB. The committee directed Ms. Glover to draft a letter stating that this type of work would require a mechanical, class A or B air-conditioning contractor or a sheet metal contractor's license.

The Committee also considered an e-mail request from Patrick Mccaffrey, regarding the licensure requirements for cleaning laundry dryer exhausts. The committee directed Ms. Glover to draft a letter stating that this type of work would require a mechanical, class A or B air-conditioning contractor or a sheet metal contractor's license.

The Committee also considered a request from Erika Howell, regarding licensure requirements to install Stage Curtains, Track, Rigging and other hardware on stages in small churches, schools, Civic and Convention Centers. The committee directed Ms. Glover to draft a letter stating that this type of work would need to be installed under a general or building contractor. No license is needed to replace.

The Committee also considered a request from Henry Tornwall, regarding whether a sheet metal contractor is qualified to install Spray Booths that are constructed of 18 Ga. sheet metal and located inside an existing building. The committee directed Ms. Glover to draft a letter stating a sheet metal contractor could do this type of work.

The Committee also considered a request from Robert Stewart, requesting clarification of the Regulation requiring swimming pool contractors to certify the work of electrical and plumbing contractors for pool work. The committee directed Ms. Glover to draft a letter stating pursuant to s. 489.113, F.S., requires that general contractors subcontract all non-structural swimming pool work to licensed pool contractors.

The Committee also considered a request from Roland Holt, Building Official, Palm Beach County, regarding the definition and use of "Townhouses". The committee directed Ms. Glover to draft a letter stating that pursuant to s. 489.117, F.S., the term "townhouse" is included within the definition of single-family dwellings.

Ms. Laura Gaffney Office of the General Counsel and Mr. Reddinger of the Division of Professions and Regulation summarized the departments unlicensed activity program. Board members requested formal tracking of criminal prosecutions of cases referred by the department to the States Attorneys offices. The board would like to know which jurisdictions are not actively involved in criminal prosecutions in order to encourage such activity.

The board voted unanimously to accept the recommendations of this committee.

RULES REVIEW COMMITTEE

Ms. Glover gave the following Rules report:

The following Rules have been developed:

61G4-15.001 – Qualification for Certification.

61G4 – 15.005 – Requirements for Certification and Registration – (Revisions to net worth amounts.

61G4-15.031 – Medical Gas Certification.

61G4-15.0021 – Certification and Registration of Business Organizations.

61G4-18.001 – Continuing Education Requirements for Certificateholders and Registrants.

The following Rule has been noticed:

61G4-15.015 – Certification for Specialty Structure Contractors.

Mr. Blankenship gave the following report:

The committee took the following action:

61G4 – 15.005 – Requirements for Certification and Registration – (Revisions to net worth amounts – The Committee voted to move forward with the Rules adoption process with the changes in net worth amounts required. The changes are as follows: General - \$80,000, Building - \$40,000, Residential - \$20,000, Sheet Metal - \$20,000, Roofing - \$20,000, Class A Air Conditioning - \$20,000, Class B Air Conditioning - \$20,000, Class C Air Conditioning - \$20,000, Mechanical - \$20,000, Commercial Pool/Spa - \$20,000, Residential Pool/Spa - \$20,000, Swimming Pool/Spa Servicing - \$10,000, Plumbing - \$20,000, Underground Utility & Excavation - \$20,000, Solar - \$20,000, Residential Solar Water Heating Specialty - \$5,000, Specialty Structure - \$20,000, Pollutant Storage System- \$20,000, Gypsum Drywall Specialty - \$5,000 and Gas Line Specialty - \$20,000.

The Committee also voted to include language that this Rule will not become effective before July 1, 2004.

61G4-15.031 – Medical Gas Certification – Mr. Smith stated that he still feels that the Statute and Rules are a series of contradictions. Ms. Susan Stokes, former Board Chair and part of the Committee that drafted and adopted this rule, stated that she does not agree. This was tabled until the January board meeting.

61G4-15.0021 – Certification and Registration of Business Organizations – The Committee voted to move forward with the adoption process of this Rule as proposed and changing section (3)(a) to include the wording “or majority owner”.

61G4-17.001 – Normal Penalty Ranges – Ms. Glover stated that the Committee needed to vote to on a couple of changes that were brought to her attention by JAPC. The changes included: (1)(r)- was deleted. (4) Change the wording from “may” to “shall” and “without” to “upon”.

The Board voted to unanimously accept the recommendations of this Committee.

EXAMS/CE/PUBLIC AWARENESS COMMITTEE

Ms. Chung gave the following report:

The following providers and courses were approved:

Construction Services Enterprise, Inc. (0000909)

- 1st Course: Construction Documents & Documentation (0000022 EXPIRES 11/16/03)
- 2nd Course: OSHA 10 Hour Safety Compliance (0000023 EXPIRES 11/16/03)
- 3rd Course: Planning & Decision Making for Construction (0000031 EXPIRES 11/15/03)
- 4th Course: Stress & Time Management for Contractors (0000033 EXPIRES 11/16/03)
- 5th Course: Construction Cost/Productivity/Quality Control (0000034 EXPIRES 11/16/03)

Underground Utility Contractors of Florida, Inc. (0000982)

Course: Competent Person Refresher Class (0000487 EXPIRES 2/14/04)

Florida Consortium of Community Colleges for Continuing Education of Construction Contractors (0001064)

Course: Estimating and Blue Print Reading (0005617 EXPIRED 11/1/03)

Reedy Creek Improvement District (0001079)

- 1st Course: EPCOT Plumbing Code - Plumbing Fixtures (0001717 EXPIRED 7/14/02)
- 2nd Course: Florida Accessibility Code for Building Construction (0001719 EXPIRED 7/14/02)
- 3rd Course: EPCOT Building Code for Occupancy & Type of Construction (0001720 EXPIRED 7/14/02)
- 4th Course: EPCOT Building Code for Safety Construction Requirements (0001722 EXPIRED 7/14/02)
- 5th Course: Energy Efficiency Code for Building Construction and it's Relationship with the EPCOT Mechanical Code (0001724 EXPIRED 7/14/02).

Aquacal, Inc. (0001084)

Course: Heat Pump Sales & Sizing (6 Hour) (0006788 EXPIRES 11/16/03)

Rheem Air Conditioning Division (0001104)

- 1st Course: Applied Thermodynamics Troubleshooting (Heat Pumps) (0003574 EXPIRES 11/16/03)
- 2nd Course: Duct Design & Troubleshooting (0003575 EXPIRES 11/16/03)
- 3rd Course: Applied Thermodynamics Troubleshooting (Air Conditioning) (0006692 EXPIRES 11/16/03)
- 4th Course: Low Profile 80% AFUE Gas Furnace (0006693 EXPIRES 11/16/03)
- 5th Course: 90 Plus Gas Furnace Operation & Diagnostics (0006694 EXPIRES 11/16/03)

Tech Lines, Inc. (0001205)

Course: The Science of Cementitious Pool Surfaces (0002349 EXPIRED 7/14/02)

Lorman Business Center, Inc. (0000837)

Course: Solving Water Intrusion and Mold Problems (NEW)

Palm Construction School, Inc. (0000912)

1st Course: Business Maintenance

2nd Course: Management for Profit

Florida Home Builders Association (FHBA) (0000916)

1st Course: Customer Service - CGR/CGB/CGA

2nd Course: Big Four Safety Hazards

Florida Concrete & Products Association (0000973)

1st Course: Basic Concrete Masonry Details

2nd Course: Admixtures for Concrete Masonry Construction)

3rd Course: Designing Concrete Masonry Walls to Resist Moisture Penetration)

4th Course: Bracing Masonry Walls During Construction

5th Course: Concrete Masonry and Mold

Codes, Inc. (0000974)

Course: F.E.M.A. - Substantial Improvement

Pinch A Penny, Inc. (0001014)

1st Course: Point of Sale Inventory Management: Using Min/Max Reorder Points

3rd Course: Essential Financial Planning Tools

4th Course: Global Positioning Solutions - Fleet Management

5th Course: Growing Your Business

6th Course: H2O Water Analysis

7th Course: Minding Your Business: Information for Small-Business Owners

8th Course: Mineral Purification

9th Course: POS: Impacting Your Bottom Line

10th Course: Quick Books for Accounting

11th Course: Services, Products & Chemistry for the Salt Chlorinated Pool

12th Course: Stain Removal and Prevention

13th Course: Stop, Look, Touch & Buy: The Dynamics of Merchandising

14th Course: The Proverbial Cracker Jack - How to Get Out of the Box and Become the Prize

15th Course: Using POS to Create One-to-One Customer Marketing

16th Course: Workforce Management

Florida Educational Facilities Planners' Association (FEFPA) (0001202)

1st Course: School Roofs - the Good, The Bad, and The Leaking

2nd Course: The Most Up-to-Date Guidance on Preventing Mold & IEQ Problems in Schools

Sta-Rite Industries, Inc. (0001816)

Course: Sta-Rite Industries Level 2 - Advanced Hydraulic Design

Air Systems Distributors (0002153)

1st Course: Heat Pump Diagnostics R22 & R410A

2nd Course: Air Conditioning Diagnostics R22 & R410A

3rd Course: Variable Speed Product Training

Coastline Distribution, LLC (0002471)

Course: Mechanical Refrigeration Diagnostics R410A Refrigerant

Florida Pool & Spa Association dba NSPI-Florida (0000917)

1st Course: Hiring for Talent (0006957 EXPIRES 1/11/04)

2nd Course: Swimming Pool Heat Pumps: Selling, Installing & Repairing (0006962 EXPIRES 1/11/04)

3rd Course: Employee Retention (0006975 EXPIRES 1/11/04)

4th Course: Understanding Pool Heating Options (NEW)

5th Course: DBPR-CILB Update (NEW)

6th Course: Promoting the Best Heating Method (NEW)

7th Course: Motivating Relatives as Employees (NEW)

8th Course: 64E Code Changes (Public Swimming Pools) (NEW)

AAA Construction School, Inc. (0000972)

1st Course: Workplace Safety, Workers Compensation & Business Practices (0004862 EXPIRES 2/14/04)

2nd Course: Contracting Success (NEW)

Fisher, Butts, Sechrest & Warner, P.A.

Course: Construction Law and Contract Issues

Plumbing Workforce of America Inc.

Course: Business Security and Fraud Protection (INTERNET)

Sustainable Buildings Industry Council

Course: Green Building Seminar

Titan Continuing Education, Inc. (0002890)

1st Course: Employers & Employee Responsibilities Regarding Florida Workers' Compensation

2nd Course: Blueprints and Design - Communication with Engineers, Architects & Interior Designers

3rd Course: Practical Accounting Practices for Contractors

4th Course: Recent Research & Developments Regarding Florida Workers' Compensation

5th Course: Successful Sales & Marketing Strategies for Profit

6th Course: Reduction of Accidents & Illnesses in the Workplace

7th Course: A Logical Approach to Effective Planning & Scheduling

8th Course: First Aid in the Workplace

9th Course: Florida's Building Code - Some New Concepts and Some Revised, Old Concepts

Lorman Business Center, Inc. (0000837)

Course: Construction Delay Claims (Name Change) (0006949 EXPIRES 1/11/04)

Florida Pool & Spa Association dba NSPI- Florida (0000917)

Course: Main Drain Entrapment & FL Building Code Requirements (0006971 EXPIRES 1/11/04)

Hometech Information Systems, Inc. (0000924)

Course: 7 Steps to Success in Remodeling (0006833 EXPIRES 2/15/04)

National Utility Contractors Association (0000969)

1st Course: NUCA Competent Person Training Program (0000421 EXPIRES 2/14/04)

2nd Course: NUCA Confined-Space Entry Program (0000422 EXPIRES 2/14/04)

Florida Concrete & Products Association (0000973)

Course: Concrete Masonry Residential Construction in High Wind Areas (0005609 EXPIRED 4/1/03)

Florida Wood Council (0000980)

1st Course: New Technologies for Framing Homes and Other Structures Out of Wood (0006811

EXPIRES 2/15/04)

2nd Course: Building "Green" Out of Wood (0006812 EXPIRES 2/15/04)

3rd Course: Designing for Beauty and Sales (0006813 EXPIRES 2/15/04)

4th Course: Paint and Finishes In Frame Construction (0006814 EXPIRES 2/15/04)

5th Course: What To Look For When Inspecting Wood Frame Construction (0006815 EXPIRES 2/15/04)

6th Course: Specifying and Building With Architectural Millwork (0006816 EXPIRES 2/15/04)

7th Course: Designing Light Commercial Structures to Meet Fire Codes (0006817 EXPIRES 2/15/04)

8th Course: Designing and Building Permanence (0006818 EXPIRES 2/15/04)

Construction Estimating Institute (0000981)

1st Course: Construction Field Supervision (0000661 EXPIRES 2/14/04)

2nd Course: Business Planning & Pricing (0000662 EXPIRES 2/14/04)

3rd Course: Estimating Concrete (0000663 EXPIRES 2/14/04)

4th Course: Estimating Earthwork (0000664 EXPIRES 2/14/04)

5th Course: Estimating Underground Utilities (0000665 EXPIRES 2/14/04)

6th Course: Successful Project Management (0000666 EXPIRES 1/11/04)

7th Course: Introduction to Estimating (0003506 EXPIRES 2/14/04)

8th Course: Estimating Masonry (0003507 EXPIRES 2/14/04)

9th Course: Improving Construction Productivity (0003508 EXPIRES 1/11/04)

10th Course: Construction Project Scheduling (Name Change) (0005850 EXPIRED 5/10/03)

11th Course: Estimating Carpentry (0006160 EXPIRES 2/14/04)

12th Course: Estimating Roadwork & Paving (0006161 EXPIRES 2/14/04)

Brevard Community College (0000989)

1st Course: Worker's Compensation/Workplace Safety/Business Practices (0000700 EXPIRES 1/11/04)

2nd Course: Hurricane Resistant Residential Construction - Masonry (0006445 EXPIRED 10/12/03)

3rd Course: Hurricane Resistant Residential Construction - Wood Frames (0006446 EXPIRED 10/12/03)

Zara & Associates, Inc. (0001027)

Course: Roofing Code (0001403 EXPIRES 3/14/04)

Manitowoc Ice, Inc. (0001046)

Course: Q-MODEL SERVICE SEMINAR (0001617 EXPIRES 11/16/03)

Reedy Creek Improvement District (0001079)

Course: Electrical Codes & Applications (0001726 EXPIRED 7/14/02)

Lee Evans Group, Inc. (0001105)

1st Course: The Superintendent's Job - Front Line Manager (0001856 EXPIRED 10/12/03)

2nd Course: Managing for Profit (0001857 EXPIRED 10/12/03)

Tech Lines, Inc. (0001205)

1st Course: Pool Finishes - Alternative Aggregates (0002350 EXPIRED 7/14/02)

- 2nd Course: Identifying Surface Problems - Stain, Scale Removal and Repair (0002353 EXPIRED 7/14/02)
3rd Course: Water Chemistry - From Application to Successful Start-ups (0002354 EXPIRED 7/14/02)
4th Course: Cementitious Pool Surface Repair (0002355 EXPIRED 7/14/02)
5th Course: Pool Maintenance and Operation (0002356 EXPIRED 7/14/02)

R.H. Moore & Associates, Inc. (0001813)

- Course: The Florida Stormwater, Erosion & Sedimentation Control Training & Certification Program (0006468 EXPIRED 10/12/03)

Florida Solar Energy Center at the University of Central Florida (0000859)

- 1st Course: Designing the Failure-Proof Building - COURSE 1: Designing the Building Envelope for Control of Moisture, Mold & IAQ
2nd Course: Designing the Failure-Proof Building - COURSE 2: Designing HVAC Systems for Control of Moisture and Indoor Air Quality
3rd Course: Designing the Failure-Proof Building - COURSE 3: Design Charrette--Practice of Designing the Failure-Proof School
4th Course: Designing the Failure-Proof Building - COURSE 4: Inspecting and Commissioning Schools for Energy Efficiency and Good IAQ
5th Course: Designing the Failure-Proof Building - COURSE 5: Optimizing the Energy Efficiency of Schools and Other Buildings

Northeast Florida Builders Association (NEFBA) (0000937)

- Course: Advanced Tax Planning For Business Owners (NEW)

Cam Tech School of Construction (0000970)

- 1st Course: Comprehensive Business Practices for All Contractors - Part I
2nd Course: Comprehensive Business Practices for All Contractors - Part II

Miami-Dade Community College (0001050)

- Course: Conflict Resolution

David C. Davenport (0001066)

- Course: Accessibility Requirements

Gulf Refrigeration Supply, Inc. (0001177)

- Course: Sales and Marketing III

Atkins Engineers (0002725)

- Course: Building a Home

Andersen Windows, Inc. (0001083)

- 1st Course: Anderson Windows Building Science Presentation (0001777 EXPIRED 10/12/03)
2nd Course: Cardinal Glass Tour (0005620 EXPIRED 10/12/03)
3rd Course: Anderson Windows Main Plant Tour (0006518 EXPIRED 10/12/03)
4th Course: Anderson Windows St. Croix Site Tour (0006520 EXPIRED 10/12/03)
5th Course: Anderson Windows Glass Systems (0006525 EXPIRED 10/12/03)
6th Course: Anderson Windows Coastal Codes (0006526 EXPIRED 10/12/03)
7th Course: Anderson Windows Product Update (0006527 EXPIRED 10/12/03)
8th Course: Anderson Windows R&D Tour (NEW)

FCCJ Technology Institute of the South (0001796)

- 1st Course: AutoCAD Level 1 Essentials (0006200 EXPIRED 8/9/03)

2nd Course: AutoCAD Level 2 Beyond the Basics (0006502 EXPIRED 10/12/03)
3rd Course: AutoCAD Level 3 (NEW)
4th Course: AutoCAD Update 2004 (NEW)

National Comfort Institute (0001812)

1st Course: Carbon Monoxide & Combustion Diagnostics and Troubleshooting (0006466 EXPIRED 10/12/03)
2nd Course: Air Balancing (0006467 EXPIRED 10/12/03)
3rd Course: A Proactive Approach to IAQ & Mold (NEW)
4th Course: Advanced Air Balancing Boot Camp (NEW)

Greater Orlando Chapter of the Construction Specification Institute (0002916)
Course: Construction Document Technology

Richard L. Smailes (NEW)

Course: Introduction to Effective Project Management & Scheduling

Stetson University College of Law (0000999)

1st Course: Legal Issues for the Construction Industry (0003514 EXPIRED 4/14/02)

Sunshine State One-Call of Florida Inc. (0001110)

1st Course: Damage Prevention & Safety (0002053 EXPIRED 10/12/03)
2nd Course: Damage Prevention & Safety, Including Gas Industry Education (NEW)

The following course was denied:

Pinch A Penny, Inc. (0001014)

2nd Course: Enhance Your Customers Shopping Experience

Mr. Dunn, Suncam, Inc. addressed the board to discuss his idea of video recording the Final Action portion of the meeting and to make a continuing education course. After discussion, Mr. Dunn withdrew his request.

Mr. Ayrish of the Bureau of Education Testing (BET), appeared before the Exams/Continuing Education/Public Awareness Committee and explained that BET is in the initial planning stages for its RFP for licensure testing vendors. He explained that BET had no intention of switching to computer-based testing. He indicated that BET would keep the committee informed of all RFP developments.

Mr. Ayrish also sought the committee's guidance in streamlining the CE application process. The committee granted BET authority to administratively approve course renewals when there would be no significant changes from the previously approved courses. The committee also provided that BET is not required to scrutinize course outlines in detail greater than hourly increments.

The committee requested minimum quarterly attendance of its meetings by BET staff. Mr. Harrell of the Office of General Counsel also appeared before the committee and summarized the CE 100%-monitoring system.

The board voted unanimously to accept the recommendations of this committee.

RECOVERY FUND/FINANCE COMMITTEE

Ms. Kane gave the following report:

DeLeon v. McKnight; Claim No. 97-C0092 – awarded \$3,287.50
Dodds v. Lundrigan; Claim No. 98-C0031 – awarded \$25,000
Aksoy v. Mustapick; Claim No. 98-C0233 – awarded \$25,000
Pirselimoglu v. West; Claim No. 99-C0023 - Denied without Prejudice
Beck v. Mustapick; Claim No. 99-C0097 – award \$4,204.32
DeLozier v. Schwarz; Claim No. 99-C0167 – award \$25,000
Greco v. Nicusanti; Claim No. 00-C0091 – award \$25,000
Williams v. Nolt; Claim No. 00-C0189 – award \$1,556.00
Conner v. Schettino; Claim No. 00-C0225 – award \$16,965.48
Ayala v. Hunt; Claim No. 01-C0043 – award \$13,297.68
Koths v. Geldart; Claim No. 01-C0143 - Denied without Prejudice.
Angelone v. Fedor; Claim No. 02-C0077 – award \$25,000
Cassell v. Dingle; Claim No. 02-C0122 – award \$25,000
Haimo v. Stead; Claim No. 02-C0126 – award \$25,000
Vicari v. Schultz; Claim No. 02-C0147 – award \$17,651.61
Pring v. McDurfee; Claim No. 02-C0151 - Denied without Prejudice.
Cappabianca v. Meyer; Claim No. 02-C0176 - Denied With Prejudice.
Forney v. Garrett; Claim No. 02-C0208 – award \$13,061.70
Goldworm v. Carlton; Claim No. 02-C0209 - Denied Without Prejudice.
Powell v. West; Claim No. 02-C0213 - Denied With Prejudice.
Figueroa v. Broder; Claim No. 03-C0004 – award \$3,850.44
Tanner v. McKnight; Claim No. 03-C0006 – award \$3,600
Martinelli v. Garmendia; Claim No. 03-C0031 – award \$838
List of Denials - Denied With Prejudice.
Hennessy v. Parker; Claim No. 03-C0071 – award \$13,061.70

The board voted unanimously to accept the recommendations of this committee.

OLD BUSINESS

The board members requested the prosecution of QB licensees. Mr. Harrell suggested prosecution of multiple offenders and prosecution in specific board-requested instances involving egregious cases. The board agreed.

NEW BUSINESS

Michael Murphy, Bureau Chief, Bureau of Central Intake and Licensure, addressed the board giving the following information:

The Central Intake Unit has processed 14,045 initial applications. Of the 14,045 applications processed, 86.5% of all applications submitted were approved. 12.5% cancelled, denied or withdrawn. 1% of all applications expired. 86% of non-deficient license applications completed within 20 days. 99% of non-deficient exam applications completed within 20 days. 7,375 exam applications, 1,807 misc. applications, 29,417 renewal applications and 21,970 cash receipts. Of the 29,417 renewal processed, 24,662 non-deficient renewal applications completed, 128 deficient renewal applications completed, 33 renewal applications were cancelled, denied or withdrawn and 4,594 renewal applications expired.

Mr. Murphy stated that the Boards and Professions are only charged for the services used. The approximate unit cost for the Construction Board for 2003 should be under \$20 for each transaction processed.

Ken Walling, Bureau Chief, Customer Contact Center gave the following report:

The Customer Contact Center answered 104,794 calls received from January – September 2003 for the Construction Industry Licensing Board. Of these 104,794 calls, 31,438 or 30% were self-service calls and 73,356 or 70% were calls to agents. 3,667 or 5% were abandoned calls and 10,453 or 15% were transferred calls. There were 1,920 e-mails received during this time period.

Jean Whitten, Director, Office of Planning and Budget, gave the board an overview of the State's Budget process. She explained how each department's budgets are determined. She also explained that our Department is Trust Funded.

Ms. Peggy Bailey, introduced herself and informed the board that she is volunteering her services as a consumer advocate for Florida's elders. She presented the board with a Plan of Action to Prevent Construction Lien Law Problems for Florida's Consumers. She also stated that her primary objective is to ensure that Florida's consumers have the best opportunity to protect themselves from possibly paying twice for residential building and remodeling projects. She feels the best way to accomplish this is to strengthen consumer education and notification relating to a contractor's and a customer's responsibilities under Florida's Construction Lien Law.

With no further business, the Board adjourned at approximately 11:24 a.m.