

**SUMMARY MINUTES OF MEETING – JULY 15, 2003  
PINELLAS COUNTY CONSTRUCTION LICENSING BOARD**

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 July 15, 2003.

Members in attendance were:

<u>MEMBERS</u>	<u>CLASSIFICATION</u>
Peter Jon Volmar, Vice Chair	Architect
John C. Burket	General
Brian Deeb	Consumer
Joseph Di Pasqua	Building Official
Roger Erdelac	Swimming Pool/Spa
Kevin Garriott	Building Official
David Habib	Building
Michael Keane	General
Wayne Madascy	Plumbing
Milton Massanet	Building Official
Patrick Murphy	Building Official
Robert Nagin	Building Official
Francis Sandy Sullivan	Fire Marshal
Thomas Tafelski	Building
Fritz Wolf	Residential

Also attending:	Rodney S. Fischer, Exec. Director	Dianne Schiller, Administrative Secretary
	Don Crowell, Esq.	Members of the Public

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

I. PUBLIC HEARING - Pledge of Allegiance/Roll Call

A. The Board heard testimony from Art McKay, Pinellas County Chief Plumbing Inspector and Member of the Countywide Board of Adjustment & Appeals – Plumbing, Mechanical & Gas, Division I as proponent for recommendation of a local technical amendment for countywide application and enforcement of an added Exception to the Florida Building Code 2001 – Plumbing, Section 705.12.2 Solvent Cementing as follows:

705.12.2 Solvent Cementing

Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

Exception: Clear Primer conforming to ASTM F 656 may be used on any exposed PVC pipe or fittings on trim/finish work.

Following discussion of the advantages and possible weaknesses of the proposed change, and on a motion by Member Burket and a second by Member Madascy, the Board voted to approve this Exception to 705.12.2 for countywide application and enforcement, effective immediately, and to submit the Exception to the Florida Building Commission as a Local Technical Amendment.

II. CONSENT AGENDA

After consideration, and on a motion by Member Murphy and a second by Member Burket, the Board

unanimously accepted/approved the consent agenda as presented. All stipulations are Final Orders of the Board in accordance with Section 120.57(3), Florida Statutes.

### III. REGULAR AGENDA

A. The Board conducted informal administrative hearings in accordance with section 120.57(2), Florida Statutes. The Respondents either opted for an informal hearing with a written Election of Rights or defaulted by not executing an Election of Rights. The actions taken are Final Orders of the Pinellas County Construction Licensing Board. Rodney S. Fischer appeared in the case for the Petitioner.

1. Edward F. McCullough, a Roofing contractor, appeared and provided testimony in mitigation of Administrative Complaint C03-153. After consideration, review, and on a motion by Member Nagin and a second by Member Erdelac, the Board voted to accept the allegations of Administrative Complaint C03-153 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(h)(j)(k)(m), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- a) Reprimand for misconduct; and
- b) Administrative fine of \$500; and
- c) Suspension of license C-5113 (RC0061335) for one year, however, suspension is stayed for 30 days and shall become probation if Respondent pays the administrative fine.

2. Edward F. McCullough, a Roofing contractor, appeared and provided testimony in mitigation of Administrative Complaint C03-213. After consideration, review, and on a motion by Member DiPasqua and a second by Member Massanet, the Board voted to accept the allegations of Administrative Complaint C03-213 as Findings of Fact and concluded Respondent violated Section 24 (2)(g)(h)(j)(k)(m), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- a) Reprimand for working outside scope of license; and
- b) Administrative fine of \$500; and
- c) Suspension of license C-5113 (RC0061335) for one year, however, suspension is stayed for 30 days and shall become probation if Respondent pays the administrative fine.

3. Edward F. McCullough, a Roofing contractor, appeared and provided testimony in mitigation of Administrative Complaint C03-242. After consideration, review, and on a motion by Member Burket and a second by Member Murphy, the Board voted to accept the allegations of Administrative Complaint C03-242 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(h)(j)(k)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- a) Reprimand for abandonment of job; and
- b) Administrative fine of \$1,000; and
- c) Provide monthly work activity reports; and
- d) All future complaints found to have Probable Cause are to come before the PCCLB Board; and
- e) Suspension of license C-5113 (RC0061335) for one year, however, suspension is stayed for 30 days and shall become probation if Respondent pays the administrative fine.

4. John Dale Klosner, a Building contractor, appeared and provided testimony in mitigation of Administrative Complaint C03-326. After consideration, review, and on a motion by Member Nagin and a second by Member Erdelac, the Board voted to accept the allegations of Administrative Complaint C03-326 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(g)(j)(k)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- a) Recommend disciplinary action by the Department of Business & Professional Regulation/Construction Industry Licensing Board of John Dale Klosner, License CBC058717, for aiding and abetting unlicensed person(s).

5. Louis Heit, a General contractor, did not appear and was not represented in the case of Administrative Complaint C03-337. After consideration, review, and on a motion by Member Burket and a second by

Member Nagin, the Board voted to accept the allegations of Administrative Complaint C03-337 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(j)(k)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- a) Recommend disciplinary action by the Department of Business & Professional Regulation/Construction Industry Licensing Board of Louis Heit, License CGC005264, for misconduct and that Respondent be fined.
- b) Suspend PCCLB registration for one year and notify all building departments prohibiting the obtaining of permits in all county jurisdictions.

B. The Board took under consideration extenuating circumstances of persons unable to meet the "grandfathering" deadline for Cabinet and Finish Carpentry licensing applications. As the guidelines for sufficient notice were adhered to, the Board directed the staff to retain June 30<sup>th</sup> as the mandatory cutoff date.

C. With the imminent passage of Florida Legislative Bill 2462, allowing LP Gas contractors, licensed by the Div. Of LP Agriculture and Consumer Services, to perform natural and propane appliance work as part of their scope of work, discussion ensued as to the PCCLB requiring LP Gas contractors to register with the PCCLB and also obtain a Natural Gas Specialty contractor license with the County. With Bill passage, the Board, by general consensus, directed staff to distribute license applications for Natural Gas to all those LP Gas contractors registering with this Board.

D. In the legal case of David Woods vs PCCLB, a Motion to Dismiss was sent on behalf of the PCCLB by Attorney Don Crowell. Further notice was sent to Mr. Woods to appear before this Board, which he did not. On a motion by Member Nagin and a second by Member Erdelac, direction was given by the Board for our attorney to move forward in the case as appropriate. Motion carried.

E. Mr. Fischer updated the Board as to the status of continuing education for all specialty contractor licensees.

#### IV. CORRESPONDENCE & REQUESTS

Mr. Fischer announced House Representative John Carassas has resigned his seat in the State Legislature effective tomorrow and he will continue his public service as Deputy Attorney General for the State of Florida. Rep. Carassas sponsored the PCCLB legislation in the State House of Representatives.

The next meeting of the Pinellas County Construction Licensing Board will be held at 201 Highland Avenue, Building 3 in the Largo City Hall Complex on September 16, 2003 at 1:30 P.M. The meeting was adjourned at 3:10 P.M.