



# 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 September 20, 2005. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

### MEMBERS

Thomas Tafelski, Vice Chair  
John C. Burket  
Gareth Eich  
Bill Holloway  
Jack Joyner  
Milton Massanet  
Fred Oppenheimer  
Danny Sandlin  
James Saul  
Charlie Spitzer  
Sandy Sullivan  
Fritz Wolf

### CLASSIFICATION

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

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

A. 1. The Board received proposed local technical amendments to Sections P2705.1 and R307.1 (Space Required) to the 2004 Florida Building Code – Residential (Plumbing) by the Countywide Board of Adjustment & Appeals – Plumbing, Mechanical & Gas, Division I. On a motion by Member Saul and a second by Member Massanet, the Board voted approval of the changes for submission to the Florida Building Commission (effective upon implementation of the 2004 Florida Building Code), as follows:

#### P2705.1

5. The centerline of water closets or bidets shall not be less than 15 inches (381 mm) from adjacent walls or partitions or not less than 15 inches (381 mm) from centerline of a bidet to the outermost rim of an adjacent water closet. There shall be at least 21 inches (533 mm) clearance in front of the water closet, bidet or lavatory to any wall, fixture or door. Plus the fixture spacing requirements of section R307.1.

#### R307.1 Space Required

Fixtures shall be spaced as per figure R307.2 and Section P2705.1 General (5).

## II. CONSENT AGENDA

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

## 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. Jorge Luis Rivera, a State-Certified Air Conditioning "A" contractor (CAC051482), did not appear and was not represented in the case of Administrative Complaint C04-735. After consideration, review of testimony, and on a motion by Member Burkett and a second by Member Joyner, the Board voted to accept the allegations of Administrative Complaint C04-735 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, permit violations, violation of Pinellas County Ordinance and abandonment; and
- b) Suspension of Respondent's permitting privileges with notification to all Pinellas County jurisdictions, until Respondent resolves Administrative Complaint C04-735 and agrees to a stipulated settlement of \$1,000 per count (\$2,000).

2. Joseph P. Harmon, a Certified Air Conditioning "A" contractor (C-249), did not appear and was not represented in the case of Administrative Complaint C05-337. After consideration, review of testimony, and on a motion by Member Burkett and a second by Member Massanet, the Board voted to accept the allegations of Administrative Complaint C05-337 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, permit and inspection violations, violation of Pinellas County Ordinance and abandonment; and
- b) Respondent is assessed an administrative fine of \$300.00.
- c) Respondent's license as an Air Conditioning A Contractor (C-249) 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, obtains required inspections, and makes restitution to homeowner.

3. J. K. Listle, a certified General contractor (C-329, CGC055978), appeared and provided testimony in mitigation of Administrative Complaints C05-329, 355, 558. After consideration, review, and on a motion by Member Burket and a second by Member Eich, the Board directed Mr. Listle to meet with the Executive Director for a pre-hearing conference to resolve Administrative Complaints C05-329 and C05-355, to be heard before the Board within 60 days. Administrative Complaint C05-558 is to be held in abeyance in light of the current litigation. Motion carried.

### B. Board Appearances

1. Edward McCullough, a certified Roofing contractor, License C-5113 appeared (per Board directive) and updated the Board as to the status of his current complaints. As the three new complaints and have not been brought before the Probable Cause Committee for their review, on a

motion by Member Joyner and a second by Member Burket, the Board concluded there would be no action at this time, pending review and action by the Probable Cause Committee. Motion carried.

2. Robert Dobson, a certified Commercial Pool contractor, License C-2578 (RP0023937) did not appear. Per Administrative Complaint Final Order C04-948 of March 22, 2005, Mr. Dobson's license has been revoked due to non-compliance. On a motion by Member Burket and a second by Member Sullivan, the Board directed the certificate or registration of Respondent shall not be renewed or reissued for at least one year after revocation and then only on a showing of rehabilitation of the contractor. Respondent is allowed 60 days in which to complete any current projects. Before the Board will consider renewing or reissuing Respondent's license, Respondent is required to pay an Administrative Fine of \$54,000 based on 54 outstanding expired permits with the City of St. Petersburg. Additionally, respondent is required to reinstate said 54 outstanding permits and obtain final inspections of said 54 outstanding expired permits. Respondent is also required to satisfy any and all additional Administrative Complaints as may become applicable. Publications in which the Respondent advertises shall be notified of said revocation. Motion carried.

3. Joseph DiSalvo, a Class A Air Conditioning contractor (C-1708, RA0027210) appeared per Administrative Complaint C05-183. The Board reviewed his business activity report and recommended adding the jurisdictions, customer names, addresses and phone numbers to the report.

C. Christopher Miller, a Flatwork Masonry Specialty contractor, (C-8696) was not present. After consideration, review, and on a motion by Member Joyner and a second by Member Eich, the Board voted approval to refer Administrative Complaints C05-345; 404; 512, 862, 635; 636; 637; 368; 638 to Pinellas County Department of Justice and Consumer Protection and to continue with the administrative processing of these complaints at the PCCLB.

#### IV. CORRESPONDENCE & REQUESTS

A. There were no topics of old business to be addressed.

B. Under new business, Mr. Fischer submitted the Resolution of Reimbursement for Travel Expenses for County Officers and Employees setting the mileage rate for county travel at 48.5c for the period September 1, 2005 through December 31, 2005, for their approval per recommendation of the Board of County Commissioners. On a motion by Member Holloway and a second by Member Joyner, the Board voted approval of the Resolution.

C. The Board reviewed various correspondence and reports. With the imminent passage of the 2004 Florida Building Code, Member Tafelski suggested the PCCLB play a role in coordinating a seminar to educate consumers and contractors.

The next meeting of the Pinellas County Construction Licensing Board will be held on November 15, 2005 at 1:30 P.M. at Building 3, Largo City Hall Complex, 201 Highland Avenue, Largo, Florida.

The meeting was adjourned at 3:45 P.M.