

DATE AND TIMES: Tuesday, November 29, 2011, Open House, 5:00 p.m.; Presentation, 5:45 p.m.

PLACE: Palm Coast Community Center, 305 Palm Coast Parkway, N.E., Palm Coast, FL 32137

Project ID Number: FC-10-R04

Project Description: Project Development and Environment (PD&E) Study for an interchange at Matanzas Woods Parkway and I-95 and related improvements to Matanzas Woods Parkway.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Flagler County is conducting a public hearing to discuss plans to add an interchange to I-95 at Matanzas Woods Parkway, and to widen Matanzas Woods Parkway in Flagler County, Florida. The project improves access to I-95 and provides additional capacity along Matanzas Woods Parkway from US 1 to Old Kings Road. There are also potential access changes in the study corridor. Matanzas Woods Parkway may change from an unrestricted undivided 2-lane roadway to a 4-lane divided roadway. The divided roadway would have a raised median and openings at appropriate spacing and locations, consistent with County guidelines. Stormwater treatment options, including potential stormwater pond locations, will also be presented.

Public Participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 7 days before the hearing by contacting: Ms. Mindy Heath, Public Information Coordinator, HDR Engineering Inc., 315 East Robinson Street, Ste. 400, Orlando, Florida 32801, by Fax: (407)420-4242, by email: mindy.heath@hdrinc.com or by phone: (407)420-4245. If you are hearing or speech impaired, please contact: Ms. Heath using the Florida Relay service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information or for a copy of the agenda, please contact: Ms. Mindy Heath at the contact information listed above.

If any person decides to appeal any decision made with respect to any matter considered at this hearing, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence from which the appeal is to be issued.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation has issued an order disposing of the petition for declaratory statement filed by Reliable Reports of Texas, Inc. d/b/a Reliable Reports, Inc. on August 2, 2011. The following is a summary of the agency's disposition of the petition:

Ordered that so long as the Petitioner's business practices do not meet the definition of "home inspectors services" as set forth in Section 468.8311(4) of the Florida Statutes, it's inspectors are not required to obtain licensure as home inspectors under Chapter 468, Part XV, of the Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

Please refer all comments to: Richard Morrison, Executive Director, Department of Business and Professional Regulation, Division of Professions, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Elena Soutullo, Petitioner, In Re: Kensington Condominium Association, Inc., Docket No. 2011042257 on August 26, 2011. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place; or where the facts are in dispute; or determine the rights of third parties who are not parties to the declaratory statement; or when it has not been provided with a record of parking space ownership via assignment deed.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Mark A. Annunziata, filed on October 6, 2011. The petition seeks the agency's opinion as to the applicability of Section 489.105, Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.105, Florida Statutes, and whether a certified state residential contractor is permitted to act as a prime contractor where the majority of the work to be performed under the contract is within the scope of his or her license or from subcontracting to other licensed contractors that remaining work which is part of the project contracted.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Paul J. Del Vecchio, filed on October 18, 2011. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(a), (b), (c), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks the Board to interpret Section 489.105(3)(a), (b), (c), Florida Statutes, and whether construction management as a service that oversees the management of construction activities on a given project is exclusive to a licensed contractor or whether this service may be performed by an unlicensed individual or entity.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has declined to rule on the petition for declaratory statement filed by Holli Gorby on August 8, 2011. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 33, of the August 19, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on August 8, 2011. The Petitioner asked the Board several questions regarding selling and servicing hot water systems. The Board's Order, filed on October 17, 2011, declines to issue a declaratory statement.

The Petitioner is not substantially affected as required by Section 120.565, Florida Statutes and Chapter 28-105, Florida Administrative Code.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Jeffrey Mahlsted on August 8, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 33, of the September 3, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on August 19, 2011. The Petition asks the Board whether he is properly licensed to install a solar-powered attic fan. The Board's Order, filed on October 17, 2011, answers the Petition for Declaratory Statement. Installation of a self-contained modular unit supplied from the manufacturer as described in the petition is within the scope of a roofing contractor.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

The Construction Industry Licensing Board hereby gives notice that the petition filed by Mitsubishi Power Systems Americas, Inc. on September 9, 2011, requesting a declaratory statement of Section 489.113, Florida Statutes, has been withdrawn. The Notice of Petition was published in Vol. 37, No. 41, of the October 14, 2011, issue of the Florida Administrative Weekly.

A copy of the Board's Order may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Ehren O'Donnell, ATT Sports, Inc., on August 11, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 35, of the September 2, 2011, Florida Administrative Weekly. The Board considered the Petition at a

duly-noticed public meeting held on August 11, 2011. The petition requested the Board's interpretation of Chapter 489, Part I, Florida Statutes, and whether there is a license for paving the asphalt/concrete or for installing synthetic running tracks. The Board's Order, filed on October 17, 2011, grants the Petition for Declaratory Statement of Chapter 489, Part I, Florida Statutes. Pursuant to Chapter 489, Part I, Florida Statutes, a contractor is not required to be licensed by the Board for installation of the surface described in the petition. However, construction of any structural work would require a license pursuant to Chapter 489, Part I, Florida Statutes

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Jack Westenbarger on August 5, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 36, of the September 9, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 16, 2011. The Board's Order, filed on October 17, 2011, denies issuance of a Declaratory Statement of Section 489.105(3), Florida Statutes. The board lacks jurisdiction to answer the question as posed because it would require a direct interpretation of the Florida Building Code rather than Chapter 489, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on July 25, 2011, the Board of Pharmacy has received the petition for declaratory statement from Robert H. Wilson, BPharm., on behalf of The Towers Pharmacy, Inc. The petition seeks the agency's opinion as to the applicability of Rule 64B16-27.797, Florida Administrative Code, as it applies to the petitioner.

The petitioner is seeking a variance or waiver of Rule 64B16-27.797, Florida Administrative Code, which requires antineoplastic drugs to be compounded in a vertical flow, Class II biological safety cabinet. Petitioner would instead like to use the facilities at Baptist Hospital Pharmacy.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Michelle Hatley vs. Department of Education; Case No.: 11-5078RX; Rule No.: 6A-1.0021(6)(c)

Diana Richardson, LMT vs. Department of Business and Professional Regulation, Board of Cosmetology; Case No.: 11-5454RX; Rule No.: 61G5-29.001

Two Four Nine, LLC, d/b/a Central Avenue Seafood Company vs. Department of Business and Professional Regulation, Division of Alcoholic Beverage and Tobacco; Case No.: 11-5067RU

Lonny Ohlfest vs. Department of Highway Safety and Motor Vehicles; Case No.: 11-5097RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Metro Traffic School vs. Department of Highway Safety and Motor Vehicles; Case No.: 11-1563RP; Rule No.: 15A-10.009; Invalid

Project Refocus, Inc., A Florida Corporation vs. United Safety Council, Inc., d/b/a Florida Safety Council, Inc., A Florida Non-Profit Corporation and Department of Highway Safety and Motor Vehicles; Case No.: 11-3297RX, Rule No.: 15A-10.028; Dismissed

Helen Peek vs. Florida Parole Commission; Case No.: 11-4166RX; Rule No.: 23-21.0155; Dismissed

Albert Figueroa vs. Department of Corrections; Case No.: 11-3852RP; Rule No.: 33-601.731; Dismissed

Jaylin Figueroa vs. Department of Corrections; Case No.: 11-3853RP; Rule No.: 33-601.731; Dismissed