

**Construction Licensing Board
Pinellas County
January 8, 2024 Meeting Minutes**

The Pinellas County Construction Licensing Board (PCCLB) met in a regular session at 1:38 PM on this date in the Palm Room at the Pinellas County Communications Building, 333 Chestnut Street, Clearwater, Florida.

Present

Alan Holderith, Jr., Chair, General Contractor
Michael Kelly, Vice-Chair, Pool Contractor
Douglas Erwin, Electrical Contractor
Kevin Garriott, North County Building Official
Steven James II, Roofing Contractor
Brian Rusu, Beach Community Building Official
Lawrence Schear, Consumer Representative
William Sheehan, Residential Contractor
Evelyn Spencer, Pinellas County Building Official
Don Tyre, South County Building Official
John Wear, Plumbing Contractor

Not Present

Jason Holloway, Consumer Representative
Marina Kron, Class A HVAC Contractor
Chief James Millican, Fire Official
Michael Sofarelli, Architect

Others Present

Michelle Krickovic, Director, Contractor Licensing Department (CLD)
David Barrera, Assistant County Attorney
Krista Johnson, Board Reporter, Deputy Clerk
Other interested individuals

All documents provided to the Clerk's Office have been made a part of the record.

CALL TO ORDER

Chair Holderith called the meeting to order at 1:38 PM.

PLEDGE OF ALLEIGANCE

Chair Holderith led the Pledge of Allegiance.

ROLL CALL – CONFIRMATION OF A QUORUM

Ms. Krickovic conducted a roll call of the members and confirmed the presence of a quorum.

INTRODUCTION OF NEW MEMBERS TO THE BOARD

Ms. Krickovic welcomed Mr. Wear back to the Board for his second term and introduced new Board member Mr. Rusu, noting that he will serve as the Beach Community Building Official.

CONTRACTOR LICENSING AND CODE ENFORCEMENT STAFF

Ms. Krickovic introduced the staff members in attendance.

APPROVAL OF MINUTES FOR THE PCCLB MEETING OF NOVEMBER 13, 2023

Mr. Sheehan moved that the minutes of the November 13 meeting be approved. The motion was seconded by Ms. Spencer and carried unanimously.

APPROVAL OF CONSENT AGENDA

Chair Holderith indicated that supporting documentation for the following Consent Agenda items is included in the agenda packet:

- Special Magistrate Hearing Minutes: November 20 and December 18, 2023
- Examination Committee Reports: November through December 2023
- Change of Status Committee Reports: November through December 2023
- Change of Status Applications Administratively Approved by Board Rule 2.03:
 - Emanuel Beauregard, C-11771, Finish Carpentry
 - Colin Hunter, C-11772, Painting
- Order to Vacate Final Orders:
 - Edward W. James, I-CCC1331752, EP23-10407
 - William Patrick Hecker, C-8571, EP23-10333
 - Richard Sommer, I-CGC1523174
- Expired Permit Violations: None

Mr. Kelly made a motion to approve the Consent Agenda items. The motion was seconded by Mr. Sheehan and carried unanimously.

REGULAR AGENDA

Service Recognition

Ms. Krickovic recognized two long-serving members of the PCCLB, Dennis Gullo and Wayne Keener. Following remarks by Ms. Krickovic regarding Mr. Gullo's service, he provided brief comments; whereupon, she indicated that Mr. Keener was unable to attend today's meeting due to health issues.

Public Hearings

The Board conducted an informal administrative hearing in accordance with Section 120.57 (2), Florida Statutes. The respondent elected an informal hearing, defaulted by not executing an Election of Rights, or failed to respond, and was therefore scheduled for an informal hearing by the Board to resolve the complaint. The actions taken are the Final Orders of the PCCLB.

Chair Holderith administered the Oath to the individuals planning to give testimony.

DOUG SPEELER

Ms. Krickovic provided a brief history of the case and indicated that the PCCLB was notified of Mr. Speeler's expired permit violations via the Cities of Treasure Island and St. Pete Beach, noting that those jurisdictions require an electrical contractor to sign on or be attached to a permit, which has prevented final inspection.

She provided information regarding efforts that have been made to work with Mr. Speeler and other marine specialty contractors encountering the same challenge while trying to close out permits in a timely manner. She indicated that the Board's goal is to standardize treatment of these types of permits across all building departments, but that it cannot dictate how local building officials manage the permits; and that the PCCLB is suspending prosecution of expired permit violations against marine specialty contractors until June 30, 2024, in an effort to find a consistent resolution to the issue; whereupon, she summarized staff's efforts to provide options to Mr. Speeler to address the issue.

In response to comments by Mr. Speeler, Ms. Krickovic referred to pertinent sections of the Pinellas County Municipal Code and Florida statute; whereupon, Mr. Speeler indicated that the Cities of Treasure Island and St. Pete Beach have eliminated the requirement for electrical contractors to sign onto permits; and that the primary reason for

his appearance today is to request reimbursement for the \$5,100.00 in expired permit violations.

During discussion and in response to comments and queries by Messrs. Kelly and Sheehan, Mr. Tyre discussed the permitting process utilized by the City of St. Petersburg. Lengthy discussion ensued wherein Ms. Krickovic responded to comments and queries by Mr. Speeler. She provided information regarding the United States Longshore and Harbor Workers' Compensation Act and clarified that the matter before the Board is to determine whether to grant relief to Mr. Speeler for the fines paid.

Mr. Sheehan made a motion to provide the requested relief. The motion was seconded by Mr. Kelly; whereupon, Chair Holderith clarified that the motion is to refund the \$5,100.00 in fines paid by Mr. Speeler.

Discussion ensued and Mr. Speeler responded to queries by Mr. Tyre regarding the expired permits. Thereupon, Ms. Krickovic noted that six expired permit violations were issued to Mr. Speeler in 2022; that none of those permits were contested; and that Mr. Speeler is requesting relief only for permits which expired in 2023.

In response to a query by Ms. Spencer, Ms. Krickovic indicated that the Cities of St. Pete Beach and Treasure Island have not rescinded any of Mr. Speeler's expired permit violations.

Upon the Chair's call for the vote, the motion passed with a vote of 10 to 1, with Ms. Spencer casting the dissenting vote.

Certificate without Examination Recommendations

RICHARD BABCOCK

Mr. Wear provided information regarding Mr. Babcock's application and indicated that members of the Plumbing Committee approved his application for reinstatement, pending proof of current continuing education units; whereupon, Mr. Wear related that Mr. Babcock has provided evidence of the requested continuing education.

Mr. Wear made a motion to approve the application for license reinstatement without examination. The motion was seconded by Mr. Erwin and carried unanimously.

Mr. Babcock expressed his appreciation to the Board.

GREGORY HILL

Mr. Erwin provided background information regarding Mr. Hill's license, indicating that he is registered as a state-certified electrician; and that the Electrical Committee approved his application and recommends waiving journeyman requirements.

Mr. Erwin made a motion to allow Mr. Hill to acquire his journeyman license without examination due to his status as a state-licensed electrical contractor. The motion was seconded by Mr. Tyre and carried unanimously.

Insurance Violation Fee Waivers

Ms. Krickovic reported that it is the practice of the CLD to disclose information to the Board related to waivers of fees; whereupon, she reported that the \$125.00 penalty assessed to Steven Bird has been waived due to administrative oversight and provided the following additional disclosures:

Collections Report – Fee waivers and collections write-downs

- Late fee of \$100.00 waived in good faith for Jason DeCicco
- Reinstatement fee of \$125.00 waived for David Khale due to personal hardship

Ms. Krickovic indicated that the next four disclosures represent the results of data cleanup conducted by staff in preparation for the transition to a new system of record and provided the following summaries, noting that additional details are included in the agenda package:

- Expired liens totaling approximately \$144,000.00
- Administrative fines totaling \$138,900.00
- Citations totaling approximately \$21,000.00
- Citations totaling \$442.67

Report - Painting Specialty Contractor Refunds

Ms. Krickovic noted that the Board previously voted to eliminate the Painting Specialty Contractor license; that while some cash and check refunds are being processed, approximately \$40,000.00 in refunds have been issued; and that a detailed report will be provided at a future meeting.

Revocation of License

Ms. Krickovic related that the license of state-certified contractor Gary Seligman has been revoked by the Department of Business and Professional Regulation due to his passing;

that his registration was revoked by the PCCLB, effective November 15; and that all building departments have been notified.

Director's Report

Ms. Krickovic reported that the CLD office is expected to be operating out of its new location at 440 Court Street, Clearwater, on January 16, and provided the following updates:

- Recently proposed legislation which could change certain aspects of the Special Act
- Vacancy on the Building Examination Committee

In response to a comment by Chair Holderith, Ms. Krickovic indicated that the proposed legislation would have a substantial operational impact on the Department; and that staff is forecasting and planning in the event that the legislation passes.

Management Report – Investigations

This item was not addressed.

Citizens to be Heard

Chair Holderith indicated that there are two citizens who wish to be heard; whereupon, he reminded those wishing to speak that they are under Oath; and that three minutes will be provided to each speaker.

At the request of the Chair, Chuck Tiffany appeared and provided information regarding his licenses, and indicated that his request is for an assessed fee to be dropped.

Ms. Krickovic provided background information regarding Mr. Tiffany's license renewals and indicated that Mr. Tiffany was assessed a fee in 2021 for a late renewal; and that he missed the renewal deadline in 2022 and incurred another late fee; whereupon, a brief discussion ensued, and Ms. Krickovic provided details related to the PCCLB fee schedule, clarifying that Mr. Tiffany owes \$300.00 to reinstate an inactive license.

Mr. Kelly made a motion to deny Mr. Tiffany's request. The motion was seconded by Mr. Sheehan; whereupon, Chair Holderith clarified that the motion is to deny the request to waive the penalties and fees. Upon call for the vote, the motion passed unanimously, with Mr. Erwin abstaining.

In accordance with the provisions of the Standards of Conduct Law, a completed Memorandum of Voting Conflict form has been received and made a part of the record.

Upon call by the Chair, Jodi Canova appeared and provided information regarding an expired permit that cannot be closed due to a non-responsive corporation. She responded to queries by Mr. Sheehan regarding the actions taken to remedy the situation; whereupon, Mr. Tyre provided information regarding his building department's procedures for managing non-responsive homeowners and corporations.

In response to a query by Ms. Canova, Ms. Krickovic explained that the PCCLB would recognize that a contractor had fulfilled its obligation if the contractor can provide proof of certified mail to the non-responsive property owner; and that an expired permit violation would not be pursued.

ADJOURNMENT

Mr. Sheehan made a motion to adjourn the meeting. The motion was seconded by Mr. Erwin and carried unanimously; whereupon, the meeting was adjourned at 3:07 PM.