

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

GENERAL SESSION MINUTES

Hilton Melbourne Beach Oceanfront

**3003 North A1A
Indialantic, Fl 32903
321-777-5000**

APRIL 9-11, 2008

BOARD MEMBERS PRESENT

Raymond Holloway, Chair
Barry Kalmanson, Vice-Chair
Peggy Bailey
Frank Bonuso
Joan M. Brown
Lori Clark
James Flaherty
Robert Moody Jr.
Mark Pietanza
William S. Sheehan
Jacqueline Watts

BOARD MEMBERS ABSENT

Paul Del Vecchio
Robert Stewart
Edward Weller
Don Wilford

OTHERS PRESENT

G.W. Harrell, Executive Director, DBPR
Andy Janecek, Government Analyst, DBPR
Amanda Abbott, Government Analyst, DBPR
Jenny 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

The meeting was called to order by Chair, Raymond Holloway, at approximately 8:30 am. Mr. Holloway gave the invocation and Mr. Pietanza led the Pledge of Allegiance.

REVIEW OF MINUTES

- Final Action – February 2008

The board voted unanimously to approve these minutes.

EXECUTIVE DIRECTOR'S REPORT – GW HARRELL

Mr. Harrell gave the following report:

Mr. Harrell explained the reason why the March 2008 meeting was cancelled and that it was a mistake with noticing the Florida Administrative Weekly. The feasibility of scheduling meetings once every two months was discussed and whether or not that was cost beneficial. Mr. Harrell stated that idea would continue to be discussed in the future. Discussion took place about continuing some of the committee meetings via teleconference. Discussion also took place regarding the locations of future meetings. A motion was made and seconded to start General Session but Mr. Harrell informed the board they cannot mandate the General Session start at 1:00 on Friday. Mr. Harrell informed the board that Mr. Spingler would overnight travel vouchers to the board members as soon as possible. Mr. Harrell brought up Mr. Holloway's idea of drafting committee guidelines for how each committee operates to impart some knowledge to the new board members on how the meeting operates.

Mr. Harrell mentioned that the licensing bond bill is currently in the House and Senate is not moving at this point, but may be moving soon, and included the elimination of the QB license and FRO license, the requirement of an \$80,000 licensing bond payable to consumers for Recovery Fund Claims, and a two year phase out of the Recovery Fund. The industry responded and the Department responded to that response. The changes included a \$20,000 licensing bond payable to the Department for fines and costs, elimination of the other financial responsibility requirement, changing the name of the QB license to a "business registration", and leaving the Recovery Fund as it currently is. Mr. Harrell informed the board that the Recovery Fund would run out of money about 2/3 of the way through the fiscal year at the current rate of claim approval. Mr. Harrell stated the surcharge revenue gained from permits has decreased because the construction industry is not doing so well right now.

Mr. Harrell also mentioned that Michael Blankenship was honored by the City of Tallahassee with the commemoration of skate park in his honor. Mr. Moody, Ms. Watts, and Mr. Harrell all attended and said it was a nice ceremony.

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

CHAIRMAN'S REPORT – RAYMOND HOLLOWAY

The following absences were excused for the April 2008 meeting:

Mr. Del Vecchio
Mr. Wilford
Mr. Stewart
Mr. Weller

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 February 2008, the overall case load was 2,357, up from 2,052 in January 2008 and up from 1,669 from February 2007.

There were 797 cases to be reviewed in Legal, 251 cases set for probable cause, and 425 cases where probable cause had been found/administrative complaints filed. 16 cases had stipulations executed/informal hearings requested, 78 cases were ready for default, and 193 had requested formal hearings. 76 cases had been referred to DOAH, 101 cases were in settlement negotiations, 230 cases were set for board presentation, and 190 cases were awaiting final orders. 0 cases were under appeal and 0 cases had been re-opened.

For the month of February 2008, 146 cases were closed.

For March 2008 the overall case load was 2,349, down from 2,357 for February 2008, and up from 1,786 in March of 2007.

There were 756 cases to be reviewed in Legal, 282 cases set for probable cause, and 400 cases where probable cause had been found/administrative complaints filed. 11 cases has stipulations executed/informal hearings requested, 114 cases were ready for default, and 174 had requested formal hearings. 76 cases had been referred to DOAH, 144 were in settlement negotiations, 202 cases were set for board presentation, and 190 cases were awaiting final orders. 0 cases were under appeal and 0 cases had been reopened.

For the month of March 2008, 223 cases were closed.

Mr. Kelly presented the following local disciplinary cases to the board:

Galuska, Lawrence, 2008010566 (Manatee County) – The board voted unanimously to approve the local disciplinary order.

Certa, Jesus, 2007055074 (Pinellas County) – The board voted unanimously to approve the local disciplinary order.

Davis, Cecil, 2008005562 (Walton County) – The board voted unanimously to have this case heard in a following meeting.

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:

\$3.25 million had been appropriated for the fiscal year. For the end of March \$1,473,565.17 had already been awarded. An additional \$477,292.96 had already been obligated, leaving a cash balance just below \$1.3 million dollars.

448 claims were currently pending, 33 of those were Division II. 163 new claims had been received since the beginning of January with 74 of those being deemed ineligible. For the month of February, 61 new claims had been received of which 32 were ineligible. 53 new

claims had been received for March of which 22 were ineligible. 20 claims had been presented to the Committee with 2 of those recommended for denial.

284 claims over 180 days were incomplete, 164 incomplete under 180 days. 6 cases were currently under appeal. No new lifetime caps had been reached, and there were no new suspensions.

Mr. Drexler explained the collection process to the new board members, and stated that collections efforts would be outsourced to a privatized collection agency.

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

ATTORNEY GENERAL'S REPORT – DAN BIGGINS/WILLIAM OGLO

BARRY DEMAY – PETITION FOR DECLARATORY STATEMENT

Mr. Demay was present with Counsel.

Mr. Biggins presented this case as a petition for a declaratory statement for clarification on Florida Statutes 489.105 (3)(n) on whether or not certified underground utility and excavation contractors are permitted under their license to perform the construction of vertical improvements, such as bulkheads, head walls, end walls, and retaining walls which are integral components of a storm water and retention system for a new development pursuant to plans which have been designed by a duly licensed engineer. The board voted unanimously that the petitioner had standing.

After discussion the board voted unanimously that the board would not issue a declaratory statement as the issue is moot because the wall in particular had already been constructed. However, this issue would appear in the Ad Hoc Committee and the Rules Committee the following month.

ROBERT V. GOUIN – REINSTATEMENT OF NULL & VOID LICENSE

Mr. Gouin was present.

Mr. Biggins presented this case as a request to reinstate his Null & Void certified building contractors license. Mr. Gouin stated he had failed to renew his license because of health issues.

After discussion the board voted unanimously to deny the request to reinstate the Null & Void license as the applicant had failed to establish a hardship and failed to show a good faith effort to renew his license.

DARREN BLAIR IMPSON – REQUEST FOR INFORMAL HEARING

Mr. Thompson was present.

Mr. Biggins presented this case stating that Mr. Thompson's application for initial licensure as a Certified Building Contractor was denied at the October 2007 meeting of the board for failing to demonstrate the required experience. The Notice of Intent to Deny was filed in January of 2008. Mr. Thompson timely requested board reconsideration.

After discussion the board voted unanimously to approve the application for a Certified Residential Contractor's license.

MIRACLE WINDOWS AND SUNROOMS, INC. – REQUEST TO WITHDRAW NOTICE OF INTENT TO DENY FOR THE QUALIFIED BUSINESS LICENSE

A representative from Miracle Windows and Sunrooms, Inc. was not present.

Mr. Biggins presented this case stating Miracle Windows and Sunrooms, Inc. application for a Qualified Business License was denied at the September 2007 meeting for failure to have a qualifying agent. The Notice of Intent to Deny was filed in January of 2008. Miracle Windows and Sunrooms, Inc. timely filed this request to withdraw the application and vacate the Notice of Intent to Deny.

After discussion the board voted unanimously to deny the request to withdraw the application and vacate the Notice of Intent to Deny.

RICK STRAWBRIDGE, INC. –REQUEST FOR INFORMAL HEARING

A representative from Rick Strawbridge, Inc. was not present.

Mr. Biggins presented this case stating Rick Strawbridge, Inc.'s application for a Qualified Business license was denied at the September 2007 meeting of the board for failing to have a qualifying agent. The Notice of Intent to Deny was filed in January of 2008. Rick Strawbridge timely requested board reconsideration.

After discussion the board voted unanimously to grant a 30 day continuance.

JAMES BARCZAK – REQUEST FOR INFORMAL HEARING

Mr. Barczak was present with Counsel.

Mr. Biggins presented this case stating James Barczak's application for initial issuance of a Certified Residential Contractors license was denied at the September 2007 meeting of the board for failing to demonstrate the required experience. The Notice of Intent to Deny was filed in January of 2008. Mr. Barczak timely requested board reconsideration.

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

LAURENCE BORELLO – REQUEST FOR REINSTATEMENT OF PROBATION

Mr. Borello was present with Counsel.

Mr. Biggins presented this case as a request to reinstatement probation. The stay of suspension was lifted on Mr. Borello's license for failure to appear at his October 2007 probation hearing.

After discussion the board voted unanimously to reinstate Mr. Borello's license in probation status with one unsatisfactory appearance and a \$200 citation.

DENNIS T. CARR – REQUEST FOR INFORMAL HEARING

Mr. Carr was present with Ronda Koning and an experience verifier.

Mr. Biggins presented this case stating Mr. Carr's application for initial licensure as a Class A Air Conditioning Contractor was denied at the September 2007 meeting of the board for failure to demonstrate the required experience. The Notice of Intent to Deny was filed in January of 2008. Mr. Carr timely requested board reconsideration.

After discussion the board voted unanimously to approve the application as a Class B Air Conditioning Contractor.

JOHN COLLIER/WAYNE EVANS – REQUEST FOR INFORMAL HEARING

Mr. Collier and Mr. Evans were both present.

Mr. Biggins presented this case stating Mr. Collier's application to qualify an additional business entity under his certified pool contractor's license and certified general contractors license was denied at the November 2007 meeting of the board. The Notice of Intent to Deny was filed in February of 2008. As a result of the denial of Mr. Collier's application, the qualified business license application of United Drywall Contracting, Inc. was denied. The Notice of Intent to Deny for United Drywall Contracting, Inc. was filed in February of 2008. As a result of the denial of United Drywall Contracting, Inc.'s application, the financially responsible officer application for Mr. Evans was denied. The Notice of Intent to Deny for Mr. Evan's application was filed in February of 2008. Mr. Collier and Mr. Evans timely requested board reconsideration.

After discussion the board voted unanimously to approve both Mr. Collier's application to qualify an additional business entity and to approve the qualified business license of United Drywall Contracting, Inc.

THOMAS GIESY – REQUEST FOR REINSTATEMENT OF PROBATION

Mr. Giesy was present.

Mr. Biggins presented this case as a request to reinstate probation. Mr. Giesy had the stay of suspension lifted on his license after the January 2008 meeting for failing to appear at his hearing.

After discussion the board voted unanimously to reinstate the license with probation with an unsatisfactory appearance (for a total of two) and a \$200 citation.

STEVE REGISTER – REQUEST TO REINSTATE NULL & VOID LICENSE

Mr. Register was not present.

Mr. Biggins presented this case as a request to reinstate Mr. Registers Null & Void certified building contractors license. Mr. Register stated he failed to renew his license because of medical reasons.

After discussion the board voted unanimously to deny the request to reinstate the Null & Void license for failure to demonstrate a hardship and failure to demonstrate a good faith effort to renew.

PANAGIS VITTORATOS – REQUEST FOR REINSTATEMENT OF PROBATION

Mr. Vittoratos was present with counsel.

Mr. Biggins presented this case as a request for reinstatement of probation on Mr. Vittoratos license. The stay of suspension was lifted on Mr. Vittoratos license in March of 2008 for failure to appear at his scheduled probation hearing.

After discussion the board voted unanimously to reinstate the stay of suspension on Mr. Vittoratos' license with one unsatisfactory appearance and a \$200 citation.

COMMITTEE REPORTS

ADDITIONAL BUSINESS ENTITIES COMMITTEE – MARK PIETANZA

The Additional Business Entities Committee met on April 9, 2008 at 1:40 pm to 2:58 pm. Mr. Pietanza chaired the Committee. Of the 28 applications reviewed for the April agenda, 25 were approved (1 with a \$10,000 assessment), 2 were denied, and 1 was continued. Of the 13 applications that were reviewed via conference call for the March agenda on March 26th, 10 were approved (3 with assessments), 2 were denied, and 1 was continued.

Applications approved (April)

Andisco, Ricardo
Byrd, Steven
Carter, Bradley
Devincent, John
Di Sarrio, John
Gucovschi, Noe
Guthrie, Bernard
Kroeger, Mark
Lapete, Frank (2 applications)
Lopez, Juan
Montalto, Vincent (with a \$10,000 assessment)
Munilla, Jorge
Munilla, Jorge
Munilla, Jorge
Russo Jr., Frank
Sims, David
Sims, David
Sims, David
Sims, David
Staats, Fred (P) supp.
Torres, Osiel
Torres, Osiel
Turner, Ruben De Morris
Wood, Byron

Applications denied (April)

Collier, Scott – lack of supervision
Collier, Scott – lack of supervision

Applications continued (April)

Morrissey, Daniel – continued 30 days

Applications Approved (March)

Cornwell, Merritt
Dudley, Michael
Gamel, Bennett (\$5,000 assessment)
Heppler, Thomas
Kerry, Alan
Kerry, Alan
Linzer, Jeffrey
Mitro, David
Reyes, Alvaro (\$1,000 assessment)

Wolin, Lori

Applications Denied

Orellana, Juan
Rufin, Omelio

Applications continued

Brown, Deron (60 days)

With no further discussion the board voted unanimously to accept the recommendations of this Committee.

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – JIM FLAHERTY

The Exams/CE/Public Awareness Committee met on April 9, 2008 from 12:02-1:26 pm. Mr. Flaherty chaired the Committee. Of the 69 courses reviewed, 62 were approved and 7 were denied. Of the 80 courses reviewed via conference call for the March agenda on March 26, 72 were approved, 7 were denied, and 1 was conditionally approved.

NEW PROVIDERS WITH COURSES

CSI EDUCATORS, LLC

1st Course: Structural Steel Fabrication, Erection and Inspection for Contractors - approved.

INSURANCE & RESTORATION PROFESSIONAL, INC. (IRP)

1st Course: Florida Existing Building Code 2004 – approved.

INSURANCE AND RISK MANAGEMENT SERVICES, INC (IRMS) (0003067) - approved

1st Course: Workers Compensation Basics for Contactors Florida – approved.

2nd Course: Business Practices for Contractors – approved.

3rd Course: Construction Safety Program – denied.

NACM TAMPA INC – approved

1st Course: Overview of Florida Construction Lien Law – approved.

NATIONAL AIR FILTRATION ASSOC. (NAFA) – approved.

1st Course: NAFA Certified Technician (NCT) – approved classroom only/General only.

NODYNE – approved

- 1st Course: Gas Furnace Training #587B – approved.
- 2nd Course: Heat Pump Training Course #593B – approved.
- 3rd Course: A/C #590B – approved.

PALM BEACH CHAPTER CSI (CONSTRUCTION SPECIFICATION INSTITUTE)

- 1st Course: NFRC Benefits and Green Building – approved no business.
- 2nd Course: Understanding the Critical Elements of Air & Vapor Barrier Systems – approved no business.
- 3rd Course: The Effects of Green Building on Paint Specifications – approved no business.
- 4th Course: Is it Really Green? – approved no business.

PINELLAS ASSOCIATION PHCC – approved.

- 1st Course: Plumbers Guide to Green Building – denied.
- 2nd Course: Installing & Maintaining Water Efficient Systems - approved.
- 3rd Course: Green Plumbing – Green Materials - approved.
- 4th Course: Installing & Maintaining Environmentally Friendly Systems - approved.
- 5th Course: Installing and Maintaining Energy Efficient Systems - approved.
- 6th Course: Developing & Performing a Green Plumbing Audit – approved.

EXISTING PROVIDER – NEW COURSES

LORMAN BUSINESS CENTER, INC (0000837)

- 1st Course: What to do When Construction Projects Go Bad- approved.
- 2nd Course: Role of BIM in the Planning, Design, construction and Maintenance of Complex Building – approved.
- 3rd Course: Construction Delay Claims Liens – approved NC business not checked in application.
- 4th Course: AIA Contracts – approved.

CONTRACTORS EXAM SCHOOL (0000862)

- 1st Course: Top Building Code Violations – approved.
- 2nd Course: Math Basics - approved.
- 3rd Course: Florida Building Code Revisions, Wind Mitigation Strategies & Other Essential Topics – approved.
- 4th Course: Backflow Prevention & Cross – Connection Control - approved.
- 5th Course: Construction Laws and Rules - approved.

JADE LEARNING (0000890)

- 1ST Course: The 2006 International Mechanical Code - denied.
- 2nd Course: Worker's Compensation - denied.
- 3rd Course: OSHA Standards for Construction and Business - denied.
- 4th Course: How to Write a Business Plan for a Mechanical Service company – denied.
- 5th Course: How to Manage an HVAC Service Business – denied.
- 6th Course: CILB Laws - denied

FRSA EDUCATION AND RESEARCH FOUNDATION (0000910)

- 1st Course: OSHA's Personal Protective Equipment (PPE) Requirements – approved.
- 2nd Course: The Legal Aspects of Construction Licensing and Lien Law – approved.

FLORIDA HOME BUILDERS ASSOCIATION (0000916)

- 1ST Course: Commercial Liability for Contractors – approved.

2nd Course: Construction Risk Transfer in Construction – approved.

NATIONAL ROOFING CONTRACTORS ASSOCIATION (0000936)

1st Course: Advanced Roofing Technology the remaining 2 hours General – approved.

CUMMINGHAM CONSTRUCTION (0000997)

1st Course: Laws and Rules of Construction Contracting – approved.

2nd Course: Improving Wind Performance of Roof Assemblies – approved.

CONTRACTORS SCHOOL INC (0001000)

1st Course: New Materials, Techniques - approved.

ZARA AND ASSOCIATES, INC (0001027)

1st Course: Roofing Core – approved.

KNOTT, CONSOER, EBELINI, HART & SWETT, P.A. (0001098)

1st Course: Contracting in A Challenging Market – approved.

TOM PRPICH CONSULTANT (0001025)

1st Course: Help Prevent Wind Damage – approved.

U S ARMY CORPS OF ENGINEERS (0001330)

1st Course: Electrical Safety – approved.

BRB CODE EDUCATORS, INC. (0001728)

1st Course: Florida Existing Building Code Nuts and Bolts – approved.

2nd Course: FBC Building 2007, Including significant differences from FBC 2004 – denied.

UNITED POOL & SPA ASSOCIATION (0002996)

1st Course: Visionary Leadership of a Swimming Pool Company – approved.

GLENN RASUMUSSEN FOGARTY & HOOKER, P.A. (0003112)

1st Course: Contractors Regulation and Licensing – approved.

R. BRUCE KERSHNER COMPANY (0003251)

1ST Course: Wind Mitigation for Openings – approved.

2nd Course: A Review of the Construction Contracting Laws of Florida (Chapter 489, Part 1) – approved.

3rd Course: A Review of Laws & Rules (Chapter 489/61G4, F.A.C.)

TECHKNOWLEDGE (0003260)

1st Course: Florida Existing Building Code Nuts and Bolts – approved.

2nd Course: FBC Building 2007, Including significant differences from FBC 2004 – denied.

TRIFECTA CONSTRUCTION SOLUTIONS (0004059)

1st Course: Intro to USGBC's LEED NC Certification Program – approved.

2nd Course: USGBC LEED NC: Implementation & Case Studies – approved.

3rd Course: Identification and Utilization of the LEED NC Rating System – approved.

CONTINUING EDUCATION ASSOCIATES, INC. (0004216)

1st Course: Florida Laws and Rules – denied.

2nd Course: Construction Lien Law – approved.

3rd Course: Wind Mitigation – approved.

JOHN T. TOLBERT D/B/A C2N CODE SOLUTIONS GROUP (0003375)

1ST Course: Workers Comp & Building Departments - approved.

2nd Course: Hurricane Mitigation Retrofits for Existing Site-Built Single Family Residential Structures – approved.

3rd Course: Safeguards during Construction - approved.

4th Course: Contracts & Disputes – denied.

5th Course: Contractor Licensing – approved.

6th Course: Costal Construction in Florida – approved – modify timeline to add 10 minutes need 350 total

RECOVERY FUND/FINANCE COMMITTEE – JOAN M. BROWN

The Recovery Fund/Finance Committee met on April 10, 2008 at 3:00. Of the 21 claims reviewed, 18 were approved and 3 were denied. A total of \$350,607.91 was awarded.

2003096437 – \$25,000

2004021225 - \$25,000

2006013534 – \$12,991.67

2006051556 – Denied

2006058717 – \$15,712.70

2006065118 – \$15,346.05

2007011602 – \$22,062.02

2007011820 – Denied

2007017682 – \$4,919.37

2007026120 - \$15,000

2007026199 - \$25,000

2007023468 – \$50,000

2007033215 – \$17,210.10

2007034297 - \$25,000

2007038059 – \$19,650

2007040260 – \$3,969

2007040294 - \$1,000

2007044704 - \$24,172

2007045807 – \$2,575

2007059535 – \$50,000

2006070086 – Denied

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

PROBATIONS COMMITTEE – CARL ENGELMEIER

The Probations Committee met on April 10, 2008 at 3:00 pm. Mr. Engelmeier chaired the Committee. Of the 39 appearances, 26 were satisfactory, 3 were continued, 6 were unsatisfactory, and 4 had the Stays of Suspension lifted on their license.

Ameen, Mohammad – CBC 60222

Result: Satisfactory

Aron, Kurt – CGC 59146

Result: Satisfactory

Ashenback, Kristopher – CBC 54507, CCC 57636

Result: Satisfactory

Badaloo, Arthur – CGC 56729

Result: Unsatisfactory

Bellinger, Lawrence – CPC 32554

Result: Satisfactory

Blanton, Michael – RC 29027308

Result: Satisfactory

Blasucci, Joseph – CBC 1250169

Result: Continuance Granted

Brummer, Anthony – CCC 1325673

Result: Stay of Suspension Lifted

Burgan, Charles – CGC 1512729

Result: Satisfactory

Burke, Timothy – CGC 57951

Result: Satisfactory

Caruso, Michael – CGC 37287, PCC 56817

Result: Unsatisfactory

Doughty, Billy – CCC 1327869

Result: Satisfactory

Frangos, John James – CGC 57224

Result: Satisfactory

Gilbert, Bryce – CFC 1426053

Result: Satisfactory

Gomez-Pina, Fernando – CGC 2540

Result: Stay of Suspension Lifted

Gonzalez, Juan – CFC 37086

Result: Satisfactory

Gonzalez, Guido – CBC 1255680

Result: Stay of Suspension Lifted

Goode, William – CGC 14847

Result: Satisfactory

Hernandez, Alberto – CGC 13664

Result: Satisfactory

Imperato, Robb – CGC 57221

Result: Satisfactory

Jettinghoff, Christopher – RB 29003456

Result: Satisfactory

Johnson, Chetwood – CGC 1427262

Result: Satisfactory

McDonald, Wayne – CGC 61895

Result: Unsatisfactory

Mendez, Thomas – CGC 46376

Result: Satisfactory

Mendoza, Claudia – CGC 1505446

Result: Unsatisfactory

Miller, Rock – CPC 56698

Result: Satisfactory

Murphy, Jimmy – RG 291103713

Result: Satisfactory

Murray, Omari – CGC 1506961

Result: Satisfactory

Padron, Michael – CGC 1427009

Result: Satisfactory

Rayman, Karen – CRC 1329417

Result: Satisfactory

Rey, Ray – CFC 57546

Result: Unsatisfactory

Rickell, Robert – CGC 58696

Result: Unsatisfactory

Shellis, Simon – CCC 1327767

Result: Stay of Suspension Lifted

Stalnaker, Anthony – CCC 57633

Result: Satisfactory

Stellino, Frank – CGC 33957

Result: Continuance granted

Taymouri, Khosrow – CGC 41851

Result: Continuance granted

Thomas, Paul – CGC 1510844

Result: Satisfactory

Williams, Clarence – CGC 28851

Result: Satisfactory

Yesbik, Nicholas – CBC 59680

Result: Satisfactory

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

APPLICATION REVIEW COMMITTEE - JACQUELINE WATTS

The Application Review Committee met on April 10, 2008 from 5:30 pm to 7:02 pm. Ms. Watts chaired the Committee. Of the 26 applications reviewed, 9 were approved, 1 was approved with a downgrade, 3 were approved conditionally, 3 were continued, 4 were pulled, and 6 were denied. Of the 21 applications that were reviewed via conference call for the March agenda on March 27th, 15 were approved, 2 were denied, and 2 were continued and 2 were withdrawn.

Applications approved (April)

Adams, Garrett Zachary –as CBC
Bain, James Richard
Blanco, Victor
Bober, Robert
Collins, Humbert Eugene – 4 years probation
Fleming, Mason F - 4 years probation
Miller, Jerrald Lee – 4 years probation
Rivero, Jose Marino (P)
Valdes, Eduardo Manuel (P)
Vito, Andi – with attorney
Walker, Forrest Jehu – NP
Way, Sr., Willie L (P)
Wooten, Gregory Charles (P)

Applications denied (April)

Glaser, William Michael
Glaser, William Michael
Losa, Jr., Jose A
Palomino, Alberto
Rubino, Michael
Silverio, Orlando
Taylor, Timothy B.

Applications continued (April)

Brady, Vincent David – 60 days
Pruitt, John M. - 30 days
Walsh, Richard Joseph - 60 days
Walsh, Richard Joseph - 60 days

Applications pulled (April)

Crothers, Michael Thomas – talk to Tim

Applications pulled (deemed) (April)

Evans, Michael
Hunt, Bruce A
Obermeyer, Jr., Theodore C.

Applications Approved (March)

Batista, Joseph
Bryant, Ted
Butler, James
Cappelen, Arthur
Dieterle, John
Dolanski, Timothy
Gabriel, Robert (Downgrade to CRC)
Gros, Jean-Sebastian
Howen, Justin
Mullen, Brian
Rodriguez, Manuel
Rosen, Matthew
Smith, Wayne
Terrazas, Joel
Upchurch, Glen

Applications Denied (March)

Andrews, William
Churchill, Victor

Applications Continued (March)

Kelly, James
Toledo, Louis

Applications Withdrawn (March)

Rock, Jesse Charles
Witkowski, Tom

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

AD HOC LICENSURE QUALIFICATIONS COMMITTEE – PAUL DEL VECCHIO

This Committee meeting was cancelled.

RULES/PUBLIC/LEGISLATIVE COMMITTEE – BARRY KALMANSON

The following Rules have been **Developed**:

61G4-15.032 Certification of Swimming Pool Specialty Contractors

61G4-16.0021 (1) Written Exam for Swimming Pool Specialty Contractors

The following Rules have been **Noticed**:

61G4-15.001 Qualification for Certification

61G4-15.028 Precision Tank Testers
61G4-15.029 Tank Lining Applicators
61G4-16.001 Examination Requirements 2-15-08
61G4-18.002 Definitions
61G4-18.003 Registration of Course Providers
61G4-18.004 Approval of Continuing Education Courses
61G4-21.002 Definitions
61G4-21.003 Filing Claims
61G4-21.004 Claims Review
61G4-21.005 Payment of Claims
61G4-21.006 Collection Efforts

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

OLD BUSINESS

Mr. Kalmanson brought up the application audit discussion and requested that a monthly report be provided to the board to determine fraudulent experience verification and who is perpetrating this fraud.

No further Old Business was discussed.

NEW BUSINESS

Mr. Kalmanson mentioned that board members should receive one hour of Laws & Rules for their continuing education requirement for participating in the board meeting, and one hour of Laws & Rules be given to licensees who attend the meetings as well, in addition to the four hours they already receive. Mr. Kalmanson recommended it appear at the Rules Committee at some time in the future for discussion and possible implementation.

Mr. Kalmanson brought up that Ad Hoc Committee should discuss how the department would combat the fraudulent experience verification and suggested that all future Division I license holders appear in front of the application review committee to combat the fraudulent experience and to be able to question the applicants on their experience more thoroughly.

Mr. Sheehan asked that the definition of "Construction Manager" be discussed in the rules committee. Mr. Sheehan mentioned that the term "construction manager" is being seen a lot in unlicensed activity cases where the unlicensed person is offering to be a "construction manager". It was confirmed that it would most likely appear in front of the Rules Committee at a future meeting.