

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

October 1, 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
Charles Hackbarth
Erik Howard
Stephen Gardiner
Kenneth Lowe
Robert Overcash
Carleton Strong
Glenn Siegel, Board Attorney

Absent:

Thomas Burns

Staff Present:

Erin Mullen-Travis, Certified Code Compliance Officer, Licensing Manager
Lorraine Lundblad, Certified Code Compliance Officer, Licensing Investigator
Ben Bailey, County Building Official
Pooja Patel, Assistant County Attorney
Sandra Williamson, Administrative Assistant I

NEXT MEETING DATE

November 5, 2015

APPROVAL OF MINUTES

Carleton Strong moved to approve the minutes of September 3, 2015. 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 announced 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:**

None

CONTESTING CITATION

None

REINSTATEMENT

William Holley
f/k/a PLS Construction, Inc.
n/k/a Belken Construction, LLC
License No. CGC038645
Case No. 2005-002

William Holley has requested reinstatement of his permitting privileges and the right to work in Charlotte County.

The investigative report was read into the record by **Erin Mullen-Travis** Certified Code Compliance Officer, Licensing Manager. The report indicated that **William Holley's** permitting privileges and right to work in Charlotte County were revoked in April 2005, by the Licensing Board for multiple charges relating to the forgery and falsification of a Certificate of Occupancy that **William Holley** forged in order to obtain a final draw for a home he was constructing. After the testimony of the licensing investigator, the Board asked **William Holley** if the testimony was accurate and **William Holley** indicated yes with the exception that he admitted to also forging the Building Official's, James Evetts, signature which was not disclosed during the original hearing.

MOTION: **Erik Howard** made the motion to **DENY** the permitting privileges and the right to work in Charlotte County of **WILLIAM HOLLEY** and to send a copy of the Boards Order of 2005-002 to FCLIB along with a copy of the Board's Order of October 1, 2015, along with the minutes for this case. The motion was seconded by **John Damon** and was passed unanimously.

LICENSE REVIEW

None

EXAMINATION

None

OLD BUSINESS

Corey J. Lynch
d/b/a Heights Seamless Gutter, Inc.
Local Aluminum Contractor
License No. AAA0010565
Case No. CIL-13-00472

Due to the fact that **Corey Lynch** has requested a continuance to the November 5, 2015 hearing, **Erin Mullen-Travis** asked the Board to entertain a motion to allow Corey Lynch to pull new permits until the November 5, 2015, Board hearing.

MOTION: **Erik Howard** made the motion that **Corey Lynch's** new permitting privileges be extended until November 5, 2015. **Corey Lynch** must reappear before the Board on November 5, 2015, to provide the Board with an update on all outstanding permits. The motion was seconded by **Pam Alexander** and was passed unanimously.

DISCIPLINE CASES

Ronald Sutton
d/b/a Morton Buildings, Inc.
State Certified Building Contractor
License No. CBC036362
Case No. CIL-14-00500

The investigative report was ready into the record by **Lorraine Lundblad** Certified Code Compliance Officer, Licensing Investigator. **Ronald Sutton** was present to give testimony to the board.

CHARGE 1: Florida Building Code Sections 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 violations 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. Additionally, it shall be the duty of the holder of the building permit or 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 required by this code **(1 count)**.

CHARGE 2: Charlotte County Code 3-2-47(b)(4) – Disciplinary Action - 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)**.

CHARGE 3: Charlotte County Code Section 3-2-47(b)(20) - Failing to obtain inspections including but not limited to final inspections **(1 count)**.

MOTION: **Carleton Strong** made the motion that **Ronald Sutton** be found in violation of the charges as specified in the Notice of Violation and Notice of Administrative of Proceedings, Case CIL-14-00500 and that **Ronald Sutton's** new permitting

privileges be suspended and that all permits receive final inspections. Per the Florida Building Code **Ronald Sutton** must obtain final inspections of all outstanding permits within 6 months or in accordance with the Florida Building Code. If **Ronald Sutton** does obtain the required final inspections within the allocated time frame it's recommended that **Ronald Sutton** will not be required to reappear before the Board to have his permitting privileges and the right to work restored. If **Ronald Sutton** fails to comply with the boards order within the allocated period of time and allows any of the renewed permits to expire, **Ronald Sutton's** permitting privileges and the right to work as a contractor in Charlotte County will be **REVOKED** without requiring **Ronald Sutton** to reappear before this Board. It is further recommended, that a copy of this case along with a copy the Board's order be forwarded to the Department of Business and Professional Regulation and Florida Construction Industry Licensing Board with the recommendation that the State Certified Building Contractor's License of **Ronald Sutton** be placed on probation as long as he is in compliance with the Charlotte County Construction Industry Licensing Board's Order. If **Ronald Sutton** fails to comply with the Board's order, it is the recommendation that the State Certified Building Contractor's License of **Ronald Sutton** be suspended or revoked by the Florida Construction Industry Licensing Board. The motion was seconded by **Pam Alexander** with one (1) opposing vote **Erik Howard**

CITIZEN INPUT

None

REPORT FROM THE LICENSING DIVISION MANAGER

None

REPORT FROM THE BUILDING OFFICIAL

None

REPORT FROM THE ASSISTANT COUNTY ATTORNEY

None

BOARD ATTORNEY COMMENTS

None

REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

Carleton Strong asked if has helped the licensing department out by requiring the pool contractors to have a visible stick on the trucks. **Erin Mullen-Travis** stated yes...now the officer can look for stick and know that they are licensed in Charlotte County.

ADJOURNMENT

Carlton Strong made the motion to adjourn and **Stephen Gardiner** seconded the motion and it was approved unanimously at 7:00 pm.