

**Construction Licensing Board
Pinellas County
March 13, 2023 Meeting Minutes**

The Pinellas County Construction Licensing Board (PCCLB) met in a regular session at 1:33 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
Jason Holloway, Consumer Representative (late arrival)
Steven James II, Roofing Contractor
Marina Kron, Class A HVAC Contractor (late arrival)
Lawrence Schear, Consumer Representative
William Sheehan, Residential Contractor
Michael Sofarelli, Architect
Evelyn Spencer, Pinellas County Building Official
Don Tyre, South County Building Official
John Wear, Plumbing Contractor

Not Present

Chief James Millican, Fire Official
Mark Vasquez, Beach Community Building Official

Others Present

Jude Reazin, Code Enforcement Division Manager
Michelle Krickovic, Director, Contractor Licensing Department
Sarah Rathke, Board Reporter, Deputy Clerk

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 1:33 PM.

PLEDGE OF ALLEGIANCE/ROLL CALL

Chair Holderith led the Pledge of Allegiance; whereupon, Ms. Krickovic conducted a roll call of the members and confirmed the presence of a quorum.

INTRODUCTION OF STAFF

Ms. Krickovic introduced the staff members in attendance.

APPROVAL OF MINUTES FOR THE PCCLB MEETING OF NOVEMBER 14, 2022

Mr. Sheehan moved that the minutes of the November 14, 2022 meeting be approved. The motion was seconded by Mr. Kelly 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 21, 2022, December 19, 2022, January 23, 2023, and February 27, 2023
- Examination Committee Reports: December 2022 and January – March 2023
- Expired Permit Violations – none

Responding to a query by Mr. Kelly, Ms. Krickovic related that when an individual wants to contest a citation, the case is heard by a Special Magistrate; and that the PCCLB reviews cases of expired permit violations, refusal to pay fees, or egregious conduct, noting a decrease in cases over the last two years.

Mr. Sheehan made a motion, which was seconded by Mr. Erwin and carried unanimously, that the Consent Agenda items be approved.

REGULAR AGENDA

Certification without Examination Recommendation

Chair Holderith administered the oath to persons planning to give testimony.

RONALD E. MARTIN II

Mr. Erwin provided background information regarding the matter, relating that the Electrical Committee recommends that Mr. Martin be permitted to be certified without re-

examination. He clarified that the lapse in certification was recent and was due to an accident or illness.

Mr. Sheehan made a motion to accept the Electrical Committee's recommendation; whereupon, the motion was seconded by Mr. Kelly and carried unanimously.

ERIC JENNEY

Mr. Erwin provided background information and noted that the Electrical Committee recommends certification without examination, and discussion ensued, with Mr. Jenney responding to queries by the members.

Mr. Tyre made a motion to approve the Electrical Committee's recommendation. The motion was seconded by Mr. Garriott and carried 12 to 1 with Mr. Sheehan dissenting.

FRANK RAYMOND SIERRA SR.

Chair Holderith indicated that the Building Committee has previously reviewed and recommended approval of the certification without re-examination request, pending proof of continuing education; that Mr. Sierra has since provided that proof; and that he has been in business for approximately 30 years; whereupon, Ms. Krickovic confirmed that Mr. Sierra is currently registered with the State.

Mr. Sheehan made a motion to approve the request. The motion was seconded by Mr. Holloway and carried unanimously.

KATIA BUGS

Chair Holderith provided background information on the matter and indicated that Ms. Bugs' license had lapsed due to her moving to another country, where she is certified, for a period of time. He related that the Building Committee recommends approval of her request, pending completion of 14 hours of continuing education.

In response to concerns by Mr. Sheehan, Chair Holderith noted that Ms. Bugs has an impressive portfolio of work she completed while out of the country; and that she will have to pay fees to activate her license. He emphasized that she will be completing 14 hours of continuing education; whereupon, discussion continued.

Mr. Holloway made a motion to accept the Building Committee's recommendation. The motion was seconded by Mr. Kelly and carried 12 to 1, with Mr. Sheehan dissenting.

Report - Insurance Violation Fee Waivers

None

Report – Collections write-down

None.

Financial Disclosure Form 1 – Due July 1, 2023

Ms. Krickovic reminded the members that they must submit the financial disclosure form to the State by July 1.

Board Rule – Recommended Change

Referring to information located in the agenda packet, Ms. Krickovic indicated that there is a cost associated with processing of undelivered and returned mail caused by outdated contractor information. She explained that under the proposed change to Rule 3.5, contractors will be notified that they have 30 days to update their information and if they fail to do so, they will be fined \$100.

During discussion, the members highlighted the following concerns:

- Number of contractors out of compliance
- Effectiveness of a \$100 fine
- Potential for a higher fee or ladder/tiered progression system for multiple offenses

Mr. Sheehan made a motion to approve a fine of \$300. Mr. Kelly seconded, and the motion failed three to ten.

Following discussion, Mr. Holloway made a motion to table the item and have staff return with more information regarding the potential for a tiered fee system. The motion was seconded by Mr. Kelly and carried unanimously.

Board Rule – Recommended Change

Ms. Krickovic explained that the Examination Committee is recommending to add a new Rule 2.03, as outlined in the agenda. She indicated that this rule would speed up the change of status process for contractors.

A motion was made by Mr. Kelly to approve the new Rule 2.03, as written in the agenda, and was seconded by Mr. Erwin. Upon call for the vote, the motion carried unanimously.

Board Rule – Recommended Change

Ms. Krickovic related that staff recommends an update to Rule 1.06 regarding the penalty for dishonored checks in order to reflect the user fee rates set by the Clerk of the Court.

Mr. Holloway made a motion to accept the amendment to Rule 1.06, as presented by staff. The motion was seconded by Mr. Tyre and carried unanimously.

Board Rule – Recommended Change

Ms. Krickovic provided information regarding the recommended change to Rule 11.09 to make its language consistent with other rules, as detailed in the agenda.

Mr. Holloway made a motion to accept staff's recommended changes to Rule 11.09. The motion was seconded by Mr. Erwin and carried unanimously.

Violation Penalty Schedule

Ms. Krickovic presented the recommended action regarding the Violation Penalty Schedule, indicating that there are no changes to the penalties, but that two penalties which have been adopted as part of the Municipal Code years ago, were added to the schedule for ease of reference.

In response to a query by Chair Holderith, Ms. Krickovic clarified that the item has been brought forth to the Board for transparency and accountability purposes.

Mr. Holloway made a motion to adopt the schedule as recommended. The motion was seconded by Mr. Schear and carried unanimously.

Fee Schedule

Ms. Krickovic indicated that due to House Bill (HB) 735, the Department is expected to see a \$225,000.00 drop in revenue in Fiscal Year 2024. She specified that the Department does not have any recommendations to increase fees and requested that the members review the current fees and penalties.

In response to queries by Mr. Tyre, Chair Holderith recommended forming a subcommittee to review and address the fee rates, and Ms. Krickovic noted that every two years any surplus of funds held by the Department is swept into the County's General Fund; whereupon, discussion ensued.

Mr. Holloway made a motion to form a subcommittee to review the penalties and fees, comprised at the discretion of Chair Holderith and Ms. Krickovic. The motion was seconded by Mr. Sheehan and carried 12 to 1, with Chair Holderith dissenting.

Director's Report

Ms. Krickovic updated the Board on the Department's position regarding HB735 and described additional proposed legislation. She explained that HB1625 is most favorable to Pinellas contractors and requested that the Board consider drafting a letter to State Representatives to support the bill before the end of the legislative session; whereupon, discussion ensued regarding the request and whether there should be a consensus or a unanimous agreement by the Board in order to send it.

Mr. Holloway made a motion to send a letter on behalf of the Board, penned by Ms. Krickovic, under the caveat that 11 of the 15 members consent to it. The motion was seconded by Mr. Schear and carried unanimously.

Ms. Krickovic indicated that she will email the letter draft to the members for approval prior to sending it.

Management Report - Investigations

Mr. Reazin provided information regarding Code Enforcement and Construction Licensing Investigations operations and accomplishments; whereupon, his staff described their day-to-day activities and shared details of recent notable investigations. Ms. Krickovic congratulated them on their success and briefly described the complaint process, and discussion ensued.

Citizens to be Heard

Earlier in the meeting, Thomas Gavajhan appeared and stated his concerns regarding the impact of HB735 on his business.

ADJOURNMENT

Chair Holderith adjourned the meeting at 3:57 PM.