



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 July 20, 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
Mike Besel	Plumbing
John C. Burket	General
Rick Dunn	Building Official
Kevin Garriott	Building Official
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 Marshall
Patrick Murphy	Building Official
James Rosenbluth	Building
Peter Vasti	Consumer Representative
Gerald H. White	Electrical
Fritz Wolf, Jr.	Residential

Also attending: Rodney Fischer, Executive Director
Carl E. Brody, Sr. Assistant County Attorney
Jason Ester, Assistant County Attorney
Caroline Jones, Executive Administrative Secretary

The meeting was called to order at 1:32 PM

Pledge of Allegiance/Roll Call/Oath

- I. A. The Board Received a Recommended Order from the Division of Administrative Hearings in the matter of PCCLB vs. Paul W. Bourdon (C09-582) DOAH Case No. 10-0096. After consideration and review of the record with input provided by Attorneys Brody and Ester, on a motion by Member Rosenbluth, seconded by Member Burket, the Board voted unanimously to accept the

Recommended Order DOAH Case No. 10-0096 as the Final Order of the PCCLB in accordance with Section 120.57(1), Florida Statutes.

II. PUBLIC HEARING

The Board received a proposed local technical amendment to add an exemption applicable to section 3109.4.1, the Pinellas Gulf Beaches Coastal Construction Code, as referenced in the Florida Building Code 2007 – Building, as recommended by the Countywide Board of Adjustment & Appeals – Building. After consideration, on a second by Member Andrews and a second by Member Goldman, the Board voted approval of adding an Exemption to Section 3109.4.1 as follows:

EXEMPTION: A structure listed on the National Registry of Historic Places, listed on the State Inventory of Historic Places, or certified by the Secretary of the Interior as contributing to the historical significance of a registered historic district.

III. CONSENT AGENDA

After consideration and on a motion by Member Burket, seconded by Member Rosenbluth 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 – Regular PCCLB meeting of May 18, 2010 and Special Master Minutes of June 8, 2010
- B. Financial Reports – April and May 2010
- C. Examining Committees Reports – June 2010
- D. Stipulations (Section 120.57(3), Florida Statutes)
 - 1. Michael C. Williams 09-327; 09-740
 - 2. Mark C. Tenney 09-1198
 - 3. Harold H. Ervin 09-1201/1202
 - 4. Peter R. Sheeran 09-1247
 - 5. Robert J. Yankanich 09-1310
 - 6. Donald D. Gibson 10-5
 - 7. John Oldja 10-27; 10-128; 09-1281
 - 8. Darrin McCormick 10-106; 10-250
 - 9. Eric C. Baum 10-134
 - 10. Jeffrey T. Lindsley 10-177
 - 11. Michael S. Lane II 10-189; 190
 - 12. William John Klein 10-208
 - 13. John R. Comans 10-216
 - 14. Eric Taylor 10-242
 - 15. Daniel B. Valentine 10-256
 - 16. Mark V. Jedlovec 10-294
 - 17. Thomas J. Gavaghan 10-354
 - 18. Ronald P. Sciarretta 10-409

IV. 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. Guy Gannaway – Deferred to a later meeting
 2. Frank Revella – Suspended and license surrendered to Board
 3. Michael Scott Parham, a state-certified Building Contractor (I-CBC1256883), did not appear in the case of Administrative Complaint C09-1224. Mr. Fischer provided background information and following discussion, on a motion by Member Rosenbluth, seconded by Member Dunn, the Board voted to accept the allegations of Administrative Complaint C09-1224 as Findings of Fact and concluded Respondent violated Section 24(2)(d)(e)(j)(l)(k)(m), Chapter 75-489, Laws of Florida, as amended; and imposed the following penalty:
 - (a) Respondent is reprimanded for aiding and abetting, workers compensation insurance violation and misconduct; and
 - (b) Stipulated settlement of \$500.00 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 the complaint and permit violation within 30 days of a final order.
 4. Robert L. Herbert, Jr., state-certified Plumbing Contractor (I-CFC046006), did not appear in the case of Administrative Complaint C09-1318. Mr. Fischer provided background information and following discussion, on a motion by Member Burket, seconded by Member Joyner, the Board voted to accept the allegations of Administrative Complaint C09-1318 as Findings of Fact and concluded Respondent violated Section 24(2)(d)(e)(j)(l)(m), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:
 - (a) Respondent is reprimanded for working outside the scope of licensure; failure to obtain required permit and inspection, financial mismanagement, misconduct; and
 - (b) Stipulated settlement of \$500.00 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 the complaint within 30 days of a final order.

5. Donald Walter Lester, state-certified Air Conditioning “B” Contractor (I-CAC1813891), did not appear in the case of Administrative Complaint C10-58. Mr. Fischer provided background information and following discussion, on a motion by Member Joyner, seconded by Member Holderith, the Board voted to accept the allegations of Administrative Complaint C10-58 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) Respondent is reprimanded for permit and inspection violations and misconduct; and
 - (b) Stipulated settlement of \$500.00 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 the complaint within 30 days of a final order.

6. Samuel L. Copeland, a Flatwork Concrete Specialty Contractor (C-4868), did not appear in the case of Administrative Complaint C10-72. Mr. Fischer provided background information and following discussion, on a motion by Member Murphy, seconded by Member Joyner, the Board voted to accept the allegations of Administrative Complaint C10-72 as Findings of Fact and concluded Respondent violated Section 24(2)(d)(h)(j)(m)(n), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:
 - (a) Respondent is reprimanded for contracting while license was expired, financial mismanagement, and misconduct; and
 - (b) Administrative fine of \$500.00 imposed; and
 - (c) Suspension of Respondent’s license, however, suspension is stayed and will be one-year probation if Respondent pays the fine, renews license C-4868, and provides proof of resolution of the complaint within 30 days of a final order.

7. Kurt S. Dombroski, a state-certified Roofing Contractor (I-CCC1326322), did not appear in the case of Administrative Complaint C10-109. Mr. Fischer provided background information and following discussion, on a motion by Member Burket, seconded by Member Murphy, the Board voted to accept the allegations of Administrative Complaint C10-109 as Findings of Fact and concluded Respondent violated Section 24(2)(d)(e)(j)(l)(m), Chapter 75-489, Laws of Florida, as amended, and imposed the following penalty:
 - (a) Respondent is reprimanded for aiding and abetting, failure to provide workers compensation insurance coverage, 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 administrative fine, provides proof that individuals are Respondent’s employees and covered with workers compensation insurance within 30 days of a final order.

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 that Items Nos. 2 and 6 had been resolved and referring to the remaining cases stated that \$500.00 fines will be imposed if approved by the Board. Member Kelley moved, seconded by Member Joyner, that the recommended disciplinary actions be approved. Responding to Member Wolf's inquiry as to whether suspension of registration/licensure would be automatic; Member Kelley amended his motion to include suspension if the fines are not paid and/or complaints resolved, within 30 days of a final order; and the seconder concurred.

1. Darcy H. Babin, a state-certified Residential Contractor (I-CRC1328661) did not appear with regard to Administrative Complaint C10-209:
 - (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.

2. Douglas Benjamin, resolved and closed.

3. John B. Bentley, a state-certified Roofing Contractor (I-CCC1328381) did not appear with regard to Administrative Complaint C09-1113:
 - (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.

4. Osborne P. Herndon III, a state-certified Building Contractor (I-CBC025173) did not appear with regard to Administrative Complaint C10-200:
 - (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
 - (b) Administrative fine 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.

5. Dannie C. Patterson, a state-certified Building Contractor (I-CBC040886) did not appear with regard to Administrative Complaint C09-1203:

- (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
- (b) Administrative fine 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.

6. Kori L. Monroe – Finaled and paid

7. Harvey O. Tolbert, a Residential Contractor (C-8528) did not appear with regard to Administrative Complaint C10-274:

- (a) Respondent is reprimanded for abandonment, permit and inspection violations (expired permit), and misconduct; and
- (b) Administrative fine of \$500.00 is imposed; and
- (c) Suspension of Respondent's license, 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 - None
- C. Miscellaneous Correspondence – None
- D. Citizens to Be Heard

- 1. Board grants applicant, Gary Thompson, ability to pay back fees in two payments.

ADJOURNMENT

The meeting was adjourned at 2:06 PM

The next meeting of the PCCLB will be held on September 21, 2010, at 1:30 PM in the Community Room, Largo City Hall.

Vice-Chair

May 18, 2010