

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Hotel Melby Downtown Melbourne
801 East Strawbridge Avenue
Melbourne, FL 32901
March 6th, 8th - 10th, 2023
MEETING MINUTES

Approved

Board Members Present

Frank Cawthon
Donald Cesarone, Chair
Mario Famada
Fred Kobie
Robert Maphis (partial)
Edward McCullers (partial)
Ashley Ross (partial)
Michael Sasso
Parks (Brian) Wilson
Rachelle Wood
Brian Zettle

Board Members Absent

Bradley Barreto
Ted Feaster, Vice-Chair
Keith Lawson, II
Michael Strickland

Others Present

Mandie Ackermann, 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
Alessandra Mousinho, Senior Prosecuting 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 March 8th, 2023 from 1:00pm-3:06pm. Mr. Cesarone led the meeting. Of the 29 applications on the agenda, 10 were approved, 5 were approved contingent, 2 were pulled, 2 were withdraw, 1 was continued, and 9 were denied.

APPROVED (10)

Abdullah, Salahuddin
Baecker, Martin
Das, Subal
Gordon, Scott
Grant, John
Milhomme, Mafer
Parker, Jeffery
Rivera, Louis
Sanford, Heath
Torres, Julio

APPROVED CONTINGENT (5)

Bessette, Joshua
Davis, Mark
Johnson, Kenneth
Kiser, Michael
Nerland, Tyler

PULLED (2)

Montoya, Luis
Sanford, Ricky

WITHDRAWN (2)

Ford, Ryan
Skaladanowski, Thomas

CONTINUED (1)

Thigpen, Marc – 30 day continuance

Denied (9)

Chopra, Danny
Domany, Jacques
Merrick, Coy
Poschi, Andreas (x2)
Quackenbush, Keith

Santandreu, Juan
Wenzel, Michael
Yanes, Roberto

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on March 8, 2023 from 3:15pm-4:18pm. Mr. McCullers led the meeting. Of the 26 applications on the agenda, 6 were approved, 2 were approved contingent, 3 were continued, 7 were pulled, 3 were withdrawn and 5 were denied.

APPROVED (6)

Calzadilla Jr., Oscar
Cruz Ramos, Juan
Nemchik, Andrew (downgrade class B)
Nowotny, John
Reep, David
Zareh Meshreky, Hany (downgrade to class B)

APPROVED CONTINGENT (2)

Donato, Garrett
Johnson, Gregory

CONTIINUED (3)

Carter, David – 180 day continuance
Rushing, Paul (x2) – 30 day continuance

PULLED (7)

Anzani, Jacob
Harris, William
Kallas, Alan
Lopez, Irving
Peterson, Garrett
Santos, Marcelo
Snyder III, William

WITHDRAWN (3)

Mesa, Raphael
Netzorg, Eric
Pealer Jr., Robert

DENIED (5)

Beltinck, Sean
Exposito, Maria
Schuh, Mark
Stockard, Timothy
Tilson, John

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on March 9th, 2023 from 1:30pm-2:11pm. Mr. Zettle led the meeting. Of the 19 applications on the agenda, 14 were approved, 1 were approved contingent, 1 was pulled, 2 were withdrawn, and 1 was continued.

APPROVED (14)

Ferguson, Brent
Fernandez, Alberto
Fletcher, Kalam
Garcia, Jose
Gilson, David
Glenn, Donald
Griffith, David
Kiser, Michael
Lewellen Jr., Michael
Lombardo, Matthew
Merrigan, Jonathan
Parra Avila, Rafael
Troop, Brian
Wells, Bartlett

APPROVED CONTINGENT (1)

Frias, Rafael

PULLED (1)

Smith, Kevin

WITHDRAWN (2)

Jones, Alden
Polanco, Jose

CONTINUED (1)

Koufopoulos II, Tom – 30 day continuance

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on March 9, 2023 from 2:30pm-3:06pm. Mr. Cawthon led the meeting. Of the 22 applications on the agenda, 13 were approved, 4 were continued, 2 were withdrawn, and 3 were pulled.

APPROVED (13)

Ahmuty Jr., Robert
Bottlemand, Jesse
Hoggatt, Matthew
Hueber, Clayton
Johnson, Reece
Kelshaw, Tyler
Litton, Michael
Mammarella, Tammy
Mellema, Scott
Rench, William
Romer, Lazaro
Wanamaker, Stephen
Williams, Michael

CONTINUED (4)

Harrison, John – 30 day continuance
Kereszturi, Csaba – 30 day continuance
Rushing, Paul – 30 day continuance
Wallace, Blake – 30 day continuance

WITHDRAWN (2)

Dadyala, Gaylloyd
Irwin, Joshua

PULLED (3)

Anzani, Jacob
Harris, William
Martinez, Cristoffer

FINAL ACTION – DIVISION II

Division II Board members met for Final Action on March 9, 2023 from 9:00 – 9:03am. Mr. Cesarone led the meeting. Absent: Lawson and McCullers.

Case #(s): 2022026278
GREGORY CHARLES MONTEAU
License #(s): CCC1331037 / CCC1330801
30 - DAY CONTINUANCE

Case #(s): 2022026282
GREGORY CHARLES MONTEAU
License #(s): CCC1331037 / CCC1330801
30 - DAY CONTINUANCE

Case #(s): 2022026285
GREGORY CHARLES MONTEAU
License #(s): CCC1331037 / CCC1330801
30 - DAY CONTINUANCE

Case #(s): 2022010112
ANTHONY SMITH MARTINEZ
License #(s): CCC1328968
REVOKED
Restitution: John Maya in the amount equal to the actual damages as determined by FHRCF
Pay administrative fines in the amount of \$20,000 and costs of \$180.16
Not Present

Case #(s): 2021005516
ROBERT EDWARD SUNDERMAN
License #(s): CFC1428942 / CPC1458196
REVOKED
Restitution: Melissa Martinez in the amount equal to the actual damages to be determined by FHRF
Pay administrative fines in the amount of \$20,000 and costs of \$183.45
Not Present

FINAL ACTION DIVISON I & II

Division I & II Board members met for Final Action on March 9th, 2023 from 9:30 – 9:44am. Mr. Cesarone led the meeting. Absent: Lawson, McCullers, Barreto, Feaster, and Strickland.

Case #(s): 2022009399 / 2022013802 / 2022019025 / 2022009974 / 2022016506 / 2022019010 / 2022019497 / 2022021991 / 2022024075 / 2022028261
HILLARY BELLO
License #(s): FRO9943
REVOKED
Restitution: Erika Solomon / Albin Gonzalez / Ellianys Betancys / Paulo Viera / Thomas Holstein / Warner Owens / Eunice Mushonga / Bernard Brooks / Damaris Jarrosay / Tyrone Lowe
Pay administrative fines in the amount of \$30,000 and costs of \$500
Not Present

Case #(s): 2022041549

DANIEL KOERNER

License #(s): FRO11229

VR

Restitution: Harold Haffner

Pay administrative fines in the amount of \$1,500 and costs of \$78.8

Not Present

Case #(s): 2021043995

MICHAEL ANTHONY LLITERAS

License #(s): CAC49279 / CBC1251786 / CCC1326259 / CPC1457124

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

Pay administrative fines in the amount of \$5,000 and costs of \$46.37

Not Present

Case #(s): 2022043735

SIXTO ENRIQUE MUNOZ

License #(s): CPC1250105 / CPC1459257/ CPC1457059

VR

Restitution: Ruben Rosario in the amount equal to actual damages to be determined by FHRF

Pay administrative fines in the amount of \$10,000 and costs of \$181.58

Not Present

Case #(s): 2022010919

YELITHZA PARAMO

License #(s): CBC1262764 / CCC1332158

1 year probation

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

Pay administrative fines in the amount of \$2,500 and costs of \$596.19

Present

Case #(s): 2022032037

SANDRA GALLAGHER SPANN

License #(s): FRO6092 / CVC56985

VR

Restitution: David Eldredge in the amount equal to actual damages to be determined by FHRF

Pay administrative fines in the amount of \$17,500 and costs of \$106.77

Not Present

FINAL ACTION - DIV I

Division I Board members met for Final Action on March 9th, 2023 from 10:03 – 10:48am.

Mr. Cawthon led the meeting. Absent: Barreto, Feaster, and Strickland.

Case #(s): 2022017930

JUSTIN JUDE BERGUM

License #(s): CBC1263116

REVOKED

Pay administrative fines in the amount of \$12,500 and costs of \$187.02
Not Present

Case #(s): 2022040181

VIRGILE DAVID DENHAM

License #(s): CGC1519006

2 years probation

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

Pay administrative fines in the amount of \$13,000 and costs of \$175.58

Not Present

Case #(s): 2022044225

MICHEAL J GILHAM

License #(s): CGC1508723

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

Pay administrative fines in the amount of \$1,000 and costs of \$225.86

Not Present

Case #(s): 2022031273

JOHN WESLEY HINES

License #(s): SCC131151500

Restitution: \$2,390 to Mark Kuhlenschmidt

2 years probation

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

Pay administrative fines in the amount of \$7,500 and costs of \$327.48

Not Present

Case #(s): 2022006022

STEVEN M LAGARDE

License #(s): CGC1517322

Pay administrative fines in the amount of \$500 and costs of \$217.21

Not Present

Case #(s): 2022036101

RICHARD ALLEN MINNICK

License #(s): CGC1508362

PULLED

Case #(s): 2022022458

BENOIT ROYAL MURRAY

License #(s): CGC1511163

Restitution: \$50,000 to Alexander Diez

2 years probation

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

Pay administrative fines in the amount of \$12,500 and costs of \$235.33

Not Present

Case #(s): 2019030569

RAYMOND WAYNE RAULERSON

License #(s): CGC9471

SUSPENDED

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

Pay administrative fines in the amount of \$3,750 and costs of \$319.81

Vacate Previous Denial

Legal Present - Joseph Colombo

Case #(s): 2021042757

RICHARD DWAYNE TUTOR

License #(s): CGC1505057 / CGC1528899

SUSPENDED

Restitution: \$14,000 to Susan Hoyt

2 years probation

Pay administrative fines in the amount of \$2,500 and costs of \$419.02

Present

Case #(s): 2022024809

MIGUEL VALDES

License #(s): SCC131151510

Restitution: \$10,185.94 to Roland Wolff

2 years probation

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

Pay administrative fines in the amount of \$12,500 and costs of \$147.83

Not Present

PROBATION DIVISION II

Division II Board members met for Probation on March 9th, 2023 from 8:32 – 8:47am. Ms. Ross led the meeting. Absent: Lawson and McCullers.

Torres, Juan – CAC1817584 / CAC1818931 / CAC1817677

- Appearance 3 of 4
- *Present*
- **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:

Grego, Vincent – CCC1330979

- *PULLED*

REINSTATE PROBATION

The following probationers completed a 7 hour Financial Management course. The stays of suspension for the following licensees will be reinstated upon the Committee's recommendation:

Escobar, Luis Roberto – CCC1327341 (Disciplinary)

- REINSTATED

PROBATION DIVISION I

Division I Board members met for Probation on March 9th, 2023 from 10:56–11:25am. Mr. Wilson led the meeting. Absent: Barreto, Feaster, and Strickland.

Bessey, Jeff – CBC1258649 / CBC1260880 / CRC1328537

- Appearance 6 of 8
- Present , Legal Present
- **Satisfactory Contingent**

Bos, Christopher Nicholas – CRC1333540

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

Losa, Jr., Jose Antonio – CGC58065

- Appearance 3 of 4
- Present
- *Requested Early Termination – GRANTED*
- **Satisfactory**

Manjack, Daniel – CGC1507485

- Appearance 4 of 8
- Present
- **Satisfactory Contingent**

Parker, Robert Austin – CGC1532745

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

Penaranda, Jaime – CGC1513713

- Appearance 1 of 4
- Not Present
- *Requested Continuance - GRANTED 30 – DAY*

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:

Couturier, James E – SCC13056651

- Present
- **60 – DAY CONTINUANCE (May 2023)**

REINSTATE PROBATION

The following probationers completed a 7 hour Financial Management course. The stays of suspension for the following licensees will be reinstated upon the Committee's recommendation:

Escobar, Luis Roberto– CRC1328315 / CBC1257130 / CBC1261487

- Not Present, Legal Present
- **REINSTATED**

TERMINATION LIST

The following probationers received In-House Satisfactory appearances for this meeting, and are eligible for Early Termination consideration, or have concluded the terms of Probation upon the Committee's ratification:

Knighen, Lisa A – CBC1256809
Probation Terminated

GENERAL SESSION

The meeting was called to order by Mr. Donald Cesarone, at 9:00am – 10:03am. Ms. Wood gave the Invocation. Mr. McCullers led the Pledge of Allegiance.

REVIEW OF MEETING MINUTES

- January 2023 - Approved
- February 2023 - Approved

CHAIRMAN'S REPORT- Donald Cesarone

Excused absences granted for Bradley Barreto, Ted Feaster, Michael Strickland, and partial for Ashley Ross and Robert Maphis

Unexcused for Keith Lawson

EXECUTIVE DIRECTOR'S REPORT- Amanda Ackermann

Ms. Ackermann announced her excitement to be back with the CILB. She also announced she will be monitoring bills before legislature to include House Bill 735.

PROSECUTING ATTORNEY'S REPORT- Ian Brown

No report from Mr. Brown

HEARING AND PETITIONS

Albert, Christian – Informal Hearing (Div I)

Not Present

Motion to uphold the previous denial is approved

Argento, Alexander – Petition for Variance and Waiver (Div I & II)
30 Day Continuance - Approved

Bermudez, Godmani – Information Hearing (Div II)
Present
Requested downgrade to Class B
Motion to vacate the previous denial and award license - Approved

Fogel, Vladislav – Motion to reconsider (Div II)
Present with legal representation
Motion to vacate previous denial and grant license - Approved

McMullen, Michael – Informal Hearing (Div I)
Present
Motion to vacate previous denial and allow withdrawal - Approved

Olander, Paul – Informal Hearing (Div I)
Present with legal representation
Motion to vacate the previous denial and grant license - Approved

Valdespino, Asley – Informal Hearing (Div II)
Present
Motion to accept application as submitted - Approved

Zokaite, Frank – Petition for Declaratory Statement (Div I & Div II)
Present with legal representation
Motion to intervene submitted by Florida Roofing and Sheet Metal Contractors Association, Inc. (FRSA). Board approved to hear Motion.
Withdrawn at request of Petitioner

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Wood

Ms. Wood gave the following report:

Broward County Board of Rules & Appeals
1st Course: Air Leakage and Ventilation - **approved**
2nd Course: Efficient Heated Water Supply Piping - **approved**

CEI America Inc
1st Course: 14 Hour Financial Responsibility Course - **approved**
2nd Course: 14 Hour Florida Contractor Online Course A - **approved**

- 3rd Course: 7 Mandatory CE Hours for Florida Contractors – Online – **approved**
4th Course: Accounting and Financial Management for Contractors - **approved**
5th Course: Advanced Florida Building Code 2020 – Permits, Inspections and Paperwork – Online - **approved**
6th Course: Construction Business and Financial Operations – **approved**
7th Course: Construction Cost Estimation – **approved contingent**
8th Course: Cost Recovery Strategy - **approved**
9th Course: Effective Project and Personnel Management – **approved**
10th Course: Florida Construction Laws and Rules – **approved**
11th Course: Florida Contractor Mandatory Hours – **approved**
12th Course: How Workplace Safety Impacts Company Profits – **approved**
13th Course: Plan Reading & Estimating for Road & Highway Projects – **approved contingent**
14th Course: Pool Electric Requirements – **approved**
15th Course: Strategies for Bidding Successfully – **approved**
16th Course: Successful Bidding and Cost Recovery Strategies – **approved**
17th Course: Successful Estimating and Bidding Processes – **approved**
18th Course: Successfully Supervising Construction Projects – **approved**
19th Course: Wind Mitigation Methodologies for Building Openings - **approved**
20th Course: Workers Compensation for Contractors - **approved**

FRSA Education and Research Foundation

- 1st Course: Lightweight Insulations Concrete Roof Decks – **approved**

International Code Council

- 1st Course: When Disaster Strikes - **withdrawn**

RULES/PUBLIC/LEGISLATIVE COMMITTEE AGENDA – McCullers

- Review of JAPC letter – motion to adopt January 23, 2023 building code - approved

RULES REPORT

Discussion of endorsement applications and taking into consideration those applications that are easy to approve, staying with CILB by amending the rules. Also, look into those endorsement applications that cannot be approved.

Can endorsement applications be streamlined to make it easier to complete and approve?
Currently, chapter 455 bill is at legislature now.

Irrigation contractors in SW Florida are being told to get state exams for licensure but those credentials are now voluntary.

RECOVERY FUND COMMITTEE- Cawthon

Mr. Cawthon gave the following report:

Falzone v Vickstrom: Claim No. 2021-047604 – **\$19,939.65**
Sala v Hammond: Claim No. 2021-047537 - **\$21,074.36**
Townsel v Alfieri: Claim No. 2021-059086 - **\$3,899.80**
Lagergren v Wagner: Claim No. 2020-050294 - **\$26,175.51**
Ogonowski v Creamer: Claim no 2020-050985 - **\$26,925.43**
Fentner v Hammond: Claim No 2021-055252 - **\$17,056.58**
Moore v Hammond: Claim No 2021-044398 - **\$26,545.00**
Van Grondelle v Hammond: Claim No 2022-030377 - **\$47,040.00**
Williams v Hammond: Claim No. 2021-055444 - **\$13,770.00**
Gray v Hammond: Claim No. 2021-046332 - **\$10,719.50**
Pietrucci v Hammond: Claim No. 2022-000090 - **\$16,179.50**
Culleton Jr. v Heckard: Claim No. 2021-047177 - **\$7,476.17**
Boyle v Spann: Claim No. 2021-041196 - **\$13,193.81**
Nellis v SouthwickL Claim No. 2021-048445 - **\$50,000.00**
Smetana v Musgrove: Claim No. 2021-041915 - **\$50,000.00**
Gerber v Bessey: Claim No. 2020-051500 – **60 day continuance**
Kahn v Mervine: Claim No. 2021-042770 – **\$18,200.00**
Bawn v Fischer: Claim No. 2022-038092 – **\$14,751.22**
Ramirez v Case: Claim No. 2021-053468 - **\$21,923.45**
Chenniyan v SpannL Claim No 2022-039348 - **\$5,462.00**
Tremaine v Wozniak: Claim No 2021-040537 - **\$7,360.00**
Makolin v Witherow: Claim No. 2021-034760 - **\$50,000.00**
Ehrlich & Ramirez v Homan: Claim No. 2021-054084 - **\$8,000.00**
Rohrer v Dellinger: Claim No. 2021-029325 - **\$10,661.16**
Tancreti v Staten Jr: Claim No. 2022-041008 - **\$13,226.65**
Steiner v Staten Jr: Claim No. 2021-050251 - **\$6,240.00**
Klein v Sullivan: Claim No. 2010-013305 - **\$22,700.00**
Rodriguez v Mervine: Claim No. 2021-048214 - **\$2,033.28**
Anderson v Spann: Claim No. 2021-040072 - **\$6,409.00**
Vincent v Taylor: Claim No. 2021-049538 - **\$15,000.00**
Schneider v Cefolia: Claim No. 2021-037249 - **\$11,213.66**
Benanti v mervine: Claim No. 2021-043221 – **DENIED**
Breault v Spann: Claim No. 2021-049000 - **\$8,814.92**
Gaiter v Staten Jr: Claim No 2022-042163 - **\$11,200.00**
Ray v Staten Jr: Claim No. 2022-019594 - **\$15,000.00**
Ross v Smith: Claim No. 2021-047288 - **\$50,000.00**
Twombly v Gratkowski: Claim No. 2021-003146 – **PULLED**
Maltenfort v Staten Jr.: Claim No. 2022-020611 - **\$3,873.55**
Mawson v Mervine: Claim No. 2021-038668 - **\$50,000.00**
Polzer v HammondL Claim No. 2022-046503 - **\$19,653.25**
Reeder v Gates: Claim No. 2021-041333 - **\$50,000.00**
Abney v Graham: Claim No. 2022-024209 - **\$50,000.00**
Maloy v Washburn: Claim No. 2022-047155 - **\$8,500.00**
Miller v Garcia: Claim No. 2022-024877 - **\$6,000.00**
Dell’Api v Sunderman: Cliam No. 2022-024604 - **\$4,140.00**

Gleizer v Hodges: Claim No. 2021-042816 – **60 day continuance**
McCoy v Currier: Claim No. 2021-033365 - **\$3,900.00**
Rodriguez v Mervine: Claim No. 2022-024730 - **\$12,500.00**
Zaynal v HammondL Claim No. 2021-041719 - **\$23,950.00**

OLD BUSINESS

Removal of Board materials from laptops.

NEW BUSINESS

Nothing to report.

With no further business the meeting was adjourned at 10:03am