



60 Mark Johnson  
61 Patrick Crowley  
62 William Zentz  
63 John Walker  
64 Jeffrey Carlen  
65 Allen Nobles

66

67 **REVIEW AND APPROVAL OF THE OCTOBER 2009 PROBATION REVIEW COMMITTEE MINUTES**

68

69 After discussion the following motion was made:

70

71 MOTION: Mr. Ehmke made a motion to approve the October 2009 Probation Review Committee minutes.

72 SECOND: Mr. Mastronicola seconded.

73 ACTION: The motion passed unanimously.

74

75 **FIRST SET OF SURVEYS REVIEW**

76

77 **TIMOTHY BRUCE ALCORN**

78 **LICENSE #: LS6332**

79 **CASE #: 2007-043459**

80 **LICENSURE STATUS: PROBATION**

81 **SURVEYS: 1<sup>st</sup> SET**

82

83 Mr. Alcorn was present for this review.

84

85 After discussion the following motion was made:

86

87 MOTION: Ms. Clodfelter made a motion to find the first set of surveys in compliance but continue Mr.  
88 Alcorn's probation until all conditions of Mr. Alcorn's probation are met.

89 SECOND: Mr. Ehmke seconded.

90 ACTION: The motion passed unanimously.

91

92 **PATRICK F. CROWLEY**

93 **LICENSE #: LS4988**

94 **CASE #: 2005-058180**

95 **LICENSURE STATUS: PROBATION**

96 **SURVEYS: 1<sup>ST</sup> SET**

97

98 Mr. Crowley was present for this review.

99

100 After discussion the following motion was made:

101

102 MOTION: Ms. Clodfelter made a motion to find the first set of surveys in compliance and release Mr.  
103 Crowley from probation.

104 SECOND: Mr. Ehmke seconded.

105 ACTION: The motion passed 2 to 1, Mr. Mastronicola voted against the motion.

106

107 **CHARLES ROBERT DE FOOR**

108 **LICENSE #: LS4189**

109 **CASE #: 2006-067399**

110 **LICENSURE STATUS: PROBATION**

111 **SURVEYS: 1<sup>ST</sup> SET**

112

113 Mr. De Foor was present for this review.

114

115 After discussion the following motion was made:

116

117 MOTION: Ms. Clodfelter made a motion to find the first set of surveys not in compliance and request a  
118 second set of surveys from Mr. De Foor.

119 SECOND: Mr. Mastronicola seconded.  
120 ACTION: The motion passed unanimously.

121  
122 Mr. De Foor asked the Committee to consider his current financial situation and requested a payment plan for  
123 both the individual and company fines and costs.

124  
125 After discussion the following motions were made:  
126 MOTION: Mr. Ehmke made a motion to accept a payment plan of \$200 a month on the individual case,  
127 case number 2006-067399, to begin on April 1<sup>st</sup> and each payment is due on or before the first  
128 of every month until the fine and costs are paid in full.

129 SECOND: Mr. Mastronicola seconded.  
130 ACTION: The motion passed unanimously.

131  
132 MOTION: Mr. Mastronicola made a motion to accept a payment plan of \$100 a month on the business  
133 case, case number 2006-067399-067400, to begin on April 1<sup>st</sup> and each payment is due on or  
134 before the first of every month until the costs are paid in full.

135 SECOND: Mr. Ehmke seconded.  
136 ACTION: The motion passed unanimously.

137  
138 Ms. Clodfelter informally polled the Board Members in attendance, Mr. Lebron, Mr. Fusco, Ms. Nobles and Mr.  
139 Cooner, to determine if the Committee's recommendations concerning Mr. De Foor's cases are acceptable. All  
140 members in agreed to accept the Committee's recommendations.

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142 **MIGUEL ESPINOSA**  
143 **LICENSE #: LS5101**  
144 **CASE #: 2006-069379**  
145 **LICENSURE STATUS: PROBATION**  
146 **SURVEYS: 1<sup>ST</sup> SET**

147  
148 Mr. Espinosa was present for this review.

149  
150 After discussion the following motion was made:

151  
152 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance and release Mr.  
153 Espinosa from probation.

154 SECOND: Mr. Ehmke seconded.  
155 ACTION: The motion passed unanimously.

156  
157 **J. SHERMAN FRIER**  
158 **LICENSE #: LS2245**  
159 **CASE #: 2006-054043**  
160 **LICENSURE STATUS: PROBATION**  
161 **SURVEYS: 1<sup>ST</sup> SET**

162  
163 Mr. Frier was present for this review.

164  
165 After discussion the following motion was made:

166  
167 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance and release Mr.  
168 Frier from probation.

169 SECOND: Mr. Ehmke seconded.  
170 ACTION: The motion passed unanimously.

171  
172 **JACOB GOMIS**  
173 **LICENSE #: LS6231**  
174 **CASE #: 2004-052817**  
175 **LICENSURE STATUS: SUSPENDED**  
176 **SURVEYS: 1<sup>ST</sup> SET**

177  
Board of Professional Surveyors and Mappers  
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178 Mr. Gomis was present for this review.

179

180 After discussion the following motion was made:

181

182 MOTION: Mr. Mastronicola made a motion to lift the suspension to allow Mr. Gomis for the purpose and  
183 only to perform the six surveys which must be submitted on or before April 1, 2010.

184 SECOND: Mr. Ehmke seconded.

185 ACTION: The motion passed unanimously.

186

187 **WAYNE POND**

188 **LICENSE #: LS6385**

189 **CASE #: 2008-014053**

190 **LICENSURE STATUS: PROBATION**

191 **SURVEYS: 1<sup>ST</sup> SET**

192

193 Mr. Pond was present for this review.

194

195 After discussion the following motion was made:

196

197 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a  
198 second set of surveys from Mr. Pond.

199 SECOND: Mr. Ehmke seconded.

200 ACTION: The motion passed unanimously.

201

202 Due to the time, the Committee recessed for lunch at 11:50 a.m.

203

204 The Committee reconvened at 1:01 p.m.

205

206 **LOUIS RAMIREZ**

207 **LICENSE #: LS6304**

208 **CASE #: 2007-026804**

209 **LICENSURE STATUS: PROBATION**

210 **SURVEYS: 1<sup>ST</sup> SET**

211

212 Mr. Ramirez was present for this review.

213

214 After discussion the following motion was made:

215

216 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance and release Mr.  
217 Ramirez from probation.

218 SECOND: Mr. Ehmke seconded.

219 ACTION: The motion passed unanimously.

220

221 **ROBERT D. SEARS**

222 **LICENSE #: LS4263**

223 **CASE #: 2008-014008**

224 **LICENSURE STATUS: PROBATION**

225 **SURVEYS: 1<sup>ST</sup> SET**

226

227 Mr. Sears was present for this review.

228

229 After discussion the following motion was made:

230

231 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance and release Mr.  
232 Sears from probation.

233 SECOND: Mr. Ehmke seconded.

234 ACTION: The motion passed unanimously.

235

236 **RALPH SWERDLOFF**

237 **LICENSE #: LS3411**  
238 **CASE #: 2007-050085**  
239 **LICENSURE STATUS: PROBATION**  
240 **SURVEYS: 1<sup>ST</sup> SET**

241  
242 Mr. Swerdloff was present for this review.

243  
244 After discussion the following motion was made:

245  
246 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a  
247 second set from Mr. Swerdloff.  
248 SECOND: Mr. Ehmke seconded.  
249 ACTION: The motion passed unanimously.

250  
251 Mr. Swerdloff of Swerdloff & Long Surveying submitted a request for clarification of the discipline imposed in the  
252 Final Order issued in case number 2007-50093.

253  
254 Mr. Swerdloff explained that he believed that the fine that was assessed against him individually and the ~~him~~ the  
255 business were the same fine and cost amount. After review of the Final Order and Mr. Biegalski's statement that  
256 he listened to the recording of the meeting where this issue was discussed it was determined that these are two  
257 separate files and two separate fines and costs.

258  
259 **W. NELSON THAXTON**  
260 **LICENSE #: LS4812**  
261 **CASE #: 2006-007400**  
262 **LICENSURE STATUS: PROBATION**  
263 **SURVEYS: 1<sup>ST</sup> SET**

264  
265 Mr. Thaxton was present for this review.

266  
267 After discussion the following motion was made:

268  
269 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a  
270 second set of surveys from Mr. Thaxton **due on or before April 1, 2010.**  
271 SECOND: Mr. Ehmke seconded.  
272 ACTION: The motion passed unanimously.

273  
274 **JOHN WALKER**  
275 **LICENSE #: LS5362**  
276 **CASE #: 2007-026740**  
277 **LICENSURE STATUS: PROBATION**  
278 **SURVEYS: 1<sup>ST</sup> SET**

279  
280 Mr. Walker was present for this review.

281  
282 After discussion the following motion was made:

283  
284 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a  
285 second set of surveys from Mr. Walker.  
286 SECOND: Mr. Ehmke seconded.  
287 ACTION: The motion passed unanimously.

288  
289 After further discussion the following amended motion was made:

290  
291 MOTION: Mr. Mastronicola amended the above motion to include a due date of April 1, 2010.  
292 SECOND: Mr. Ehmke seconded.  
293 ACTION: The motion passed unanimously.

294  
295 **JOHN WALKER**

296 **LICENSE #: LS5362**  
297 **CASE #: 2007-043436**  
298 **LICENSURE STATUS: PROBATION**  
299 **SURVEYS: 1<sup>ST</sup> SET**  
300

301 Mr. Walker was present for this review.

302  
303 After discussion the following motion was made:

304  
305 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a  
306 second set of surveys from Mr. Walker.  
307 SECOND: Mr. Ehmke seconded.  
308 ACTION: The motion passed unanimously.  
309

310 After further discussion the following amended motion was made:

311  
312 MOTION: Mr. Mastronicola amended the above motion to include a due date of April 1, 2010.  
313 SECOND: Mr. Ehmke seconded.  
314 ACTION: The motion passed unanimously.  
315

316 **JOEL C. WALTERS**  
317 **LICENSE #: LS4082**  
318 **CASE #: 2007-044604**  
319 **LICENSURE STATUS: PROBATION**  
320 **SURVEYS: 1<sup>ST</sup> SET**  
321

322 Mr. Walters was present for this review.

323  
324 After discussion the following motion was made:

325  
326 MOTION: Mr. Ehmke made a motion to find the first set of surveys in compliance and release Mr. Walters  
327 from probation.  
328 SECOND: Mr. Mastronicola seconded.  
329 ACTION: The motion passed unanimously.  
330

331 **WILLIAM B. ZENTZ**  
332 **LICENSE #: LS5276**  
333 **CASE #: 2006-040603**  
334 **LICENSURE STATUS: PROBATION**  
335 **SURVEYS: 1<sup>ST</sup> SET**  
336

337 Mr. Zentz was present for this review.

338  
339 After discussion the following motion was made:

340  
341 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance and release Mr.  
342 Zentz from probation.  
343 SECOND: Mr. Ehmke seconded.  
344 ACTION: The motion passed unanimously.  
345

346 The Committee recessed for break at 2:35 p.m.

347  
348 The Committee reconvened at 2:51 p.m.  
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350 **SECOND SET OF SURVEYS REVIEW**

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352 **GEORGE M. AYLOR, JR.**  
353 **LICENSE #: LS4015**  
354 **CASE #: 2005-054639**

355 **LICENSURE STATUS: PROBATION**  
356 **SURVEYS: 2<sup>ND</sup> SET**

357

358 Mr. Aylor was present for this review.

359

360 After discussion the following motion was made:

361

362 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.

363 Aylor from probation.

364 SECOND: Mr. Ehmke seconded.

365 ACTION: The motion passed unanimously.

366

367 **MIGUEL CORTES**

368 **LICENSE #: LS5820**

369 **CASE #: 2006-056073**

370 **LICENSURE STATUS: PROBATION**

371 **SURVEYS: 2<sup>ND</sup> SET**

372

373 Mr. Cortes was present for this review.

374

375 After discussion the following motion was made:

376

377 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.

378 Cortes from probation.

379 SECOND: Mr. Ehmke seconded.

380 ACTION: The motion passed unanimously.

381

382 **MARK A. JOHNSON**

383 **LICENSE #: LS6572**

384 **CASE #: 2007-043361**

385 **LICENSURE STATUS: PROBATION**

386 **SURVEYS: 2<sup>ND</sup> SET**

387

388 Mr. Johnson was present for this review.

389

390 After discussion the following motion was made:

391

392 MOTION: Mr. Ehmke made a motion to find the second set of surveys in compliance and release Mr.

393 Johnson from probation.

394 SECOND: Mr. Mastronicola seconded.

395 ACTION: The motion passed unanimously.

396

397 **ARTURO TOIRAC**

398 **LICENSE #: LS3102**

399 **CASE #: 2007-035879**

400 **LICENSURE STATUS: PROBATION**

401 **SURVEYS: 2<sup>ND</sup> SET**

402

403 Mr. Toirac was not present for this review.

404

405 After discussion the following motion was made:

406

407 MOTION: Mr. Mastronicola made a motion to continue Mr. Toirac's case based on the extenuating

408 circumstances of illness until the May meeting. Mr. Mastronicola also requests a letter to be

409 sent to Mr. Toirac stating that he must submit signed and sealed surveys of the surveyed

410 properties selected for review, relevant field notes, the relevant full sized record plats, all

411 measurement and computation records and all other documents necessary for a full and

412 complete review of the surveys.

413 SECOND: Mr. Ehmke seconded.

414 ACTION: The motion passed unanimously.

415

416 **NON-COMPLIANCE REVIEW**

417

418 **MICHAEL AIELLO**

419 **LICENSE #: LS4879**

420 **CASE #: 2005-002465**

421 **LICENSURE STATUS: SUSPENDED**

422

423 Mr. Aiello was not present for this review.

424

425 After discussion the following motion was made:

426

427 MOTION: Mr. Mastronicola made a motion that to request DACS to send an investigator to the last known  
428 address and/or make an attempt to locate Mr. Aiello to determine if he is currently operating.

429 SECOND: Mr. Ehmke seconded

430 ACTION: The motion passed unanimously.

431

432 **MYRON BLOW**

433 **LICENSE #: LS4225**

434 **CASE #: 2002-012395**

435 **LICENSURE STATUS: PROBATION**

436

437 Mr. Blow was not present for this review.

438

439 After discussion the following motion was made:

440

441 MOTION: Mr. Mastronicola made a motion to suspend Mr. Blow's license for failure to comply with the  
442 Final Order as he did not pass the Florida Jurisdictional examination or submit the required  
443 surveys, request an investigation and acquire his seal.

444 SECOND: Mr. Ehmke seconded.

445 ACTION: The motion passed unanimously.

446

447 **WILLIAM M. CARR**

448 **LICENSE #: LS5092**

449 **CASE #: 2004-031529**

450 **LICENSURE STATUS: SUSPENDED**

451

452 Mr. Carr was not present for this review.

453

454 After discussion the following motion was made:

455

456 MOTION: Mr. Mastronicola made a motion to suspend Mr. Carr's for failure to comply with the Final Order,  
457 request an investigation and acquire his seal.

458 SECOND: Mr. Ehmke seconded.

459 ACTION: The motion passed unanimously.

460

461 **GILER URBAN DESIGN, INC.**

462 **LICENSE #: LB7420**

463 **CASE #: 2008-001210**

464 **LICENSURE STATUS: DELIQUENT**

465

466 A representative from Giler Urban Design, Inc. was not present for this review.

467

468 After discussion the following motion was made:

469

470 MOTION: Mr. Mastronicola made a motion to suspend their LB license for failure to comply with the Final  
471 Order and request an investigation into unlicensed activity.

472 SECOND: Mr. Ehmke seconded.

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After further discussion:

ACTION: The motion passed unanimously.

**GLENN PRICE SURVEYING AND MAPPING, INC.**

**LICENSE #: LB7365**

**CASE #: 2007-043432**

**LICENSURE STATUS: DELIQUENT, ACTIVE**

A representative from Glenn Price Surveying and Mapping, Inc. was not present for this review.

After discussion the following motion was made:

MOTION: Mr. Mastronicola made a motion to suspend the LB license of the firm and ask Mr. Eric Miller request all relevant bankruptcy information, including but not limited to bankruptcy case number and attorney's name.

SECOND: Mr. Ehmke seconded.

After further discussion, Mr. Mastronicola withdrew the motion and the following motion was made:

MOTION: Ms. Clodfelter made an amended motion to suspend their LB license for failure to comply with the Final Order and request the Department review a transcript of this proceeding.

SECOND: Mr. Ehmke seconded.

ACTION: The motion passed unanimously.

**GLENN A. PRICE**

**LICENSE #: LB4935**

**CASE #: 2007-042322**

**LICENSURE STATUS: PROBATION, ACTIVE**

Mr. Price was not present for this review.

After discussion the following motion was made:

MOTION: Mr. Ehmke made a motion to lift the stay of suspension for failure to comply with the Final Order.

SECOND: Mr. Mastronicola seconded.

After further discussion, Mr. Ehmke withdrew the previous motion and the following motion was made:

MOTION: Mr. Mastronicola made a motion to lift the stay of suspension for failure to comply with the terms of the Final Order, specifically the fines were not paid, Mr. Price did not provide proof of liability insurance, proof of the completion of mts or boundary courses within 90 days, and failure to provide a list of six surveys.

SECOND: Mr. Ehmke seconded.

ACTION: The motion passed unanimously.

**THOMAS JENKINS, SR.**

**LICENSE #: LS2019**

**CASE #: 2000-005786 AND 2004-009348**

**LICENSURE STATUS: SUSPENDED, DELIQUENT**

Mr. Jenkins was not present for this review.

After discussion the following motion was made:

MOTION: Mr. Mastronicola made a motion to accept Mr. ~~Jenkin's~~ **Jenkins'** voluntary relinquishment.

SECOND: Mr. Ehmke seconded.

532 ACTION: The motion passed unanimously.

533

534 **WILLIAM N. KITCHEN**

535 **LICENSE # LS5490**

536 **CASE #: 2006-003679**

537 **LICENSURE STATUS: DELIQUENT, ACTIVE**

538

539 Mr. Kitchen was not present for this review.

540

541 After discussion the following motion was made:

542

543 MOTION: Mr. Mastronicola made a motion to suspend Mr. Kitchen's license for willfully non compliance of  
544 the Final Order.

545 SECOND: Mr. Ehmke seconded.

546 ACTION: The motion passed unanimously.

547

548 **WILLIAM N. KITCHEN**

549 **LICENSE # LS5490**

550 **CASE #: 2006-017702**

551 **LICENSURE STATUS: DELIQUENT, ACTIVE**

552

553 Mr. Kitchen was not present for this review.

554

555 After discussion the following motion was made:

556

557 MOTION: Mr. Mastronicola made a motion to suspend Mr. Kitchen's license for willfully non compliance of  
558 the Final Order.

559 SECOND: Mr. Ehmke seconded.

560 ACTION: The motion passed unanimously.

561

562 **MARCEL GUSTAVE MAYER**

563 **LICENSE #: LS4495**

564 **CASE #: 2006-012745**

565 **LICENSURE STATUS: DELIQUENT, PROBATION**

566

567 Mr. Mayer was not present for this review.

568

569 This file is running concurrently with case number 2006-017122

570

571 After discussion the following motion was made:

572

573 MOTION: Mr. Mastronicola made a motion to lift the stay of suspension for willfully non-compliance of the  
574 Final Order.

575 SECOND: Mr. Ehmke seconded.

576 ACTION: The motion passed unanimously.

577

578 **ALBERTO R. VARAS**

579 **LICENSE #: LS3105**

580 **CASE #: 2002-008960**

581 **LICENSURE STATUS: DELIQUENT, PROBATION**

582

583 Mr. Varas was not present for this review.

584

585 The Board office received a letter from his company that Mr. Varas has passed away.

586

587 **ROBERT D. WHITEHEAD**

588 **LICENSE #: LS5524**

589 **CASE #: 2006-017681**

590 **LICENSURE STATUS: PROBATION, ACTIVE**

591 Mr. Whitehead was present for this review.  
592  
593  
594 After discussion the following motion was made:  
595  
596 MOTION: Mr. Mastronicola made a motion to require Mr. Whitehead to submit a list of at least six surveys  
597 by March 1, 2010. The list must contain surveys performed since June 2009 for review in the  
598 May 2010 meeting. In addition, Mr. Whitehead must pay a minimum of half of the outstanding  
599 fine and a copy of the cancelled check Mr. Whitehead stated was made earlier by March 1,  
600 2010, with the balance of \$996.72 due on July 1, 2010. If Mr. Whitehead provides the proof of  
601 payment, the final payment shall be reduced by that amount. Furthermore, the suspension shall  
602 be lifted for the sole purpose of allowing Mr. Whitehead to correct the surveys.  
603  
604 Mr. Bennett Miller asked Mr. Whitehead if he has any objections to the motion as stated and to provide his  
605 address for the record. Mr. Whitehead did not and provided his current address to the Board.  
606  
607 SECOND: Mr. Ehmke seconded.  
608 ACTION: The motion passed unanimously.  
609  
610 Ms. Clodfelter informally polled the Board Members in attendance, Mr. Lebron, Mr. Fusco, Ms. Nobles and Mr.  
611 Cooner, to determine if the Committee's recommendations concerning Mr. Whitehead's cases are acceptable.  
612 All members in agreed to accept the Committee's recommendations.  
613  
614 The Committee reviewed the revised Probation Tracking form with no corrections to the form.  
615  
616 With no further business to discuss the following motion was made:  
617  
618 MOTION: Mr. Mastronicola made a motion to adjourn the Probation Review Committee.  
619 SECOND: Mr. Ehmke seconded.  
620 ACTION: The motion passed unanimously.  
621  
622 The meeting was adjourned at 5:15 p.m.