

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

**HUTCHINSON ISLAND MARRIOTT BEACH RESORT
555 NE OCEAN BOULEVARD
STUART, FL 34996**

GENERAL SESSION MINUTES

APRIL 10, 2009

The meeting was called to order by William S. Sheehan at 8:30 a.m.

Board Members Present

Peggy Bailey
Elbert Batton
Frank Bonuso
Paul Del Vecchio
Carl E. Engelmeier
James C. Evetts
James Flaherty
Raymond Holloway
Jerry D. Hussey
Michelle Kane
Roy R. Lenois
Robert Moody Jr.
Mark Pietanza
William S. Sheehan
Don Wilford

Board Members Absent

Jacqueline Watts, Chair
Edward Weller

Others Present

G. W. Harrell, Executive Director, DBPR
Andy D. Janecek, Government Analyst, DBPR
Amanda Abbott, Government Analyst, DBPR
Jerry Ulrich, Regulatory Consultant, DBPR
Daniel Biggins, Legal Advisor, AGO
Carrol Cherry, Legal Advisor, AGO
Jeff Kelly, Chief Prosecuting Attorney, DBPR
Sorin Ardelean, Prosecuting Attorney, DBPR

Mr. Holloway gave the Invocation. Ms. Bailey led the Pledge of Allegiance.

REVIEW OF MINUTES

There no minutes presented at the meeting.

EXECUTIVE DIRECTORS REPORT – G.W. HARRELL

The Executive Directors Report was not given at this meeting.

CHAIRMAN'S REPORT – WILLIAM SHEEHAN

Ms. Watts and Mr. Weller's absences were both excused. Mr. Sheehan mentioned waiving the \$50 comp fee, but there was not a vote. The board voted unanimously to approve this report.

PROSECUTING ATTORNEY'S REPORT – JEFF KELLY

Mr. Kelly gave the following report:

Mr. Kelly introduced new attorney Sorin Ardelean. Mr. Kelly also announced the hiring of a new attorney, Pooja Patel. Mr. Kelly stated that electronic Probable Cause Panel training is coming up in June. Mr. Kelly also announced that attorneys Paul Waters and James Fortunas will be attending the meeting in May.

ATTORNEY GENERAL'S REPORT – DAN BIGGINS/CARROL CHERRY

ALL FLORIDA CONTRACTORS NOTICE, INC. – REQUEST FOR INFORMAL HEARING

The petitioner was not present. The board unanimously voted to approve the CE course with laws and Rules

ELIECER BUSTAMANTE – REQUEST FOR INFORMAL HEARING

Mr. Bustamante was present. Originally the board voted unanimously to uphold the denial of Mr. Bustamante's application. However, the board agreed to re-open the hearing for reconsideration and granted Mr. Bustamante a 90 day continuance to provide transcripts and equivalency.

MARTIN DEL BARRIO – REQUEST FOR INFORMAL HEARING

Mr. Del Barrio was present. Mr. Del Barrio stated he was willing to proceed without counsel. After discussion the board voted unanimously to approve the application.

MICHAEL EVELAND – REQUEST FOR INFORMAL HEARING

Mr. Eveland was present. Mr. Sheehan recused himself from the proceedings. After discussion the board voted unanimously to approve the application.

WILLIAM M. GAY – REQUEST FOR INFORMAL HEARING

Mr. Gay was present. After discussion the board voted unanimously to approve the application.

DAVID GODZAK – REQUEST FOR INFORMAL HEARING

Mr. Godzak was present. After discussion the board voted unanimously to uphold the denial of the application.

ROBERT GRIER – PETITION FOR DECLARATORY STATEMENT

Mr. Grier was present. Mr. Grier stated he wished to withdraw his petition for a declaratory statement from the board.

LIZ M. GUARDIA – REQUEST FOR INFORMAL HEARING

Ms. Guardia's attorney, Mr. Randy Pope, was present. The board stated they wished to see a credit report, proof of education, and additional experience. After discussion the board voted unanimously to grant a 60 day continuance.

RICHARD JAFFE – REQUEST FOR INFORMAL HEARING

Mr. Jaffe was present. After discussion the board voted unanimously to approve the application.

TIM LEE – REQUEST FOR INFORMAL HEARING (CE COURSE)

Mr. Lee was present. After discussion the board voted unanimously to approve the course.

RONNIE MCGRUFF – REQUEST FOR INFORMAL HEARING

Mr. McGruff was present. After discussion the board voted unanimously to uphold the denial of the application.

JAMES T. MCNEIL – REQUEST FOR INFORMAL HEARING

Mr. McNeil was present. After discussion the board voted unanimously to approve the application.

MICHAEL MEROLLE – REQUEST FOR INFORMAL HEARING

Mr. Merolle was present. After discussion the board voted unanimously to approve the application.

ZACHARY PEASE – REQUEST FOR INFORMAL HEARING

Mr. Pease was present. After discussion the board voted unanimously to approve the application with 2 years probation.

RONALD POSEY – PETITION FOR DECLARATORY STATEMENT

Mr. Posey was present. The board confirmed that standing was found for the petition. The board stated that, "The city and it's employees are not authorized to do any construction between on private property between the meter and the house (this falls outside the exemption listed in 489.103).

SERGIO SALUSSO – REQUEST FOR INFORMAL HEARING

Mr. Salusso was present. After discussion the board voted unanimously to uphold the denial of the application.

JOSH MARK SCHMIDTER – REQUEST FOR INFORMAL HEARING

Mr. Schmidter was not present. Mr. Schmidter requested a 30 day continuance to gather and provide additional documentation. The board voted unanimously to grant a 30 day continuance.

SAMUEL THOMAS – REQUEST FOR INFORMAL HEARING

Mr. Thomas was present. After discussion the board voted unanimously to vacate the previous order and approve the application.

MICHAEL HERMAN – REQUEST FOR INFORMAL HEARING (ADDENDUM B)

Mr. Herman was present. After discussion the board voted unanimously to reinstate Mr. Herman's license with a \$200 citation.

Dan Biggins brought up a legal case about committee assignments.

COMMITTEE REPORTS

ADDITIONAL BUSINESS COMMITTEE

Mr. Pietanza gave the following report:

Applications Approved

Blackwell, Lucius

Boutros, Kevin

Budd, Russell

De Souza, Arthur – conditionally approved upon payment of application fees

Della-Pietra, Ralph

Hawkins, Troy

Hennecy, Clifton

Hutchins, Edward

Infinger, Chris (2 applications)
Jimenez, Eric
Joyce, Peter
Klein, Douglas
Kuhnel, Bruce
Lavallee, Kevin
Lee, William
Logan, Michael
Mahabir, Wilfred
Marshall, Alan
Merolle, Michael – must provide proof of 25% ownership of proposed entity
Moretto, Arnold
Nelson, Alan
Nunez, Carlos
Orem, Michael
Perez, Leonardo
Pusheck, Robert
Shelley, Jason
Smith, Steven
Ueberroth, Laird
Vought, Paul
Watkins, Steven
Wright, Shaun

Applications Denied

Ames, Larry
Blalock, Dennis
Downs, Gene
Foley, Michael
Haubert, Donald
Lowe, Melvin
Rise, Charley
Suplicki, Lowell
Trolio, Edward
Wasch, Dietmar
Wingo, Guy

Applications Continued

Bartlett, Jack – continued 30 days
Manning, Larry – continued 30 days

Applications Withdrawn

Martin, Ronald

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

EXAMS/CE/PUBLIC AWARENESS COMMITTEE

Mr. Flaherty gave the following report:

Advanced Benefits Inc

Overview of DBPR CILB License Renewal Process – Approved

Contractors Exam School

Green Advantage – Approved

Construction Specifications Institute/Pensacola Chapter

Basic of Building Commissioning – Approved

Fenestration Manufacturers Assoc., Inc.

Interpreting Labels – Approved

Florida Association of Plumbing, Heating & Cooling Contractors

Pex Plumbing – Benefits and Uses – Approved

Florida Association of Safety Councils

Principles of Safety Management – Denied

Florida Masonry Apprentices & Educational Foundation, Inc.

Masonry Construction & Inspections Certification Workshop – Approved

FRSA Educational and Research Foundation

Safety Why Bother? – Approved

The Legal Aspects of Construction Licensing – Approved

Understanding the Wind Mitigation Rule – Approved

Warehouse Safety – Approved

Hoover Treated Wood Products

Fire-Retardant-Treated Wood and the Building Code – Approved

The Code and Fire-Retardant-Treated Wood – Approved

Suffolk Construction Co

Building and Maintaining a Baseline Schedule – Approved

Planning & Scheduling Standard of Practice – Approved

United Service Training Corp

Test and Balance for HVAC – Approved with general credit only

UF/Program for Resources Efficient Communities

Success with Energy Star – Approved with general credit only

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

PROBATION COMMITTEE

Mr. Engelmeier gave the following report:

Gregory Allen, (CFC 1427781)

Result: Unsatisfactory
Failed to submit contracts or permits, issues with Workers Comp Coverage for employees

Steven Althoff, (CCC 1328764)
Result: Satisfactory

Kurt Aron, (CGC 59146)
Result: Satisfactory

Douglas Bloomer, (CFC 1427803)
Result: Satisfactory

Roberto Hierrezuelo, (CFC 1427609)
Result: Satisfactory

Robb Imperato, (CGC 57221)
Result: Satisfactory

Christopher Jettinghoff, (RB 29003456)
Result: Satisfactory

Charles McHone, (RC 29027390)
Result: Satisfactory

Claudia Mendoza, (CGC 1505446)
Result: Satisfactory

Jimmie Murphy, (RG 291103713)
Result: Satisfactory

Ray Rey, (CFC 57546)
Result: Satisfactory

William Scammell, (CGC 11250)
Result: Satisfactory

Christopher Stamas, (CGC 1516086)
Result: Satisfactory

Khosrow Taymouri, (CGC 41851)
Result: Satisfactory – Conditional on submitting documentation that permitting privileges have been reinstated.

Paul Thomas, (CGC 1510844)
Result: Satisfactory

Jose Romero, (CCC 1328762)
Result: Continuance granted for failure to submit probation package.

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

APPLICATION REVIEW COMMITTEE – WILLIAM S. SHEEHAN

Mr. Sheehan gave the following report:

Approved Applications

Allen, III, Robert C.
Ares, Ralph
Arias, Jaime J. – need additional experience verification
Brennan, Thomas Joseph
Chance, Andy Jack
Cook, Reggie B. – downgrade to CRC
Dennison, Larry
Durden, Richard Logan
Fulling, Kevin (2 applications approved)
Miller, Charles Doyle Jr.
Montes De Oca, Jesus
Mooers, William Scott
Nina, Josue
Pashley, Roderick
Warmack, Carl Allen
Weaver, Don Mahaffey
Westbrook, Larry – probation for 2 years due to credit

Denied Applications

Hernandez, Antonio A.
Reyes, Ernesto E.
Rybos, Erin Hamrick
Sanders, John Christopher
Stanton, Kristy Lee

Continued Applications

Cherry, Ernest Robert – continued 30 days
Godek, William David – continued 60 days
Kohn, Jordan T. – continued 60 days
McCallum, Bryan Patrick – continued 60 days
Nelson, Andrew Jon – continued 30 days
Parrish, Brent P. – continued 30 days
Pritchard, John T. – continued 30 days

Pulled Applications

Perry, Jr., Alan Richard

Withdrawn Applications

Dunn, Kelly Issac

RULES/PUBLIC/LEGISLATIVE COMMITTEE – PAUL DEL VECCHIO

Mr. Del Vecchio gave the following report:

The board opened a new rule for proposed committees. The board also addressed the November CE rule; they're still awaiting information from the CE industry.

The board voted unanimously to approve this report.

OLD BUSINESS

Board meeting materials were removed from the laptops.

NEW BUSINESS

The Election of a Chair and Vice Chair occurred. The board voted unanimously to approve this report.

With no further business the meeting was adjourned at 11:14 a.m.