

60 REVIEW AND APPROVAL OF THE FEBRUARY 2010 PROBATION REVIEW COMMITTEE MINUTES

61
62 After discussion, the following motion was made:

- 63
64 MOTION: Mr. Mastronicola made a motion to approve the minutes with corrections.
65 SECOND: Mr. Ehmke seconded.
66 ACTION: The motion passed unanimously.
67

68 In an effort to accommodate a licensee's request, the following file was reviewed out of order:

69
70 2nd Set of Surveys Review

71
72 Arturo R. Toirac
73 LS3102
74 Case Number: 2007-035879
75 Licensure Status: Probation, Active
76

77 Mr. Toirac was present for this review.

78
79 After discussion the following motion was made:

- 80
81 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.
82 Toirac from probation.
83 SECOND: Mr. Ehmke seconded.
84 ACTION: The motion passed unanimously.
85

86 1st Set of Surveys Review

87
88 William Boyd
89 LS6334
90 Case Number: 2006-012705
91 Licensure Status: Probation, Active
92

93 Mr. Boyd was present for this review.

94
95 After discussion the following motion was made:

- 96
97 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a
98 second set of surveys from Mr. Boyd.
99 SECOND: Mr. Ehmke seconded.
100 ACTION: The motion passed unanimously.
101

102 Mr. Boyd submitted a letter in October 2008 requesting a payment plan.

103
104 After discussion the following motion was made:

- 105
106 MOTION: Mr. Mastronicola made a motion to accept 3 payments of \$1,120.13 with the first payment due
107 June 10, 2010 with the last payment of \$1,120.14 due on August 10, 2010.
108 SECOND: Mr. Ehmke seconded.
109 ACTION: The motion passed unanimously.
110

111 Daniel David Garner
112 LS6189
113 Case Number: 2007-047442
114 Licensure Status: Probation, Active
115

116 Mr. Garner was present for this review.

117
118 After discussion the following motion was made:

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119
120 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance but continue Mr.
121 Garner's probation until completion of the stipulations set forth in the Final Order.
122 SECOND: Mr. Ehmke seconded.
123 ACTION: The motion passed unanimously.

124
125 Robert D. Whitehead
126 LS5524
127 Case Number: 2006-017681
128 Licensure Status: Probation, Active

129
130 Mr. Whitehead was present for this review.

131
132 After discussion the following motion was made:

133
134 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance but continue Mr.
135 Whitehead's probation until completion of the stipulations set forth in the Final Order.
136 SECOND: Mr. Ehmke seconded.
137 ACTION: The motion passed unanimously.

138
139 James Michael McNeely
140 LS5730
141 Case Number: 2007-039497
142 Licensure Status: Probation, Active

143
144 Mr. McNeely was present for this review.

145
146 After discussion the following motion was made:

147
148 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance and request a
149 second set from Mr. McNeely due on or before October 1, 2010.
150 SECOND: Mr. Ehmke seconded.
151 ACTION: The motion passed unanimously.

152
153 The Committee recessed for lunch at 12:07 p.m.

154
155 The Committee reconvened at 1:15 p.m.

156
157 In an effort to accommodate a licensee's request, the following file was reviewed out of order:

158
159 2nd Set of Surveys Review

160
161 Charles Robert DeFoor
162 LS4189
163 Case Number: 2006-067399
164 Licensure Status: Probation, Active

165
166 Mr. DeFoor was present for this review.

167
168 After discussion the following motion was made:

169
170 MOTION: Mr. Ehmke made a motion to find the second set of surveys in compliance but continue Mr.
171 DeFoor's probation until completion of the stipulations set forth in the Final Order.
172 SECOND: Mr. Mastronicola seconded.
173 ACTION: The motion passed unanimously.

174
175
176
177

178 1st Set of Surveys Review

179

180 Larry L. Evans

181 LS2937

182 Case Number: 2008-048586

183 Licensure Status: Probation, Active

184

185 Mr. Evans was present for this review.

186

187 After discussion the following motion was made:

188

189 MOTION: Mr. Mastronicola made a motion to find the first set of surveys in compliance and release Mr.
190 Evans from probation.

191 SECOND: Mr. Ehmke seconded.

192 ACTION: The motion passed unanimously.

193

194 Clarence J. Williams, III

195 LS5351

196 Case Number: 2007-004792

197 Licensure Status: Probation, Active

198

199 Mr. Williams was present for this review.

200

201 After discussion the following motion was made:

202

203 MOTION: Mr. Ehmke made a motion to find the first set of surveys in compliance and release Mr. Williams
204 from probation.

205 SECOND: Mr. Mastronicola seconded.

206 ACTION: The motion passed unanimously.

207

208 2nd Set of Surveys Review

209

210 Ralph Swerdloff

211 LS3411

212 Case Number: 2007-050085

213 Licensure Status: Probation, Active

214

215 Mr. Swerdloff was present for this review.

216

217 After discussion the following motion was made:

218

219 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.
220 Swerdloff from probation.

221 SECOND: Mr. Ehmke seconded.

222 ACTION: The motion passed unanimously.

223

224 Wayne N. Pond

225 LS6385

226 Case Number: 2008-014053

227 Licensure Status: Probation, Active

228

229 Mr. Pond was present for this review.

230

231 After discussion the following motion was made:

232

233 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.
234 Pond from probation.

235 SECOND: Mr. Ehmke seconded.

236 ACTION: The motion passed unanimously.

237
238 Jacob Gomis
239 LS6231
240 Case Number: 2004-052817
241 Licensure Status: Suspended, Active
242
243 Mr. Gomis was present for this review.
244
245 After discussion the following motion was made:
246
247 MOTION: Mr. Ehmke made a motion to find the second set of surveys in compliance and reinstate Mr.
248 Gomis.
249 SECOND: Mr. Mastronicola seconded.
250 ACTION: The motion passed 2 to 1. Mr. Mastronicola voted against the motion.
251

252 John William Walker
253 LS5362
254 Case Number: 2007-026740
255 Licensure Status: Probation, Active
256
257 Mr. Walker was present for this review.
258
259 After discussion the following motion was made:
260
261 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.
262 Walker from probation for case number 2007-026740.
263 SECOND: Mr. Ehmke seconded.
264 ACTION: The motion passed unanimously.
265

266 John William Walker
267 LS5362
268 Case Number: 2007-043436
269 Licensure Status: Probation, Active
270
271 Mr. Walker was present for this review.
272
273 After discussion the following motion was made:
274
275 MOTION: Mr. Mastronicola made a motion to find the second set of surveys in compliance and release Mr.
276 Walker from probation for case number 2007-043436.
277 SECOND: Mr. Ehmke seconded.
278 ACTION: The motion passed unanimously.
279

280 W. Nelson Thaxton
281 LS4812
282 Case Number: 2006-007400
283 Licensure Status: Probation, Active
284
285 Mr. Thaxton was present for this review.
286
287 After discussion the following motion was made:
288
289 MOTION: Ms. Clodfelter made a motion to find the second set of surveys not in compliance and suspend
290 Mr. Thaxton's license for failure to meet the requirements of the submittal package.
291 SECOND: Mr. Mastronicola seconded.
292 ACTION: The motion passed unanimously.
293

294 Mr. Thaxton was notified that he will remain in suspended status until he meets the statutory requirements to
295 reinstate his license, including taking and passing the Florida Jurisdiction Exam and petitioning the Board to lift
296 the suspension.

297
298 1st Set of Surveys Review
299

300 Victor G. Schumer
301 LS3578
302 Case Number: 2008-012960
303 Licensure Status: Probation, Active
304

305 Mr. Schumer was not present for the review; he submitted correspondence explaining his absence and
306 requesting a continuance.

307
308 After discussion the following motion was made:
309

310 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance based upon his
311 failure to appear and request a second set from Mr. Schumer due by November 15, 2010 for his
312 appearance at the January/February 2011 meeting.
313

314 After further discussion, it was decided that the Committee would review Mr. Schumer's surveys in his absence
315 and the following motion was made:
316

317 MOTION: Mr. Mastronicola made a motion to find the first set of surveys not in compliance based on errors
318 contained in the surveys and request a second set from Mr. Schumer due by November 15,
319 2010 for his appearance at the January/February 2011 meeting.

320 SECOND: Mr. Ehmke seconded.

321 ACTION: The motion passed unanimously.
322

323 Non-Compliance Review
324

325 William R. Ward
326 LS2729
327 Case Number 2006-040634
328 Licensure Status: Probation, Delinquent
329

330 Mr. Ward was not present for this review.
331

332 After discussion the following motion was made:
333

334 MOTION: Mr. Mastronicola made a motion to lift the stay of suspension for failure to comply with the terms
335 of the Final order.

336 SECOND: Mr. Ehmke seconded.

337 ACTION: The motion passed unanimously.
338

339 The Committee requested the Department open an investigation for failure to comply with the terms of the final
340 order.
341

342 Marcel Gustave Mayer
343 LS4495
344 Case Number 2006-017122
345 Licensure Status: Probation, Delinquent
346

347 Mr. Mayer was not present for this review.
348

349 After discussion the following motion was made:
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351
352

353 MOTION: Mr. Mastronicola made a motion to lift the stay of suspension for failure to comply with the terms
354 of the Final order and request that the Department open an investigation for failure to comply
355 with the terms of the final order.
356 SECOND: Mr. Ehmke seconded.
357 ACTION: The motion passed unanimously.

358

359 Tracking List Review

360

361 Mr. Biegalski updated the Committee on the status of the outstanding cases.

362

363 John Richard Litton

364 LS3467

365 Case Number: 2007-046654

366 Licensure Status: Probation, Active

367

368 Mr. Litton submitted a letter which included the list of surveys and requesting additional time to provide the
369 survey for review

370

371 After discussion the following motion was made:

372

373 MOTION: Mr. Mastronicola made a motion to accept the list of surveys and allow Mr. Litton until July 12,
374 2010 to submit the surveys for review.

375 SECOND: Mr. Ehmke seconded.

376 ACTION: The motion passed unanimously.

377

378 Giler Urban Design, Inc.

379 LB7420

380 Case Number: 2008-001210

381 Licensure Status: Delinquent, Suspended

382

383 After discussion the following motion was made:

384

385 MOTION: Mr. Mastronicola made a motion to enter an order striking previous order lifting stay of
386 suspension.

387 SECOND: Ms Clodfelter seconded

388 ACTION: The motion passed unanimously.

389

390 Collection Requests

391

392 Mr. Biegalski presented the collections report to the Committee

393

394 Seal Retrieval Requests

395

396 Mr. Biegalski presented the seal retrieval request tracking sheet to the Committee.

397

398 With no further business to discuss the following motion was made:

399

400 MOTION: Mr. Ehmke made a motion to adjourn the meeting.

401 SECOND: Mr. Mastronicola seconded.

402 ACTION: The meeting was adjourned at 4:27 p.m.