



**PINELLAS COUNTY
CONSTRUCTION LICENSING BOARD**

MINUTES

The regular bimonthly meeting of the Pinellas County Construction Licensing Board was held at the Largo City Hall Community Room, 201 Highland Avenue, Largo on March 16, 2010. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

<u>MEMBERS</u>	<u>CLASSIFICATION</u>
Thomas Tafelski, Vice Chair	Residential
Steve Andrews	Building Official
John Burket	General
Rick Dunn	Building Official
Gareth Eich	Architect
Kevin Garriott	Building
Larry Goldman	Building Official
Ernest Hand	Fire Marshall
Alan Holderith	General
Rick Johnson	Building Official
Jack Joyner	Mechanical
Mike Kelly	Swimming Pool
Ed Mullins	Fire Marshal
Patrick Murphy	Building Official
John Tillinghast	Roofing
Peter Vasti	Consumer
Gerald H. White	Electrical
Alfred A. Wolf, Jr.	Residential

Also attending: Rodney Fischer, Exec. Director
Jason Ester, Esq.
Caroline Jones, Executive Admin. Secretary

The meeting was called to order at 1:30 PM

Pledge of Allegiance/Roll Call/oath

WELCOME TO NEW BOARD MEMBER – ALAN HOLDERITH, GENERAL CONTRACTOR

II. CONSENT AGENDA

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

- A. Minutes for PCCLB – January 19, 2010 and Special Master Hearing of February 9, 2010.
- B. Financial Reports – December 2009, January and February 2010
- C. Examining Committees Report – February and March 2010
- D. Stipulations (Section 120.57(3), Florida Statutes)
 - 1. Christopher T. Parker 09-879; 09-1186
 - 2. Bradley B. Petersen 09-908
 - 3. Jaroslaw Wilczynski 09-920
 - 4. Zachary Quinn Johnston 09-927
 - 5. Willie L. Lane 09-1015
 - 6. Ignatius S. Markiewicz 09-1023
 - 7. Jacek Borys 09-1036
 - 8. Franklin D. Slaughter 09-1054
 - 9. Robert A. King 09-1075
 - 10. Thomas B. Moore 09-1093
 - 11. David John Valerio 09-1095
 - 12. James R. Lucker 09-1096
 - 13. Kurt Daniel Kucera 09-1153; 09-1073
 - 14. Scott R. Hosack 09-1191
 - 15. Matthew N. Bilbrey 09-1204
 - 16. James Parasco 09-1217
 - 17. Thomas H. Hackney 09-1223
 - 18. David J. Silvia 09-1236
 - 19. Edgar K. Hill 09-1237
 - 20. John P. Schmitt 09-1254
 - 21. Steven A. Mercier 09-1259
 - 22. David E. Gilliland 09-1286
 - 23. Glen Myers 09-1296

III. REGULAR AGENDA -

- A. The Board conducted informal administrative hearings in accordance with section 120.57(2), Florida Statutes. The Respondent either elected an informal hearing or defaulted by not executing an Election of Rights and was 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. Thomas Whalley, a state-certified General Contractor (I-CGC1511808), did appear in the case of Administrative Complaint 09-1206. Mr. Fischer provided background information wherein he indicated that the Respondent had obtained a permit and allowed it to expire

without first obtaining required inspections. Mr. Whalley offered mitigating testimony; whereupon, following discussion and deliberation by the members, Member Burket moved, seconded by Member Joyner, to approve the disciplinary recommendation with the amendment that the stipulated settlement be reduced to \$250.00. Upon call for the vote, the Board voted 16 to 2 to accept the allegations of Administrative Complaint 09-1206 as Findings of Fact and concluded Respondent violated Section 24(2)(d)(j)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- (a) Reprimand for abandonment, Florida Building Code permit/inspection violation (expired permit) and misconduct; and
- (b) Stipulated settlement of \$250.00; and
- (c) Respondent's license is suspended for one year, however, suspension is stayed and will be one-year probation if Respondent pays the settlement and provides proof of resolution of the complaint within 30 days of a Final Order.

2. Jon David Myers – Withdrawn

3. Richard Tutor – Withdraw

4. Albert Lee Pinamonti, a state-certified Roofing Contractor (I-CCC044034), did appear in the case of Administrative Complaint 09-832. Mr. Fischer provided background information wherein he indicated that Respondent had allowed permit to expire without first obtaining required inspections. Mr. Pinamonti offered testimony wherein he stated that his business had been closed as well as his license; that he no longer resides in Florida; and that as soon as he received notification of the permit issue, he set out to obtain a final inspection. Discussion ensued with regard to the problems of obtaining a final inspection without holding an active license; whereupon, Member Dunn, City of St. Petersburg Building Official, offered to assist with the process to expedite the final inspection. Following discussion, Member Burket moved, seconded by Member Murphy, that the recommended disciplinary action be approved with an amendment that the fine be waived. Upon call for the vote, the Board voted unanimously to accept the allegations of Administrative Complaint 09-832 as Findings of Fact and concluded that the Respondent violated Section 24(2)(d)(j)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- (a) Reprimand for abandonment, Florida Building Code permit/inspection violation (expired permit) and misconduct; and
- (b) Stipulated settlement waived; and
- (c) Respondent's license is suspended for one year, however, suspension is stayed if permit issue is resolved within 30 days of today's date.

5. Joseph M. Di Salvo, an Air Conditioning "A" and Plumbing Contractor (C-1708) did not appear and was not represented by counsel. Mr. Fischer provided background information

wherein he indicated that Respondent had failed to obtain a permit prior to the start of construction. Member Eich moved, seconded by Member Joyner, that the recommended disciplinary action be approved. Upon call for the vote, the Board voted unanimously to accept the allegations of Administrative Complaint 09-1149 as Findings of Fact and concluded that the Respondent violated Section 24(2)(d)(j)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:

- (a) Reprimand for misconduct; and
- (b) Administrative fine of \$1,000.00 per count for Administrative Complaint 09-1149 is imposed; and
- (c) Suspension of Respondent's license for one year, however, suspension is stayed for 30 days and will become probation if Respondent pays administrative fine, and provides evidence that Respondent has resolved said Administrative Complaint.

Discussion ensued regarding PCCLB's authority to impose sanctions upon a company when its qualifier is no longer active; whereupon, Attorney Ester advised that the PCCLB has jurisdiction over licensed individuals and not corporations; and that individuals may seek resolution through a civil action. Upon call for the vote, the motion carried unanimously.

- B. Mr. Fischer indicated that the following cases pertain to expired permits that have been referred to the PCCLB by the Pinellas County Building Department and various municipalities; and that each specific violation has been indicated on the agenda; whereupon, he noted the fines and disciplinary actions to be imposed. Member Eich moved, seconded by Member Joyner, that the recommended disciplinary actions be approved. Upon call for the vote, the motion carried unanimously.
6. James M. Camastro, a state-certified General Contractor (I-CGC1514619) did not appear and was not represented by counsel with regard to Administrative Complaint C09-912.
- (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
 - (b) Stipulated settlement of \$500.00; and
 - (c) Suspension of Respondent's registration, however, suspension is stayed and will be one-year probation if Respondent pays the fine and provides proof of resolution of permit violation within 30 days of a Final Order.
7. Joseph M. DiSalvo, an Air Conditioning "A" Contractor and Plumber (C-1708) did not appear and was not represented by counsel with regard to Administrative Complaints C09-1046, 1052-53, 1058-59, 1065, 1119, and 1241-1245:

- (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
 - (b) Stipulated settlement of \$1,000.00 per count; and
 - (c) Suspension of Respondent's registration, however, suspension is stayed and will be one-year probation if Respondent pays the fine and provides proof of resolution of permit violation within 30 days of a Final Order.
8. Michael D. Stewart, a state-certified Building Contractor (I-CBC1252648) did not appear and was not represented by counsel with regard to Administrative Complaint C09-850:
- (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
 - (b) Stipulated settlement of \$500.00 is imposed; and
 - (c) Suspension of Respondent's registration, however, suspension is stayed and will be one-year probation if Respondent pays the fine and provides proof of resolution of permit violation within 30 days of a Final Order.
9. Terrie L. Gilligan, a Paving Specialty Contractor (C-7012) did not appear and was not represented by counsel with regard to Administrative Complaint C09-776:
- (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
 - (b) Stipulated settlement of \$500.00 is imposed; and
 - (c) Suspension of Respondent's registration, however, suspension is stayed and will be one-year probation if Respondent pays the fine and provides proof of resolution of permit violation within 30 days of a Final Order.

IV. **MISCELLANEOUS CORRESPONDENCE & REQUESTS**

- A. Old Business – None
- B. New Business:
 - 1. FINAL REPORT – Pinellas Gulf Beaches Coastal Construction Code Compliance Report
 - 2. Update by Vice-Chair Tafelski re EPA's Renovation, Repair and Painting Rule and information on local classes to be held.
- C. Miscellaneous Correspondence – None.
- D. Citizens To Be Heard - None

ADJOURNMENT

The meeting was adjourned at 2:30 PM.

The next meeting of the PCCLB will be held on May 18, 2010, in the Community Room, Largo City Hall.

Acting Chair