



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 July 15, 2008. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

MEMBERS

Thomas Tafelski, Vice Chair
Steve Andrews
Michael Brizzi
Rick Dunn
Gareth Eich
Kevin Garriott
Steve Gleaton
Ernest Hand
Jack Joyner
Michael Keane
Ed Mullins
Patrick Murphy
Robert Nagin
James Rosenbluth
Charles Spitzer
John Tillinghast
Peter Vasti
Fritz Wolf

CLASSIFICATION

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

Also attending: Rodney Fischer, Exec. Director
Jason Ester, Esq.

Caroline Jones, Executive Admin. Secretary

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

I. PUBLIC HEARING – Pledge of Allegiance/Roll Call

A. Proposed Changes to Non-Electrical Sign Specialty Contractor – Approved, effective July 15, 2008. The Board received a proposed change in name for the existing Non-Electrical Sign Specialty Contractor to: **Sign – Non-Electrical Specialty Contractor**. No one appeared to be heard with regard to the proposed change; whereupon, on a motion by Member Joyner, seconded by Member Dunn, the Board unanimously approved the following:

SIGN - NON-ELECTRICAL SPECIALTY CONTRACTOR

Existing:

“Non-Electrical Sign Specialty Contractor” Scope of work is the installation, repair, addition to, or change of non-electric signs.

(Established 3/21/95)

Proposed:

1. The “Sign - Non-Electrical Specialty Contractor” is a specialty contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary to paint, install, repair, maintain, and replace non-electric signs.

2. The scope of such work shall include any installation or alteration of the display of characters, letters, illustrations or ornamentations which do not include the incorporation of any electrical work in the manufacture, fabrication or erection. This work also includes the installation of panels, facing, frames, structures, movable or fixed, freestanding or attached to a building or other structure which is to be used for sign purposes. This scope is not intended to include artwork or signage required by any regulation. The scope of such work shall comply with all plans, specifications and applicable codes, laws and regulations.

3. The “Sign - Non-Electrical 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.

(Established 3/21/95)(Revision Proposed 6/26/08)

B. Proposed Changes to Electrical Sign Specialty Contractor – Approved, effective July 15, 2008. The Board received a proposed change in name for the existing Electrical Sign Specialty Contractor to: **Sign – Electrical Specialty Contractor**. No one appeared to be heard with regard to the proposed change; whereupon, on a motion by Member Dunn, seconded by Member Joyner, the Board unanimously approved the following:

SIGN - ELECTRICAL SPECIALTY CONTRACTOR

Existing:

“Electrical Sign Specialty Contractor.” Scope of work is the installation, repair, alteration, addition to, or change of any electrical wires, apparatus, raceways, conduit, or any part thereof on electrical signs and the erection of the signs. The scope of work does not include the provision of, or any work beyond, the last disconnecting means or terminal point.

(Established 3/21/95)

Proposed:

1. The “Sign - Electrical Specialty Contractor” is a specialty contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary to paint, install, repair, alter, add to, change, maintain, and replace electric and non-electric signs.

2. The scope of such work shall include any installation or alteration of the display of characters, letters, illustrations or ornamentations including electrical signs and the changing of any electrical wires, apparatus, raceways, conduits or any part thereof. This work also includes the installation of panels, facing, frames, structures, movable or fixed, freestanding or attached to a building or other structure which is to be used for sign purposes. The scope of work does not include the provision of, or any work beyond, the last disconnecting means or terminal point. This scope is not intended to include signage required by any regulation. The scope of such work shall comply with all plans, specifications and applicable codes, laws and regulations.

3. The “Sign - Electrical Specialty Contractor” shall be allowed to subcontract with licensed electrical contractors for work directly related to and incidental to the work including but limited to the removal and/or installation of receptacles, lights, switches and wiring to the sign. 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.

(Established 3/21/95)(Revision Proposed 6/28/08)

II. CONSENT AGENDA

After consideration and on a motion by Member Murphy and a second by Member Spitzer 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 May 20, 2008
- B. Financial Reports – May/June 2008
- C. Examining Committees Report – June 2008
- D. Stipulations (Section 120.57(3), Florida Statutes)

1.	Peter Anthony Cafaro III	C08-109
2.	John T. Keiser	C08-194
3.	Hans Balchen, Jr.	C08-195
4.	John F. Kursch	C08-164/165
5.	Ben J. Watson	C08-206
6.	Madelaine H. Silins	C08-256
7.	Page Wurts	C08-273
8.	James A. Carr	C08-289
9.	Dennis M. Brown	C08-297
10.	Timothy Carl Vanstone	C08-300
11.	Jerome Neavins	C08-305
12.	Sam J. Markopulos	C08-314
13.	Donald F. Hatch	C08-316
14.	James Kevin Albritten	C08-338; 08-324
15.	Frank B. Jantschek	C08-397
16.	E. Richard Waugh	C08-470
17.	Carlos A. Rodrigues	C08-476
18.	Donald K. Stine	C08-481
19.	Dennis G. Derosier	C08-580
20.	George D. Smith	C07-1113

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. Referring to Item No. A. (1), Robert Duncan, Mr. Fischer advised that the case will be reheard today due to Respondent's lack of proper notice of the May 20, 2008 regular meeting.

- 1. Robert Duncan, a state-certified Roofing Contractor (CCC-011607) appeared and provided mitigating testimony in the case of Administrative Complaint C07-1075

(continued from the March 18, 2008 meeting). After consideration, review of testimony, and on a motion by Member Wolf and a second by Member Joyner including several amendments, the Board voted, with Member Nagin recusing himself, to allow the Respondent 30 days in which to resolve all outstanding issues with the Pinellas County Building Department; and that if the obligation is achieved, disciplinary action will not include the imposition of any fines; however, if all items are not resolved, a fine will be imposed and Respondent's license suspended.

2. Walter P. Tuglus, a Building Contractor (C-1806) appeared and provided mitigating testimony in the case of Administrative Complaint C07-1066. Mr. Fischer presented background information and stated that the complaint by the homeowner Mrs. Miller claims she had paid the subcontractors after being informed that the contractor of record, Mr. Tuglus, had refused to make final payments to the subcontractors; and that liens were in the process of being placed on her property. Mr. Fischer noted for the record that a letter has been received from Wayne Madascy, F & H Plumbing declaring his support for the Respondent. In response to the Vice-Chairman's call for persons wishing to be heard, the following individuals appeared and presented testimony:

1. Walter P. Tuglus, Respondent
2. Mildred C. Miller, Homeowner/Complainant
3. Bonnie Osburn, Northern Air, Subcontractor

During testimony, both the complainant and respondent admitted that there had been no written contract; and Mr. Tuglus stated that the complainant refused to sign change orders. Mr. Fischer added that further investigation had negated the presence of any liens on the Millers' property. In the course of additional discussion by the members, Member Dunn determined by questioning the complainant and the respondent, that Mr. Tuglus had been paid approximately \$45,000; whereupon, Member Wolf moved, seconded by Member Gleaton, to accept the disciplinary recommendation. Following further discussion with input by Mr. Fischer and Assistant County Attorney Jason Ester, Member Fritz and the seconder withdrew their motion; whereupon, Member Dunn moved, seconded by Member Nagin, that an administrative fine of \$500.00 be imposed, that proof of final inspection be provided to the Board, and payment of fine within 30 days and thereafter case will be closed subject to no pending liens on the property.

Upon call for the vote, the motion fails with Members Murphy and Gleaton abstaining. At this time the Vice-Chairman opens the floor for discussion of another motion. Member Rosenbluth moves, seconded by Member Vasti, that a fine of \$300 be imposed for mismanagement to be paid within 30 days of a final order.

Upon call for the vote, the motion carries with Members Murphy and Gleaton abstaining and Members Eich, Spitzer, Mullins, and Garriott casting dissenting votes .

B. Request for Rehearing by Walter Sowa: Re 1907 Gulf Way - Denied

Mr. Fischer referred to a letter received from John R. Thomas, representing Walter Sowa, containing a motion for a rehearing and/or reconsideration of the Coastal Construction Code/Billing Codes Noncompliance Complaint re 1907 Gulf Way, Passe-a-Grille, St. Pete Beach, Florida, Ron Holehouse Owner. Following discussion and review with input by Attorney Ester, Member Dunn moved, seconded by Member Murphy, that the motion for a rehearing be denied. Upon call for the vote, the motion carried with Members Nagin and Wolf and Member Ernest L. Hand, Fire Marshal, City of St. Pete Beach recusing themselves.

IV. MISCELLANEOUS CORRESPONDENCE & REQUESTS

- A. Old Business - None
- B. New Business - None
- C. Miscellaneous Correspondence and Reports Received
 - 1. Minutes of Special Master Hearing of June 10, 2008
 - 2. Citations to date for 2008
 - 3. Bracken Engineering Newsletter re Window Films and Hurricane Protection
- D. Public Comment
 - 1. Board denies request by Jason Padgett for waiver of reactivation back fees.

ADJOURNMENT

The July 15, 2008 meeting of the PCCLB was adjourned at 3:36 P.M.

Chair