

**FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD**

**Residence Inn Tallahassee  
600 W. Gaines St.  
Tallahassee, FL 32304  
850.329.9080**

**January 9 – 11, 2013**

**MEETING MINUTES  
Approved 2/15/2013**

**Board Members Present**

Robert Moody, Chair  
W. Brian Cathey, Vice Chair  
William Sheehan  
James Evetts  
Carl Engelmeier  
Edward Weller  
Roy Lenois  
Jacqueline Watts  
Christopher Cobb  
Albert Korelishn  
Michelle Kane  
Mark Pietanza  
Paul Del Vecchio  
Aaron Boyette

**Board Members Absent**

Kristen Beall  
Michelle Kane  
Richard Kane (absent Friday only)

**Others Present**

Drew Winters, Executive Director, DBPR  
Amanda Wynn, Government Analyst, DBPR  
David Spingler, Government Analyst, DBPR  
Daniel Biggins, Legal Advisor, AGO  
Paul Waters, Chief Prosecuting Attorney, DBPR  
Ken Lawson, Secretary, DBPR  
Tim Vaccaro, Deputy Secretary, DBPR

## **ADDITIONAL BUSINESS ENTITIES REVIEW**

***Division I board members met for Additional Business Entities Review on January 9, 2013 from 2:00 – 3:26 pm. Mr. Boyette led the meeting. Of the 37 applications scheduled for review, 14 were approved, 6 were denied, 15 were continued, 1 was withdrawn, and 1 was pulled.***

### **APPROVED (14)**

Borraiz, William  
Braun, Jeffrey  
Chaires, Oscar  
Eckelbarger, Adam  
Eidelberg, Michael  
Hampy, Darryl  
Levesque, Daniel  
Lopes, Ernesto  
Schnell, John  
Seiler, Robert  
Smith, David  
Smith, Ronald  
Townsend, Francis  
White, Charles

### **DENIED (6)**

Al-Soufi, Maher  
Mauro, Anthony  
Segalis, Yakov  
Storey, James  
Taylor, John  
Walter, Christopher

### **CONTINUED (15)**

Acosta, Ricardo – 30 days  
Anastasi, Robert – 30 days  
Anderson, Randall – 60 days  
Brown, John – 60 days  
Butler, Karen – 60 days  
Campesi, Patrick – 30 days  
Czerwinski, Douglas – 60 days  
De Angelis, John – 30 days  
Green, Nathaniel – 60 days  
Mullis, Michael – 60 days  
Richardson, Ronald – 60 days  
Smith, Edgar – 30 days  
Tarafa, Roberto – 30 days  
Tombaugh, James – 30 days  
Wolf, Ronald – 60 days

WITHDRAWN (1)

Carpenter, James

PULLED (1)

Miller, Julie

***Division II Board members met for Additional Business Entities Review on January 10, 2013 from 1:45 – 2:16 pm. Mr. Cobb led the meeting. Of the 16 applications scheduled for review, 8 were approved, 6 were continued, 2 were denied.***

APPROVED (8)

Courtney, Keith

Justice, Steven

Mendez, Gonzalo

Neal, Lawrence

Stagner, Scott

Strickler, Steven – *application orally amended to a change of status application and not an additional business entity application*

Vance, David

White, Charles

CONTINUED (6)

Acevedo, Lauro – 30 days

Anastasi, Robert – 30 days

Guerrero, Fausto – 30 days

Kane, Paul – 30 days

Libert, Richard – 60 days

Sinclair, Mark – 30 days

DENIED (2)

Broderick, James

Rodriguez, Alberto

**APPLICATION REVIEW**

***Division I Board members met for Application Review on January 9, 2013 from 4:37 – 5:59 pm. Mr. Evetts led the meeting. Of the 25 applications scheduled for review, 5 were approved, 1 was contingently approved, 5 were continued, 7 were denied, 6 were withdrawn, and 1 was pulled.***

APPROVED (5)

Crofoot, Robert

Hutchinson, Arnold

Leonardo, Joseph

Thomas, Patrick

Walker, Chad

CONTINGENT APPROVALS (1)

Allen, Steven – *Contingent upon providing proof of 2 years experience. The applicant was also given 6 years probation and is required to provide complete bank statements at each probation appearance.*

CONTINUED (5)

Adams, Flooker – 30 days

Esquerre, Francis – 90 days

Hersey, Richard – 6 months

Porosky, Christopher – 90 days

Schafstall, Charles – 90 days

DENIED (7)

Arnold, Ira

Fry, Bruce

Giraldo, Luis

Koushel, Kevin

Magallanes, Miguel

Penfield, Brennen

Wilson, Kenneth

WITHDRAWN (6)

Felter, Michael

Johnson, Shawn

Masharipov, Umarbek

Pitts, William

Ryczek, Zachary

Thomas, Gary

PULLED (1)

Martinez, Eduardo

***Division II Board members met for Application Review on January 10, 2013 from 2:37 – 4:55 pm. Ms. Watts led the meeting. Of the 45 applications scheduled for review, 23 were approved, 1 was approved contingent, 3 were continued, 7 were denied, 9 were withdrawn, and 2 were pulled.***

APPROVED (23)

Cranston, David

Dawson, Joseph

Elliot, Jared

Frankowski, Michal

Huang, Larry

Larkin, Shawn

Lear, Stephan

Leonardi, Michael

Maddox, Charles

McLaughlin, Jason  
Medina, Ronald  
Miller, William  
Ordaz, Ciro  
Owen, Michael  
Paredes, John  
Reed, Larry  
Rigg, Adam  
Scardina, James  
Sfetcu, Vicky  
Temperly, Charles  
Venoy, Joseph – Approved as a downgrade to a Class A A/C Contractor's License  
Wilson, Theodore  
Wood, Shane

CONTINGENT APPROVALS (1)

Jordan, John – *Contingent upon submitting 4 years worth of W-2's showing employment by C & J Roofing, Inc.*

CONTINUED (3)

Adams, Flooker – 30 days  
Levine, Michael – 60 days  
Oliveras, Angel – 30 days

DENIED (7)

Dean, Debra  
Duarte, Roberto  
Essenfeld, Jacobo  
Gross, Michael  
Posada, David De Jesus  
Rodriguez, Evelio  
Vazquez, Jose

WITHDRAWN (9)

Bengoechea, Jose  
Christiano, Anthony  
Hurst, Robert  
Mathews, Owen  
Murphy, Steve  
Pitts, William (Mechanical license)  
Pitts, William (Plumbing license)  
Poe, Cord  
Willis, John

PULLED (2)

Perryman, Lucas  
Whitacre, Thurman

*Division I voted unanimously to ratify the list of financially responsible officer applications.*

*Division II voted unanimously to ratify the list of financially responsible officer applications.*

## **PROBATION**

***The Division I Probation Committee convened on January 10, 2013 from 10:22 – 11:23 am. Mr. Kane led the meeting.***

**Jason Asbury, CGC1511019**

Result: Satisfactory

**Robert Chacon, CGC009564**

Result: Unsatisfactory

**Chadwyck Clark, CBC1257934**

Result: Continued 2 months and ordered to pay a \$250 assessment

**Brandon Gilley, CRC1327329**

Result: Unsatisfactory

**Gregory Gover, CBC1259071**

Result: Satisfactory

**David Grande, CGC035899**

Result: Unsatisfactory

**John O'Toole, CBC1258829**

Result: Satisfactory

**Hector Obregon, CGC041565**

Result: Satisfactory

**Mark Orman, CGC1506674**

Result: Satisfactory

**Miguel Perez, CGC1517294**

Result: Satisfactory

**Samuel Poag, CGC1518138**

Result: Satisfactory

**William Poole, CGC1518449**

Result: Satisfactory

**Loren Spies, CGC009176**

Result: Satisfactory

**Marshall Stark, RB053106**

Result: Satisfactory

**David Tollman, CBC046667**

Result: Satisfactory

***The Division II Probation Committee convened on January 10, 2013 from 1:04 – 1:36 pm. Mr. Korelishn led the meeting.***

**Jesus Amoro, CAC1814250**

Result: Satisfactory

**Rickey Cason, CCC1329740**

Result: Unsatisfactory

**Kyle Car, CAC1814273**

Result: Continuance granted

**William Erney, CCC1328936**

Result: Satisfactory

Request for early termination of probation **granted.**

**Melvin Gideon, CPC1458148**

Result: Satisfactory

**James Parker, CAC057732**

Result: Satisfactory

**Keithon Patterson, CFC1428164**

Result: Satisfactory

**Leroy Wilkerson, RF11067527**

Result: Satisfactory

**Adrian Williams, RA13067475**

Result: Unsatisfactory

### **GENERAL SESSION**

The meeting was called to order by Robert Moody, Chair, at 9:08 am. Mr. Lenois gave the Invocation. Mr. Evetts led the Pledge of Allegiance.

### **REVIEW OF MINUTES**

The board voted unanimously to approve the following minutes:

- September 2012 Meeting Minutes
- October 2012 Meeting Minutes

- November 2012 Meeting Minutes

### **EXECUTIVE DIRECTOR'S REPORT – DREW WINTERS**

Mr. Winters gave the following report:

Mr. Winters asked the Board to excuse the following absences:

Ms. Beall  
Ms. Kane  
Mr. Kane (Friday only)

The board voted unanimously to excuse these absences.

With nothing further to report the board voted unanimously to approve this report.

### **CHAIRMAN'S REPORT – ROBERT MOODY**

Mr. Moody introduced the Secretary of the Department, Mr. Ken Lawson.

Mr. Moody also announced the new committee assignments for the upcoming year.

Members of the Department's Division of Service Operations gave a brief presentation regarding processing guidelines for construction applications.

With nothing further to report the board voted unanimously to approve this report.

### **PROSECUTING ATTORNEY'S REPORT – PAUL WATERS**

Mr. Waters gave the following report:

For the month of December 2012, the overall case load was 336, up from 304 in November 2012, and down from 363 in December 2011.

There were 156 cases currently in Legal to be reviewed, 33 cases set for probable cause, and 26 cases where probable cause had been found/administrative complaints filed. 1 settlement stipulation had been approved, 3 informal hearings had been requested, and 4 cases were awaiting outside action. 5 cases were ready for default, 15 had requested formal hearings, and 0 cases were referred to DOAH. 2 cases were in settlement negotiations, 13 cases were pending board dates, and 42 cases were set for board presentation. 36 cases were awaiting final orders. 0 cases were under appeal and 0 cases had been reopened.

For the month of December 2012, 48 cases were closed.

With nothing further to report the board voted unanimously to approve this report.

### **ATTORNEY GENERAL'S REPORT – DANIEL BIGGINS**



### **WILLIAM ADEIMY – REQUEST FOR INFORMAL HEARING**

Mr. Adeimy was not present.

Mr. Biggins presented this case stating Mr. Adeimy's application to qualify an additional business entity was denied at the October 2012 meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction work and business activities as required by Section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in November of 2012. Mr. Adeimy timely requested board reconsideration, and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to vacate the denial of the application and to allow Mr. Adeimy to withdraw the application.

### **ANDREW CASTLEMAN – REQUEST FOR INFORMAL HEARING**

Mr. Castleman was present.

Mr. Biggins presented this case stating Mr. Castleman's application for initial issuance of a residential pool/spa contractor's license was denied at the July 28, 2009 meeting of the board for failing to demonstrate the required experience. The Notice of Intent to Deny was filed in August of 2009. Mr. Castleman timely requested board reconsideration after receiving the Notice of Intent to Deny, but requested a continuance of his hearing until a later date.

After discussion the board voted to approve the application contingent upon Mr. Castleman, within 30 days, providing an updated credit report, updated criminal history results, and W2's showing proof of employment for Island Pools for the time periods Mr. Castleman is using to verify his experience.

The board also requested that Mr. Waters open a case against Mr. Castleman for possible unlicensed activity.

### **JOSEPH GEOSITS – REQUEST FOR INFORMAL HEARING**

Mr. Geosits was present.

Mr. Biggins presented this case stating Mr. Geosits' application to qualify an additional business entity was denied at the November 2012 meeting of the board for failing to appear as required Rule 61G4-15.0021, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2013. Mr. Geosits timely requested board reconsideration.

After discussion the board voted to approve the application.

### **YORDANYS HECTOR – REQUEST FOR INFORMAL HEARING**

Mr. Hector was present.

Mr. Biggins presented this case stating Mr. Hector's application for initial issuance of a certified roofing contractor's license was denied at the May 2012 meeting of the board for failing to demonstrate the required experience and failing to sufficiently demonstrate financial stability and responsibility. The Notice of Intent to Deny was filed in June of 2012. Mr. Hector timely requested board reconsideration but requested an indefinite extension of his hearing to resolve financial issues.

After discussion the board voted to approve the application contingent upon Mr. Hector providing proof of having obtained a credit score of 660 or higher, or obtaining a licensing bond or irrevocable letter of credit.

### **CARLOS HERNANDEZ – REQUEST FOR INFORMAL HEARING**

Mr. Hernandez was present.

Mr. Biggins presented this case stating Mr. Hernandez' application to qualify an additional business was denied at the October 2012 meeting of the board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code. The Notice of Intent to Deny was filed in November of 2012. Mr. Hernandez timely requested board reconsideration.

After discussion the board voted to grant Mr. Hernandez a 60 continuance to provide proof of having obtained 20% ownership in the proposed company.

### **CHRISTOPHER NEVSETA – REQUEST FOR INFORMAL HEARING**

Mr. Nevseta was present.

Mr. Biggins presented this case stating Mr. Nevseta's application for initial issuance of a certified building contractor's license was denied at the October 2012 meeting of the board for failing to demonstrate the required experience. The Notice of Intent to Deny was filed in November of 2012. Mr. Nevseta timely requested board reconsideration.

After discussion the board voted to approve the application as a downgrade to a certified residential contractor's license.

### **WILSON PETITT – REQUEST FOR INFORMAL HEARING**

Mr. Petitt was not present.

Mr. Biggins presented this case stating Mr. Petitt's application for initial issuance of a certified residential contractor's license was denied at the September 2012 meeting of the board because the application indicated the applicant had been convicted, found guilty or, or entered a plea of nolo contendere to crimes related to the practice of contracting, contrary to section 455.227 (1)(c) and 489.129 (1)(b), Florida Statutes. The Notice of Intent to Deny was filed in October of 2012. Mr. Petitt timely requested board reconsideration.

After discussion the board voted to uphold the denial of the application.

### **EDWARD ROSSMAN – PETITION FOR DECLARATORY STATEMENT**

Mr. Rossman was present.

Mr. Biggins presented this case stating Mr. Rossman filed a petition for a declaratory statement on November 21, 2012. The petition was noticed in the Florida Administrative Register on December 11, 2012. Mr. Biggins noted the petitioner is requesting an interpretation of Chapter 489.105, Florida Statutes, and whether a license is required for work specializing in manufacturing, supplying, and installing vehicle exhaust systems, both hose drop systems and self contained air cleaning systems to remove carcinogenic diesel exhaust fumes. Mr. Biggins asked the board to consider whether or not the petition meets the criteria for a declaratory statement, and to dismiss or answer as appropriate.

After discussion the board voted that the petitioner had standing. After further discussion the board voted that a license is required for the type of work detailed in the petition, specifically a sheet metal contractor's license.

### **JAMES SIMMONS – REQUEST FOR INFORMAL HEARING**

Mr. Simmons was present.

Mr. Biggins presented this case stating Mr. Simmons' application for initial issuance of a certified general contractor's license was denied at the September 2012 meeting of the board for failing to sufficiently demonstrate financial stability and responsibility. The Notice of Intent to Deny was filed in October 2012. Mr. Simmons timely requested board reconsideration.

After discussion the board voted to approve the application.

### **RECONSIDERATION OF RECOVERY FUND CLAIM 2008-054073**

Mr. Biggins indicated this item had been pulled from the agenda.

With nothing further to report the board voted unanimously to approve this report.

### **COMMITTEE REPORTS**

#### **EXAMS/CE/PUBLIC AWARENESS COMMITTEE – ROY LENOIS**

Mr. Lenois gave the following report:

##### **AE21 Incorporated**

- 1<sup>st</sup> Course: Building Envelope Failure during Wind Event – **approved** (as general)
- 2<sup>nd</sup> Course: HVAC and Related Failures in Catastrophes – **approved** (as general)
- 3<sup>rd</sup> Course: Retrospective Impact of 2010 Florida Building Code – **approved** (as general)

4<sup>th</sup> Course: Wind Damage Assessment, Identification and Research/Testing of Asphalt Composition Shingles – **approved** (as general)

**Bard Manufacturing Company, Inc.**

1<sup>st</sup> Course: Comprehensive Packaged Systems & Controls Installation/Service – **approved**

**Building Officials & Inspectors Educational Association**

- 1<sup>st</sup> Course: Building Components and Evaluations – **approved**
- 2<sup>nd</sup> Course: FBC 2010 Accessibility for Plumbers – **approved**
- 3<sup>rd</sup> Course: FBC Swimming Pool Updates – **approved**
- 4<sup>th</sup> Course: Plumbing Inspections – **approved**
- 5<sup>th</sup> Course: Plumbing Plan Review – **approved**
- 6<sup>th</sup> Course: Structural Plan Review Back to the Basics – **approved**
- 7<sup>th</sup> Course: Water Supply and Distribution – **approved**
- 8<sup>th</sup> Course: What to do with the Dirt
- 9<sup>th</sup> Course: Why Buildings Fall Down, How they Fail – **approved**

**Building Officials Association of Florida**

- 1<sup>st</sup> Course: Applying the Florida Building Code Existing (Classroom) – **approved**
- 2<sup>nd</sup> Course: Applying the Florida Building Code Existing (Online Version) – **approved**
- 3<sup>rd</sup> Course: Common Code Violations – **approved**
- 4<sup>th</sup> Course: Emergency Preparedness Preparation is the Key – **approved**
- 5<sup>th</sup> Course: Ethics in Construction – **approved**
- 6<sup>th</sup> Course: Existing Building Code – **approved**
- 7<sup>th</sup> Course: Florida Laws & Rules – **continued 30 days**
- 8<sup>th</sup> Course: Florida Plumbing Code Update – **approved**
- 9<sup>th</sup> Course: Introduction to Solar PV Solar System – **approved**
- 10<sup>th</sup> Course: Mechanical Code Hot Topics – **approved**
- 11<sup>th</sup> Course: NEC Hot Topics – **approved**
- 12<sup>th</sup> Course: Public Outreach for Building Departments – **approved**
- 13<sup>th</sup> Course: Required Laws and Rules – **continued 30 days**
- 14<sup>th</sup> Course: Solar Permitting and Inspection – **approved**
- 15<sup>th</sup> Course: Workers' Compensation – **approved**
- 16<sup>th</sup> Course: Workplace Safety – **approved**

**Cam Tech School of Construction, Inc.**

1<sup>st</sup> Course: Financial Responsibility & Stability for the Contractor – **approved**

**Compliance Data Services, Inc., d/b/a Calcs-Plus**

1<sup>st</sup> Course: HVAC V-3 EnergyStar Contractor Verification Checklist – **approved**  
(contingent upon providing staff a more detailed timeline)

**Construction Services Enterprise, Inc.**

- 1<sup>st</sup> Course: Developing Cost Control & Estimating Systems – **approved** (as general)
- 2<sup>nd</sup> Course: Reasons for Pre-Construction & Project Planning – **approved** (as general)

**Education Institute of Florida, Inc.**

1<sup>st</sup> Course: Crisis Management in Construction – **approved**

### **Florida Association of Plumbing, Heating, & Cooling Contractors**

1<sup>st</sup> Course: Internet Marketing and SEO Techniques for Your Plumbing Business – **approved**

### **Florida Building Codes and Standards**

1<sup>st</sup> Course: Modular Building Foundations (Classroom) – **approved**

2<sup>nd</sup> Course: Modular Building Foundations (Online) – **continued 30 days**

### **Florida Educational Facilities Planners**

1<sup>st</sup> Course: Benefits & Use of Campus Infrastructure Information Models – **approved**

2<sup>nd</sup> Course: Carpet 101 – The Commercial Specification – **approved**

3<sup>rd</sup> Course: Firesafety in Educational Facilities – 69A-58 Update – **approved**

4<sup>th</sup> Course: How Technology Affects...Libraries from K12 to University – **approved**

5<sup>th</sup> Course: Presentation Skills for Technical Professionals – **approved**

### **Florida Masonry Apprentice & Educational Foundation, Inc.**

1<sup>st</sup> Course: Concrete Masonry Construction – Instruction and Hands on Masonry Lab – **approved**

### **FRSA Education Foundation**

1<sup>st</sup> Course: Construction Contract Provisions – **approved**

2<sup>nd</sup> Course: OSHA Inspection & Citation Process – **approved**

3<sup>rd</sup> Course: Understanding OSHA Regulations – **approved**

### **Hanley Wood Exhibitions**

1<sup>st</sup> Course: Avoid Floor Moisture Problems: Testing, Evaluation and Remediation Systems – **denied**

2<sup>nd</sup> Course: Business Operations Forum – **approved**

3<sup>rd</sup> Course: Change is in the Air: Air Barriers Requirements – **continued 30 days**

4<sup>th</sup> Course: Concrete Repair Fundamentals I: Surface Preparation, Reinforcement Repair, Material Selection and Placement – **approved**

5<sup>th</sup> Course: Concrete Repair Fundamentals II: Waterproofing and Corrosion Protection – **approved**

6<sup>th</sup> Course: Crisis Management Every Contractor Should Have – **approved** (as general)

7<sup>th</sup> Course: Developments in Health Issues Related to Asphalt Fumes – **approved**

8<sup>th</sup> Course: Effective Use of Chemical Admixtures in Concrete – **approved**

9<sup>th</sup> Course: Effective Use of Roof Coatings – **approved** (as general)

10<sup>th</sup> Course: Electrical Safety around Solar for Roofers – **approved**

11<sup>th</sup> Course: Evaluating Asphalt Shingles: A Comparison of Test Methods – **approved**

12<sup>th</sup> Course: Evaluation of New and Existing Decks for Plaza and Green Roof

Waterproofing Systems – **approved**

13<sup>th</sup> Course: Federal Legislative and Regulatory Outlook for the Roofing Industry – **approved** (as general)

14<sup>th</sup> Course: Fix Floor Moisture Problems Building Design and Construction Materials – **approved**

15<sup>th</sup> Course: Intelligent Roofing Systems Selection and Design – **approved** (as general)

16<sup>th</sup> Course: Long Term Weathering of Single Ply and Bituminous Commercial Roofing Membranes and Discussion of Testing Considerations – **approved** (as general)

- 17<sup>th</sup> Course: OSHA Citations – The Unpreventable Employee and Supervisor Misconduct Defense – **approved** (as general)  
18<sup>th</sup> Course: OSHA Construction Rulemaking Update, Year-In-Review Regulation, Data, & More – **approved** (as general)  
19<sup>th</sup> Course: Reviewing Killer Contract Clauses – **approved**

#### **Hornerxpress**

- 1<sup>st</sup> Course: AquaCal Heat Pumps (1 hr) – **continued**  
2<sup>nd</sup> Course: AquaCal Heat Pumps (2 hrs) – **continued**  
3<sup>rd</sup> Course: AquaCal Heat Pumps (3 hrs) – **continued**  
4<sup>th</sup> Course: AquaCal Heat Pumps (6 hrs) – **continued**  
5<sup>th</sup> Course: AutoPilot Chlorine Generators (1 hr) – **continued**  
6<sup>th</sup> Course: AutoPilot Chlorine Generators (2 hrs) – **continued**  
7<sup>th</sup> Course: AutoPilot Chlorine Generators (3 hrs) – **continued**  
8<sup>th</sup> Course: Back to Basics – Selling AquaCal Heat Pumps (1 hr) – **continued**  
9<sup>th</sup> Course: Back to Basics – Selling AquaCal Heat Pumps (2 hrs) – **continued**

#### **Insurance by Ken Brown, Inc.**

- 1<sup>st</sup> Course: Reducing the Cost of Workers' Compensation – **approved**  
2<sup>nd</sup> Course: Workers' Compensation Basics – **approved**

#### **JC Code & Construction Consultants, Inc.**

- 1<sup>st</sup> Course: Mixed Occupancy Provisions of the Florida Building Code – Building Volume – **approved**  
2<sup>nd</sup> Course: The Mechanical, Plumbing, Fuel Gas and Electrical Fundamentals of the Florida Residential Code – **approved**

#### **Training License Center, Inc.**

- 1<sup>st</sup> Course: Contractor Life Safety – **approved**

#### **University of Florida Program for Resource Efficient Communities**

- 1<sup>st</sup> Course: Lighting and Energy Management for Commercial Buildings, Unit I Building Audits – **approved**  
2<sup>nd</sup> Course: Lighting and Energy Management for Commercial Buildings, Unit II Energy Management – **approved**  
3<sup>rd</sup> Course: Lighting and Energy Management for Commercial Buildings, Unit III Case Studies – **denied**

With nothing further to report the board voted unanimously to approve this report.

#### **RULES/PUBLIC/LEGISLATIVE COMMITTEE – MARK PIETANZA**

Mr. Biggins gave the following report:

The following Proposed Rules have been **Noticed**:

- 61G4-12.011 Definitions  
61G4-15.035 Certification of Irrigation Specialty Contractors  
61G4-15.038 Demolition Specialty Contractors

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants

Mr. Biggins provided the Active Litigation Summary, detailed below:

**David Lawrence Padron v. DBPR** – Construction Industry Licensing Board (DOAH)  
DOAH No. 12-3847 – License denial case set for January 2013 DOAH hearing

**Juan Carlos Cacciamani v. DBPR** – Construction Industry Licensing Board (1<sup>st</sup> DCA)  
DCA No. 1D12-1811 – Appellate case dismissed as moot. Fee issue pending before DCA.

**Robert Petito vs. Construction Industry Licensing Board** – DBPR (DOAH)  
DOAH No. 12-3154 (Formerly 11-3763) – Appeal dismissed and fees denied at DCA on license case. Fee issue pending at DOAH, December 11 Hearing.

Mr. Winters also informed the board of the following proposed legislation:

*House Bill 57* – Mr. Winters stated that this bill would allow the Department to transfer excess funds which it determines are not required to fund the Building Code Administrators and Inspectors Board (“BCAIB”) to the Florida Homeowners’ Construction Recovery Fund (“FHCRF”). Mr. Evetts voiced his concern that the BCAIB needed to spend its money or it would be swept into the FHCRF.

*Senate Bill 156* – Mr. Winters stated this bill would amend s. 489.105, F.S., to include the cleaning, maintenance, and water treatment of swimming pools as services requiring licensure, and to amend s. 489.111, F.S., to revise the eligibility requirements to take the swimming pool/spa servicing contractors’ examination. Mr. Evetts indicated that this would create a substantial number of applicants/licensees due to the number of pools in the state. Mr. Lenois indicated that his understanding of this bill being proposed is to curtail the problem of unlicensed pool cleaners engaging in pool construction services that currently require a license.

*Senate Bill 238 and Senate Bill 84* – Mr. Winters stated these bills are regarding Public Private Partnerships (“P3”). Mr. Winters stated these bills were only being introduced to the board for informational purposes and do not have a direct impact on licensure, and that the Department would only be monitoring these bills. Mr. Winters reminded the Board that if they had concerns regarding the legislation that they were permitted to work through their independent associations or speak with their legislators as members of the industry.

With nothing further to report the board voted unanimously to approve this report.

## **OLD BUSINESS**

Removal of old materials from laptop.

## **NEW BUSINESS**

Mr. Cathey asked each board member to think about things they could do to make the board function better and to bring their ideas back next month.

Mr. Evetts requested updated phone numbers for staff and other board members.

Mr. Boyette requested a breakdown of licenses issued in 2012.

With no further business the meeting was adjourned at 10:36 am.