

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

The Biltmore Hotel
1200 Anastasia Avenue
Coral Gables, FL 33134
305.445.8066

August 8, 10-12, 2022
MEETING MINUTES

Approved January 13th, 2023

Board Members Present

Donald Cesarone, Vice-Chair
Bradley Barreto
Frank Cawthon
Mario Famada
Ted Feaster
Edward McCullers
Ashley Ross
Michael Sasso
Brian "Parks" Wilson
Rachelle Wood
Brian Zettle

Board Members Absent

Michael Strickland, Chair
Edgar Laney (unexcused)
Keith Lawson (unexcused)
Robert Maphis

Others Present

Donald Shaw, Executive Director, DBPR
Jordan Jones, Senior Management Analyst Supervisor, DBPR
Madison Williams, Government Analyst, DBPR
Sally Raines, Deputy Chief Construction Attorney, DBPR
Alessandra Mousinho, Senior Prosecuting Attorney, DBPR
Christopher Dierlam, Assistant Attorney General, AGO
Ronald "Tom" Jones, Assistant Attorney General, AGO

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II

Division II Board members met for Additional Business Entities Review on August 10th, 2022 from 2:00pm - 3:32pm. Mr. McCullers led the meeting. Of the 29 applications on the agenda, 16 were approved, 3 were approved contingent, 4 were pulled, 2 were withdrawn, 2 were continued and 2 were denied.

APPROVED (16)

Collins, Eric
Freitas, Jose Sr
Galmin, Gregory
Gonzalez, Eliciel
Henaos, Oscar
Hernandez, Luis
Lopez, Ariel
Mawardi, Aaron
Mekler, Bryan
Parrish, Shane (2)
Rudge, Remon
Stoller, Matthew
Vigo, Ignacio
Wensel, Nicholas
Williams, Laquita

APPROVED CONTINGENT (3)

Curri, Oltion
Perez Zurita, Aldo
Yacobellis, Thomas

PULLED (4)

Arodak, Mike (3)
White, Christopher

WITHDRAWN (2)

Payne, Dorman III
Torres, Jake

CONTINUED (2)

Harhold, Richard
Levinson, Michael

DENIED (2)

Aguirre, Jamie
Ibanez, Christian

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on August 10th, 2022 from 3:41pm - 5:03pm. Mr. Famada led the meeting. Of the 23 applications on the agenda, 6 were

approved, 3 were approved contingent, 3 were continued, 1 was pulled, 7 were withdrawn and 3 were denied.

APPROVED (6)

Hembree, Ralph
Lesser, David
Minasalli, Charles
Payberg, Frank
Tapia Cortes, Michell
Torres Rodriguez, Yovani

APPROVED CONTINGENT (3)

Duartes, Rodobaldo
Lee, Cliff
Sistrunk, Matthew Jr

CONTINUED (3)

Guinovart, Jorge
Little, John III
Spell, Kecia

PULLED (1)

Martin, Mark

WITHDRAWN (7)

Hertzler, Brett
Hoffman, Andrea
Martinez, Giordano
Souffront, Juan (3)
Young, Ty

DENIED (3)

Coombs, James
Dorta, Arian
Osborne, Michael

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on August 11th 2022 from 2:00pm - 2:49pm. Mr. Feaster led the meeting. Of the 19 applications on the agenda, 11 were approved, 3 were approved contingent, 3 were continued, 1 was pulled, and 1 was withdrawn.

APPROVED (11)

Carter, Kevin
Chandler, Steven
Galmin, Gregory
Henaos, Oscar
McCauley, Jeffrey
McDonald, William

Robles, Jose Jr
Sarel, Scott
Seiler, Shawn
Vazquez, Jesus
Wheeler, Jeffrey

APPROVED CONTINGENT (3)

Moran, Rudnei
Squires, James
Strong, Kristian

CONTINUED (3)

Deluca, Michael
Spuhler, Jeremy
Vellucci, Michael

PULLED (1)

Arodak, Mike

WITHDRAWN (1)

Pratt, Brian Sr

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on August 11th, 2022 from 3:15pm - 4:48pm. Mr. Cawthon led the meeting. Of the 26 applications on the agenda, 10 were approved, 1 was approved contingent, 9 were continued, 2 were pulled, 1 was withdrawn and 3 were denied.

APPROVED (10)

Apollos, Benjamin
Corcoran, Patrick
Davis, Cynthia
Glasco, James
Maus, James
Mazzola, Thomas Jr
Persaud, Kevin
Sanchez, Andres Sr
Toram, Kiram
Zuk, Jack

APPROVED CONTINGENT (1)

Leonard, James

CONTINUED (9)

Black, Ralph
Cates, Matthew
Flaska, Kenneth
Guinovart, Jorge
Linsalata, David

Lucas, Dennis II
Marcos, Morgan Jr
Nagle, Aaron
Zenko, Slavey

PULLED (2)

Beam, William
Monroe, Joshua

WITHDRAWN (1)

Green, Donald

DENIED (3)

Higdon, Tina
Rodriguez, Roberto
Williams, James

Division II Board members met for Final Action on August 11th, 2022 from 9:17am - 9:22am. Mr. Cesarone led the meeting.

Case#(s): 2019025200

Laurence Edward Borello

License #(s): CCC42793

Board vacated previous Final Order and approved Settlement Stipulation

Pay administrative fines in the amount of \$7,500.00 and costs of \$236.60

Present

**Case#(s): 2021026145 / 2022021069 / 2022016493 / 2022015468 / 2022014519 /
2022014026 / 2022012801 / 2022012270 / 2022016542 / 2022015775 / 2022022478 /
2022014918**

Scott David Houser

License #(s): CUC1224972 / CPC53287 / CPC1459383

Revoked

Restitution: to be determined by FHCRF

Pay administrative fines in the amount of \$52,500 and costs of \$703.51

Not present

Division I & II Board members met for Final Action on August 11th, 2022 from 9:28am - 9:30am. Mr. Cawthon led the meeting.

Case#(s): 2020045138

Robert Stanley III Garrett

License #(s): CCC1329785 / CGC1517358

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 \$291.21

Not present

Division I Board members met for Final Action on August 11th, 2022 from 9:34am - 9:40am. Mr. Cawthon led the meeting.

Case#(s): 2015049679

Keith D Chambers

License #(s): CBC36347

Continued 30 days

Not present

Case#(s): 2021050806 / 2022010008 / 2022009993

James Eric Couturier

License #(s): SCC13056651

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 \$531.03

Not present

Case#(s): 2022003576

Thomas E Dowd

License #(s): CBC1258206

Restitution: \$25,000.00 to Rhonda Fidler

Probation for 2 years

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

Pay administrative fines in the amount of \$12,500.00 and costs of \$340.07

Present

Division I Board members convened for Probation on August 11th from 10:01am - 10:31am. Mr. Cawthon led the meeting.

Castillo, Yamil – CGC1505681

Result: Satisfactory – probation completed

Che, Fook Meng – CBC1256278 / CBC1263740

Result: Satisfactory – contingent on placing CBC1256278 license Inactive within 30 days

Gross, Bradley – CGC1515074 / CGC1521751 / CGC1522914

Result: Satisfactory

Lewis, Curtis – CRC1331471

Result: Satisfactory – probation completed

Lezcano, Michael – CGC1516681

Result: Satisfactory

McClinton, Katina – CGC1513935 / CGC1525970

Result: Satisfactory

Munoz, Martha Helen – CGC1511927

Result: Satisfactory – contingent on providing proof of revised homeowner Recovery Fund language added to the contract by next scheduled appearance

Provo, Anthony – CBC1251096
Result: Satisfactory

Strickland, James Gardner – CBC55364
Result: Satisfactory

Vesce, Daniel – CGC1508114
Result: Unsatisfactory

Division I Termination List

The Committee unanimously approved the ratification list granting an early termination of probation to the following licensees:

Small, Bennie – CGC1509633
Vito, Andi – CGC1515245

Division II Board members met for Probation on August 11th, 2022 from 8:40am - 9:04am. Ms. Ross led the meeting.

Campbell, Travis Scott – CCC1328802
Result: Satisfactory

Chavez, Roberto – CCC1330086
Result: Satisfactory – probation completed

Etienne, Cadet – CAC1818036 / CAC1819374
Result: Satisfactory – contingent on providing previous 6 months certificate of insurance for Weather Saint within 30 days

Strickland, James Gardner – CCC1326725
Result: Satisfactory

Vesce, Daniel – CCC1327919
Result: Unsatisfactory

STAYS OF SUSPENSION TO BE LIFTED

Smith Martinez, Anthony – CCC1328968
2 out of 4 appearances - 1 continuance in October 2019, 1 stay lifted in June 2020, 1 unsatisfactory result in March 2021
Result: Stay Lifted

GENERAL SESSION

The meeting was called to order by Mr. Cesarone on August 12th, 2022 at 8:30am. Mr. Cawthon gave the Invocation. Mr. McCullers led the Pledge of Allegiance.

CHAIRMAN'S REPORT – DON CESARONE

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

- Mr. Laney - Unexcused
- Mr. Lawson - Unexcused
- Mr. Maphis - Excused
- Mr. Strickland - Excused

Mr. Cesarone also recognized former board member Albert Korelishn, who was in attendance, and thanked him for his previous service to the Board.

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

EXECUTIVE DIRECTOR'S REPORT – DONALD SHAW

Mr. Shaw had nothing to report.

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

PROSECUTING ATTORNEY'S REPORT – SALLY RAINES

Ms. Raines introduced Alessandra Mousinho, Senior Prosecuting Attorney, to the Board.

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

HEARING AND PETITIONS

SERGEY BOLKHOVSKIY – INFORMAL HEARING

Mr. Bolkhovskiy was present with counsel.

Mr. Dierlam presented this case stating Mr. Bolkhovskiy's application for a Certified General Contractor's license was denied at the May 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 June of 2022. Mr. Bolkhovskiy timely requested an informal hearing.

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

BARRY BREWER – INFORMAL HEARING

Continued 30 days.

VINICIUS DOS SANTOS – INFORMAL HEARING

Mr. Dos Santos was present.

Mr. Dierlam presented this case stating Mr. Dos Santos' application to qualify D. Cortez Construction Enterprises, Inc. dba C. Cortez Management as an additional business entity was denied at the May 2022 meeting of the Board for failure to demonstrate that he would be able to

properly supervise the business as required by Section 489.119, Florida Statutes, and Rule 61G4-15.0024, Florida Administrative Code, and for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code. The Notice of Intent to Deny was filed in June of 2022. Mr. Dos Santos timely requested an informal hearing.

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

JASON GRANT – INFORMAL HEARING

Mr. Grant was present.

Mr. Dierlam presented this case stating Mr. Grant's application for a Certified Plumbing Contractor's license was approved at the May 2022 meeting of the Board contingent upon providing proof of full time employment with a licensed plumbing contractor to corroborate his experience. The Notice of Intent to Approve with Conditions was filed in May of 2022. Mr. Grant timely requested an informal hearing.

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

SHAWN HOWARD – PETITION FOR VARIANCE AND WAIVER

Mr. Howard was present.

Mr. Dierlam presented this case stating Mr. Howard filed a petition for variance and waiver on July 11, 2022. The petition was noticed in the Florida Administrative Register on July 19, 2022. Mr. Dierlam noted the petitioner is seeking a variance or waiver of Rule 61G4-16.009, Florida Administrative Code, that states a passing examination grade shall be valid only for a period of four years from the date of the most recently passed portion of the exam.

After discussion the Board voted to deny the petition finding that the petitioner failed to establish that the Board's application of the Rule to the petitioner's circumstances would violate the principles of fairness or impose a substantial hardship.

MAXIMILLIAN HOWELL – INFORMAL HEARING

Mr. Howell was present.

Mr. Dierlam presented this case stating Mr. Howell's application for a Certified General Contractor's license was denied at the April 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 May of 2022. Mr. Howell timely requested an informal hearing.

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

VANESSA LOPEZ – INFORMAL HEARING

Ms. Lopez was present.

Mr. Dierlam presented this case stating Ms. Lopez' application for a Certified General Contractor's license was denied at the April 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 May of 2022. Ms. Lopez timely requested an informal hearing.

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

RAFAEL RODRIGUEZ NARANJO – INFORMAL HEARING

Mr. Rodriguez Naranjo was present with counsel.

Mr. Dierlam presented this case stating Mr. Rodriguez Naranjo's application for a Certified General Contractor's license was denied at the May 2022 meeting of the Board for failure to demonstrate financial stability and responsibility as required by section 489.115, Florida Statutes and Rule 61G4-15.006, Florida Administrative Code. The Notice of Intent to Deny was filed in May of 2022. Mr. Rodriguez Naranjo timely requested an informal hearing.

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

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – EDWARD MCCULLERS

Mr. McCullers gave the following report:

DEPARTMENT OF EDUCATION, EDUCATIONAL FACILITIES

1st course: State Requirements for Educational Facilities: **approved**

FLORIDA IRRIGATION SOCIETY, INC.

1st course: Irrigation Maintenance – The Disney Way: **approved contingent *informal hearing – motion & second to vacate previous denial***

2nd course: Leadership Today: **denied for course content**

3rd course: New Opportunity? Hemp and Cannabis Irrigation Installation and Maintenance: **approved**

4th course: Understanding Local and State Irrigation Contractor Licensing Requirements: **approved**

5th course: Water Management Audits – It's Not All About Water Use: **approved**

HEALTH FACILITY CONSULTING, LLC

1st course: Ask AHCA 2022: Review of New Codes, Standards, Submissions, and Inspection Requirements of AHCA: **approved**

2nd course: ICRA 2.0 Updated ICRA Guidelines: **approved**

3rd course: Processes to Ensure Compliance in Healthcare: **approved**

4th course: The Most Difficult Diesel Fuel System Design and Construction – Adding on to an Existing Fuel System: **approved**

5th course: Updates to 101 and 99 2021: **approved**

INTERNATIONAL CODE COUNCIL

1st course: 2021 IBC Changes: **approved**
2nd course: 2021 IEBC Essentials: **approved**
3rd course: 2021 IECC Changes: **approved**
4th course: 2021 IFC Changes: **approved**
5th course: 2021 IMC-IFGC Combustion Air & Venting: **approved**
6th course: 2021 IPC Changes: **approved**
7th course: 2021 IRC Essentials: **approved**
8th course: 2023 NEC Analysis of Changes: **approved**
9th course: Exceptional Customer Service: **denied for course content**
10th course: Leadership in the Modern Era: **denied for course content**
11th course: Offsite Construction: **approved**
12th course: Safety and Violence Mitigation Strategies: **approved**

JC CODE & CONSTRUCTION CONSULTANTS, INC.

1st course: Components & Cladding Wind Loads Under the FBC: **approved**
2nd course: FBC Existing Building Ch. 15 Construction Safeguards: **approved**
3rd course: FRC Fuel Gas Fundamentals: **approved**

RECOVERY FUND COMMITTEE – FRANK CAWTHON

Mr. Cawthon gave the following report:

Grippio vs Figurroa: Claim No. 2020-010764 - **\$44,920.00**
Melito vs Rice: Claim No. 2021-019770 - **\$10,475.00**
Smith vs Ruggiano: Claim No. 2021-005876 - **DENIED**
Ege vs Homan: Claim No. 2021-035419 – **\$23,771.00**
Siefman vs Brannon: Claim No. 2021-006400 - **DENIED**
Hellmund vs Broedel: Claim No. 2020-052746 - **\$26,607.50**
Kondiah vs Alvarado: Claim No. 2021-035243 - **\$15,000.00**
Shear vs Dellinger: Claim No. 2021-032572 - **\$9,647.62**
Eberst vs Bass: Claim No. 2021-026585 – **\$3,575.00**
Enzweiler vs Spann: Claim No. 2021-039141 - **\$13,689.00**
Keillor vs Craft: Claim No. 2021-036571 - **\$48,983.00**
Mathies vs Craft: Claim No. 2021-033278 - **\$16,647.00**
Nutt vs Craft: Claim No. 2021-032298 - **\$22,446.90**
Nelson vs Dutruch: Claim No. 2021-037536 - **DENIED**
Rodriguez vs Hernandez: Claim No. 2021-037659 - **\$2,850.60**
Gregory vs Spann: Claim No. 2021-040477 - **\$15,000.00**
Bole vs Spann: Claim No. 2021-039350 - **\$9,863.00**
Bonilla vs Craft: Claim No. 2021-037483– **\$50,000.00**
Hatoum vs Spann; Claim No. 2021-039188 - **\$8,795.50**
Ibarra vs Rojas: Claim No. 2021-036320 - **\$15,000.00**
Koenig vs Dutruch: Claim No. 2021-032201 - **\$7,151.00**
Dolan vs Spann: Claim No. 2021-035933 - **\$9,814.50**
Conklin vs Spann: Claim No. 2021-040020 – **\$5,493.00**
Moore vs Homan: Claim No. 2021-038710 - **\$16,398.00**
Finocchiaro vs Stapp: Claim No. 2020-051823 - **\$11,836.00**
Haas vs Donaldson: Claim No. 2021-038565 - **\$14,258.77**
Basile vs Creamer: Claim No. 2021-042359 - **\$20,250.00**

Placido vs de Castro: Claim No. 2021-042837 – **\$7,500.00**
Meade vs Brinson: Claim No. 2021-034106 - **\$7,200.00**
Obbagy vs Sunderman: Claim No. 2021-050002 - **\$6,243.00**
Hester vs Craft: Claim No. 2021-033278 - **\$13,852.70**
Miller vs Van: Claim No. 2021-041975 - **\$7,850.00**
Campbell vs Spann: Claim No. 2021-044043 - **\$10,344.99**
Franchiz vs Sorochev: Claim No. 2021-043756 - **\$15,000.00**
Sanchez vs Hammond: Claim No. 2021-037967 - **\$3,500.00**
McDonald vs Craft: Claim No. 2021-044848 - **\$7,664.47**
Santiago vs Craft: Claim No. 2021-033846– **\$14,210.35**
Butter vs Laino: Claim No. 2020-050549 - **\$13,500.00**
Vegas vs Tomici: Claim No. 2021-045186 - **\$7,815.00**
Baskind vs Reardon: Claim No. 2021-045735 - **\$6,500.00**
Davis vs Shaw: Claim No. 2021-044013 - **\$25,000.00**
Rodriguez vs Pardo: Claim No. 2021-045109 - **\$3,850.00**
Ansoategui vs Mervine: Claim No. 2021-044963– **\$15,315.15**
Laverde vs Sorochev: Claim No. 2021-037885 - **\$2,700.00**

OLD BUSINESS

Removal of Board materials from laptops.

Mr. Dierlam informed the Board that the 2022-23 Annual Regulatory Plan had been submitted successfully to the Florida Department of State.

NEW BUSINESS

Discussion took place regarding creating a rule that would define a “construction-related degree” pursuant to section 489.115, Florida Statutes, that would further clarify what degrees are acceptable for the 3.0 GPA exemption. After additional discussion, the Board voted unanimously to open rule 61G4-15.001, Florida Administrative Code, for further development. Mr. Shaw indicated that he would work with Mr. Dierlam to have language ready for presentation at the October 2022 board meeting.

The Board discussed the need for appointments and the issues with board members not attending the meeting but also not resigning their positions.

With no further business the meeting was adjourned at 9:47am.