

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

March 5, 2015

CALL TO ORDER

Charles Hackbarth called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present:

Pamela Alexander
John Damon
Stephen Gardiner
Charles Hackbarth
Carleton Strong
Glenn Siegel, Board Attorney

Members Excused:

Thomas Burns
Erik Howard

Staff Present:

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

NEXT MEETING DATE

April 2, 2015

APPROVAL OF MINUTES

Carleton Strong moved to approve the minutes of February 5, 2015. The motion was seconded by **Pam Alexander** and was passed unanimously.

SWEARING IN OF ALL THOSE GIVING TESTIMONY

Keith Morgan administered oath to those who gave testimony.

AGENDA CHANGES

Erin Mullen-Travis gave an update on 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. | Trevor Charnley – Citation Nos. 3914 & 3915 - \$2,000.00 | Terri Barnett |
| B. | Richard Brubaker – Citation No. 3989 - \$1000.00 | Lorraine Lundblad |
| C. | Elmer Keeton – Citation No. 3943 - \$1,000.00 | Ira Bender |
| D. | Marcia Nelson – Citation No. 4011 - \$1,000.00 | Lorraine Lundblad |

MOTION: *Pam Alexander* motioned to accept the fine as stated in the Affidavit of Noncompliance. *Carlton Strong* seconded and was passed unanimously.

CONTESTING CITATION

None

REINSTATEMENT

Timothy Baldwin
d/b/a Baldwin Environmental Services & Construction, Inc.
License No. CGC049747
Case No. CIL-11-00425

Erin Mullen-Travis

Timothy Baldwin has requested 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. *Timothy Baldwin* was present and provided testimony to the board.

MOTION: *Carlton Strong* motioned that the permitting privileges and the right to work in Charlotte County of *Timothy Baldwin* be reinstated and additionally *Timothy Baldwin* be placed on probation for five (5) years. *Pam Alexander* seconded, and the motion was approved unanimously.

LICENSE REVIEW

None

EXMANINATION

None

OLD BUSINESS

Jeffrey S. Davis
d/b/a PGA, LLC
Local Aluminum/Concrete Contractor
License No. AAA005762
Case No. CIL-14-00325

Lorraine Lundblad

Jeffrey Davis and his attorney, *Russell Kirshy*, were present to provide the Board with an update on the expired permits. *Jeffrey Davis* explained the problems he is having with Sun Coast Engineering and plans on hiring a new engineering company. *Jeffrey Davis* explained to the Board the problem he had at the property located at 4300 Riverside Drive, Lot 62.

MOTION: *Carlton Strong* made the motion that *Jeffrey Davis*' extend the temporary permitting privileges until April 2, 2015. *Jeffrey Davis* must reappear before the Board on April 2, 2015, to provide the Board with an update on all outstanding permits. The motion was seconded by *Stephen Gardiner* with two (2) opposing votes *John Damon* and *Pam Alexander*.

DISCIPLINE CASES

- A. Jerry DePriest **DISMISSED** Lorraine Lundblad
d/b/a Air 360 Heating & Cooling, LLC
State Certified Air Conditioning Contractor
License No. CAC1817824
Case No. CIL-14-00422
- B. Matthew Salminen **CONTINUED** Lorraine Lundblad
d/b/a Matt's Electric, Inc.
License No. ER13013345
Case No. CIL-14-00409
- C. Corey J. Lynch **CONTINUED** Ira Bender
d/b/a Heights Seamless Gutter, Inc.
Local Aluminum Contractor
License No. AAA0010565
Case No. CIL-13-00472
- D. Gregory Roy **CONTINUED** Lorraine Lundblad
d/b/a Greg Roy Plumbing, LLC
State Certified Plumbing Contractor
License No. CFC045181
Case No. CIL-14-00385
- E. Peter Cafaro, III Lorraine Lundblad

Lowes Home Centers, Inc.
Certified General Contractor
CGC1508417
Case No. CIL-14-00398

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

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. (7 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. (7 Counts)

CHARGE 3: Charlotte County Code 3-2-47(b)(20) Failing to obtain inspection including but not limited to final inspection. (7 Counts)

MOTION: *Carlton Strong* made the motion that *Peter Cafaro's III* new 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 Florida Construction Industry Licensing Board order *Peter Cafaro, III* to obtain final inspections on all permits obtained in Charlotte County and that the Florida Construction Industry Licensing Board discipline the license of *Peter Cafaro, III* by suspension or revocation. The motion was seconded by *Stephen Gardiner* and was approved unanimously.

CITIZEN INPUT

Marcia Nelson spoke to the Board about the citation that was issued to her by Lorraine Lundblad.

REPORT FROM THE LICENSING DIVISION MANAGER

Erin Mullen-Travis asked the Board to adopt the Rules of Procedure and to approve the minor changes to Chapter 3-2.

MOTION: *Pam Alexander* made the motion to accept the changes to Chapter 3-2 and to adopt the Rules of Procedure for the Construction Industry Licensing Board. The motion was seconded by *Carlton Strong* and was approved unanimously.

REPORT FROM THE INTERIM BUILDING OFFICIAL

None

REPORT FROM THE ASSISTANT COUNTY ATTORNEY

None

BOARD ATTORNEY COMMENTS

None

REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

Carlton Strong wanted to know who can install swimming pool heat pumps...can they be installed by licensed air conditioning contractor. A discussion took place regarding who can install swimming pool heat pumps.

ADJOURNMENT

Carlton Strong made the motion to adjourn and *John Damon* seconded the motion and it was approved unanimously at 7:10 pm.

**CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF MARCH 5, 2015**

Read and approved on April 2, 2015:

Tom Burns, Chairman of the
Charlotte County Construction
Industry Licensing Board

ATTEST:

Sandra Williamson
Administrative Assistant I
Community Development Department
Contractor Licensing Division

Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.

Any person who decides to appeal a decision of this Board will need a record of the proceedings pertaining thereto, and therefore may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.