



**PINELLAS COUNTY
CONSTRUCTION LICENSING BOARD**

MINUTES

The regular bimonthly meeting of the Pinellas County Construction Licensing Board was held at the Largo City Hall Community Room, 201 Highland Avenue, Largo on September 20, 2011. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

<u>MEMBERS</u>	<u>CLASSIFICATION</u>
Paul Skipper, Chair	Building
Thomas Tafelski, Vice Chair	Residential
Steve Andrews	Building Official
Mike Besel	Plumbing
Gareth Eich	Architect
Kevin Garriott	Building Official
Larry Goldman	Building Official
Ernie Hand	Fire Marshal
Alan Holderith	General Contractor
Bill Heaberlein	Roofing
Jack Joyner	Mechanical
Steve Strong	Fire Marshal
Gerald H. White	Electrical
Fritz Wolf	Residential

Also attending: Rodney Fischer, Executive Director
Jason Ester, Assistant County Attorney
Caroline Jones, Executive Administrative Secretary

The meeting was called to order at 1:30 PM

Pledge of Allegiance/Roll Call

I. **PUBLIC HEARING**

No public hearings.

II. **CONSENT AGENDA**

After consideration and on a motion by Member Joyner, seconded by Member Strong, the Board unanimously accepted/approved the consent agenda. All stipulations are Final Orders of the Board in accordance with Section 120.57(3), Florida Statutes.

- A. Minutes for PCCLB – Regular PCCLB meeting of July 19, 2011 and Special Master Minutes of July 26 and September 7, 2011

- B. Financial Reports – June, July, and August 2011
- C. Examining Committees Reports – July and August 2011
- D. Stipulations (Section 120.57(3), Florida Statutes)
 - 1. Eddie Johnson C11-261
 - 2. Kenneth R. Esposito C11-350, 430, 728
 - 3. James S. Rowland C11-685
 - 4. Peter Edward Wozniak C11-785
 - 5. Christopher T. Solecki C11-803
 - 6. Keith A. Westbrook C11-752, 753, 827, 843, 897, 940

III. REGULAR AGENDA

A. The Board conducted informal administrative hearings in accordance with section 120.57(2), Florida Statutes. The Respondent elected an informal hearing, defaulted by not executing an Election of Rights or failed to respond and was therefore scheduled for informal hearings by the Board to resolve the complaints. The actions taken are Final Orders of the Pinellas County Construction Licensing Board. Rodney S. Fischer appeared in the cases for the Petitioners.

1. DAVID MELVIN ROBEY, JR., a General Contractor (I-CGC1516380) did not appear in the case of Administrative Complaint C11-707. Following presentation of background information by Mr. Fischer and discussion by the members, on a motion by Member Tafelski, seconded by Member Hand, the board voted to accept the allegations of Administrative Complaint C11-707 as Findings of Fact and concluded that the Respondent violated Section 24(2)(d)(h)(j)(m), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty as recommended by staff:

- (a) Reprimand for financial mismanagement and misconduct;
- (b) Administrative fine of \$1,000.00 imposed; and
- (c) Suspension of Respondent's registration, however, suspension is stayed and will be one-year probation if Respondent pays the fine and provides proof of resolution of the complaint within 30 days of a final order.

B. EXPIRED PERMITS – Mr. Fischer indicated that the following two cases pertain to abandoned permit complaints wherein the issues have been resolved but the \$300.00 fine not paid; and that staff recommendation is to increase the fine to \$500.00 and if not paid within 30 days of a final order, suspension of registration or licensure. He also indicated that cases C11-642, 699, and 690 have been resolved prior to the start of the meeting. On a motion by Member Goldman, seconded by Member Holderith, the Board voted to impose staff recommendation on the following case:

- 1. John Kursch C11-642 and 699 - Resolved
- 2. Gregory Pugh – C11-292

Mr. Fischer indicated that cases C11-776, C11-745, and C11-328 pertained to abandoned permit complaints that had not been paid or resolved; and that staff recommendation is to increase the fine to \$500.00 and that the Respondent resolve the permitting issue and pay the fine within 30 days of a final order or license/registration is to be suspended.

In response to query by Member Tafelski, Mr. Fischer stated that staff does inform Respondents that failure to pay the original \$300.00 or to not resolve permit issue may result in increased fines and penalties.

On a motion by Member Besel, seconded by Member Andrews, the Board voted to approve staff recommendation on the following cases:

1. John Kursch C11-690 - Resolved
2. Richard L. Carr C11-776

On a motion by Member Goldman, seconded by Member Joyner, the Board voted to approve staff recommendation on the following case:

3. Douglas Benjamin C11-745

On a motion by Member Eich, seconded by Member Joyner, the Board voted to approve staff recommendation on the following case:

4. Jason Hidy C11-328

Mr. Fischer indicated that case C11-278 represented an expired permit complaint wherein the Respondent paid the fine and has not resolved the permitting issue; whereupon, he stated that staff recommendation is to impose an additional \$200.00 fine and that the Respondent resolve the permitting issue and pay the fine within 30 days of a final order or registration will be suspended.

On a motion by Member Besel, seconded by Member Andrews, the Board voted to approve staff recommendation on the following case:

5. Darrin McCormick C11-278

It was noted for the record that Respondents were not in attendance and were not represented.

C. RECOMMENDATION BY STANDING LICENSING COMMITTEE – APPROVED

Mr. Fischer reported that the Standing Licensing Committee, responding to certain issues facing many building officials, proposed that the following interpretation be approved by the Board members about the scope of work for a Tile and Marble Specialty Contractor:

Base or substrate materials such as Durarock or Concrete Backer Board are incidental to the installation of ceramic tile, grout, marble, cultured

marble, and wall splash. The installation of said materials is within the scope of work of the Tile and Marble Specialty Contractor or can be subcontracted to properly licensed trade contractors. Tile and Marble Specialty Contractors may also subcontract with Plumbing Contractors for installation of Shower Pans when replacing or repairing existing tile showers.

He explained that due to the large amount of tubs being converted into showers in condominiums countywide, the building officials are being faced with the question of "Can a Tile and Marble Contractor do the substrate and who can or cannot change out the shower pan?"

Discussion ensued pertaining to alternate shower pans and permitting requirements; whereupon, Member Tafelski suggested that Member Besel attend an upcoming meeting of the Standing Licensing Committee to discuss the prime contractor matter.

Member Besel moved, seconded by Member Goldman, that the interpretation set forth by the Standing Licensing Committee be approved. Upon call for the vote the motion carried unanimously.

D. Miscellaneous Correspondence – Received and Discussed

A. Old Business – None

B. New Business – None

C. Miscellaneous Correspondence:

1. Roofing/Repair/Replacement Document

2. Activities Reports from Guy Gannaway

3. Follow up Audit of the Construction Licensing Board

by Division of Inspector General, Clerk of the Circuit Court

E. Citizens to Be Heard: None

ADJOURNMENT

The September 20, 2011, meeting of the PCCLB was adjourned at 2:11 P.M.

Chairman