



MINUTES

NOVEMBER 16, 2004

The regular bimonthly meeting of the Pinellas County Construction Licensing Board was held at the Seminole Recreation Center, 2nd Floor, 9011 - 113th Street, Seminole on November 16, 2004.

Members in attendance were:

MEMBERS

Paul J. Skipper, Chair
Thomas Tafelski, Vice Chair
John Burket
Wayne Butler
Brian Deeb
Gareth Eich
Kevin Garriott
David Habib
Bill Holloway
Jack Joyner
Michael Keane
Milton Massanet
Patrick Murphy
Michael Nadeau
Robert Nagin
Fred Oppenheimer
Danny Sandlin
James Saul
Charlie Spitzer
Sandy Sullivan
Fritz Wolf

CLASSIFICATION

Builder
Building
General
Fire Marshal
Consumer
Architect
Building Official
Building
Roofing
Mechanical
General
Building Official
Building Official
Building Official
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

There were no public hearings.

A plaque for faithful and dedicated service to the PCCLB Board was presented to outgoing member Billy Huettig. Outgoing Board Member Peter Jon Volmar was unable to attend.

Architect Gareth Eich and Electrical contractor Charlie Spitzer were welcomed as new members of the Board.

II. CONSENT AGENDA

After consideration, and on a motion by Member Nagin and a second by Member Joyner, 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 or defaulted in their response to a previously set agreement 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. Edward Cook, a Finish Carpentry Specialty contractor (C-9309), did not appear and was not represented in the cases of Administrative Complaint C04-57, 125; 190. Said Administrative Complaint cases were tabled from the September Board meeting so that further detailed financial information could be made available to the Board.

After consideration and review of information provided by complainant, and on a motion by Member Tafelski and a second by Member Joyner, regarding Administrative Complaint C04-57, the Board voted to accept the allegations of Administrative Complaint C04-57 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: Motion carried.

- a) Respondent is reprimanded for misconduct, and
- b) Respondent is assessed an administrative fine of \$500.
- c) Respondent's license as a Finish Carpentry Contractor (C-9309) is hereby suspended until the Administrative Fine is paid and the complainant made whole.

After consideration and review of complaint, and on a motion by Member Tafelski and a second by Member Joyner, regarding Administrative Complaint C04-125, the Board voted to accept the allegations of Administrative Complaint C04-125 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: Motion carried.

- a) Respondent is reprimanded for misconduct, and
- b) Respondent is assessed an administrative fine of \$500.
- c) Respondent's license as a Finish Carpentry Contractor (C-9309) is hereby suspended until the Administrative Fine is paid and the complainant made whole.

After consideration and review of information provided by complainant, and on a motion by Member Tafelski and a second by Member Joyner, regarding Administrative Complaint C04-190, the Board voted to accept the allegations of Administrative Complaints C04-190 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: Motion carried.

- a) Respondent is reprimanded for misconduct, and
 - b) Respondent is assessed an administrative fine of \$500.
 - c) Respondent's license as a Finish Carpentry Contractor (C-9309) is hereby suspended until the Administrative Fine is paid and the complainant made whole.
2. Guy Brodosi, Sr., a Certified Aluminum contractor, did not appear and was not represented in the case of Administrative Complaint C04-381.

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 C04-381 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(g)(j)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent is reprimanded for misconduct, abandonment, permit violations and financial mismanagement; and
- b) Respondent is assessed an administrative fine of \$500.
- c) Respondent is to obtain permit and inspection of work performed and make complainant whole.
- d) Respondent's license as an Aluminum Specialty Contractor (C-2525) is hereby suspended for one year, however suspension is stayed for 30 days if Respondent pays administrative fine, obtains the permit and inspection and makes the complainant whole.

3. Donald W. Simcox, a Class "B" Air Conditioning contractor, did not appear and was not represented in the case of Administrative Complaint C04-609.

After consideration, review, and on a motion by Member Burket and a second by Member Joyner, the Board voted to accept the allegations of Administrative Complaint C04-609 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(g)(h)(j)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty:

- a) Respondent's registration as a Class "B" Air Conditioning contractor (license # I-CAC043969) is hereby suspended, however suspension is stayed for 30 days if Respondent reaches a stipulated settlement with the PCCLB, pays the fine, obtains the permit and inspection, and provides the PCCLB a letter of satisfaction from the customer as referenced below.
- b) Stipulation to include a reprimand for misconduct, abandonment, permit violations; and
- c) Stipulation to include a fine of \$500.
- d) Stipulation includes a requirement that Respondent obtains a permit and inspection of work and provides the PCCLB with a Letter of Satisfaction from homeowner.

B. Executive Director Fischer provided a copy of the Pinellas County Ordinance No. 04-61 (effective date, January 1, 2005) regarding the Longshoremen's and Harbor Workers' Compensation Act in the Board packet, for information only. All contractors performing work over or adjacent to the navigable waters of the United States are required to maintain USL&H insurance coverage.

C. Director Fischer updated the Board as to the status of renewals of PCCLB and State certified contractors. Those persons who have not renewed by November 1st have gone into an "expired" status.

IV. CORRESPONDENCE & REQUESTS

- A. The Board accepted miscellaneous reports for filing.
- B. For informational purposes, Executive Director Fischer spoke about the successful Investigator meetings being conducted monthly, whereby investigative personnel, both from our office and locally, as well as personnel from IRS, DBPR, OSHA, Worker's Compensation, Consumer Protection and county Building Officials have gathered to supplement our efforts to stop unlicensed activity, discuss improvement of services and disseminate vital information. Mr. Fischer directed the Board to the new cellular phone number assigned to PCCLB investigators to report unlicensed activity during the weekends.
- C. Attorney Crowell outlined the Sunshine Law rules for new Board members regarding discussion of substantive issues inside and outside public meetings.
- D. On a motion by Member Burket, seconded by Member Joyner, Thomas Tafelski was approved to serve as Vice Chairman of the Board in the vacancy created by Member Volmar. Motion carried.

The next meeting of the Pinellas County Construction Licensing Board will be held on January 18, 2005 at 1:30 P.M. at Building 3, Largo City Hall Complex, 201 Highland Avenue, Largo, Florida.

The meeting was adjourned at 2:40 P.M.