



# 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 19, 2005. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

### MEMBERS

Paul J. Skipper, Chair  
Thomas Tafelski, Vice Chair  
Wayne Butler  
Gareth Eich  
Kevin Garriott  
Bill Holloway  
Jack Joyner  
Michael Keane  
Patrick Murphy  
Michael Nadeau  
Robert Nagin  
Fred Oppenheimer  
Danny Sandlin  
James Saul  
Charlie Spitzer  
Sandy Sullivan

### CLASSIFICATION

Building  
Building  
Fire Marshal  
Architect  
Building Official  
Roofing  
Mechanical  
General  
Building Official  
Building Official  
Building Official  
Aluminum  
Building Official  
Plumbing  
Electrical  
Fire Marshal

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

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

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

There were no public hearings.

Anne Diamond, staff Office Manager, was acknowledged for 25 years of faithful service to the Board.

### II. CONSENT AGENDA

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

1. Robert S. Powell, a Building contractor (CBC057205), Case C05-180, appeared on the agenda as a Stipulation. After hearing testimony by Kathy Yacone, complainant, 5002 Parrish Lane, Safety Harbor, and on a motion by Member Nagin and a second by Member Massanet, the Board voted to not accept the stipulation for Case C05-180. Mr. Powell will be directed to appear before the September Board for an Informal Hearing.

2. Brett Meares, a State-Certified General contractor (CGC055233), Informal Hearing Case C05-74 was moved to the Consent Agenda as a stipulation.

### III. REGULAR AGENDA

A. The Board conducted informal administrative hearings in accordance with section 120.57(2), Florida Statutes. The Respondents either elected an informal hearing or defaulted by not executing an Election of Rights and were 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. William H. Dunlop, a State-Certified Roofing contractor (CCC057492), appeared and provided testimony in mitigation of Administrative Complaint C04-846 per Board request from the previous meeting. After consideration, review of testimony, and on a motion by Member Tafelski and a second by Member Murphy, the Board directed Mr. Dunlop's case be directed back to the Investigator for review and resubmittal to the Probable Cause committee.

2. Sidney Schwartz, a State-Certified Class A Air Conditioning contractor (CAC021315), did not appear and was not represented in the case of Administrative Complaint C04-1127. After consideration, review, and on a motion by Member Butler and a second by Member Nadeau, the Board voted to accept the allegations of Administrative Complaint C04-1127 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 an administrative fine of \$1,000.00 per count (70 in all).
- c) Respondent's request for reinstatement of his registration as an Air Conditioning A Contractor (CAC021315) is denied and suspended for one year until July 19, 2006, when reinstatement will be allowed if all outstanding administrative complaints, fines and final inspections have been resolved.
- d) Case C04-1127 is to be referred to DBPR for disciplinary action.

3. Robert Smith, a Pool/Spa Service contractor (C-6746, RP0066842), appeared and provided testimony in mitigation of Administrative Complaint C04-1136. After consideration, review, and on a motion by Member Joyner and a second by Member Nagin, the Board voted to accept the allegations of Administrative Complaint C04-1136 as Findings of Fact and concluded Respondent violated Section 20 (3), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct, and
- b) Respondent is assessed an administrative fine of \$500.00.
- c) Respondent's license as a Pool/Spa Service Contractor (C-6746) is suspended for one year, however, suspension shall not take effect if Respondent pays the administrative fine and reinstates his license with the PCCLB within 30 days of the Final Order.

4. Joseph DiSalvo, a Class A Air Conditioning contractor (C-1708, RA0027210), did not appear and was not represented in the case of Administrative Complaint C05-183. After consideration, review, and on a motion by Member Joyner and a second by Member Saul, the Board voted to

accept the allegations of Administrative Complaint C05-183 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
- b) Respondent is assessed an administrative fine of \$1000.00 per count (3).
- c) Respondent's license as an Air Conditioning A Contractor (C-1708) is suspended for one year, however suspension shall not take effect but shall become probation if Respondent pays the administrative fine within 30 days of the Final Order, provides monthly activity reports of all permitting and final inspections to the Board for a year, and appears bi-monthly before the PCCLB Board for one year.

5. Christopher F. Nurczyk, a Fence Erection Specialty contractor (C-8594) did not appear and was not represented in the case of Administrative Complaint C05-231. After consideration, review, and on a motion by Member Nagin and a second by Member Oppenheimer, the Board voted to accept the allegations of Administrative Complaint C05-231 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(h)(j)(k)(m), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for financial mismanagement, abandonment, permit violation, violation of Pinellas County Ordinance; and
- b) Respondent is assessed an administrative fine of \$4000.00.
- c) Respondent is to provide the PCCLB with proof of restitution to the homeowner.
- d) Respondent's license as a Fence Erection Specialty contractor (C-8594) is suspended for one year, however, suspension shall not take effect and shall become probation if Respondent pays the administrative fine and provides proof of restitution to the homeowner within 30 days of the Final Order.

After consideration, review, and on a motion by Member Nagin and a second by Member Murphy, the Board voted to accept the allegations of Administrative Complaint C05-232 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(h)(j)(k)(m), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for financial mismanagement, abandonment, permit violation, violation of Pinellas County Ordinance; and
- b) Respondent is assessed an administrative fine of \$4000.00.
- c) Respondent is to provide the PCCLB with proof of restitution to the homeowner.
- d) Respondent's license as a Fence Erection Specialty contractor (C-8594) is revoked for one year. Respondent may reapply for reinstatement of license after one year providing Respondent has resolved all outstanding Administrative Complaints and payment of all fines and citations.

Complainant homeowners Blanchard Jolly and Juan Segredo gave testimony as to the status of their cases against Christopher Nurczyk.

#### IV. CORRESPONDENCE & REQUESTS

Old Business:

A. Edward F. McCullough, a Roofing contractor (C-5113, RC0061335), appeared and provided the Board with the current status of progress on Administrative Complaint C04-1120. The Board will continue to monitor Mr. McCullough's business activities.

B. Robert Dobson, Commercial Pool contractor (C-5113, RC0061335) appeared and updated the Board as to his progress in fulfilling the final inspections on 71 outstanding permits with the City of St. Petersburg regarding Administrative Complaint C04-948. As his permitting privileges had been rescinded per the Final Order of the Board, the last Board direction required Mr. Dobson to fulfill 35 of the expired permits in order to allow permitting and the proceeding of work on four specific properties previously contracted for (Belleair, Pinellas Park and two in St. Petersburg). He provided proof of 35 final inspections to the Board. Several of the inspections were not ones specified in Administrative Complaint C04-948, however, since Mr. Dobson has shown diligence of work effort, on a motion by Member Tafelski and a second by Member Murphy, Mr. Dobson was granted permission to pull the four job-specific permits, and an extension of the completion date of Final Order C04-948 from August 1 and 31<sup>st</sup> to the September 20, 2005 Board Meeting. Motion carried.

C. Mr. Fischer advised the Board that the Board of County Commissioners approved his Employment Contract for 2005-2006, as previously approved by the Board.

D. The Board reviewed various correspondence and reports. Member Joyner stated sales of home LP gas generators have soared in the recent months and cited the many dangers to home and safety that could possibly occur if installed improperly by the homeowner himself and/or by a contractor not licensed in that specific classification.

The next meeting of the Pinellas County Construction Licensing Board will be held on September 20, 2005 at 1:30 P.M. at Building 3, Largo City Hall Complex, 201 Highland Avenue, Largo, Florida.

The meeting was adjourned at 3:23 P.M.