

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Springhill Suites New Smyrna Beach
512 Flagler Ave
New Smyrna Beach, FL 32169
386.427.0512

February 6th, 8th - 10th, 2023
MEETING MINUTES

Unapproved

Board Members Present

Bradley Barreto
Frank Cawthon
Donald Cesarone, Chair
Mario Famada
Ted Feaster, Vice-Chair
Fred Kobie
Edward McCullers
Rachelle Wood
Robert Maphis
Michael Sasso
Brian Zettle

Board Members Absent

Keith Lawson, II
Ashley Ross
Michael Strickland
Parks (Brian) Wilson

Others Present

Ruthanne Christie, Electrical Board Executive Director, DBPR
Jordan Jones, Senior Management Analyst Supervisor, DBPR
Madison Williams, Government Analyst, DBPR
Ian Brown, Chief Construction Attorney, DBPR
Sally Raines, Deputy Chief Construction Attorney, DBPR
Christopher Dierlam, Assistant Attorney General, AGO

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II

Division II Board members met for Additional Business Entities Review on February 8th, 2023 from 2:00pm-3:21pm. Mr. Cesarone led the meeting. Of the 23 applications on the agenda, 12 were approved, 3 were approved contingent, 3 were continued, 1 was pulled, 2 were withdrawn & 2 were denied.

APPROVED (14)

Cabrales Aguila, Lazaro
Chapman, Donald
Diaz, Nelson (x4)
Glenn, Donald
Greene, Keegan
Hloska, Christopher
Karweck, Brent
Lorenzo Lazo, Marco
McDonald, William

APPROVED CONTINGENT (3)

Britton, Todd
Cabrera, Rafael Jr
Glicken, Samuel

CONTINUED (3)

Das, Subal – 90 day continuance
Nerland, Tyler – 30 day continuance
Schulding, Adam – 90 day continuance

PULLED (1)

Moncada, Raymer

WITHDRAWN (2)

Levinson, Michael
Sfayah, Yahaya

DENIED (2)

Matthews, Shawn
Smith, Jared

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on February 8th, 2023 3:33-4:51pm. Mr. McCullers led the meeting. Of the 27 applications on the agenda, 12 were approved, 5 were continued, 4 were withdrawn, 2 were pulled, and 4 were denied.

APPROVED (12)

Collins, Brandon
Frazier, Tavares

Gantt, Damien
Hearne, Donald
Hernandez, Monica
Lockerbie, Craig
McNeely, Justin
Netzorg, Eric
Parkes, Scott
Shearer, Hans
Taft, Wes (downgrade to Residential Pool/Spa Servicing Contractor)
Worthmann, Drew

CONTINUED (5)

Acosta, Danny – 90 day continuance
Barnhart, Robert – 90 day continuance
Hernandez, Mario – 120 day continuance
Hurwitz, Keefe – 180 day continuance
Munoz, Percy – 180 day continuance

WITHDRAWN (4)

Holder, Samuel
Little, John III
Lopez, Alfonso
Moody, David

PULLED (2)

Cortez, Alvin
Hood, Christopher

DENIED (4)

Abraham, Stephanie
Salazar, Oscar Sr (x2)
Salo, John

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on February 9th, 2023 from 1:30pm-2:23pm. Mr. Zettle led the meeting. Of the 24 applications on the agenda, 15 were approved, 2 were approved contingent, 3 were continued, 3 were pulled, & 2 were withdrawn.

APPROVED (14)

Bustamente, Juan Carlos
Diaz, Nelson
Firlik, James
Foley, Ann
Margaritini, Breno

Martinez, Dario
McDonald, William
Palacio, Francisco
Palacio, Gabriel
Redko, Pavel
Rozon, Fausto
Scarpa, Cara
Vitelli, Arnold
Whiddon, Roger

APPROVED CONTINGENT (2)

Allen, David
Roach, Wayne Jr

CONTINUED (3)

Carrasco, Ivonne – 90 day continuance
Lombardo, Matthew – 30 day continuance
Parra Avila, Rafael – 30 day continuance

PULLED (3)

Green, Clint
Little, Donald Jr
Ripley, Christopher

WITHDRAWN (2)

Deluca, Michael
Yates, William III

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on February 9th, 2023 2:58pm-4:31pm. Mr. Cawthon led the meeting. Of the 26 applications on the agenda, 8 were approved, 1 was approved contingent, 1 was continued, 8 were withdrawn, 5 were pulled, and 3 were denied.

APPROVED (8)

Bowden, Mark
Gonzalez, Julio
Hjelle, Gregory (downgrade to CRC)
Leib, Gilad
Musick, Carroll
Pierma, Bentley
Salter, Jody
Smith, Logan

APPROVED CONTINGENT (1)

Clarke, Lance

CONTINUED (1)

Simon, James – 90 day continuance

WITHDRAWN (8)

Golczewski, Scott

Greene, Andrew

Lee, Heungkaun

Lopez, Kyle

Paladino, James

Siracki, Michaelangelo

Walczak, Michael

Waldron, James

PULLED (5)

Dunkin, Timothy Sr

Mara, Craig

Rivera, Franklin

Rivera, Gustavo

Swanner, Jerry Jr

DENIED (3)

Aragon, Rachael

Harrison, David

Rodriguez, Joseph

PROBATION DIVISION II

**Division II Board members met for Probation on February 9th, 2023 from 8:30 – 8:51am.
Mr. Cesarone led the meeting.**

Diaz, Francisco Fernando – CAC50345 / CAC1818792 (P, I)

- *Appearance 4 of 4*
- *Present*
- *Satisfactory – End of Probation Term*

Etienne, Cadet – CAC1818036 / CAC1819374

- *Appearance 3 of 4*
- *Present*
- *Granted 30-day Continuance to clarify insurance for both companies*

Gallina, John – CAC1817390 / CAC1819188

- *Appearance 4 of 4*
- *Continued from January 2023*
- *Present*
- *Satisfactory – End of Probation Term*

Gardner, Richard – CPC56878

- *Appearance 4 of 4*
- *Present*
- *Satisfactory– End of Probation Term*

Vesce, Daniel – CCC1327919

- *Appearance 2 of 8*
- *Not Present*
- *Requested unspecified Continuance - DENIED*
- *Unsatisfactory*

STAYS OF SUSPENSION TO BE LIFTED- FOR FAILURE TO COMPLY

The following licensees have failed to provide proof of compliance with the terms of a previously entered final order. The stay of suspension of their license will be lifted upon the Board's action:

•Garrett, Robert Stanley – CCC1329785

- *Present*
- *Motion to Lift the Stay in 10 days if all terms of Final Order are not met - APPROVED*

•Westman, Jacob Cole – CCC1331937

- *Present*
- *Agreement to submit payment plan for outstanding fine/costs by April 2023 Probation appearance AND proof of paid Restitution by June 2023 meeting date - APPROVED*

FINAL ACTION - DIVISION I

Division I Board members met for Final Action on February 9th, 2023 from 10:21 – 10:26am. Ted Feaster led the meeting.

Case #(s): 2022010520

Drew Chadler Dennis

License #(s): CRC 1331391

7 hours additional CE w/emphasis on Ch 489, F.S. 61G4-12.008

Pay administrative fines in the amount of \$1,000.00 and costs of \$175.49

Not Present

Case #(s): 2022007633

John C. Dransfield

License #(s): CGC 1517012

Revocation

Pay administrative fines in the amount of \$7,500.00 and costs of \$375.55

Restitution: \$2,650.00 to Geraldine Howard

Not Present

Case #(s): 2021057169

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$12,500.00 and costs of \$200.82

Restitution: TBD to Allan S. Robuck

Not Present

Case #(s): 2021039640

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$252.87

Restitution: TBD to Ferran Lam

Not Present

Case #(s): 2021045155

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$12,500.00 and costs of \$224.32

Restitution: TBD to Colette M. Robertson

Not Present

Case #(s): 2021046974

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$337.77

Restitution: TBD to Michael Marcinowski

Not Present

Case #(s): 2021053347

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$212.49

Restitution: TBD to Eric Hebel

Not Present

Case #(s): 2021054017

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$192.49

Restitution: TBD to Sarah J. Hebel

Not Present

Case #(s): 2021054311

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$155.98

Restitution: TBD to Rebecca Saddler

Not Present

Case #(s): 2021055073

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$187.67

Restitution: TBD to Jennifer Lawson

Not Present

Case #(s): 2021056790

Donald Lee Elderkin

License #(s): CRC 1329976

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$208.45

Restitution: TBD to Jason Christner

Not Present

Case #(s): 2021047218

Ceasor Horne Jr.

License #(s): CGC 1518208

Revocation

Pay administrative fines in the amount of \$17,500.00 and costs of \$623.36

Not Present

Case #(s): 2022036101

Richard Allen Minnick

License #(s): CGC 1508362

PULLED

Case #(s): 2022025625

Bruce Alan Womack

License #(s): CGC 1519903

Revocation

Pay administrative fines in the amount of \$5,000.00 and costs of \$210.00

Not Present

FINAL ACTION – DIVISION II

Division II Board members met for Final Action on February 9th, 2023 from 9:29 – 9:45am.

Mr. Cesarone led the meeting.

Case #(s): 2022026211

Juan Carlos Gonzalez

License #(s): RM 14016980

Revocation

Pay administrative fines in the amount of \$15,000.00 and costs of \$52.35

Present with legal rep Kevin Griffith

Case #(s): 2022024809

Miguel Valdes

License #(s): SCC 131151510

PULLED (Division I Case)

FINAL ACTION – DIVISION I & II

Division I & II Board members met for Final Action on February 9th, 2022 from 9:47 –

10:08am. Mr. Cesarone & Mr. Feaster led the meeting.

Case #(s): 202200033 / 2022015308

Nancy Diane Aaron

License #(s): FRO 11933

Voluntary Relinquished

Pay administrative fines in the amount of \$10,000.00 and costs of \$506.74

Restitution: \$7,250.00 to Jeffrey Peter Williams (case 2022-015308)

Restitution: \$3,750.00 to William Stingley (case 2022-004033)

Not Present; Legal Rep Adrian Middleton in Attendance

Case #(s): 2021016210

Harold H. Baena

License #(s): CCC 1328135 / CCC 1338134 / CGC 1513751 / CGC 1527288

Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch. 489, F.S.

Pay administrative fines in the amount of \$11,000.00 and costs of \$329.39

Restitution: \$15,000.00 to Brenton and Cynthia Peacock

Present with Legal Rep Adrian Middleton

Case #(s): 2022024592

James L. Gerard

License #(s): FRO 8404

Revocation

Restitution: TBD by RF to Cathryn D. Hobbis

Pay administrative fines in the amount of \$5,000.00 and costs of \$375.69

Not Present

Case #(s): 2021024224

Tony S. Jackson

License #(s): CCC 1330326 / CCC 1330761 / CGC 1517244 / CGC 1523419

Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch. 489, F.S.

Pay administrative fines in the amount of \$5,000.00 and costs of \$469.87

Not Present; Legal Rep Rachel Clark in Attendance

Case #(s): 2021037433

Chadwick B. Lawson

License #(s): CBC 1260813 / CBC 126983 / CCC 1331304

7 hours additional live Continuing Education w/emphasis on Ch. 489, F.S.

Pay administrative fines in the amount of \$1,000.00 and costs of \$316.77

Not Present

Case #(s): 2021055089

Timothy Hakin Smathers, Jr.

License #(s): CCCC 1330571 / CGC 1517977

Revocation

Restitution: \$50,000.00 to Stephanie Thomas

Pay administrative fines in the amount of \$20,000.00 and costs of \$174.85

Motion to vacate previously accepted waiver & grant 60 day continuance - Approved

Not Present

Case #(s): 2022023857

Timothy Hakin Smathers, Jr.

License #(s): CCCC 1330571 / CGC 1517977

Revocation

Restitution: \$47,910.00 to Delphine McLeroy

Pay administrative fines in the amount of \$17,500.00 and costs of \$238.17

Motion to vacate previously accepted waiver & grant 60 day continuance - Approved

Not Present

PROBATION DIVISION I

**Division I Board members met for Probation on February 9th, 2023 from 10:30 – 10:46am.
Mr. Feaster led the meeting.**

Asmar, Camille – CGC1526417

- *Appearance 1 of 4*
- *Continued from January 2023*
- *Satisfactory appearance approved*
- *Present*

Martinez, Nick Albert – CGC15114806

- *Appearance 1 of 4*
- *Satisfactory appearance approved*
- *Present*

McKendry, Jason – CRC1330395

- *Appearance 2 of 12*
- *Reinstate Last Appearance*
- *Satisfactory appearance approved*
- *Present*

Provo, Anthony Wayne – CBC1251096

- *Appearance 2 of 4*
- *Overdue CE Requirement*
- *Satisfactory appearance approved*
- *Present*

Vesce, Daniel – CGC1508114

- *Appearance 2 of 8*
- *Unsatisfactory appearance*
- *Request for continuance denied*
- *Not Present*

Marcotte, Gregory – SCC 056784

- *Satisfactory Appearance*
- *Probation Completed*

STAYS OF SUSPENSION TO BE LIFTED

The following probationers failed to submit a probation package and have not submitted a request for continuance. The stays of suspension for the following licensees will be lifted upon the Committee's recommendation:

•Iselin, Philipse – CGC62205

- *Not Present*
- **STAY LIFTED**

STAYS OF SUSPENSION TO BE LIFTED- FOR FAILURE TO COMPLY

The following licensees have failed to provide proof of compliance with the terms of a previously entered final order. The stay of suspension of their license will be lifted upon the Board's action:

•Fiagome, Clemence Kudjo – CGC1512890

- *Not Present*
- **STAY LIFTED**

•Garrett, Robert Stanley – CGC1517358

- *Present*
- *Declined to adjudicate, payment submitted before the meeting*

GENERAL SESSION

The meeting was called to order by Mr. Donald Cesarone, at 8:30am – 8:55am. Ms. Wood gave the Invocation. Mr. Kobie led the Pledge of Allegiance.

CHAIRMAN'S REPORT- Donald Cesarone

Approved

EXECUTIVE DIRECTOR'S REPORT- Ruthanne Christie filling in for Mandie Ackermann

Ruthanne Christie noted a joint meeting would be in the future.

PROSECUTING ATTORNEY'S REPORT- Ian Brown

Approved

HEARING AND PETITIONS

McMullen, Michael – Informal Hearing (Div I)

Requested 30 day continuance – Approved

Zokaites, Frank – Petition for Declaratory Statement (Div I & II)

Requested 30 day continuance – Approved

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Ms. Wood

!AT YOUR PACE ONLINE

- 1ST Course: 2018 International Mechanical Code: **approved**
- 2nd Course: 2021 IMC Update Part 1: **approved**
- 3rd Course: Electrical Safety (NFPA 70E): **approved**
- 4th Course: residential HVAC System Replacements: **approved**

AEC DAILY CORPORATION

- 1ST Course: Transitioning to a Clean Energy Future- Part 3: **approved**

FLORIDA POOL & SPA ASSOCIATION DBA FLORIDA SWIMMING POOL ASSOC

- 1st course: An overview of Florida's Construction Lien Law: **approved**
- 2nd course: Dealing with Dirt Problems in the Construction Industry: Understanding Sources: **approved**

FLORIDA SOLAR ENERGY INDUSTRIES ASSOCIATION

- 1st course: Complying with Florida's Construction Lien Law: **approved**
- 2nd course: Cost Reduction of Workers Compensation Claims & Premiums: **approved**
- 3rd course: Fundamentals of Construction Contracts: **approved**
- 4th course: Insurance Basics for Business: **approved**
- 5th course: Understanding Florida Construction Law: Lien Law, Contracts: **approved**

FRSA EDUCATIONAL AND RESEARCH FOUNDATION

- 1ST COURSE: FRSA- TRI 7th Ed Tile Manual: **approved**
- 2nd Course: Navigating Material Volatility: **approved**
- 3rd Course: Reputation Management Legal Issues: **approved**
- 4th Course: Tile Hip & Ridge Installation: **approved**
- 5th course: Top 5 Employment Issues in Roofing: **approved**
- 6th Course: Top 5 Insurance Issues in Roofing: **approved**

INTERNATIONAL CODE COUNCIL

- 1st course: 32 Hour Medical gas Installer Course (Internet): **approved**
- 2nd Course: 32 Hour medical gas Installer Course: Classroom: **approved**

MANASOTA AIR CONDISTIONING CONTACTORS ASSOCIATION

- 1ST Course: The Recession Playbook: How to Thrive During & After a Downturn: **approved**

MIKE HOLT ENTERPRISES

- 1st 2023 NEC Changes Live Seminar: **approved**
- 2nd course: Business Management Live Seminar: **approved**

TITAN CONTINUING EDUCATION, INC.

1st course: Building Reproducible Homes: **approved**

2nd course: Reading & Interpreting Construction Specifications & Plans: **approved**

NATIONAL SWIMMING POOL FOUNDATION DBA POOL & HOT TUB FOUNDATION

1st Course: C410 Advanced Pool Construction: **approved**

2nd Course: E245 Standards: Codes & Ordinances- A Builders Guide to Proper Implementation:
approved

Old Business

Local licensing issue involving Irrigation licensing. Discussion about grandfathering.
Endorsement application updates?

New Business

Mr. Cawthon asked if there is a way to stop applications via endorsement that will not be approved. Mr. McCullers asked if applications could be updated with deficiencies or lists that cannot be approved.

Proposal made to send a blast email to CE provider companies with specifics about licensing applications and sending email updates to contractors regularly.

Adjournment

With no other business, this meeting was adjourned at 8:55am