

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

**PARK PLAZA HOTEL TALLAHASSEE
415 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32301**

**JANUARY 9 – 11, 2008
MEETING MINUTES**

Board Members Present

Raymond Holloway, Chair
Barry Kalmanson, Vice Chair
Peggy Bailey
Frank Bonuso
Joan M. Brown
Lorie Clark
Paul Del Vecchio
Carl E. Engelmeier
James Flaherty
Michelle Kane
Robert Moody, Jr.
Mark Pietanza
William S. Sheehan
Robert Stewart
Anthony Terharr
Jacqueline Watts
Edward Weller
Don Wilford

Others Present

G.W. Harrell, Executive Director, DBPR
Andy D. Janeczek, Government Analyst, DBPR
Amanda Abbott, Government Analyst, DBPR
Daniel Biggins, Legal Advisor, AGO
William Ogo, Legal Advisor, AGO
Jeff Kelly, Chief Prosecuting Attorney, DBPR
Kyle Christopher, Assistant General Counsel, DBPR
Brian Coats, Assistant General Counsel, DBPR
Lisa Comingore, Assistant General Counsel, DBPR
Tiffany Harrington, Assistant General Counsel, DBPR
Matthew Morton, Assistant General Counsel, DBPR
Dagmar Ceska, Administrative Assistant, Legal, DBPR
Krystal Smith, Administrative Assistant, Legal, DBPR
Sarah Naf, Law Clerk, Legal, DBPR
Marc Drexler, FHCRF Attorney, DBPR
Valeria Singleton, FHCRF Staff, DBPR

GENERAL SESSION

General Session was called to order by Chair, Raymond Holloway, on January 11, 2008 and met from 8:31 to 10:26 am. Mr. Flaherty gave the Invocation. Ms. Watts led the Pledge of Allegiance.

REVIEW OF MINUTES

A. Final Action Minutes – November 2007

With no further discussion the board voted unanimously to approve the minutes.

EXECUTIVE DIRECTOR'S REPORT – G.W. HARRELL

Mr. Harrell introduced several different people from the Department, including Secretary Holly Benson. Ms. Benson thanked Board members on behalf of the Governor for their time and service. Ms. Benson requested that Board members think about how the Department's processes can be improved in making applicants more understanding of the application process, and also how the Board/Department can serve as a better resource for the licensee's. Mr. Harrell thanked Ms. Benson for her dedication to the Department and her hard work.

Mr. Harrell introduced Director of the Division of Professions, Tim Vaccaro. Mr. Vaccaro thanked the Board for their hard work.

Mr. Harrell introduced John Washington, Director of the Division of Regulation. Mr. Washington gave a brief introduction of himself and his experience within the Department. Mr. Washington gave a presentation on how Regulation complaints increased about 85% from the 2003-04 year to the 2007-08 year and how Regulation has increased their workload per employee to meet these challenges. Mr. Washington stated that the main priority is completing investigations for old cases, and the creation of a specialized unit that deals with "bad boys", contractors who have had a lot of complaints filed against them. Mr. Washington commended Jerry Wilson on running that program. Mr. Washington also addressed the increased initiatives that have been implemented to not only combat unlicensed activity, but also the measures that have been taken to inform the general population on the dangers of unlicensed activity. Mr. Washington mentioned that the Division of Regulation has begun performing experience audits on applicant's history, and noted that 26 audits have been performed, with 16 of those applications coming back as truthful. 5 of the applications were still under investigation, and 5 of those cases have been forwarded to the Office of the General Counsel. Mr. Washington stated those experience audits will continue to be performed in the future. Ms. Watts asked that the Department make an effort to publicize those findings to not only inform people the steps the Department is taking to combat fraudulent applications, but to possibly deter future license holders from falsely verifying experience. Mr. Kalmanson stated this problem, based on the numbers, appears to be an epidemic. Mr. Washington stated that the Department has initiated measures in License Ease to track those people attesting to experience to catch people who are verifying experience for numerous people. Mr. Harrell stated that the Division of Regulation does not have much to work with as far as experience verification issues and

that's why the Ad Hoc Committee has begun addressing this issue in the rule making process.

Mr. Harrell introduced Gus Ashoo, Director of the Bureau of Education and Testing and introduced Mark Whitten, Director of the Division of Service Operations. Mr. Harrell stated the Business and Finance test has increased their question total to 125, and mentioned that the new testing will be computer based. This represents a major cost saving initiative for the Department. Mr. Del Vecchio stated the only real concern was that the questions and content of the test were not changed, only the proctoring method. Mr. Del Vecchio asked Mr. Ashoo if it was possible to reverse the process in which an applicant takes the Practical portion on the first day and the Business and Finance portion on the second day. Changing the process may institute a natural filtering process in that if they don't "survive" the practical testing process they may not need to take the Business and Finance portion, representing more savings to the Department. Mr. Ashoo said that would be something to be considered in the future. Mr. Holloway asked if there would be different locations for each test and Mr. Ashoo confirmed that there would be, stating there were 21 facilities where the computer based tests could be administered and *only* those 21 facilities could administer those tests. Mr. Del Vecchio stated there was a survey attached to each test and the board could create questions which could be attached to the survey for Departmental reference. Mr. Sheehan questioned the ability of the exam results to be faked and a representative from PearsonVue/Promissor was present and stated the exam results which are online are encrypted and it would be very difficult for the results to be tampered with. Mr. Harrell stated that the test would be in no way diluted and any future changes to the exam would be presented to the board for discussion.

After discussion the board voted unanimously to approve moving the Business and Finance portion of the exam to computer based testing.

Mr. Harrell addressed the document imaging system that will be implemented in the future and in the following month there would be board member training in how to use the laptops and the document imaging software. Mr. Harrell stated that this system would not be implemented until the board members are properly trained. Mr. Harrell stated the Building Code Administrators Board is already using this system and that they receive a disc prior to every meeting with all the information which is downloaded to the laptops. A representative from the document imaging software team confirmed this. Mr. Harrell stated they were not sure yet if the entire meeting would be conducted using the software or just part of the meeting. Several possible security features were discussed to protect private information of the applicants.

Mr. Harrell requested that the violation 489.129 (1)(Q) [failure to satisfy a civil judgment], be approved as a mediation eligible offense. The board voted unanimously to approve this.

With no further discussion the board voted unanimously to approve this report.

CHAIRMAN'S REPORT – RAYMOND HOLLOWAY

Mr. Holloway gave the following report:

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Mr. Holloway passed out the schedules for future Probable Cause panels and asked that if any board member had any conflicts with their schedule to please make sure to notify Amanda Abbott. Mr. Holloway stressed the importance of this and the importance of making sure that each board member be present for whichever panel they're assigned to.

With no further discussion the board voted unanimously to approve this report.

PROSECUTING ATTORNEY'S REPORT – JEFF KELLY

Mr. Kelly gave the following report:

For the month of December 2007, the overall case load was 2,153, up from 2,146 from November 2007 and up from 1,672 from December 2006.

There were 650 cases to be reviewed in Legal 265 cases set for probable cause, and 311 cases where probable cause had been found/administrative complaints filed. 111 cases were ready for default, 19 had stipulations executed/informal hearings requested, and 148 had requested formal hearings. There were 38 cases referred to DOAH, 155 cases in settlement negotiations, 289 cases awaiting final orders, and 167 cases set for Board presentation. There were 0 cases under appeal and 0 cases re-opened. There were 283 cases closed for December 2007.

With no further discussion the board voted unanimously to approve this report.

RECOVERY FUND ATTORNEY'S REPORT – MARC DREXLER

Mr. Drexler gave the following report:

As of the end of December 2007, \$3.25 million had been appropriated to the Recovery Fund. \$956,965.06 has been dispursed, an additional \$271,759.53 has been obligated, leaving a cash balance as of December 31, 2007 of \$2,021,275.41.

Currently 403 cases are pending, of which only 33 are Division II cases. 570 new claims had been received for 2007 of which 220 were ineligible. 28 cases were received for December 2007 of which 12 were ineligible. 2 cases were recommended for denial and 19 were presented to the committee. 229 claims over 180 days were incomplete, 174 claims under 180 days were incomplete, with 6 cases under appeal.

2 new contractors were suspended for failure to pay.

Mr. Drexler apologized for not having the amount of money obtained from building permit surcharges but stated he would have that figure next month. Ms. Brown also requested a printout on the standings of the contractors and what has been charged to them. Mr. Drexler stated he would and that is in the process of being revised from the \$250,000 cap to the \$500,000 cap.

With no further discussion the board voted unanimously to approve this report.

ATTORNEY GENERAL'S REPORT – DAN BIGGINS/WILLIAM OGLO

PAUL BROWN – REQUEST FOR INFORMAL HEARING

Mr. Brown was present with Ed Bayo, counsel.

Mr. Biggins presented this case stating Paul Brown's application for initial licensure as a Certified General Contractor was denied at the June 2007 meeting of the board. A Notice of Intent to Deny was filed in August 2007. Mr. Brown timely requested board reconsideration.

After further discussion the board voted unanimously to uphold the denial of Mr. Brown's application.

DAVID FEDERER – RECOMMENDED ORDER

Mr. Federer was not present.

Mr. Biggins presented this case as a Recommended Order from the Division of Administrative Hearings. Mr. Federer's application for a change of status of his general contractor's license was denied at the January 2007 meeting of the board. A Notice of Intent to Deny was filed in April of 2007. Mr. Federer timely filed an appeal with the Division of Administrative Hearings.

After discussion the board voted unanimously to adopt the Recommended Order upholding the denial of Mr. Federer's application.

LARRY GILILEO – REQUEST FOR EARLY TERMINATION OF PROBATION

Mr. Gilileo was present.

Mr. Biggins presented this case as a request for the early termination of Mr. Gilileo's probation.

After discussion the board voted unanimously to deny the request.

JAMES KELLY – REQUEST FOR INFORMAL HEARING

Mr. Kelly was not present.

Mr. Biggins presented this case stating Mr. Kelly's change of status application for his Certified Roofing Contractor's application was denied at the June 2007 meeting of the board. The Notice of Intent to Deny was filed in August of 2007. Mr. Kelly timely requested board reconsideration.

After discussion the board voted unanimously to send application back to the Application Review Committee.

CARL MARTIN KINSEY – PETITION FOR VARIANCE AND WAIVER

Mr. Kinsey was present.

Mr. Biggins presented this case as a petition for variance and waiver of a previous decision of the board to deny Mr. Kinsey's application based on the fact that his civil rights had not been restored. The petition was filed in December of 2007.

After discussion the board voted unanimously to deny the petition.

MARTIN MOSKOWITZ – REQUEST FOR REINSTATEMENT OF NULL & VOID LICENSE

Mr. Moskowitz was present.

Mr. Biggins presented this case stating Mr. Moskowitz had requested the reinstatement of his Null & Void certified air conditioning contractors license. The request was filed with the Department in October of 2007.

After discussion the board voted unanimously to deny the request for reinstatement because the applicant failed to demonstrate a hardship.

SETH ASHER RABINOWITZ – PETITION FOR VARIANCE AND WAIVER

Mr. Rabinowitz was not present.

Mr. Biggins presented this case as a petition for variance and waiver of the rule limiting the time that exam scores are valid for. The petition was filed with the Department in November of 2007.

After discussion the board voted unanimously to deny the petition for not meeting the criteria of a petition for variance and waiver.

DARYL KEITH WILSON – RECONSIDERATION OF APPROVAL OF REINSTATEMENT OF LICENSE

Mr. Wilson was not present.

Mr. Biggins presented this case on behalf of the Department as a motion to reconsider the approval of Mr. Wilson's registered roofing contractors license on the basis that his county registration issued by Dade County had been previously revoked.

After discussion the board voted unanimously to vacate the prior approval.

FRANK WITKOWSKI, JOHN G. NOVAK AND NOVAK CONSTRUCTION – INFORMAL HEARING ON MOTION TO APPROVE SETTLEMENT AND VACATE NOTICE OF INTENT TO DENY

Mr. Witkowski was present with counsel, Mr. Metcalf.

Mr. Biggins presented this case as a motion to approve settlement and vacate the notice of intent to deny of initial issuance of Mr. Novak's financially responsible officer application, initial issuance of Mr. Witkowski's certified general contractors application and the initial issuance of the qualified business application for Novack Construction, which were all denied at the April 2007 meeting of the board. Three Notices of Intent to Deny were filed in May of 2007. Mr. Witkowski, Mr. Novak, and Novack Construction all timely requested board reconsideration.

After discussion the board voted unanimously to remand the applications back to the Applications Review Committee.

With no further discussion the board voted unanimously to approve this report.

COMMITTEE REPORTS

ADDITIONAL BUSINESS ENTITIES REVIEW COMMITTEE – MARK PIETANZA

The Additional Business Entities Review Committee met on January 9, 2008, from 4:00 – 5:07 pm. Mr. Pietanza led the meeting. Of the 35 applications reviewed, 26 were approved, 1 was approved conditional, 2 were continued, 4 were withdrawn and 2 were denied.

APPROVALS (25)

Alvarez, Augustine
Beaver, George A.
Budron, Victor N.
Coggins, Andrew L.
Gerlach, James E.
Greenway, Burton H.
Guadarrama, Ricardo
Haines, Richard L. (3 applications)
Hernandez, Armando
Johnson, Robert C.
Katny, Pete A.
Kelley, Peter
Lambert, William
Munilla, Jorge (2 applications)
North, Joseph C.
Schreiber, Steven C. (2 applications)
Stubblefield, Christopher A.
Swanner, Raquel G.
Underwood, William D.
Ursini, Mark A.
Villanueva, Luis A.

CONDITIONAL APPROVALS (1)

Black, Robin A. – assessment of \$500.00

CONTINUANCES (2)

Dolan, Robert – continued 30 days
Gamel, Bennett – continued 30 days

WITHDRAWAL (4)

Gustin, Gregory C.
Mitchell, Michael
Munilla, Jorge (2 applications)

DENIALS (2)

Dudley, Michael H.
Suggs, Denzel D.

With no further discussion the board voted unanimously to approve this report.

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – JIM FLAHERTY

The Exams/CE/Public Awareness Committee met on January 10, 2008 at 12:30 pm. Mr. Flaherty chaired the Committee. Of the 128 courses reviewed, 105 were approved, 23 were denied, and 8 providers were approved.

Gray Systems, Inc. (0000815)

Contractor Legal Compliance Course – Approved
Successful Construction Business Operations and Management – Approved

Lorman Business Center, Inc. (0000837)

How to Read and Engineering Report: Soils through the Roof – Approved

Contractors Exam School (0000862)

Laws and Rules for Construction Industry – Conditional, need new timeline (short 5 minutes)
Laws and Rules for Construction – Approved (*Note, the provider is asking for the advanced module credit for this course and the following hours to be credit as follows: 1 hour WPS, 1 hour WC, 1 hour L&R, 1 hour BSP and the remaining 2 hours General)
Roofing Review – Approved

Construction Services Enterprise, Inc. (0000909)

Resolving Construction Issues through Planning Negotiations and Dispute Resolutions – Approved, business only

Palm Construction School, Inc. (0000912)

Florida Construction Lien Law – Approved
Required Business Practices – Approved
Required Workers' Compensation – Approved
Required Workplace Safety – Approved
Required Wind Mitigation Methodology – Approved
Florida Construction Lien Law – Approved, online course
Required Business Practices – Approved, online course
Required Workers' Compensation – Approved, online course
Required Workplace Safety – Approved, online course

Required Wind Mitigation Methodology – Approved, online course

Florida Pool & Spa Association (0000917)

Chapter 489 Contractors Responsibilities – Approved, conditional, need list of statutes covered in course

Chapter 489 Prohibitions & Penalties – Approved

National Roofing Contractors Association (0000936)

Roofing Industry Fall Protection from A to Z – Approved

Construction Estimating Institute (0000981)

Wind Mitigation for Building Opening - Approved

Wind Mitigation Strategies for Protecting Opening – Approved

Construction Hurricane Retrofits Specialty Contractor – Approved

Gold Coast School of Construction, Inc. (0000983)

Wind Mitigation: Strengthening the Roofing System – Approved

Wind Mitigation: Strengthening the Roofing System (Internet Version) – Approved

Ethics in the Construction Industry – Approved

The Principles of Florida Statutes & Rules – Approved

Ethics in the Construction Industry (Internet Version) – Approved

The Florida Building Code: Overview – Updates (Internet Version) – Approved

The Florida Building Code: Overview – Updates – Approved

Plumbing Contractors Association (0000987)

PEX Water Supply Plumbing Systems – Approved

Smith, Currie & Hancock LLP (0000998)

Laws & Regulations Governing Florida Licensed Contractors – Approved

Construction Industry: Legal Developments and Update – Approved

Federal Government Construction Contracts – Opportunities, Obligations & Potential Pitfalls – Approved

Contractors School, Inc. (0001000)

Laws, Rules and Contracts – Approved

New Material, Techniques – Approved

Building Officials Association of Florida (0001001)

Ethics in Today's Construction Field – Approved

Air Conditioning Contractors of America (0001026)

A Business Plan is More than a Document: Creating Living Business Plans – Denied

Employee Benefit Programs that Work-for you and them! – Denied

Making Money with Quality Installation – Denied

The New Manual N – The Times they are a Changing! – Approved, one hour only

Running a Successful HVAC Restoration Business: The Bottom Line Numbers –

Approved, one hour only

Becoming an Effective Communicator – Denied

Implementing Performance – Based Pay Programs – Denied

Selling Air: Marketing HVAC as a Service, not a box – Denied
A Brand is Not a Logo: Projecting a Consistent Image of Professionalism & Quality – Denied
Using the ACCA Residential Maintenance Standard to Improve Profits – Approved, one hour only
How to Create a Powerful Marketing Buzz in your Area – Denied
Making Sales presentations that Seal the Deal – Denied
Commercial Controls Design and Diagnostics – Denied
Employee Incentive Programs for Residential Service – Denied
Expanding from “Just HVAC” to Other Services for your Business – Denied
Using the ACCA/ASHRAE Commercial Maintenance Standard to Improve Profits – Approved, one hour only
Creative Collections: Getting Paid What You’ve Earned – Denied
Building Codes: What Changes Does the Industry Need? – Denied
Measuring Airflow – Denied
Enhance Profits by Improving Workplace Safety – Denied
Whole House Diagnostics – Denied
How Small Contractors Can Implement Employee Training Programs – Denied
R-410A: Smart for the Environment and Your Business – Approved, one hour only
Health Insurance Options for Lowering Costs – Denied

Department of Community Affairs (0001042)

Florida Accessibility Code for Building Construction – Approved

Hornerxpress (0001103)

Electrolytic Chlorine Generation – Approved
Electrolytic Chlorine Generation – Approved
Electrolytic Chlorine Generation, 6 Hours – Approved

Educational Training, Inc. (0001151)

Microbiological Corrosion - Approved
Bid, Performance, and Payment Bonds – Approved

Koning Enterprises Inc., d/b/a Contractors Institute (0001189)

Wind Mitigation Methodologies – Approved
Wind Mitigation Methodologies – Approved, internet version
Principles of Business and Risk Management – Approved
Introduction to Legal Processes: Alternative Dispute Resolution – Approved
Principles of Contractors and Warranties; F.S. 558 Notice and Opportunity to Cure – Approved
Contract Term and Clause Specifics – Approved
Governmental and Labor Risk – Approved
Principles of Insurance and Bond Types – Approved
Managing Safety Exposures – Approved
Legal Protections and Asset Management – Approved
Principles of Accounting and Payroll Management – Approved
Principles of Job Costing and Scheduling – Approved
Introduction to Legal Processes: The Court Process – Approved
Introduction to Common Federal and State Safety and Employment Laws – Approved

Introduction to Contracts and Subcontracting Term – Approved
Ethics for Construction Contractors and Code Officials – Approved

Air Design Concepts, Inc. (0001362)

Basic Fundamentals on Using ACCA Manual J to Perform Load Calculations – Approved
Basic Fundamentals on Using ACCA Manual S and Manual D Using Computer Programs – Approved

Redvector.Com, Inc. (0001771)

Hurricane Mitigation Retrofits for Existing Site-Built Single Family Residential Structures – Approved

Contractor's Education Source, Inc. (0002075)

Wind Mitigation Methods I – Approved

Contractor's Educational Services (0002623)

Construction Safety, Workers Comp, Economics, Green Building and Wind Mitigation Course B – Approved

Titan Continuing Education, Inc. (0002890)

7 Hour Live Seminar #2 – Approved, no business
7 Hour Live Seminar #1 – Approved
7 Hour Online Course #1 – Approved
7 Hour Online Course #2 – Approved, no business

Glenn Rasmussen Fogarty & Hooker, P.A. (0003112)

Construction Laws, Rules & Regulations: Florida Statute 455 – Approved
Construction Laws, Rules & Regulations: Chapter 61G4, Florida Administrative Code – Approved
Construction Laws, Rules & Regulations: Florida Statute 489 – Approved

Florida Refrigeration & Air Conditioning Contractors Assoc (0003199)

Rules & Laws – Section 489 Case Studies – Approved
Electrical Safety Related Work Practices for the HVAC Contractor – Approved
Keeping Your Business Alive in a Slow Economy – Approved
Top Five Employment Law Issues Facing Contractors – Approved

The Continuing Education Academy (0003208)

Florida Laws and Rules – Approved

R. Bruce Kershner Company (0003251)

A Review of Chapter 489, Part I – Approved

University of West Florida (0003307)

Technical Course on SIPS Construction – Denied

Contractor Education Systems, Inc. (0003444)

Wind Mitigation – Course Number A1WM – Approved
Wind Mitigation – Course Number A1WM – OL (Internet Version) – Approved

Wallace Welch & Willingham (0004271)

Cafeteria Plans and the New Section 125 Regulations – Denied
The True Cost of Safety – Approved, denied section 2, 3 hours only

A – Plus Construction School, Inc.

Change Orders – Do You Cover All of Your Costs? - Approved
Do Your Cash Flow Practices Work for Your Business? – Approved
Plumbing – General Trade Knowledge – Approved
Roofing Trade Knowledge – Approved, no w/c

Bracken Engineering - Approved

Evaluation & Restoration Under the Florida Existing Building Code – Approved

DFS, Division of Workers' Compensation, Bureau of Compliance – Approved

Workers' Compensation – Approved

Thomas A. Lee – Approved

Workman's Compensation – Denied

Two Trails, Inc. – Approved

The Rumpelstiltskin Effect: An Innovative Marketing Approach for Spinning "Green"
Properties – Approved, 4 hours, no business

Negotiation Institute, Inc. – Approved

Art of Negotiating – Denied

Professional Project Solutions, Inc. – Approved

Closeout Procedures – Approved
Change Order Management, How to Survive It – Approved
Superintendent Boot Camp – Approved
Project Manager/Asst. Project Manager Boot Camp – Approved

R.E. Michel – Approved

HVAC R – 410-A Training Course – Denied
Scroll Compressors – Approved
UTEC Electronic Boards – Approved

Seaklear Pool and Spa Products – Approved

Course on Water Clarity – Approved, conditional

South Florida Chapter Associated General Contractors – Approved

Taking Charge of the Construction Process – Approved, need new timeline no w/c – no safety

Review of Continuing Education Providers & Course Applications (Continued)

Universal Inspection Service, Inc. (0000907)

Wind Mitigation – Approved

AAA Construction, Inc. (0000972)

Wind Mitigation, The Law! – Approved

Wind Mitigation Methods, Interactive – Denied

Review of Correspondence from Douglas Harvey, Building Officials Association of Florida, Regarding Retroactive Approval of Laws and Rules Course Given in September and October, 2007 – Denied

With no further discussion the board voted unanimously to approve this report.

RECOVERY FUND/FINANCE COMMITTEE – JOAN M. BROWN

The Recovery Fund/Finance Committee met on January 10, 2008 at 1:00 pm. 19 cases were reviewed.

00-C0125 - \$2,269.18
2003096437 - Continued to March
2006047266 - \$19,421.22
2006063063 - \$3,500
2006068798 - \$49,997.17
2006070086 - Continued to April
2007003615 - \$13,091.17
2007007831 - \$12,436.00
2007010610 - \$11,391.87
2007012441 - \$44,682.38
2007018464 - \$2,250.00
2007020188 - \$30600.00
2007020886 - \$17739.60
2007021894 - \$4159.76
2007027275 - \$6690
2007027631 - Continued
2007029415 - \$22300
2007038063 - \$16255.50
2007045931 - \$2000

A total of \$259,351.35 was awarded.

With no further discussion the board voted unanimously to approve this report.

PROBATION COMMITTEE – CARL ENGELMEIER

The Probation Committee met on January 10, 2008, at 1:30 pm. The Committee was chaired by Mr. Engelmeier. Of the 26 appearances, 13 were satisfactory, 4 were granted continuances, 1 was unsatisfactory, and 8 had the stay of suspension lifted from their license.

Vittoratos, Pangis – CGC 57438

Result: Stay of suspension lifted

Stark, Robert – CGC 10978

Result: Stay of suspension lifted

Sclease, Louis – CGC 36233

Result: 6 month continuance granted

Rubino, Michael – CGC 46437

Result: Satisfactory

Ragonese, Nicholas – CPC 53892

Result: Satisfactory

Pineada, Pedro – CBC 57443

Result: Satisfactory

Noyes, Russell – CCC 1326879

Result: Satisfactory

Murillo, Frank – CRC 54084

Result: Satisfactory

Mart, Davis – CRC 40916

Result: Stay of suspension lifted

Malanchuck, Richard – CGC 10950

Result: 6 month continuance granted

Lowy, Mark – CCC 57896

Result: 6 month continuance granted

Kelly, James – CGC 5721

Result: Stay of suspension lifted

Kish, Paul – CBC 59826

Result: Unsatisfactory

Hobel, Edward – CGC 29553

Result: Stay of suspension lifted

Hatton, James – FRO 2551

Result: 6 month continuance granted

Hardy, Dennis – CPC 29643

Result: Satisfactory

Gore, Robert Joseph – CGC 25698 & CGCA25698

Result: Stay of suspension lifted

Gilileo, Larry – CCC 57931

Result: Satisfactory – request for early termination denied

Giesy, Thomas – CGC1511967

Result: Stay of suspension lifted

Fisher, Thomas – CGC 15974

Result: Satisfactory

Fishbach, Peter – CGC 1511979

Result: Stay of suspension lifted

Eckert, Gary – CPC 1456590

Result: Satisfactory (conditional)

Collazo, Carlos – CCC 33704

Result: Satisfactory

Bonner, Garth – CPC 56430

Result: Satisfactory

Abercrombie, William – CGC 59751

Result: Satisfactory

Arias, Yanuario – RB 66932

Result: Satisfactory

With no further discussion the board voted unanimously to approve this report.

APPLICATION REVIEW COMMITTEE – JACQUELINE WATTS

Division I Board members met for Application Review on January 10, 2008 at 2:30 pm. Ms. Watts led the meeting. Of the 39 applications reviewed, 16 were approved, 2 were approved conditional, 8 were continued, 4 were withdrawn and 9 were denied.

APPROVALS (16)

Evans, Jason

Hill, Jason

Koch, Christopher

Law, Charles F.

Merickle, Robert

Perez, Adrian

Perry, Percy

Pineda, Carlos A.

Russ, Clifford A.

Schaffer, James

Slate, Stewart

Shannon, Dennis

Speaks, James E.
Wellet, Gregory J.
White, Joseph
Wilson, Jay R.

CONDITIONAL APPROVALS (2)

Mompie, Alexis – downgrade to CBC
Saylor, Robert Allen – probation 4 years

CONTINUANCES (8)

Andrews, William – continued 30 days
Derleth, Robert F. – continued 30 days
Howen, Justin T. – continued 30 days
Losa, Jr., Jose A. – continued 30 days
Rubino, Michael – continued 30 days
Rubio, Sergio – continued 30 days
Taylor, Timothy B. – continued 90 days
Terrazas, Joel – continued 60 days

WITHDRAWAL (4)

Aranda, Dieter
Baney, Michael A.
Meseh, Sean David
Sammie, Trey M.

DENIALS (9)

Klein, Kenneth L.
Maxey, Michael J.
Mettler, Michael E.
Mills, Delma
Murray, Michael E.
Roberts, Michael Joseph
Shoffstall, David
Telek, Imre
Wright, Dennis J.

The Board reviewed and ratified the list of approved financially responsible officer applications.

With no further discussion the board voted unanimously to approve this report.

AD HOC LICENSURE QUALIFICATIONS COMMITTEE– PAUL DEL VECCHIO

The Ad Hoc Licensure Committee met for Division I on January 10th, 2008, at 5:00 pm.

The Committee reviewed the draft rule for Certification and added it for added possibilities for documents to aid in the certification of ones employment. The discussion for pre-licensure education was also opened. Ms. Watts inquired which documents were mentioned as certification of employment. Mr. Del Vecchio stated they

started with w-2's and 1099, and employer payroll records (i.e. form 940 and 941 were also included). Ms. Watts stated UCT6 may be a more valuable tool in determining employment as opposed to forms 940 and 941 which do not.

With no further discussion the board voted unanimously to approve this report.

RULES/PUBLIC/LEGISLATIVE COMMITTEE – BARRY KALMANSON

The Rules/Public/Legislative Committee met on January 10, 2008 at 5:00 pm. Mr. Kalmanson chaired the committee and gave the following report:

The following Rules have been **Developed**:

61G4-12.021 Committee Structure

61G4-15.001 Qualification for Certification

61G4-15.021 Certification of Solar Contractors

61G4-15.028 Precision Tank Testers

61G4-15.029 Tank Lining Applicators

61G4-18.002 Definitions

61G4-18.003 Registration of Course Providers

61G4-18.004 Approval of Continuing Educations Courses

61G4-21.002 Definitions

61G4-21.003 Filing Claims

61G4-21.004 Claims Review

61G4-21.005 Payment of Claims

61G4-21.006 Collections Efforts

The following Rules have been **Noticed**:

61G4-12.011 Definitions

61G4-15.0021 Certification and Registration of Business Organizations

61G4-15.006 Financial Responsibility, Definition, Grounds for Denial

The following Rules have been **Adopted**:

61G4-15.032 Certification of Swimming Pool Specialty Contractors

61G4-15.033 Certification of Marine Specialty Contractors

With no further discussion the board voted unanimously to approve this report.

OLD BUSINESS

No Old Business was discussed

NEW BUSINESS

Mr. Holloway instructed the board that there were some new brochures board staff had created and would like the board to take a look at at their convenience.

Ms. Watts wanted the Department to recognize the efforts of former board members Ms. Chung and another previous board member.

The board also recognized Kathy Leonard from the Attorney General's Office.

With no further discussion the board meeting adjourned.