

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

**Hilton Daytona Beach Oceanfront
100 North Atlantic Avenue
Daytona Beach, FL 32118
386.254.8200**

May 9 – 11, 2012

**MEETING MINUTES
Approved 6/15/2012**

Board Members Present

Jerry Hussey, Chair
Robert Moody, Vice Chair
William Sheehan
James Evetts
Richard Kane
Mark Pietanza
Carl Engelmeier
Albert Korelishn
Roy Lenois
Jacqueline Watts
Paul Del Vecchio
Ed Weller
Kristin Beall
Michelle Kane

Board Members Absent

William "Brian" Cathey

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

ADDITIONAL BUSINESS ENTITIES REVIEW

Division I board members met for Additional Business Entities Review on May 9, 2012, from 2:20 pm to 2:50 pm. Ms. Beall led the meeting. Of the 15 applications scheduled for review, 9 were approved, 2 were approved conditionally, 2 were denied, and 2 were continued.

APPROVED (9)

Bisesto, Brian
Dieck, Douglas
Gabler, Jay
Guerrero, Juan
Howton, Richard
Klote, Philip
Molle, Peter
Thomas, William IV
Vogt, Chad

CONDITIONAL APPROVALS (2)

Mitchell, Michael – *Must serve 6 years of probation or show proof of having obtained a credit score of 660 or higher, or submit a licensing bond.*
Monroe, Lewis – *Must serve 5 years of probation or show proof of having obtained a credit score of 660 or higher or submit a licensing bond.*

DENIED (2)

Hudzup, Constantin
Siaba, Hiram

CONTINUED (2)

Carroll, Lee – 60 days
Dixon, Jonathan – 30 days

Division II Board members met for Additional Business Entities Review on May 10, 2012, from 3:01 pm to 3:34 pm. Mr. Pietanza led the meeting. Of the 9 applications scheduled for review, 6 were approved, 1 was approved contingently, 1 was continued, and 1 was withdrawn.

APPROVED (6)

Bal, Gary
Byers, John
Combs, Roger
Hessing, Robert
Kelley, Michael
Smith, Richard

CONTINUED (1)

Maciques, Frank – 30 days

CONTINGENT APPROVALS (1)

Nelson, Alan – *Contingent upon submitting proof of W2 employment*

WITHDRAWN (1)

Timiraos, Maria

APPLICATION REVIEW

Division I Board members met for Application Review on May 9, 2012, from 3:19 pm to 4:37 pm. Mr. Evetts led the meeting. Of the 22 applications scheduled for review, 7 were approved, 1 was approved contingently, 1 was approved with conditions, 2 were continued, 9 were denied, 1 was pulled, and no action was taken on 1.

APPROVED (7)

Glenn, William

Jordan, Randy

Kemick, Lawrence

Manzanella, Anthony (downgrade to CRC license)

McCord, Michael

Milton, David

Proctor, Richard

CONTINGENT APPROVALS (1)

Wilson, Ronald – *Contingent upon verification by Department that all discipline for case 94-06267 has been satisfied*

CONDITIONAL APPROVALS (1)

Worrell, Gregory – *Must serve 2 years probation or submit proof of having obtained a credit score of 660, or submit a licensing bond*

CONTINUED (2)

Cannon, Stephen – 60 days

Key, Stephen – 90 days

DENIED (9)

Barrett, Millard

D'Amico, Patrick

Hain, Clair

Jewett McCormick, Kimberly

McClane, John

Seavy, James

Skipper, Don

Walker, Ian

Westbrook, Michael

PULLED (1)

Porcelli, Richard

NO ACTION TAKEN (1)

Ritchie, Corey

Division II Board members met for Application Review on May 10, 2012, from 3:43 pm to 4:16 pm. Ms. Watts led the meeting. Of the 11 applications scheduled for review, 4 were approved, 1 was contingently approved, 1 was withdrawn, 3 were denied, 1 was continued, and 1 was withdrawn.

APPROVED (4)

Caudle, Mark
Veltri, Frank
Woods, James
Zarm, Corey

CONTINGENT APPROVALS (1)

Richardson, David – *Contingent upon submitting secondary qualifier*

WITHDRAWN (1)

Tice, Justin

DENIED (3)

Fulfer, Allen
Gluck, Thomas
Hector, Yordanys Sr.

CONTINUED (1)

Pease, Zachary – 30 days

WITHDRAWN (1)

Holzhauer, Jodi

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 met on May 10, 2012 from 1:02 pm to 2:12 pm. The Committee was chaired by Richard Kane.

Joe Cooner, CGC062344

Result: Satisfactory

William Corso, CBC015288

Result: Unsatisfactory

Garnett Craig, CGC1518689

Result: Satisfactory

Joseph Davidow, CGC007463

Result: 60 day continuance granted

Guy Garrett, CBC1255506

Result: Stay of Suspension lifted

Harry Gleich, CGC1520145

Result: Satisfactory

Samuel Joseph, CGC1518941

Result: Stay of Suspension lifted

Kevin Karten, CGC061616

Result: Unsatisfactory

Edward Landers, CGC043271

Result: Stay of Suspension lifted

Donald Lucas, CGC1514984

Result: Unsatisfactory

Petros Manolatos, CGC060140

Result: Satisfactory

Robert McDonald, CGC015334

Result: Satisfactory

Jason McKendry, CRC1330395

Result: Satisfactory

David Moran, CGC1520144

Result: Satisfactory

Sheldon Morant, CGC1507314

Result: Continuance granted

Anthony Nesmith, RB29003517

Result: Unsatisfactory

Terry Smith, CGC1519647

Result: Unsatisfactory

David Stone, RR282811794

Result: Satisfactory

Peter Tibma, CGC014006

Result: Unsatisfactory

Kevin Wissner, CBC1258570

Result: Unsatisfactory

Raymond Woods, CBC058759

Result: Satisfactory

***The Division II Probation Committee met on May 10, 2012 from 2:24 pm to 2:53 pm.
The Committee was chaired by Albert Korelishn.***

Keith Almeida, CCC057851

Result: Satisfactory

David Arambula, CCC1328828

Result: Satisfactory

Timothy Brechbiel, CCC1328996

Result: Satisfactory

Joshua Campbell, CCC057963

Result: Satisfactory

Ann Carapezza, CCC1329739

Result: Satisfactory

Rickey Cason, CCC1329740

Result: Continuance granted

Jeremiah Cook, CAC1813212

Result: Satisfactory

Juan Gordillo, CCC058078

Result: Satisfactory

Donald Lucas, CCC1328572

Result: Unsatisfactory

Jose Maldonado, RP252555106

Result: Unsatisfactory

Robert McDonald, CCC011249

Result: Satisfactory

Thomas McFadden, CFC1428341

Result: Satisfactory

George Moore, RF11067119

Result: Satisfactory

Linda Ratliff, CCC058307

Result: Satisfactory

Charley Rise, CCC1329874

Result: Continuance granted

James Scardina, CCC057964

Result: Stay of Suspension lifted

Christopher Shannon, CAC1813319

Result: Satisfactory

Willie Wilson, CFC1428343

Result: Satisfactory

GENERAL SESSION

The meeting was called to order by Jerry Hussey, Chair, at 8:51. Mr. Lenois gave the Invocation. Mr. Evetts led the Pledge of Allegiance.

REVIEW OF MINUTES

The board voted unanimously to approve the following minutes:

- March 2012 Meeting Minutes
- April 2012 Meeting Minutes

EXECUTIVE DIRECTOR'S REPORT – DREW WINTERS

Mr. Winters gave the following report:

Mr. Winters asked the board to excuse the absences of the following board members:

Mr. Cathey

Mr. Sheehan (Friday only)

The board voted unanimously to excuse these absences.

Mr. Winters announced that Ms. Bailey and Mr. Batton are no longer part of the board and that the Governor has appointed two new members to the board; Aaron Boyett who has replaced Mr. Batton and Christopher Cobb who has replaced Ms. Bailey. Mr. Winters also announced that 6 current members have been reappointed; Mr. Cathey, Mr. Moody, Ms. Watts, Ms. Beall, Mr. Korelishn, and Mr. Kane.

Mr. Winters also gave an update on the implementation of the legislative changes. The effective date for the CE course/provider approvals by the Department will go into effect

on July 1, 2012. The removal of the Glass & Glazing license as a Division II Contractor will also go into effect on this date.

Mr. Winters distributed the Enforcement Report from the Division of Regulation.

Mr. Winters stated that the end of the fiscal year is rapidly approaching and to make sure that Travel Reimbursements are turned in as soon as possible.

Mr. Winters recognized Daniel Biggins for all the hard work and great service he's given to the Board over the years and wishes to give a letter of commendation. The board voted unanimously to approve a letter of commendation to be issued to Mr. Biggins.

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

CHAIRMAN'S REPORT – JERRY D. HUSSEY

Mr. Hussey gave the following report:

Mr. Hussey requested that Director of Professions, GW Harrell, appear at the June board meeting. Mr. Winters indicated he will do what he can to see if he can appear.

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

PROSECUTING ATTORNEY'S REPORT – PAUL WATERS

Mr. Waters gave the following report:

For the month of April 2012, the overall case load was 262, down from 332 in March of 2012, and down from 344 in April of 2011.

There were 36 cases currently in Legal to be reviewed, 28 cases set for probable cause, and 46 cases where probable cause had been found/administrative complaints filed. 0 settlement stipulations had been approved, 4 informal hearings had been requested, and 8 cases were awaiting outside action. 1 case was ready for default, 12 had requested formal hearings, and 0 cases were referred to DOAH. 7 cases were in settlement negotiations, 2 cases were pending board dates, and 58 cases were set for board presentation. 60 cases were awaiting final orders. 0 cases were under appeal and 0 cases had been reopened.

For the month of April 2012, 146 cases were closed.

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

ATTORNEY GENERAL'S REPORT – DANIEL BIGGINS

CHAMPION SERVICES OF FLORIDA, LLC – PETITION FOR DECLARATORY STATEMENT

A representative from Champion Services of Florida, LLC was present and represented by Counsel Fred Dudley.

Mr. Biggins presented this stating Champion Services of Florida, LLC, filed a petition for a declaratory statement on March 23, 2012. The petition was noticed in the Florida Administrative Weekly on April 6, 2012. Mr. Biggins noted the petition requests the Board to interpret Section 489, Part I, Florida Statutes, and whether any statewide license is required when entering into a subcontract with, and supervised by, a state certified Division I contractor to demolish and remove elements and systems such as sheet metal, mechanical, plumbing, and commercial pool and spa systems that have been previously disconnected and decommissioned by the appropriate Division II contractors. 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 to answer the question with a “no”, and further stated that the work being discussed in the petition does not require the appropriate Division II license once required decommissions have been performed by licensed Division II contractors.

SCOTT GODBOLD – REQUEST FOR INFORMAL HEARING

Mr. Goldbold was present.

Mr. Biggins presented this case stating Mr. Godbold’s application to qualify an additional business was denied at the February 2012 meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction work and business activities. The Notice of Intent to Deny was filed in March of 2012. Mr. Godbold timely requested board reconsideration.

After discussion the board voted to approve the application contingent upon Mr. Godbold submitting proof of W2 employment.

ROBERT KONING – PETITION FOR DECLARATORY STATEMENT

Mr. Koning was present.

Mr. Biggins presented this case stating Mr. Koning filed a petition for a declaratory statement on January 24, 2012. The petition was noticed in the Florida Administrative Weekly on February 10, 2012. Mr. Biggins noted the petition seeks the Board’s interpretation on Sections 468.831, 468.8311 (2), (3), (4), Florida Statutes, and whether home inspection services are within the scope of licensure of a Certified Division I Contractor when performing such services provided they are not representing themselves as a person who specializes as a home inspection. Mr. Biggins informed the board that this petition is the same petition that was heard at the March 2012 board and was being presented to the board again for clarification on their previous ruling.

After discussion the board voted to reaffirm their previous position and to not make any changes to the language of the declaratory statement.

TIMOTHY KREBS – MOTION TO RECONSIDER

Mr. Biggins informed the board that this case had been pulled.

JOSEPH LEIGHTON – PETITION FOR VARIANCE AND WAIVER

Mr. Leighton was present with Counsel Timothy Atkinson.

Mr. Biggins presented this case stating Mr. Leighton filed a petition for variance and waiver on April 10, 2012. The petition was noticed in the Florida Administrative Weekly on April 27, 2012. Mr. Biggins noted the petition is seeking a permanent waiver or variance of Rule 61G4-15.001 (2)(a) and (b), Florida Administrative Code, to allow the petitioner to obtain a limited certified general contractor's license. Mr. Leighton's application was also provided to the board to be reviewed in conjunction with the petition for variance and waiver.

After discussion the board voted to deny the petition for variance and waiver. After further discussion the board voted to approve the application as a downgrade to a certified building contractor's license.

WARREN MALKIEL – REQUEST FOR INFORMAL HEARING

Mr. Malkiel was present with Counsel.

Mr. Biggins presented this case stating Mr. Malkiel's application to qualify an additional business entity was denied at the February 2012 meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction and business activities. The Notice of Intent to Deny was filed in March of 2012. Mr. Malkiel timely requested board reconsideration.

After discussion the board voted to approve the application.

MAT CONCESSIONAIRE, LLC – PETITION FOR DECLARATORY STATEMENT

A representative from Mat Concessionaire, LLC, was present and was represented by Counsel Rosemary Hayes. Mr. Hussey recused himself.

Mr. Biggins presented this case stating Mat Concessionaire, LLC, filed a petition for a declaratory statement on March 5, 2012. The petition was noticed in the Florida Administrative Weekly on March 23, 2012. Mr. Biggins noted the petitioner seeks the Board to interpret Section 489, Part I, Florida Statutes, and whether licensure is required for a Florida Department of Transportation ("FDOT") prequalified Public-Private Partnership for the financing, design, construction, operation and maintenance of a transportation facility project pursuant to the Public-Private Partnership Act, Section 334.30, Florida Statutes. 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 to dismiss the petition as the petitioner lacked standing.

EDWARD NOLAN – REQUEST FOR INFORMAL HEARING

Mr. Nolan was present.

Mr. Biggins presented this case stating Mr. Nolan's application to qualify an additional business entity was denied at the February 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 March of 2012. Mr. Nolan timely requested board reconsideration.

After discussion the board voted to approve the application.

GLENN PERENO – PETITION FOR DECLARATORY STATEMENT

Mr. Pereno was present.

Mr. Biggins presented this case stating Mr. Pereno filed a petition for a declaratory statement on April 9, 2012. The petition was noticed in the Florida Administrative Weekly on April 20, 2012. Mr. Biggins noted the petitioner is requesting an interpretation of Section 489.105 (3)(b), Florida Statutes, and whether a certified building contractor can perform remodeling, repairs, or improvements of any size building including buildings up to three-story(s) when such remodeling, repairs, or improvements do not effect the structural members of a building. 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 to dismiss the petition as the petitioner lacked standing.

JUSTIN SINGLEY – PETITION FOR DECLARATORY STATEMENT

Mr. Singley was not present.

Mr. Biggins presented this case stating Mr. Singley filed a petition for a declaratory statement on April 10, 2012. The petition was noticed in the Florida Administrative Weekly on April 27, 2012. Mr. Biggins noted the petitioner appears to be requesting an interpretation of Section 489.105 (3)(p), Florida Statutes, and whether a state license is required for soil excavation where there is no tank on site. 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 to dismiss the petition as the petitioner lacked standing.

TIMOTHY SNIDER – REQUEST FOR INFORMAL HEARING

Mr. Snider was present.

Mr. Biggins presented this case stating Mr. Snider's application for initial issuance of a certified Class A air conditioning contractor's license was denied at February 2012

meeting of the board for failure to sufficiently demonstrate financial stability and responsibility and for failing to demonstrate the required experience. The Notice of Intent to Deny was filed in March of 2012. Mr. Snider timely requested board reconsideration.

After discussion the board voted to allow the applicant to withdraw his application.

DOMINIK SWABY – REQUEST FOR INFORMAL HEARING

Mr. Swaby was present.

Mr. Biggins presented this case stating Mr. Swaby's application to qualify an additional business entity was denied at the April meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction work and business activities. The Notice of Intent to Deny was filed in May of 2012. Mr. Swaby requested board reconsideration prior to the Notice of Intent to Deny being filed but was made aware of his hearing rights and requested that his informal hearing be heard before the board as quickly as possible.

After discussion the board voted to approve the application.

DANIEL WALLER – REQUEST FOR INFORMAL HEARING

Mr. Waller was present.

Mr. Biggins presented this case stating Mr. Waller's application to qualify an additional business entity was denied at the March 2012 meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction work and business activities and for failing to sufficiently demonstrate financial stability and responsibility. The Notice of Intent to Deny was filed in April of 2012. Mr. Waller timely requested board reconsideration.

After discussion the board voted approve the application on the condition that the applicant serve 2 years probation or submit proof of having obtained a licensure bond or a credit score of 660 or higher.

RECOVERY FUND CLAIM 2008-006549

The claimant, Mr. Nathan Meyer, was not present. The contractor, Sunseeker Homes, Inc., was not present.

The board voted unanimously to approve this claim in the amount of \$9,500.00

RECOVERY FUND CLAIM 2008-014180

The claimant, Mr. Lee Marcum, was present. The contractor, Mr. Allan Schuller, was not present.

The board voted unanimously to approve this claim in the amount of \$8,134.00

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – ROY LENOIS

Mr. Lenois gave the following report:

Academy of Construction, Health, and Safety, Inc.

1st Course: Construction Project Management – **approved**

2nd Course: Fall Protection – **approved**

Associated Builders & Constructors of Florida

1st Course: Construction Lien and Bond Claims Under Florida Federal Law – **approved**
(1 hours General and 1 hour Business Practices; no Laws and Rules)

2nd Course: Florida and Federal Labor and Employment Laws and Requirements –
approved (1 hours General and 1 hour Business Practices; no Laws and Rules)

3rd Course: LEED Basics Extended – **approved**

At Home Prep (National Contractors Pre-Licensure Services)

1st Course: Florida Contractors Online Continuing Education – **denied**

Backflow Inspection & Repairs, Inc. d/b/a Murray Backflow Training School

1st Course: Backflow Tester Class (Classroom Version) – **withdrawn**

BOAF – FHBA Construction Training

1st Course: Mitigation Techniques, Inspections DFS/OIR B1-1802 – **approved** (as 3
hour hurricane mitigation course)

***Course already approved – seeking approval for compliance with s. 627.711 (2)(a) 1.,
Florida Statutes***

Broward Community College

1st Course: Construction Management – **approved**

Building Officials Association of Florida, Inc.

1st Course: Asphalt Shingles and the Florida Code – **approved**

2nd Course: Grease Hoods – **approved**

3rd Course: Hazardous Materials – **approved**

4th Course: Interior Environment – **approved**

5th Course: Recent Changes Affecting Gas Piping Systems – **approved**

6th Course: Structural Wood to Wood Fasteners – **approved**

7th Course: Threshold Buildings – **approved**

Contractors School, Inc.

1st Course: Broward County Contractor Rules – **denied**

2nd Course: Business Practices – **approved**

Environmental Safety & Health Institute

1st Course: Asbestos Awareness – **approved**

2nd Course: Mold Remediator Refresher – **approved**

Florida Association of Plumbing, Heating, and Cooling Contractors

1st Course: After the Storm – An Organizational Look Forward and Focus on Best Practices – **approved**

2nd Course: Lean Construction Practical Applications of Lean Six Sigma Concepts to Improve Efficiency and Organizational Productivity – **approved**

Florida Home Builders Association

1st Course: Six Hour OSHA Safety Training Course – **approved**

Contingent upon submitting more detailed timeline to board staff

2nd Course: Wetland and Storm Water Protection: Know the Rules – **approved** (1 hour general)

JC Code & Construction Consultants, Inc.

1st Course: 2010 FBC Update – **approved**

Koning Enterprises, Inc., d/b/a Contractors Institute

1st Course: Manual J and Florida Energy Calcs in Residential Construction – **approved**

Linhorst & Hockin, P.A.

1st Course: BIM (Building Information Modeling) Execution Plan and Contractors – **approved**

2nd Course: BIM Contract Liabilities and Standard of Care – **approved**

3rd Course: BIM Insurance and Surety Bonding Issues – **approved**

4th Course: BIM Modeling Intellectual Property Rights – **approved**

5th Course: BIM Risk Allocation and Management – **approved**

6th Course: Introduction to BIM (Building Information Modeling) Contract Negotiations – **approved**

Lorman Business Center, Inc., d/b/a Lorman Education Services

1st Course: Fundamental of Construction Contracts: Understanding the Issues – **approved**

PGT Industries, Inc.

1st Course: 2010 Florida Building Code – **approved** (1 hour general and 1 hour business practices)

Plumbing, Air Conditioning, Contractors Industry Fund

1st Course: Ethics – **approved** (contingent upon submitting timeline to board staff)

2nd Course: Florida Handicap and Accessibility Code (ADA) – **approved** (contingent upon submitting timeline to board staff)

Redvector.com, Inc.

1st Course: Building Pathology: Columns and Walls – **approved**

2nd Course: Building Pathology: Foundations – **approved**

3rd Course: Contractor Lawsuits Against Design Professionals – **approved**

4th Course: Green Design – Introduction to Indoor Environmental Air Quality – **approved**

The Seminar Group

1st Course: Rediscovering Construction Law in Florida Compliance: Methods, Tools, & Verification – **approved**

Smith, Currie, Hancock, LLP

1st Course: Avoiding & Mitigation Personal & Financial Injuries on Construction Projects – **approved**

Suncoast Architecture & Engineering, LLC

1st Course: Aluminum Structures Engineering and the Changes in FBC – **continued**

Training Licensing Center, Inc.

1st Course: 14 Hours FL Contractor Life Safety – **continued**

University of Florida Program for Resource Efficient Communities

1st Course: Site Preparation and Construction Management to Conserve Biodiversity in Subdivision Development – **approved**

University of West Florida

1st Course: Building Information Modeling (BMI) – **approved**

Florida Solar Energy Center/University of Central Florida

1st Course: Advanced Residential Code Compliance: Methods, Tools, and Verification – **approved** (4 hours advanced)

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 language was viewed and the SERC was approved for the following Rule:

61G4-18.001 Continuing Education Requirements for Certificate Holders and Registrants

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

61G4-15.018 Certification of Glass & Glazing Contractors

AD HOC COMMITTEE DIVISION – JERRY HUSSEY

Mr. Hussey gave the following report:

Discussion regarding specialty licenses took place and Diana Ferguson from the Law Firm of Rutledge, Ecenia, & Purnell, on behalf of the Florida Irrigation Society (FIS), and Kevin Cavaioli, a representative of the Florida Irrigation Society were both present. Their appearance was to request that the Construction Industry Licensing Board take action to create a voluntary specialty contractor license for irrigation contractors.

Mr. Sheehan expressed concern over why a voluntary license is needed for this scope of work and Ms. Watts explained the purpose of the voluntary license is so that an individual is not forced to obtain licensure in every county they wish to work in. Ms. Watts asked the representatives from FIS if they intended to expand the scope of work or if they intended to pursue the counties that do not require the license. The FIS answered “no” to both questions.

Mr. Del Vecchio asked if there are building codes that cover irrigation and Mr. Evetts answered in the affirmative, that counties which require licensure have their own codes. Ms. Watts clarified that the scope of works and the building codes are two completely different things, and that the Department may look into creating this license if the FIS assumes the cost of development and implementation.

Mr. Biggins pointed out to the Board that some of the work being discussed is exempt in Ch. 489, Florida Statutes, and that in the past the Board has refrained from creating a specialty license when a part of the work is exempt.

Mr. Lenois asked the FIS how many licensed irrigation contractors are included in their membership. The FIS responded that they count roughly 300 of the 1,800 statewide irrigation contractors in their membership. Mr. Lenois expressed concern over such a small percentage of the irrigation contractors being represented by the FIS and how the Board is being asked to create a licensure category for people who do not want to be licensed. Mr. Winters then clarified that the Board is not creating any additional regulations because they are not permitted to do that by statute. Mr. Winters stated that this would be a voluntary license so individuals would not have to obtain licenses in each county in which they wish to perform work. Mr. Winters then asked the FIS how many of the 1,800 licensed irrigation contractors would obtain the license, because it would have to be determined if enough of them would be obtained to justify the costs. Ms. Watts reminded Mr. Winters that this would not be a concern if the FIS agreed to assume the costs of the development.

Mr. Evetts asked the Board if the main issue is that individuals are having to obtain multiple county licenses, why couldn't the Board just create a new registration to cover the counties? Mr. Winters reminded the Board that they do not have the authority to create a new registration, but explained that if a voluntary license was created the counties would have to accept it. Mr. Winters then further explained what a voluntary license is.

After further discussion the board voted to start the process of creating a voluntary specialty irrigation license.

OLD BUSINESS

No Old Business was discussed.

NEW BUSINESS

The board discussed imposing a \$200 assessment on all probationers who have received a second unsatisfactory appearance on their probation record, with the language to be included in the Final Order. After discussion the board voted to enact this measure for both Divisions.

With no further business the meeting was adjourned at 11:37 am.