

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Hilton St. Petersburg Bayfront
333 1st Street S.
St. Petersburg, FL 33701
727.894.5000

**MAY 9, 11-13, 2022
MEETING MINUTES**

Approved January 13th, 2023

Board Members Present

Michael Strickland, Chair
Donald Cesarone, Vice - Chair
Frank Cawthon
Mario Famada
Ted Feaster
Robert Maphis
Edward McCullers
Ashley Ross
Brian "Parks" Wilson
Rachelle Wood

Board Members Absent

Edgar Laney
Keith Lawson, II

Others Present

Donald Shaw, Executive Director, DBPR
Jordan Jones, Senior Management Analyst Supervisor, DBPR
Angelica Barnes, Regulatory Consultant, DBPR
Ian Brown, Chief Construction Attorney, DBPR
Sally Raines, Deputy Chief Construction Attorney
Christina Day, Prosecuting Attorney, DBPR
Christopher Dierlam, Assistant Attorney General, OAG
Ronald "Tom" Jones, Assistant Attorney General, OAG

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II

Division II Board members met for Additional Business Entities Review on May 11th, 2022 from 2:00 – 3:09pm. Mr. McCullers led the meeting. Of the 27 applications on the agenda, 15 were approved, 6 were approved contingent, 2 were pulled, 2 were continued and 2 were denied.

APPROVED (15)

Burby, Jason
Castro, Pablo
Chiu, Ivan – Tab
Delgado, Arnold
Duggan, Patrick
Dzeda, James
Krueger, Kevin
Lepak, John
Marshall, Richard
McMeans, Micah
Mihomme, Mafer
Robson, Robb
Rodriguez, Jonathan
Vandergrift, Thomas
Wherrell, Christopher

APPROVED CONTINGENT (6)

Diaz, David
Gonzalez, Gregorio
Guerra, Felix De Jesus
Lee, Justin
Torres, Joseph
Weller, Walter

PULLED (2)

Caner, Daniel
Hussey, Jerry

CONTINUED (2)

Aguirre, Jamie
Ryman, Kevin

DENIED (2)

Hayden, Jermaine
Sosa, Sandy

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on May 11th, 2022 from 3:17 – 4:30pm. Mr. Famada led the meeting. Of the 26 applications on the agenda, 11 were approved, 5 were approved contingent, 2 were continued, 1 was pulled, 5 were withdrawn and 3 were denied.

APPROVED (11)

Arredondo de Diego, Jairon
Hopper, Richard- Downgrade to Residential
Iglesias, Joaquin
Lind, Rebecca
Lockwood, Toby
Masse, Havalyn
Munoz, Andres
Perdomo, Angelica
Son, Charley – Tab V
Storkamp, Heidi
Toorgeman, Aviran

APPROVED CONTINGENT (5)

Byam, Geoff
Duggar, James
Romerom Omester
Strowbridge, James
Vassell, Kareen

CONTIINUED (2)

Hoffman, Andrea – 90 days
Jacobson, Scott - 60 days

WITHDRAWN (5)

Constable, Ryan
Cruz Ramos, Juan
Csim, John
Flores Carriollo, Juan
Forrest, Linda

DENIED (3)

Burkevic, Martin
Gonzalez, Juan
Son, Charley

Division II voted unanimously to ratify the list of approved Financially Responsible Officers.

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on May 12th, 2022 from 1:30 – 2:40pm. Mr. Feaster led the meeting. Of the 27 applications on the agenda, 13 were approved, 1 were approved contingent, 3 were continued, 1 was pulled, 3 were withdrawn and 6 were denied.

APPROVED (13)

Burby, Jason
Cabrera, Rafael
Davalos, Julio
Jacobs, Carl
Leal, Ivan
Lepak, John
Mancino, Pino
Palacios, Antonio
Sauerwald, James
Sienkiewicz, Ronald
Smith, Timothy
Warren, Michael
Weintraub, Marlon

APPROVED CONTINGENT (1)

Carothers, Shary

CONTINUED (3)

Carter, Kevin
Klenier, Henry
Oscheneek, Ricardo

PULLED (1)

Cedeno, Steven

WITHDRAWN (3)

Adams, William
Beane, Laura
Blanco, Ubaldo

DENIED (6)

Curry, Nathaniel
Dos, Santos
Kinsley, Peter
Maglich, Rick
Martin, Kenneth
Narajo, Luis

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on May 12th, 2022 from 2:30 – 5:04pm. Mr. Maphis led the meeting. Of the 42 applications on the agenda, 15 were approved, 3 were approved contingent, 9 were continued, 5 were withdrawn, 3 were pulled and 7 were denied.

APPROVED (15)

Appling, Charleigh
Brumbach, Bradley – Downgrade to CRC
Childs, Jonathan
Claxton, Bobby
Kellett, Albert
Le, Dinh
Libutti, Christian
Miakowski, Kristian
Morgan, Dustin
Munoz, Andres
Ostrand, Andrew
Pakowski, Thomaz
Paray, Surujpaul
Patel, Suraj
Puzio, Thaddeus

APPROVED CONTINGENT (3)

Bos, Christopher
Cole, William
Rosell, Lazaro

CONTINUED (9)

Banks, Donald
Barth, Daniel
Dalton, Jay
Clarke, Lance
Davila, Hector
Maus, James
Mora, Antonio
Park, Randal
Rodriguez, Roberto

Withdrawn (5)

Hipps, Christopher
Kane, Albert
Rampaul, Yougie
Rawklins, Shawn
Vesuvio, Carmine

PULLED (3)

Beatty, Joseph
Brades, Theodore
Mears, Jeremy

DENIED (7)

Bolkhovskiy, Sergey
Cribbs, Jason
Gass, Matthew

Newman, George
Rainey, Bradford
Satterfield, James
Zaza, Samuel

Division I voted unanimously to ratify the list of approved Financially Responsible Officers.

PROBATION DIVISION II

Division II Board members met for Probation on May 12th, 2022 from 8:30 – 9:29am. Ms. Ross led the meeting.

Castellon, Giraldo– CFC019059 / CFC1429381 (Inactive)

- *Appearance 4 of 4*
- *Present*
- *Satisfactory*
- *Probation Completed*

Jackson, Tony – CCC1330761 / CCC1330326

- *Appearance 2 of 4*
- *Present*
- *Satisfactory*

Turpin, Isaac John – CFC1428965

- *Appearance 3 of 4*
- *Present*
- *Satisfactory*
- *Granted Early Termination*

REINSTATE PROBATION

Smith Martinez, Anthony – CCC1328968 (Disciplinary)

- Stay Lifted at March 2022 CILB meeting for failure to submit packet and failure to appear
- **Not Present, REINSTATED**

STAYS OF SUSPENSION TO BE LIFTED

Harvey, Brian Paul – CMC1249346

- Appearance 0 of 4, Satisfactory Appearances
1 previous continuance November 2021, 2 Unsatisfactory appearances November 2017 and November 2019 – experienced serious injury August 2021
- **Not Present, STAY LIFTED**

Division II Board members met for Final Action on May 12th, 2022 from 9:15 – 9:29am. Mr. Cesarone led the meeting.

Case#(s): 2020000024 / 2018019047 / 2020045342

Leroy L Baker

License #(s): CCC58248

Probation for 2 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$7,500 and costs of \$536.49
Not present

Case#(s): 2021002856

Michael Curry

License #(s): RC32319
Restitution: 1,500
Probation for 2 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$4,000 and costs of \$224.26
Not present

Case#(s): 2020005764

Alexander Joaquin Gomez

License #(s): CCC1330814
Proposed Settlement Stipulation rejected by the Board.
Not present

**Division I & II Board members met for Final Action on May 12th, 2022 from 9:39 – 9:42am.
Mr. Strickland and Mr. Cesarone led the meeting.**

Case#(s): 2021016210

Harold H Baena

License #(s): CCC1328135 / CCC1331834 / CGC1513751 / CGC1527288
Pulled

Case#(s): 2021016675 / 2021020709 / 2021032877

Pablo Iparraguirre

License #(s): FRO9930
Voluntary Relinquishment
Restitution: To be determined by FHCRF for each case.
Pay administrative fines in the amount of \$ and costs of
Not present

Case#(s): 2021017302

John Stanislaus Morales

License #(s): CGC1510671 / CCC1327753
Pulled

**Division I Board members met for Final Action on May 12th, 2022, from 9:49 – 10:12am.
Mr. Strickland led the meeting.**

Case#(s): 2021018528 / 2021045900

Camille Asmar

License #(s): CGC1526417
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 and costs of \$547.85
Present with counsel

Case#(s): 2021050426

Larry Thomas Bagwill

License #(s): CBC1255799

Pay administrative fines in the amount of \$500 and costs of \$314.98

Not present

Case#(s): 2021007754

Timothy A Dornblaser

License #(s): CGC1509601

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

Pay administrative fines in the amount of \$5,000 and costs of \$213.67

Present

Case#(s): 2020025002

Normand Thaddee Gadoury

License #(s): CGC19309

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 and costs of \$250.21

Not present

Case#(s): 2020047947

Gino Anthony Giardina

License #(s): CGC1506794

Pay administrative fines in the amount of \$500 and costs of \$255.62

Not present

Case#(s): 2020016961

Nathan Charles Hotary

License #(s): CGC1528157 / CGC1521262

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 and costs of \$331.59

Present with counsel

Case#(s): 2020030029

Edelso Silos Lavado

License #(s): CGC1515049

Restitution: 10,800

Probation for 2 years

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

Pay administrative fines in the amount of \$15,000 and costs of \$258.58

Not present

Case#(s): 2021035276 / 2021050483 / 2022002582

Juventino Leos

License #(s): CBC1254314 / CBC1260999

Probation for 2 years

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

Pay administrative fines in the amount of \$10,000 and costs of \$487.68

Present

Case#(s): 2020035920

Danny Musgrove

License #(s): CRC1328730

previous Voluntary Relinquishment

Restitution: to be determined by FHCRF

Pay administrative fines in the amount of \$20,000 and costs of 121.37

Not present

Case#(s): 2016056341

Marina Radkevich

License #(s): CGC1515903

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

Pay administrative fines in the amount of \$7,500 and costs of \$1,113.65

Not present

PROBATION DIVISION I

Division I Board members met for Probation on May 12th, 2022 from 10:21 – 9:29am. Mr. Strickland led the meeting.

Jackson, Tony – CGC1523419 / CGC1517244

- *Appearance 2 of 4*
- *Present*
- *Satisfactory*

McCahill, Jesse Carl – CBC1260701

- *Appearance 1 of 4*
- *Not Present*
- *Unsatisfactory*

McGraw, Gary – CBC1252295

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

Vande Brink, Eric – CBC1251861

- *Appearance 2 of 4*
- *Present*
- *Satisfactory*

TERMINATION LIST

Foster, Frank T – CBC1512739

- 3 out of 4 appearances – no prior continuances / no Stays Lifted / no Unsatisfactory results
- Not Present, TERMINATED

Radillo, Miguel – CGC1521045

- 3 out of 4 appearances –no prior continuances / no Stays Lifted / no Unsatisfactory results
- Not Present, TERMINATED

GENERAL SESSION

The meeting was called to order by Mr. Strickland, at 8:31am. Mr. Strickland gave the Invocation. Mr. Cesarone led the Pledge of Allegiance.

CHAIRMAN’S REPORT – MICHAEL STRICKLAND

Mr. Strickland commented on how many out-of-state applicants appeared before the Board during this meeting, and welcomed them in.

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

EXECUTIVE DIRECTOR’S REPORT – DONALD SHAW

Mr. Shaw requested the Board excuse absences for the following board members:

- Mr. Laney
- Mr. Lawson

Mr. Shaw informed the Board of the reappointments of both Mr. Strickland and Mr. Maphis. Additionally, Mr. Shaw informed the Board that three new appointments, Mr. Michael Sasso, Mr. Bradley Barreto, and Mr. Brian Zettle, had been appointed by the Governor, replacing Mr. Rick Kane, Mr. Aaron Boyette, and Mr. Brian Donovan, and that they would join the Board beginning at its June meeting.

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

PROSECUTING ATTORNEY’S REPORT- IAN BROWN

Mr. Brown provided an update on the case load of his team, and updated the Board on personnel changes within his unit.

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

HEARING AND PETITIONS

COREY AHERN – PETITION FOR DECLARATORY STATEMENT

Mr. Ahern was not present.

Mr. Dierlam presented this case stating that Mr. Ahern filed a petition for a declaratory statement on April 7, 2022. The petition was noticed in the Florida Administrative Register on April 15, 2022. Mr. Dierlam noted the petitioner is seeking an answer from the Board on whether or not a Certified Building Contractor is qualified to install mounting systems, mounting racks, mountain rails, and other mounting systems for the solar panel systems on residential homes and commercial buildings that are 3 stories in height or under.

After discussion the Board voted to deny the petition, finding that the applicability of the statutory provisions are clear and do not need further interpretation.

CHRISTOPHER CABRERA – INFORMAL HEARING

Mr. Cabrera was present.

Mr. Dierlam presented this case stating Mr. Cabrera's application for a Certified General Contractor's license was denied at the February 2022 meeting of the board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in March of 2022. Mr. Cabrera timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial and to approve the application.

DARWIN FERNANDEZ – INFORMAL HEARING

Mr. Fernandez was present.

Mr. Dierlam presented this case stating Mr. Fernandez' application to qualify Express Trenchless Sewer Line Repairs, LLC as an additional business entity was denied at the March 2022 meeting of the Board for failure to demonstrate supervision as required in section 489.119, Florida Statutes, and Rule 61G4-15.0024, Florida Administrative Code. The Notice of Intent to Deny was filed in April of 2022. Mr. Fernandez timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial and to approve the application.

THOMAS HART – INFORMAL HEARING

Mr. Hart was present.

Mr. Dierlam presented this case stating Mr. Hart's application for a Certified General Contractor's license was denied at the February 2022 meeting of the board for failure to comply with the provisions of section 489.115 (3)(d), Florida Statutes. The Notice of Intent to Deny was filed in March of 2022. Mr. Hart timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial and to allow the applicant to withdraw the application.

JACQUELINE HINTON – INFORMAL HEARING

Ms. Hinton was present.

Mr. Dierlam presented this case stating Ms. Hinton's application for a Certified General Contractor's license was denied at the February 2022 meeting of the board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code; failure to demonstrate financial stability and responsibility as required by Section 489.115, Florida Statutes and Rule 61G4-15.006, Florida Administrative Code; and because the applicant was currently subject to a final order imposing disciplinary sanctions as a result of case 2018057389 and 2018063751. The Notice of Intent to Deny was filed in March of 2022. Ms. Hinton timely requested an informal hearing.

After discussion the Board voted to uphold the previous denial of the application.

KENNETH KELLY – INFORMAL HEARING

Mr. Kelly was present with counsel.

Mr. Dierlam presented this case stating Mr. Kelly's application for a Certified Solar Contractor's license was denied at the December 2021 meeting of the board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code; because the applicant has failed to comply with a previously entered order of the Board; and because the applicant was under investigation for a violation of Ch. 489, Florida Statutes. The Notice of Intent to Deny was filed in March of 2022. Mr. Kelly timely requested an informal hearing.

After discussion the petitioner decided to withdraw the request for an informal hearing and to pursue a formal hearing with the Division of Administrative Hearings.

RICHARD MULLIN – INFORMAL HEARING

Mr. Mullin was present.

Mr. Dierlam presented this case stating Mr. Mullins' application for a Certified Class A Air Conditioning Contractor's license was denied at the March 2022 of the board meeting for failure to comply with the provisions of section 489.115 (3)(d), Florida Statutes. The Notice of Intent to Deny was filed in April of 2022. Mr. Mullin timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial of the application and to allow the applicant to withdraw the application.

VINCENT STRAWBRIDGE – PETITION FOR VARIANCE AND WAIVER

Mr. Strawbridge was not present.

Mr. Dierlam presented this case stating Mr. Strawbridge filed a petition for variance and waiver on January 24, 2022. The petition was noticed in the Florida Administrative Register on April 1, 2022. Mr. Dierlam noted the petitioner is seeking a variance or waiver of Rule 61G4-16.009, Florida Administrative Code, that states that all parts of an examination must be passed within 4 years of passing the first examination.

After discussion the Board voted to deny the petition as the petitioner failed to establish that the Board's application of Rule 61G4-16.009, Florida Administrative Code to the petitioner's circumstances would violate the principles of fairness or impose a substantial hardship.

VUONG VU – INFORMAL HEARING

Mr. Vu was present with counsel.

Mr. Dierlam presented this case stating Mr. Vu's application for a Certified Class A Air Conditioning Contractor's license was denied at the November 2021 of the board meeting for failure to comply with the provisions of section 489.115 (3)(d), Florida Statutes. The Notice of Intent to Deny was filed in December of 2021. Mr. Vu timely requested an informal hearing.

After discussion the Board voted to vacate the denial of the application and to approve the application.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Edward McCullers

Mr. McCullers led the following report:

FLORIDA AIR CONDITIONING APPRENTICESHIP ASSOCIATION

1st course: Proper Air Conditioning System Design Techniques: **approved**

FLORIDA ASSOCIATION OF PLUMBING, GAS AND MECHANICAL INSPECTORS, INC.

1st course: Florida Building Code Appliance Fuel Training: **approved**

2nd course: Florida Building Code Mechanical Commercial & Residential Clothes Dryer Exhaust Training: **approved**

3rd course: Plumbing Chapter 7 Sanitary Drainage Piping Systems Introduction to Sizing: **approved**

FLORIDA CONTRACTORS SCHOOL OF CONTINUING EDUCATION

1st course: Core Course Updates: **approved**

2nd course: Core Courses and Updates in the Construction Community: **approved**

- 3rd course: Core Courses and Updates in the Construction Community (Online): **denied**
4th course: Updates in the Construction Community: **approved**

FLORIDA HOME BUILDERS ASSOCIATION

- 1st course: Developing and Implementing an Effective Accident Prevention (Classroom): **approved**
2nd course: Developing and Implementing an Effective Accident Prevention (Internet): **approved**
3rd course: Fall Protection in the Construction Industry (Classroom): **approved**
4th course: Fall Protection in the Construction Industry (Internet): **approved**
5th course: OSHA's Focus Four Construction Hazards – Falls, Electrocution (Classroom): **approved**
6th course: OSHA's Focus Four Construction Hazards – Falls, Electrocution (Internet): **approved**
7th course: The OSHA Inspection (Classroom): **approved**
8th course: The OSHA Inspection (Internet): **approved**
9th courses: Ventilation Code Requirements and Solution Options (Classroom): **approved**
10th course: Ventilation Code Requirements and Solution Options (Internet): **approved**

JC CODE & CONSTRUCTION CONSULTANTS, INC.

- 1st course: Residential Energy – Sealing the Thermal Envelope: **approved**
2nd course: Understanding the ERI (Energy Rating Index) Compliance Path Option: **approved**

KONING ENTERPRISES, INC. DBA CONTRACTORS INSTITUTE

- 1st course: CILB Required Subject Areas: **approved**
2nd course: Workers' Compensation, Workplace Safety & Business Practices: **approved**

MIKE HOLT ENTERPRISES, INC.

- 1st course: 2020 Bonding and Grounding Online Course: **denied**
2nd course: 2020 NEC Changes Part 2, Articles 400-805 Online Course: **denied**
3rd course: 2020 NEC Rules for Limited Energy Systems Online Course: **denied**
4th course: 2020 Solar Photovoltaic Online Courses: **denied**
5th course: Overview of the 2020 NEC Changes Online Course: **denied**

NU-CALGON, INC.

- 1st course: Coil Cleaning: **denied**
2nd course: Indoor Air Quality: **denied**
3rd course: Total System Protection: **denied**

PINCH A PENNY, INC.

- 1st course: Ancillary Services: **approved**
2nd course: Business Profitability: **approved**
3rd course: Grassroots Marketing: **denied**

SEMINAR GROUP

1st course: Construction Project Scheduling & Delay Claim: **approved contingent**

RECOVERY FUND COMMITTEE – Frank Cawthon

Mr. Cawthon gave the following report:

Siatkowski v Craft: Claim No. 2021-03805 : **\$21,261.59**
Gonzalez v Laino: Claim No. 2020-035943 : **\$14,864.35**
Louis v Homan: Claim No. 2021-040240 : **\$10,500.00**
Williams v Willis: Claim No. 2021-011151: **\$26,450.00**
Kendall v Arrasmith: Claim No. 2021-016361 : **\$15,000**
Milliken v Lewis: Claim No. 2021-009512 : **\$15,000**
Watrous v Mervine: Claim No. 2021-042091 : **\$7,910.00**
Rusiewicz v Hammond: Claim No. 2021-043933 : **\$45,185.00**
Flaquer v Homan: Claim No. 2021-045257 : **\$5,094.00**
Melito v Rice: Claim No. 2021-019770 : **\$1,376.07**
Raymond v Spann: Claim No. 2021-045227 : **\$11,385.80**
Christianson v Dellinger: Claim No. 2021-045279 : **\$5,800.00**
Garcia v Allen: Claim No. 2020-050189 : **\$20,484.44**
Costa v Willis: Claim No. 2021-013197: **\$19,051.50**
Trejo v Homan: Claim No. 2021-019885 : **\$4,943.00**

OLD BUSINESS

Removal of Board materials from laptops.

NEW BUSINESS

Discussion took place around the appointment process and how the new members would be best integrated into the Board.

Discussion also took place regarding the name of the Exams/CE/Public Awareness Committee and how the Board could potentially increase the amount of public awareness of the profession around the State. Discussion took place about unlicensed activity enforcement around the state.

Mr. Shaw also informed the Board he was working on a reciprocity agreement with the State of Mississippi and hopes to bring that back to the Board in the near future.

With no further business the meeting was adjourned at 9:45am.