

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

January 8, 2015

CALL TO ORDER

Tom Burns called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present:

Pamela Alexander
Thomas Burns
John Damon
Stephen Gardiner
Erik Howard
Glenn Siegel, Board Attorney

Members Excused:

Michael Douglass – Called
Charles Hackbarth - Called
Carleton Strong – Called

Not Present:

John Herston

Staff Present:

Erin Mullen-Travis, Certified Code Compliance Officer, Licensing Manager
Ira Bender, Certified Code Compliance Officer, Licensing Investigator
Lorraine Lundblad, Certified Code Compliance Officer, Licensing Investigator
Terri Barnett, Certified Code Compliance Officer, Licensing Investigator
James Evetts, Building Official
Ben Bailey, Deputy Building Official
Pooja Patel, Assistant County Attorney
Sandra Williamson, Administrative Assistant I
Keith Morgan, Administrative Assistant II

NEXT MEETING DATE

February 5, 2015

APPROVAL OF MINUTES

Pam Alexander moved to approve the minutes of December 4, 2014. The motion was seconded by **Stephen Gardiner** and was passed unanimously.

SWEARING IN OF ALL THOSE GIVING TESTIMONY

Sandra Williamson administered oath to those who gave testimony.

AGENDA CHANGES

Erin Mullen-Travis read into the record the agenda changes.

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:**

A. Darin Erazo – Citation No. 3960 - \$1,010.00 Terri Barnett

MOTION: *Erik Howard* motioned to accept the fine as stated in the Affidavit of Noncompliance. *Stephen Gardiner* seconded and was passed unanimously.

CONTESTING CITATION

Savitree Premchand – Contested Citation No. 3949. *Ira Bender* Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. ***Savitree Premchand*** was present and provided testimony to the board.

MOTION: *Erik Howard* motioned to uphold Citation No. 3949. The motion was seconded by *John Damon* and was approved unanimously.

REINSTATEMENT

Kevin Boyer
d/b/a S & B Screening & Aluminum, Inc.
License No. CRC1326352

Erin Mullen-Travis

Kevin Boyer has requested permanent reinstatement of his permitting privileges and the right to work in Charlotte County.

Erin Mullen-Travis Certified Code Compliance Officer and Licensing Manager, provided testimony as stated in the investigative report. ***Kevin Boyer*** was present and provided testimony to the board.

MOTION: *Erik Howard* motioned that the permitting privileges and the right to work in Charlotte County of ***Kevin Boyer*** be reinstated with the condition that the applicant be placed on probation for a period of eight (8) years. It is further ordered this case and a copy of this Board's order be sent to the Florida Construction Industry Licensing Board with a recommendation that **Kevin Boyer** be placed on probation for a period not less than five (5) years. ***John Damon*** seconded, and the motion was approved unanimously.

LICENSE REVIEW

None

EXMANINATION

Kenneth Schill - Review of credit report in order to obtain a certificate of competency in the category of painting. *Ira Bender* Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. *Kenneth Schill* was present and provided testimony to the board.

MOTION: *Erik Howard* moved to **APPROVE** the waiver of his credit report, in order to obtain a certificate of competency in the category of painting. The motion was seconded by *Stephen Gardiner* and was approved unanimously.

OLD BUSINESS

None

DISCIPLINE CASES

- A. Larry E. West - **DISMISSED** Lorraine Lundblad
d/b/a LW Construction Concepts
State Certified General Contractor
License No. CGC060167
Case No. CIL-14-00300
- B. Jeffrey S. Davis Lorraine Lundblad
d/b/a PGA, LLC
Local Aluminum/Concrete Contractor
License No. AAA005762
Case No. CIL-14-00325

CHARGE 1: Florida Building Codes 110.3 and 110.5 adopted by Charlotte County Code 3-2-23: The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violation which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. It shall be the duty of the holder of the building permit to their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are requires by this code. **(3 Counts)**

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. **(3 Counts)**

CHARGE 3: Charlotte County Code 3-2-47(b)(20) Failing to obtain inspection including but not limited to final inspection.. **(3 Counts)**

Lorraine Lundblad Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. *Jeffrey Davis* and his attorney, *Russell Kirshy*, were present to give testimony to the board.

MOTION: *Stephen Gardiner* made the motion that *Jeffrey Davis*' new permitting be suspended until all open permits receive final inspection and that the expired permits be renewed within 30 days. Per the Florida Building Code *Jeffrey Davis* must obtain final inspections of all outstanding permits within 6 months or in accordance with the Florida Building Code. If *Jeffrey Davis* does obtain the required final inspections within the allocated time frame after the permits were renewed, it's recommended *Jeffrey Davis* new permitting privileges be restored without the necessity of reappearing before this Board. And if *Jeffrey Davis* fails to comply with the boards order within the allocated period of time and allows any of the renewed permits to expire, *Jeffrey Davis*' permitting privileges and the right to work as a contractor in Charlotte County will be **REVOKED** without requiring *Jeffrey Davis* to reappear before this Board. The motion was seconded by *Erik Howard* and was approved unanimously.

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| C. | Scott M. Warram - CONTINUED
d/b/a Scott Warram, LLC
State Certified Plumbing Contractor
License No. CFC1427018
Case No. CIL-14-00352 | Lorraine Lundblad |
| D. | Louis J. Gemma - DISMISSED
d/b/a Gem State Wide Plumbing, Inc.
State Certified Plumbing Contractor
License No. CFC1428138
Case No. CIL-14-00375 | Lorraine Lundblad |
| E. | Corey J. Lynch - CONTINUED
d/b/a Heights Seamless Gutter, Inc.
Local Aluminum Contractor
License No. AAA0010565
Case No. CIL-13-00472 | Ira Bender |
| F. | David Dahlquist
d/b/a Benjamin Franklin
State Certified Plumbing Contractor
License No. CFC1426641
Case No. CIL-14-00383 | Lorraine Lundblad |

CHARGE 1: Florida Building Codes 110.3 and 110.5 adopted by Charlotte County Code 3-2-23: The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify

the permit holder or his or her agent of any violation which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. It shall be the duty of the holder of the building permit to their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are requires by this code. **(2 Counts)**

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. **(2 Counts)**

CHARGE 3: Charlotte County Code 3-2-47(b)(20) Failing to obtain inspection including but not limited to final inspection.. **(2 Counts)**

Lorraine Lundblad Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. **David Dahlquist** was not present to give testimony to the board.

MOTION: **Erik Howard** made the motion that David Dahlquist's permitting privileges and the right to work as a contractor in Charlotte County be revoked. It is further recommended that this case along with a copy of the board's order be prepared and sent to Department of Business and Professional Regulation with the recommendation that FCILB order David Dahlquist to obtain final inspections on all permits obtained in Charlotte County and that the FCILB discipline the license of David Dahlquist by suspension or revocation. The motion was seconded by **Pam Alexander** and was approved unanimously

G. Harry V. Hornagold - **CONTINUED**
d/b/a Harry Victor Hornagold
Certified Building Contractor
License No. CBC1254064
Case No. CIL-14-00488

Ira Bender

CITIZEN INPUT
None

REPORT FROM THE LICENSING DIVISION MANAGER

Erin Mullen-Travis informed the Board the County is in the process of updating the Rules of Procedure and Section 3-2 of the Charlotte County code. She also commented about a prior case which was before the Board...the gentlemen was in violation at the time the citation was issued.

REPORT FROM THE BUILDING OFFICIAL

None

REPORT FROM THE ASSISTANT COUNTY ATTORNEY

It was mentioned that the Board might end up hearing cases concerning the Construction Board of Adjustments and Appeals.

BOARD ATTORNEY COMMENTS

REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

Attendance of Board members

ADJOURNMENT

Pam Alexander made the motion to adjourn and *Erik Howard* seconded the motion and it was approved unanimously at 7:16 pm.