

**FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD**

**Hyatt Regency Jacksonville Riverfront  
225 E Coastline Drive  
Jacksonville, FL 32202  
904.588.1234**

**July 8, 9 - 11, 2014**

**MEETING MINUTES  
Unapproved**

**Board Members Present**

Roy Lenois, Vice Chair  
Brian Cathey, Chair  
Robert Moody  
Aaron Boyette  
Edward Weller  
Jacqueline Watts  
Albert Korelishn  
Christopher Cobb  
William Sheehan  
Keith Lawson II  
Hector Castro

**Board Members Absent**

Mark Pietanza  
Andrew Allocco  
Richard Kane  
James Evetts  
Mary Layton (Friday only)

**Others Present**

Drew Winters, Executive Director, DBPR  
Amanda Wynn, Government Analyst, DBPR  
David Spingler, Government Analyst, DBPR  
Greg Ayers, Administrative Assistant, DBPR  
Douglas Dolan, Legal Advisor, AGO  
Tom Barnhart, Legal Advisor, AGO  
Kyle Christopher, Prosecuting Attorney, DBPR

## **ADDITIONAL BUSINESS ENTITIES REVIEW**

***Division II Board members met for Additional Business Entities Review on July 9, 2014 from 2:03 – 2:38pm. Mr. Lawson led the meeting. Of the 11 applications on the agenda, 4 were approved, 2 were approved contingent, 3 were continued, 1 was denied and 1 was withdrawn.***

### **APPROVED (4)**

Baker Jr., Joseph  
Fries, Mark  
Jenkins, Rustin  
Moore, Tracy

### **APPROVED CONTINGENT (2)**

Dragstedt, Roger  
Flannery, James

### **CONTINUED (3)**

Gordon, Harry – continued 120 days  
Konnick, Mark – continued 60 days  
Villa, Patricia – continued 30 days

### **DENIED (1)**

Sheffield, Jeffrey

### **WITHDRAWN (1)**

Arnedo, Marcelo

***Division I Board members met for Additional Business Entities Review on July 10, 2014, from 1:30 – 3:09pm. Mr. Boyette led the meeting. Of the 30 applications on the agenda, 12 were approved, 4 were approved contingent, 7 were continued, 3 were denied, 2 were withdrawn and 2 were pulled.***

### **APPROVED (12)**

Crowder, Otis  
Fries, Mark  
Fries, Mark  
Garcia, Angyvette  
Graveran, Josue  
Hartman, Michael – approved as a change of status  
Long III, Howell  
Metzker, James  
Negm, Ahmed  
Quevedo, Juan  
Robbins, Justin – approved as a change of status  
Ryan, Jeffrey

### **APPROVED CONTINGENT (4)**

Apolinario, Nelson  
Benavides, Richard

Guo, Zhi  
Thames, Ronald

CONTINUED (7)

Bogomolni, Gustavo – continued 30 days  
Konnick, Mark – continued 60 days  
Layman, Scott – continued 30 days  
Martin, Douglas – continued 60 days  
Monk, David – continued 30 days  
Pannill, Phillip – continued 30 days  
Rubio, Rey – continued 30 days

DENIED (3)

Escobar, Luis  
Raynor, William  
Scheitinger, Stephen

WITHDRAWN (2)

Sanchez, Fred  
Watson, Terry

PULLED (2)

O'Brien, Matthew  
Perry, Edward

**APPLICATION REVIEW**

***Division II Board members met for Application Review on July 9, 2014, from 3:00 – 4:52pm. Mr. Cobb led the meeting. Of the 38 applications on the agenda, 14 were approved, 2 were approved contingent, 7 were continued, 3 were denied, 10 were withdrawn and 2 were pulled.***

APPROVED (14)

Bowden, David  
Fellipone, Jose  
Gonzalez, Pablo  
Jones, Mark  
Knight Jr., John  
Mazzoli, Richard  
Middlebush, Miles  
Mignoli, Joseph  
Molodecki Jr., Peter  
Ogden, Gregory  
Ragsdale, Jacob  
Ritzer, William  
Schwartz, William  
Zabinsky, Ryan – approved as a downgrade to a Class B CAC license

APPROVED CONTINGENT (2)

Tetor, Paul

Vanpelt, Gaver

CONTINUED (7)

Beatty, Michael – continued 30 days  
Derosa, Paul – continued 60 days  
Hartmann, Robert – continued 60 days  
Lliveras, Eduardo – continued 60 days  
Maybaum, Russell – continued 60 days  
Van Houten, Timothy – continued 60 days  
Wise, Ginnie – continued 30 days

DENIED (3)

Antoniou, Ilias  
Holland, Lori  
Schueler, Richard

WITHDRAWN (10)

Boles, Tommy  
Durkee Sr., Christopher  
Henry, Jack  
Henry, Jack  
Jungclaus, David  
McMillan, Willie  
Rogers, James  
Smyklo, Arthur  
Young, Brandon  
Zelaya, Ricardo

PULLED (2)

Bryant, Randall  
Ward, Richard

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

***Division I Board members met for Application Review on July 10, 2014, from 3:30 – 4:34pm. Mr. Evetts led the meeting. Of the 29 applications on the agenda, 9 were approved, 6 were continued, 10 were denied, 2 were withdrawn and 2 were pulled.***

APPROVED (9)

De Armas, Reinaldo  
Hensley, Christopher  
Kish II, Scott – approved as a downgrade to a CRC license  
Kromke, Michael  
Leitner Jr., John  
Richardson, Grant  
Rooney, Mark  
Stirp, Jeffrey  
Wilkins, Charles

CONTINUED (6)

Crawford, Brian – continued 30 days  
Davis, Terry – continued 60 days  
Deligio, Antonio – continued 90 days  
Mashtakov, Serge – continued 90 days  
Nichols, Frederick – continued 30 days  
Schmidt, Donald – continued 30 days

DENIED (10)

Banks, John  
Elkhatib, Omar  
Holmes Sr., John  
Kennedy, Daniel  
Lavender, Anthony  
Pitman, Kenneth  
Rutenberg, Sarah  
Schenk, Ryan  
Trench, Alexander  
West, Candace

WITHDRAWN (2)

Henry, Jack  
McCurry, Daniel

PULLED (2)

Beggs, Danielle  
Fulford, Jack

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

**PROBATION**

***Division II Board Members convened for Probation on July 10, 2014 from 9:57am – 10:09am. Mr. Korelishn led the meeting.***

**Carapezza, Ann – CCC1329739**

Result: Unsatisfactory

**Cason, Rickey – CCC1329740**

Result: Unsatisfactory

**Cyr, Kyle – CAC1814273**

Result: Satisfactory

**Hartwick, Benjamin – CAC1816206**

Result: Unsatisfactory

**Patti, Christopher – CCC1328749**

Result: Satisfaction

***Division I Board Members convened for Probation on July 10, 2014 from 1:03 – 1:28pm. Mr. Sheehan led the meeting.***

**Allen, Steven – CGC1521189**

Result: Satisfactory

**Asbury, Jason – CGC1511019**

Result: Unsatisfactory

**Burns, Brian – CGC020464**

Result: Stay of suspension lifted

**Calvert, Ricky – RR0067639**

Result: Satisfactory

**Davis, Joel – CGC1519612**

Result: Satisfactory

**Fagon, Dean – CGC1513842**

Result: Stay of suspension lifted

**Marra, Ronald – CGC1507637**

Result: Stay of suspension lifted

**Nesmith, Anthony – RB29003517**

Result: Stay of suspension lifted

**Obregon, Hector – CGC041565**

Result: Satisfactory

**Orman, Mark – CGC1506674**

Result: Satisfactory

**Stark, Marshall – RB0053106**

Result: Satisfactory

**Thomas, Michael – CGC1519751**

Result: Continued 6 months

### **GENERAL SESSION**

The meeting was called to order by Mr. Cathey, Chair, at 9:02am. Mr. Cobb gave the Invocation. Mr. Lenois led the Pledge of Allegiance.

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

Mr. Winters gave the following report:

Mr. Winters distributed the Monthly Board Report which provides the monthly complaint and investigation numbers.

Mr. Winters informed the Board that the Residential Pool/Spa Servicing Specialty Contractor applications were now available online.

Mr. Winters informed the Board that the fee holiday has been well received by the licensees.

Mr. Winters requested the Board excuse the following absences:

Mark Pietanza  
Andrew Allocco  
Richard Kane  
James Evetts  
Mary Layton (Friday only)

The Board voted unanimously to excuse the above absences.

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

#### **CHAIRMAN'S REPORT – BRIAN CATHEY**

Mr. Cathey welcomed Hector Castro as a new Division I Board member, and announced that Jason Wolf is the new Division I consumer member and will be in attendance at the next meeting.

Mr. Cathey presented a plaque to previous Board member, Paul Del Vecchio, in appreciation of his time served on the Board.

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

#### **PROSECUTING ATTORNEY'S REPORT – KYLE CHRISTOPHER**

Mr. Christopher gave the following report:

For the month of June 2014, the overall license activity case load was 467, down from 500 in May 2014 and up from 309 in June 2013.

There were 307 cases currently in Legal to be reviewed, 20 cases set for probable cause, 32 cases for which probable cause had been found/administrative complaints filed, 1 settlement stipulation approved, 1 informal hearing requested, 1 case awaiting outside action, 10 cases ready for default, 42 formal hearings requested, 1 case referred to DOAH, 2 cases in settlement negotiations, 0 cases pending Board dates, 35 cases set for Board presentation, 15 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of June 2014, 54 cases were closed.

For the month of June 2014, the overall unlicensed activity case load was 756, up from 664 in May 2014.

There were 624 cases currently in Legal to be reviewed, 52 cases where administrative complaints had been filed, 1 settlement stipulation approved, 10 informal hearings requested, 0 cases awaiting outside action, 40 cases ready for default, 27 formal hearings requested, 0 cases referred to DOAH, 2 cases in settlement negotiations, 0 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of June 2014, 83 cases were closed.

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

## **ATTORNEY GENERAL'S REPORT – TOM BARNHART**

### **JEFFREY BECK – REQUEST FOR INFORMAL HEARING**

Mr. Beck was present with counsel.

Mr. Barnhart presented this case stating Mr. Beck application for initial issuance of a certified general contractor's license was denied at the March 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code and failure to sufficiently demonstrate financial stability and responsibility, pursuant to section 489.115, Florida Statutes and Rule 61G4-15.006, Florida Administrative Code. The Notice of Intent to Deny was filed in April of 2014. Mr. Beck timely requested Board reconsideration.

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

### **BARRY COMPTON – REQUEST FOR INFORMAL HEARING**

Mr. Compton was present.

Mr. Barnhart presented this case stating Mr. Compton's application for initial certified general contractor's license was denied at the November 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code and the applicant has outstanding IRS Liens. Therefore, applicant has failed to demonstrate financial stability and responsibility, pursuant to section 489.115, Florida Statutes and Rule 61G4-15.006, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2014. Mr. Compton timely requested Board reconsideration.

After discussion, the Board voted to pull the application.

### **JERDO DAVIS – REQUEST FOR INFORMAL HEARING**

Mr. Davis was present counsel.

Mr. Barnhart presented this case stating Mr. Davis's application for initial issuance of a certified plumbing contractor's license was denied at the March 2014 meeting of the Board because the application materials indicated the applicant lacked good moral character, contrary to section 489.111, 455.227(1) (c) and 489.129(1)(b), Florida Statutes based on applicant's criminal history as detailed in the application materials. The Notice of Intent to Deny was filed in April of 2014. Mr. Davis timely requested Board reconsideration.



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

#### **AURELIO DIAZ – REQUEST FOR INFORMAL HEARING**

Mr. Diaz was present.

Mr. Barnhart presented this case stating Mr. Diaz's application to qualify an additional business entity was denied at the April 2014 meeting of the Board for failure 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 May of 2014. Mr. Diaz timely requested Board reconsideration.

After discussion, the Board voted to grant the continuance to the August Board meeting.

#### **MARK GANSKOP – REQUEST FOR INFORMAL HEARING**

Mr. Ganskop was present.

Mr. Barnhart presented this case stating Mr. Ganskop's application for issuance of a certified general contractor's license was denied at the February 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in April of 2014. Mr. Ganskop timely requested Board reconsideration.

After discussion, the Board voted to reschedule for the October Board meeting.

#### **YENISS GARCIA – REQUEST FOR INFORMAL HEARING**

Mr. Garcia was present.

Mr. Barnhart presented this case stating Mr. Garcia application for issuance of a certified plumbing contractor's license was denied at the June 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2014. Mr. Garcia timely requested Board reconsideration.

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

#### **RICHARD HARDY – REQUEST FOR INFORMAL HEARING**

Mr. Hardy was present

Mr. Barnhart presented this case stating Mr. Hardy's application to qualify an additional business entity was denied at the April 2014 meeting of the Board for failure 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 May of 2014. Mr. Diaz timely requested Board reconsideration.

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

## **TIMOTHY HAWKINS – REQUEST FOR INFORMAL HEARING**

Mr. Hawkins was present.

Mr. Barnhart presented this case stating Mr. Hawkins's application for issuance of a certified mechanical contractor's license was denied at the June 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2014. Mr. Hawkins timely requested Board reconsideration.

After discussion, the Board voted to vacate the previous denial and approve as a downgrade to a Class A CAC license.

## **EDUARDO MARTIN – REQUEST FOR INFORMAL HEARING**

Mr. Martin was not present.

Mr. Barnhart presented this case stating Mr. Martin application for initial issuance of a certified roofing contractor's license was denied at the April 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in May of 2014. Mr. Martin timely requested Board reconsideration.

After discussion, the Board voted to vacate the denial and allow the application to be withdrawn.

## **LESLIE REX – REQUEST FOR INFORMAL HEARING**

Mrs. Rex was present.

Mr. Barnhart presented this case stating Mrs. Rex's Application for initial issuance of a certified residential contractor's license was denied at the November 2014 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2014. Mrs. Rex timely requested Board reconsideration.

After discussion, the Board voted to move the application to the August Board meeting.

## **COMMITTEE REPORTS**

### **EXAMS/CE/PUBLIC AWARENESS COMMITTEE – RICHARD KANE**

Mr. Kane gave the following report:

#### **FLORIDA ASSOCIATION OF PLUMBING, HEATING AND COOLING CONTRACTORS**

1<sup>st</sup> course: 10 Things Your Lawyer Won't Tell You (But Should) – approved

2<sup>nd</sup> course: Changes in Dimensions/Energy Rating for Water Heaters for 2015 – approved

3<sup>rd</sup> course: Triple Your Sales by Getting Internet Marketing Right – approved as 1 hour general credit

**HANLEY WOOD EXHIBITIONS**

- 1<sup>st</sup> course: Blame it on the Pool Tech – denied
- 2<sup>nd</sup> course: Cash Flow and Cash Flow Budgeting – approved
- 3<sup>rd</sup> course: Construction 201: Basic Pool Construction – approved
- 4<sup>th</sup> course: Construction 251: Commercial Pools and Waterparks – approved
- 5<sup>th</sup> course: Construction 309: Beauty of the Edge – Vanishing Edge, Grass Edge and Perimeter Overflow Pools – Part 2 – approved
- 6<sup>th</sup> course: Construction 408: Construction Techniques for a Vanishing Edge Pool – approved
- 7<sup>th</sup> course: Counter-Intuitive! Design & Build Your Own Cast Concrete Countertops – approved
- 8<sup>th</sup> course: Design 461: Waterfalls for Swimming Pools and Landscapes – approved
- 9<sup>th</sup> course: Dive into Solar Pool Heating – approved
- 10<sup>th</sup> course: Engineering 201: State of the Art Spa Details – approved
- 11<sup>th</sup> course: Engineering 211: Basic Fluid Engineering – approved
- 12<sup>th</sup> course: Ignite Your Sales with Fire Features – approved
- 13<sup>th</sup> course: Leading Edge Swimming Pool Hydraulics (Drains Not Required) – approved
- 14<sup>th</sup> course: Pool Shell Structural Failures – Case Studies – approved
- 15<sup>th</sup> course: Sustainability: A Path to Succession – denied
- 16<sup>th</sup> course: Variable Speed Pool Pumps: Make Them Make Your Job Easier – approved
- 17<sup>th</sup> course: Water Features - approved

**HANS GROVE INC**

- 1<sup>st</sup> course: Water Sense Efficient Shower Technology - approved

**M FREDERICK ENTERPRISES**

- 1<sup>st</sup> course: Inverter Technology - approved

**MARK A HOROWITZ**

- 1<sup>st</sup> course: Introduction and Overview of Florida's Construction Lien Law – approved as business practice credit

**PINCH A PENNY INC**

- 1<sup>st</sup> course: Swimming Pool Energy Audits - approved

**PLUMBING CONTRACTORS ASSOCIATION**

- 1<sup>st</sup> course: ASSE 6010 Medical Gas Systems Installer – Brazer Training Course - approved

**PROFESSIONAL HOME INSPECTION INSTITUTE**

- 1<sup>st</sup> course: Wind Mitigation Inspection - approved

**REDVECTOR.COM INC**

- 1<sup>st</sup> course: Florida Construction Lien Law (RV-10607) – approved as business practice credit
- 2<sup>nd</sup> course: Mold Reporting for Mold Assessment and Mold Remediation Projects – approved
- 3<sup>rd</sup> course: The Ultimate Project Manager, Chapter 3, The Contract Agreement - approved

**SEMINAR GROUP**

- 1<sup>st</sup> course: 3<sup>rd</sup> Annual Construction Law in Florida – approved
- 2<sup>nd</sup> course: Condominiums, Opportunities & Pitfalls – approved

**SIEGFRIED, RIVERA, HYMAN, LERNER DE LA TORRE, MARS & SOBEL**

1<sup>st</sup> course: Basic Principles of Construction Contracts – approved

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

**AD HOC/UNLICENSED ACTIVITY COMMITTEE – AARON BOYETTE**

Mr. Boyette gave the following report:

Mr. Boyette informed the Board that Sandra Rentfrow and Raina Reagan from the Jacksonville office made a presentation to the committee regarding their current efforts and future goals related to unlicensed activity.

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

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

Mr. Pietanza gave the following report:

61G4-12.011 Definitions

- Sent to OFARR 11/5/13
- Rule Development Published 11/13/13
- The Board voted to table development of this rule at the May 2014 meeting

61G4-14.005 Public Comment

- Sent to OFARR 11/26/13
- Rule Development Published 12/4/13
- The Board voted to not go forward with developing any new language for this rule at the May 2014 meeting

61G4-15.039 Certification of Industrial Facilities Specialty Contractors

- Sent to OFARR 11/5/13
- Rule Development Published 11/13/13
- Notice Published 6/6/14
- JAPC letter 6/12/14

61G4-15.040 Certification of Residential Pool/Spa Servicing Specialty Contractors

- Sent to OFARR 3/27/14
- Rule Development Published 4/3/14
- Rule Adopted 6/2/14
- Rule Effective 6/22/14
- Applications posted online

61G4-16.001 Written Certification Examination Requirements

- Sent to OFARR 2/20/14
- Rule Development Published 2/28/14
- The Board voted that no SERC was needed for this rule
- The Board voted to go forward with the adoption process

61G4-17.001 Normal Penalty Ranges

- Sent to OFARR 9/4/13
- Rule Development Published 9/12/13
- The Board asked that the language be brought back before them at the August 2014 meeting for approval

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

**OLD BUSINESS**

Removal of old materials from laptop.

**NEW BUSINESS**

With no further business the meeting was adjourned at 9:39am.