



# PINELLAS COUNTY CONSTRUCTION LICENSING BOARD

## MINUTES

The regular bimonthly meeting of the Pinellas County Construction Licensing Board was held at 201 Highland Avenue, Building 3 in the Largo City Hall Complex on March 18, 2008. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

### MEMBERS

Paul Skipper, Chair  
Mike Brizzi  
John Burket  
Gareth Eich  
Kevin Garriott  
Steve Gleaton  
Ernest Hand  
Jack Joyner  
Michael Keane  
Patrick Murphy  
Robert Nagin  
James Rosenbluth  
Charles Spitzer  
John Tillinghast  
Peter Vasti  
Fritz Wolf

### CLASSIFICATION

Building  
Plumbing  
General  
Architect  
Building  
Specialty Structure  
Fire Marshal  
Mechanical  
General  
Building Official  
Building Official  
Building  
Electrical  
Roofing  
Consumer  
Residential

Also attending: Rodney Fischer, Exec. Director  
Jason Ester, Esq. Caroline Jones, Admin. Secretary

The meeting was called to order at 1:30 p.m.

### I. PUBLIC HEARING – Pledge of Allegiance/Roll Call

1. The Board received a proposed **Awning Specialty Contractor** classification as recommended by the Standing Licensing Committee for consideration and public input. Following discussion, upon motion by Member Nagin, seconded by Member Garriott, the following classification was adopted by a unanimous vote, effective June 16, 2008:

a. The "Awning Specialty Contractor" is a specialty contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary to fabricate, erect and install metal-framed awnings or canopies.

b. The scope of such work shall include the fabrication, erection and installation of awnings or canopies of detachable cloth/synthetic cover material, with or without signage, over a rigid metal frame including other materials and signage, incidental thereto, in or on buildings or other structures, and which may be, in whole or part, supported from a building wall erected and provided by others, or may be self-supporting, including footings or slabs on grade in connection therewith. The scope of such work shall comply with all plans, specifications and applicable codes, laws and regulations.

c. The "Awning Specialty Contractor." shall not contract for any other work of another trade that is included within the scope of any other licensed contractor, however, Electrical wiring required for the purpose of lighting the awning may be included in the contract for work, but must be subcontracted to a certified electrical contractor. Nothing in this definition shall be construed to limit or infringe upon the scope of the work of any other specialty contractor licensed by the Pinellas County Construction Licensing Board.

d. This licensed category does not apply to awnings that are movable or retractable or the replacement of detachable cloth/synthetic cover material on existing frames.

**Deviating from the agenda, there being no objection, Chairman Skipper advised that the Board would address item No. 5 Determination as to whether the City of St. Pete Beach is Non-Compliant with Coastal Construction Code**

Mr. Fischer presented background information wherein he stated that pursuant to an Agreement with the Florida Department of Environmental Protection, PCCLB, the beach communities, and Pinellas County that adopted a more stringent building code for the 300 feet landward of the Coastal Construction Control Line (CCCL) it is incumbent on each of the beach communities and Pinellas County to enforce that code. Referring to the issue currently before the members, he indicated that a complaint had been received that a structure located in St. Pete Beach was not compliant with the CCCL code; and that the Pinellas County Building Department was asked to review the plans, specifications, permits and all other information on the particular structure and submit a determination to the PCCLB for its review. Mr. Fischer added that the City of St. Pete Beach has requested a continuance to afford time for new staff members to familiarize themselves with the issues.

\* \* \* Member Hand, St. Pete Beach Fire Marshal and Member Nagin, \* \* \*  
Pinellas County Building Official, asked to be recused from deliberation.

Ralf Brooks, St. Pete Beach City Attorney, addressed the request for a continuance noting that the building official who issued the permit in question is no longer employed by the City and that a new official has just been hired and will need time to review the matter.

Mr. Walter Sowa, St. Pete Beach with his attorney, John R. Thomas, presented testimony in objection to the continuance.

In response to Chairman Skipper's question, PCCLB Attorney Ester indicated that 30 days are allowed to file an appeal after a determination has been rendered.

Following discussion, Member Burket moved, seconded by Member Joyner, that item No. 5, Determination as to whether City of St. Pete Beach is Non-Compliant with Coastal Construction Code be continued to a date certain of April 16. Upon call for the vote, the motion carried unanimously.

2. The Board received a revised **Structural Masonry Specialty Contractor** classification as recommended by the Standing Licensing Committee for consideration and public input. Following discussion, upon motion by Member Hand, seconded by Member Burket, the following revised Structural Masonry Specialty Contractor classification was adopted by a unanimous vote, effective immediately:

a. The "Structural Masonry Specialty Contractor" is a specialty contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary to form, place, finish, install, repair, maintain, and replace any concrete or masonry products including: batching and mixing of aggregates, cement, and water to specifications, laying of block, brick, and other masonry units, the construction of forms and framework for the casting and shaping of concrete, the placing and erection of reinforcing steel and the pouring, placement, injecting and finishing of concrete.

b. The scope of such work shall include all types of foundations, slabs, footers, curbs, walls, columns, beams and other structures. This work also includes terrazzo and other finishes. The scope of such work shall comply with all plans, specifications and applicable codes, laws and regulations.

c. The "Structural Masonry Specialty Contractor" shall not contract for any other work of another trade that is included within the scope of any other licensed contractor. Nothing in this definition shall be construed to limit or infringe upon the scope of the work of any other specialty contractor licensed by the Pinellas County Construction Licensing Board.

3. The Board received a proposed revision to the **Flatwork Concrete Specialty Contractor** classification as recommended by the Standing Licensing Committee for consideration and public input. Following discussion, upon motion by Member Nagin, seconded by Member Garriott, the following classification was adopted effective immediately with Member Rosenbluth voting No:

a. The "Flatwork Concrete Specialty Contractor" is a specialty contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary to form, place, finish, install, repair, maintain, and replace concrete on grade.

b. The scope of such work shall include all types of foundations, slabs, walks, driveways, pavers, patios and similar items. The scope of such work shall comply with all plans, specifications and applicable codes, laws and regulations.

c. The “Flatwork Concrete Specialty Contractor” shall not contract for any other work of another trade that is included within the scope of any other licensed contractor. Nothing in this definition shall be construed to limit or infringe upon the scope of the work of any other specialty contractor licensed by the Pinellas County Construction Licensing Board.

4. Mr. Fischer provided an overview of the **Swimming Pool Subcontractor Specialty** Classifications and indicated that the Standing Licensing Committee is recommending adoption of seven subcontractor categories in the swimming pool trade with the stipulation that a business law exam be taken and passed and compliance with all continuing education requirements be mandated in order to obtain a Pinellas County license. Responding to queries, Mr. Fischer advised that the state license for the same categories is voluntary and requires only a written exam but with the PCCLB both a written business and law exam and a practical exam are required; and that examining companies will be conducting the field exams. Following discussion, on a motion by Member Murphy, with a second by Member Nagin, the Board voted to enact the seven swimming pool categories effective May 16, 2008 with Member Burket casting the dissenting vote:

(a) A “**Swimming Pool Layout Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the layout, shaping, steel installation, and rough piping of pools, spas, and hot tub shells.

(b) A “**Swimming Pool Structural Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the shaping and shooting of gunite, shotcrete, concrete, or similar product mix used in the construction of swimming pools and spas. This scope of work includes the installation of fiberglass shells and vinyl liners.

(c) A “**Swimming Pool Excavation Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the excavation and earthmoving required for the installation of pools, spas, and hot tub shells.

(d) A “**Swimming Pool Trim Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the installation of tile and coping for pools, spas, and hot tub shells. Decorative or interactive water displays or areas that use recirculated water, including waterfalls and spray nozzles, are also included in this rule within this scope of work.

(e) A “**Swimming Pool Decking Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the construction and installation of concrete

flatwork, pavers and bricks, retaining walls, and footings associated with the construction of pools, spas, and hot tub shells.

(f) A “**Swimming Pool Piping Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the installation of piping or the installation of circulating, filtering, disinfecting, controlling, or monitoring equipment and devices used in the construction of pools, spas, hot tubs, and decorative or interactive water displays or areas.

(g) A “**Swimming Pool Finishes Specialty Contractor**” means a swimming pool specialty contractor whose scope of work is limited to the coating or plastering of the interior surfaces of pools, spas, or hot tub shells.

## II. CONSENT AGENDA

After consideration, and on a motion by Member Burket and a second by Member Rosenbluth, 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. Motion carried.

- A. Minutes for PCCLB - Meeting of January 15, 2008
- B. Financial Reports – January/February 2008
- C. Examining Committees Reports – February/March 2008
- D. Stipulations (Section 120.57(3), Florida Statutes)
  - 1. Harold J. Myers C07-281, C07-385
  - 2. Wayne C. Carothers C07-873
  - 3. Mark Steven Cain C07-913
  - 4. Gerhard George Kalke C07-919
  - 5. Russell F. Federspiel C07-942
  - 6. Frantz Guy Paultre C07-948
  - 7. Michael James Carazola C07-956
  - 8. Robert L. Duncan C07-969
  - 9. Melony D. Antonio C07-990
  - 10. Ronald P. Sciarretta C07-991
  - 11. Ovilla R. Desrochers, Jr. C07-993
  - 12. Spencer J. Lee C07-998
  - 13. Rafael Velasco C07-1026
  - 14. Katherine Valdes C07-1031
  - 15. Frantz Guy Paultre C07-1032
  - 16. Charles L. Shepherd C07-1041
  - 17. Madelaine H. Silins C07-1055
  - 18. Harvey Totten C07-1058
  - 19. Dennis G. DeRosier C07-1061
  - 20. Joseph M. Belanger C07-1062

### III. REGULAR AGENDA

A. The Board conducted informal administrative hearings in accordance with section 120.57(2), Florida Statutes. The Respondent either elected an informal hearing or defaulted by not executing an Election of Rights 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. Mark Hammock, a Roofing Contractor (C-6440) appeared and provided mitigating testimony in the case of Administrative Complaint 07-849. After consideration, review of testimony, and on a motion by Member Burket and a second by Member Keane, the Board voted to accept the allegations of Administrative Complaint C07-849 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(h)(j)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct and assessed an Administrative Fine of \$1,000.00 for Administrative Complaint C07-849.
- b) Suspension of Respondent's license for one year, however, suspension is stayed for 30 days and shall become probation for one year if Respondent pays administrative fine, provides evidence that Respondent obtained a permit and satisfactory inspection of the roofing work and settled with homeowner for damages to homeowner's property.
- c) Respondent to provide permit reports monthly for the next 12 months.

2. Marco Alamina, a state-certified Roofing Contractor (CCC-1326541) and state-certified Building Contract (CBC-1250858), did not appear and was not represented in the case of Administrative Complaint C07-988. After consideration, review, and on a motion by Member Wolf and a second by Member Nagin, the Board voted to accept the allegations of Administrative Complaint C07-988 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(j)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct; and
- b) Respondent is assessed a settlement fee of \$1,000.00 per count (3).
- c) Respondent's registration is suspended immediately.
- d) Respondent is to resolve customer complaints referenced on administrative complaint C07-988 within 30 days
- e) Case C07-988 is to be referred to DBPR for disciplinary action.

After consideration, review and on a motion by Member Wolf and a second by Member Burket, the Board voted to accept the allegations of Administrative Complaint C07-1067 as Findings of Fact and concluded Respondent violated Section 24 (2)(h)(j)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct, and

- b) Respondent is assessed a settlement fee of \$1,000.00 per count (2).
- c) Respondent's Building and Roofing license are immediately suspended.
- d) Respondent is to resolve customer complaints referenced on administrative complaint C07-1067 within 30 days.
- e) Case C07-1067 is to be referred to DBPR for disciplinary action.

After consideration, review and on a motion by Member Nagin and a second by Member Burket, the Board voted to accept the allegations of Administrative Complaint 07-1068 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(h)(j)(m), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct, and
- b) Respondent is assessed a settlement fee of \$1,000.00 per count (2).
- c) Respondent's Building and Roofing licenses are immediately suspended.
- d) Respondent is to resolve customer complaints referenced on administrative complaint C07-1068 within 30 days.
- e) Case C07-1068 is to be referred to DBPR for disciplinary action.

- 3. Robert L. Duncan, a state-certified Roofing Contractor (CCC-1011607) appeared and provided mitigating testimony in the case of Administrative Complaint C07-1075. After consideration, review, and input from Pinellas County Chief Building Inspector John Segrete, on a motion by Member Burket and a second by Member Murphy, the Board voted to continue the case to its May 20, 2008 scheduled meeting to afford the respondent and the building department time to resolve the outstanding issues.
- 4. Henry Kevin Shirley, a state-certified Plumbing Contractor (CFC-1425830), did appear and provided mitigating testimony in the case of Administrative Complaint C07-1036. After consideration, review, and on a motion by Member Nagin and a second by Member Burket, the Board voted to accept the allegations of Administrative Complaint C07-1036 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(e)(g)(j)(l)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty:
  - a) Respondent is reprimanded for misconduct; and
  - b) Respondent is assessed a settlement fee of \$300.00.
  - c) Respondent is to resolve customer complaints referenced on administrative complaint C07-1036 within 30 days

#### IV. MISCELLANEOUS CORRESPONDENCE & REQUESTS

- A. Old Business - None
- B. New Business
  - 1. Board approved appointment of Fire Marshal Edward Mullins to the PCCLB to replace Jim Warman.
  - 2. Fire Marshal William Jolly appointed to Life Safety Review Board.

3. Gareth Eich appointed to Countywide Board of Adjustment and Appeals, Building.
  4. Steve Gleaton appointed to Probable Cause Committee.
- C. Miscellaneous Correspondence and Reports Received
1. Affiliated Collection Services Agreement
  2. New Continuing Education Requirements for Certified and Registered Contractors.
  3. Letter from Charles Lynde to Investigator Garriques in appreciation of her assistance regarding a contractor dispute.
  4. Notice from Florida Department of Consumer Affairs re Stronger Structures for Florida Coast.
  5. State of Florida Wind-Borne Debris Region Map
  6. Special Master Hearing minutes of meeting held February 12, 2008
  7. 2007 Annual Investigative Statistics Report
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8. Member Tillinghast presents update regarding New Rule 9-B.0475 Hurricane Mitigation Retrofits for Existing Site-Built Single Family Residential Structures.

#### ADJOURNMENT

The March 18, 2008 meeting of the Pinellas County Construction Licensing Board was adjourned at 3:40 P.M.