

**MINUTES OF THE REGULAR MEETING OF  
THE CHARLOTTE COUNTY  
CONSTRUCTION INDUSTRY LICENSING BOARD  
18500 Murdock Circle, Room 119  
Port Charlotte, Florida 33948**

**June 5, 2014**

**I. CALL TO ORDER**

*Erik Howard* called the meeting to order at 6:00 PM

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Members Present:**

*Pamela Alexander*

*Thomas Burns*

*John Damon*

*Michael Douglass*

*Charles Hackbarth*

*Erik Howard*

*Carleton Strong*

*Glenn Siegel, Board Attorney*

**Members Excused**

*Stephen Gardiner - Email*

**Staff Present**

*Erin Mullen-Travis, Certified Code Compliance Officer, Licensing Manager*

*Lorraine Lundblad, Certified Code Compliance Officer, Licensing Investigator*

*Ira Bender, Certified Code Compliance Officer, Licensing Investigator*

*Terri Barnett, Certified Code Compliance Officer, Licensing Investigator*

*Aaron Schulze, Certified Code Compliance Officer, Licensing Investigator*

*Jim Evetts, Building Official*

*Pooja Patel, Assistant County Attorney*

*Sandra Williamson, Clerk*

**IV. AGENDA CHANGES**

*Erin Mullen-Travis*, Certified Code Compliance Officer/Licensing Manager informed the board of the following changes:

**Stephen Uebelacker - Dismissed**

**V. NEXT MEETING DATE**

July 10, 2014

**VI. SWEARING IN OF ALL THOSE GIVING TESTIMONY**

*Sandra Williamson* administered oath to those who gave testimony.

**VII. QUASI-JUDICIAL HEARING**

*Carlton Strong* recused himself from the Ryan Martins case.

**VIII. APPROVAL OF MINUTES**

*John Herston* moved to approve the minutes of **May 1, 2014**. The motion was seconded by *Carlton Strong* and was passed unanimously.

**IX. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$10.00 for the cost of recording the lien:**

- |    |  |                      |
|----|--|----------------------|
| 1. | <b>Clay W. Collini– Citation # 3638 - \$1,000.00</b> | <b>Aaron Schulze</b> |
| 2. | <b>Clay W. Collini– Citation # 3639 - \$1,000.00</b> | <b>Aaron Schulze</b> |
| 3. | <b>Samuel Holland – Citation # 3740 - \$1,000.00</b> | <b>Terri Barnett</b> |

**MOTION:** *Tom Burns* motioned to accept the fines as stated in the Affidavits of Noncompliance. *Carlton Strong* seconded and was passed unanimously.

**X. CONTESTING CITATION**

*Robert W. Johnson* – **Citation No. 3880 - \$1,000.00** – Contested Citation No. 3823. *Lorraine Lundblad* Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. *Robert Johnson* was present and provided testimony to the board.

**MOTION:** *John Damon* motioned to uphold Citation No. 3823. The motion was seconded by *Tom Burns* and was approved unanimously.

**XI. LICENSE REVIEW**

*Ryan Martins* – A review of a name change, credit report, and criminal history. He was present and provided testimony to the board. *Ira Bender* Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report

**MOTION:** *John Damon* moved to **DENY** the license request by Ryan Martins. The motion was seconded by *Charles Hackbarth* with three (3) opposing votes *Erik Howard, Pamela Alexander, and John Herston*.

*Frank Mezzatesta* - A review of the credit report. He was present and provided testimony to the board. *Aaron Schulze* Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report

**MOTION:** *John Damon* moved to **APPROVE** the license request by Frank Mezzatesta. The motion was seconded by *John Herston* with two (2) opposing votes *Michael Douglass* and *Carlton Strong*.

**XII. SPONSORSHIP**

*None*

**XIII. OLD BUSINESS**

*Stephen Uebelacker*  
*d/b/a Harbour Ridge Development, Inc.*  
*State Certified Building Contractor*  
*License No. CBC1255169*  
*Case No. CIL-12-00582*

This case was dismissed at the Board hearing.

**XIV. DISCIPLINE CASES**

*Frederick A. Herritt, III*  
*d/b/a Veteran Cooling, LLC*  
*State Certified Air Conditioning Contractor*  
*License No. CAC1817293*  
*Case No. CIL-14-00364*

**CHARGE 1: Florida Building Code 105.1 Adopted by Charlotte County Code 3-2-23** - Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. **(1 Count)**

**CHARGE 2: Charlotte County Code 3-2-47 (b)(4)** - Willful or deliberate disregard and violation of any lawful order of the board, any provisions of Charlotte County Code, Chapter 3-2, Chapter 3-9, any provisions of any code adopted pursuant to this chapter or any state law regulating the construction industry, including Chapter 489 and Part I of Chapter 455. **(1 Count)**

*Aaron Schulze* Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. *Frederick Herritt, III* was present and provided testimony to the board.

**MOTION:** *Erik Howard* made the following and the motion was seconded by *John Herston* with one (1) opposing vote *John Damon*:

- That Respondent's new permitting privileges and the right to work in Charlotte County be placed on probation for no less than one (1) year with the understanding that if he violates the Florida Statutes, Florida Building Codes, or Charlotte County Codes regulating the construction industry, he will be brought back before the CILB for additional sanctions.
- If Respondent fails to comply with the Board's orders, it is recommended that this Board send a copy of the orders along with a follow up report to the FCILB with the recommendation that the State Certified Air Conditioning Contractor's license of Frederick A. Herritt, III be **REVOKED**.

**XII. REPORT ON UNLICENSED CONTRACTING - SHERIFF'S OFFICE**

*None*

**XIII. CITIZEN INPUT**

*None*

**XIV. REPORT FROM THE LICENSING DIVISION MANAGER**

*Erin Mullen-Travis* the code changes to Chapter 3-2 has been approved by the Commissioners.

**XV. REPORT FROM THE BUILDING OFFICIAL**

*James Evetts* commented on the prior case of Frederick A. Herritt, III about the strict rules of the state for qualifying a second company.

**XVI. REPORT FROM THE ASSISTANT COUNTY ATTORNEY**

*None*

**XVII. BOARD ATTORNEY COMMENTS**

*None*

**XVIII. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS**

*None*

**XIX. ADJOURNMENT**

*John Damon* made the motion to adjourn and *Carlton Strong* seconded the motion and it was approved unanimously. The meeting was adjourned at 7:33 pm.