



MINUTES

JULY 20, 2004

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 20, 2004.

Members in attendance were:

<u>MEMBERS</u>	<u>CLASSIFICATION</u>
Peter Jon Volmar, Vice Chair	Architect
John Burket	General
Wayne Butler	Fire Marshal
Brian Deeb	Consumer
Kevin Garriott	Building Official
David Habib	Building
Bill Holloway	Roofing
Jack Joyner	Mechanical
Milton Massanet	Building Official
Patrick Murphy	Building Official
Michael Nadeau	Building Official
Robert Nagin	Building Official
Fred Oppenheimer	Aluminum
Danny Sandlin	Building Official
James Saul	Plumbing
Sandy Sullivan	Fire Marshal
Thomas Tafelski	Building
Fritz Wolf	Residential

Also attending:	Rodney Fischer, Exec. Director	Dianne Schiller, Admin. 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

There were no public hearings.

II. CONSENT AGENDA

After consideration, and on a motion by Member Burket and a second by Member Habib, 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 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. Gary W. Yagovane, a Painting Specialty contractor, appeared and provided testimony in mitigation of Administrative Complaint C04-317. After consideration, review, and on a motion by Member Tafelski and a second by Member Murphy, the Board voted to accept the allegations of Administrative Complaint C04-317 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(e)(h)(j)(l)(m), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct, financial mismanagement, and working while license was inoperable and with expired worker's comp insurance; and
- b) Respondent is assessed an Administrative fine of \$100; and
- c) Suspension of license C-6653 for one year, however, suspension is stayed for 30 days and shall become probation if Respondent pays the administrative fine within 30 days of the Final Order.

2. Leroy Baker, a Roofing contractor, appeared and provided testimony in mitigation of Administrative Complaint C03-863. After consideration, review, and on a motion by Member Burket and a second by Member Deeb, the Board voted to accept the allegations of Administrative Complaint C03-863 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 financial mismanagement; and
- b) Suspension of Respondent's registration I-CCC058248 for one year, with notification to all permitting jurisdictions. Suspension is stayed for 30 days and shall become probation for one year if Respondent, within 30 days stipulates to the charges and provides proof that suppliers have been paid, outstanding liens satisfied, and the customer reimbursed for customer's expenses. A copy of Administrative Complaint C03-863 shall be forwarded to the CILB for disciplinary action.

3. Joseph M. DiSalvo, a Class "A" Air Conditioning contractor, appeared and provided testimony in mitigation of Administrative Complaint C04-135. After consideration, review, and on a motion by Member Burket and a second by Member Massanet, the Board voted to accept the allegations of Administrative Complaint C04-135 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 \$500; and
- c) Suspension of license C-1708 for one year, however, suspension is stayed for 30 days and shall become probation for one year if Respondent pays the administrative fine and provides evidence to this office that a final inspection was completed, within 30 days of the Final Order.

4. Wayne R. Loreth, a Tile & Marble Specialty contractor, did not appear and was not represented in the case of Administrative Complaint C04-255. After consideration, review, and on a motion by Member Deeb and a second by Member Nadeau, the Board voted to accept the allegations of

Administrative Complaint C04-255 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(g)(h)(j)(k)(m), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct for working outside the scope of his license, abandonment and financial mismanagement; and
- b) Respondent is assessed an Administrative fine of \$500 (per count) amounting to \$2,000; and
- c) Respondent is to make restitution to the homeowner.
- d) Suspension of license C-6099 for one year, with a mandatory Board appearance before reinstatement of license.

B. Edward Charles Russell appeared before the Board to appeal the decision of the Pool Examining Committee, which found Mr. Russell lacking in verification of experience. After testimony by Mr. Russell, and further consideration of the pool work experience on the application, on a motion by Member Burket and a second by Member Habib, the Board voted (Member Nadeau, contra) to authorize Mr. Russell to proceed with the application process and take the test.

C. Executive Director Fischer asked the Board for authorization to administratively suspend registrations or certifications of all contractors that have had their state certification or registration revoked or suspended by the CILB or ECLB. He was directed to formulate a policy to be brought before the September Board for approval.

IV. CORRESPONDENCE & REQUESTS

- A. The Board accepted miscellaneous reports for filing.
- B. The Board reviewed and reaffirmed the PCCLB Rule, which states, "all fees paid to the Board are considered non-refundable."
- C. The Board will consider and discuss the adoption of a policy wherein all persons appearing before the Board for a hearing be sworn in prior to giving testimony.
- D. Member Murphy requested the Special Master Report be included in the packet.

The meeting was adjourned at 2:50 P.M.

The next meeting of the Pinellas County Construction Licensing Board will be held on September 21, 2004 at 1:30 P.M. at Building 3, Largo City Hall Complex, 201 Highland Avenue, Largo, Florida.