

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

**March 3, 2016**

**CALL TO ORDER**

Vice Chairman ***Erik Howard*** called the meeting to order at 6:00 pm.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Members Present:**

Pamela Alexander  
John Damon  
Stephen Gardiner  
Erik Howard – Vice Chairman  
Robert Overcash  
Carleton Strong  
Glenn Siegel, Board Attorney

**Absent:**

Charles Hackbarth – Chairman, Excused  
Thomas Burns – Excused  
Kenneth Lowe

**Staff Present:**

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

**OPENING STATEMENT**

Vice Chairman read the opening statement into the record.

**NEXT MEETING DATE**

April 7, 2016

**APPROVAL OF MINUTES**

***Pam Alexander*** moved to approve the minutes of February 4, 2016. The motion was seconded by ***Carleton Strong*** 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:**

1. None

**CONTESTING CITATION**

None

**REINSTATEMENT**

None

**LICENSE REVIEW**

1. Paul R. Small - **DISMISSED**

Keith Morgan

2. Anthony Muso

John Drown

**Anthony Muso** has requested a waiver of his credit report, in order to obtain approval for a certificate of competency in the category of a ceramic tile, terrazzo, and marble contractor.

Testimony was given to the Board by John Drown, License Inspector and **Anthony Muso**.

**MOTION:** **John Damon** moved to **APPROVE** the waiver of his credit report, in order to obtain sponsorship for the examination in the category of ceramic tile, terrazzo and marble contractor. The motion was seconded by **Robert Overcash** and was approved unanimously.

**EXAMINATION**

None

**OLD BUSINESS**

None

**DISCIPLINE CASES**

1. Michael A. Grant - **DISMISSED**  
d/b/a Pyramid Engineering & Construction, Inc.  
Certified General Contractor  
License No. CGC059687

Erin Mullen-Travis

2. Case No. CIL-15-00441  
James Tombaugh – **CONTINUED** Terri Barnett  
d/b/a Backyard Solutions  
f/k/a Platinum Solar Homes, Inc.  
Certified Building Contractor  
License No. CBC1259336 – Current Active  
License No. CBC1255629 – Current Inactive  
Case No. CIL-14-00461
  
3. Thomas Threlkeld – **CONTINUED** Keith Morgan  
d/b/a Nassau Pools Construction, Inc.  
Certified Pool/Spa Contractor  
License No. CPC026492  
Case No. CIL-15-00339
  
4. Martin Lumpert John Drown  
d/b/a Lumpert Electric Service  
Certified Electrical Contractor  
License No. EC13001464  
Case No. CIL-15-00471

The investigative report was read into the record by **John Drown** Certified Code Compliance Officer, Licensing Investigator. **Martin Lumpert** was present to provide testimony to the board.

**CHARGE 1: Florida Building Code 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. The duty of the permit holder shall provide access to and means for inspections of such work that are required 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)**

**MOTION:** **Robert Overcash** made the motion that **Martin Lumpert** be found in violation of the charges as specified in the Notice of Violation and Notice of Administrative of Proceedings. That **Martin Lumpert's** new permitting privileges be suspended and the permits listed in the Notice be renewed within 30 days. Per the Florida Building Code, **Martin Lumpert** must obtain

final inspections of all outstanding permits within 6 months or in accordance with the Florida Building Code. If **Martin Lumpert** fails to comply or allows any of the permits in the Notice to expire again without the required inspections, the permitting privileges and right to work as a contractor in Charlotte County shall be revoked without the need for a further administrative hearing and a follow up notice shall be sent to the Electrical Construction Industry Licensing Board (ECLIB) notifying them of the failure to comply with the Boards Order. It is 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 (DBPR) and Electrical Construction Industry Licensing Board (ECLIB) with the recommendation that the State Certified Electrical Contractor's license of **Martin Lumpert** be revoked by the ECLIB. If **Martin Lumpert** complies with the order in the time frame specified and the permits are renewed and issued final inspections, **Martin Lumpert** shall not be required to reappear before the Board to have his permitting privileges reinstated. The motion was seconded by **John Damon** and was passed unanimously.

5. Joseph M. Casey - **DISMISSED**  
Florida Air Works, Inc.  
Certified Air Conditioning Contractor  
License No. CAC1815599  
Case No. CIL-15-00368

Terri Barnett

#### CITIZEN INPUT

None

#### REPORT FROM THE LICENSING DIVISION MANAGER

**Erin Mullen-Travis** stated that her officers have been out every day since the tornado hit the Deep Creek area...as of to date no unlicensed contracting has been found.

#### REPORT FROM THE BUILDING OFFICIAL

**Ben Bailey** gave a break down on the damage from the tornado:

- 160 home were hit
- 11 with major damage
- 8 with minor damage
- 136 with some slight damage, like soffit and shingles missing
- 1.6 is the estimated damage assessment

#### REPORT FROM THE ASSISTANT COUNTY ATTORNEY

**Pooja Patel** informed the Board that Flood Plain Ordinance will go before the BCC on Tuesday, March 8, 2016.

#### BOARD ATTORNEY COMMENTS

None

**REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS**

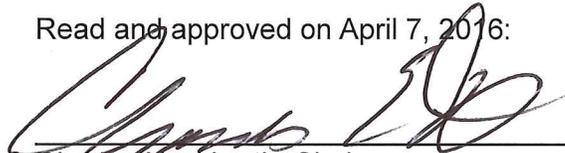
- Welcomed Erin back.
- They also inquired about the extra duties they will be taking on from the CBAA and will there will be a workshop on what kind of cases will be coming before them.

**ADJOURNMENT**

***Pam Alexander*** made the motion to adjourn and ***John Damon*** seconded the motion and it was approved unanimously at 6:45 pm.

CHARLOTTE COUNTY  
CONSTRUCTION INDUSTRY LICENSING BOARD  
MINUTES OF MARCH 3, 2016

Read and approved on April 7, 2016:



Charles Hackbarth, Chairman,  
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.***