

MINUTES

CHARLOTTE COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD 18500 Murdock Circle, Room 119, Port Charlotte, Florida 33948

February 5, 2026, at 4:00 pm

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs, and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@charlottecountyfl.gov.

A. CALL TO ORDER & OPENING STATEMENT

Michael Melton, Chairman calls meeting to order at 4:00PM

- This meeting of the Charlotte County Construction Industry Licensing Board is now called to order. This board is responsible for certain contractor licensing requirements and for conducting discipline hearings to determine the validity of alleged violations brought forth by the County.

B. ROLL CALL

B: Tammy Breden, Clerk to the Board

Kevin Correll
Brian Midolo, Vice Chair
Michael Melton, Chair
Charles Hackbarth, Chair
Dianne Quilty
Michael LaPorta
Jeffrey Lustig
Christopher Knight

NOT PRESENT:

John Donlon

STAFF PRESENT:

Derek Rooney, Board Attorney
Alex Villoria, Assistant County Attorney
Ben Bailey, Community Development Director
Daryl Dillow, Deputy Building Official
Tom Atkinson, Certified Code Compliance Officer
Kenneth Garcia, Certified Code Compliance Officer
Guy De Castris, Certified Code Compliance Officer
Tammy Breden, Senior Administrative Assistant and Clerk to the Board

C. NEXT MEETING DATE

April 2, 2026, at 4:00 pm

D. APPROVAL OF MINUTES- Michael Laporta motions to approve minutes Kevin Correll seconds passes:8/0

E. AGENDA CHANGES Case # CIL-25-00105 CARL V BOYER CONTINUED

F. SWEARING IN OF ALL THOSE GIVING TESTIMONY

By: Tammy Breden, Clerk to the Board: administered oath to those who gave testimony.

G. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES

All matters listed under this item are 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. **Upon Board approval of the Affidavits of Noncompliance, each case will be assessed with an additional \$20.00 for the cost.**

	Citations				
	Name	CIT No.	Case #	Amount	Officer Name
1	Marco D Gomez-Perez	6476	CIT-25-00072	\$1,000	KG

MOTION: to accept fines as stated on Affidavits of Non-Compliance.

Charles Hackbarth motioned to accept the fines as stated on Affidavit of Non-Compliance. Kevin Correll seconds. **Motion carries 8:0.**

H. CONTESTING CITATIONS- NONE

I. DISCIPLINE CASES Motion's Upheld: Please see Appendix 1 ON Pages 4 through 6

1 Rafael Martinez Ken G
dba New Havens Construction & Development LLC
Certified Residential Contractor
License No. CRC1333035
Case No. CIL-25-00058

2 Carl V Boyer SERVED
dba Epic Roofing Services Inc.
Certified Roofing Contractor
License No. CCC1326917
Case No. CIL-25-00105

Tom A
CONTINUED APRIL 2, 2026

J. OLD BUSINESS

None

K. NEW BUSINESS Derek Rooney

L. OLD BUSINESS None

M. REPORT FROM THE LICENSING MANAGER

Daryl Dillow, Deputy Building Official, & Licensing Manager
23 CIL cases- 36 in process

4/2/2026 2:41 PM

160 calls
26 front counter contacts
121 site contacts

N. REPORT FROM THE BUILDING DEPARTMENT

Ben Bailey, Building Official Community Development
Utilities connection fees are going up
Code changes this year
180 SF permits pulled
New Development in Burnt Store Road

O. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

Alex Villoria, Assistant County Attorney:

P. BOARD ATTORNEY COMMENTS

None

Q. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

None

R. ADJOURNMENT

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

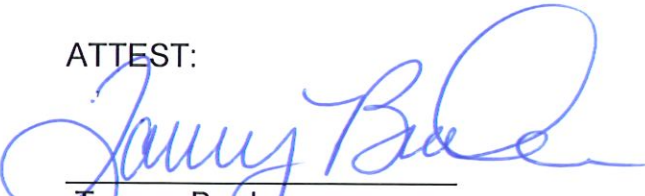
MOTION: Charles Hackbarth motioned to adjourn hearing. Brian Midolo seconds.

MOTION: Motion carries: 8/0 Michael Melton, Chairman adjourned at 4:47 PM.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF February 5, 2026
READ AND APPROVED on April 2, 2026


Michael Melton, Chairman

ATTEST:


Tammy Breden
Sr. Administrative Assistant
Community Development Department
Code Enforcement and 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 ensure that a verbatim record of the proceedings are made, which record includes the testimony and evidence upon which the appeal is to be based.

Appendix 1. DISCIPLINE CASES

1 Rafael Martinez **Ken G**
dba New Havens Construction & Development LLC
Certified Residential Contractor
License No. CRC1333035
Case No. CIL-25-00058

Rafael Martinez: Not Present

- Rafael Martinez was not present to provide testimony to the Construction Industry Licensing Board, hereinafter, (Board)
- Licensing investigator Ken Garcia provided testimony to the Board.

The Respondent was charged with the following:

FLORIDA BUILDING CODE

Section 105.1, 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) CHARLOTTE COUNTY CODE

Section 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**.

3-2-47(b)(5) A project shall be considered abandoned after ninety (90) days if the contractor fails to substantially perform work under the contract. **3-2-47(b)(8)** - Failing to notify of change of address, **3-2-47(b)(20)** -Failing to obtain inspections including but not limited to final inspection. **3-2-47(b)(26)** - Financial mismanagement or misconduct. **3-2-47(b)(29)** - Incompetency or misconduct. **3-2-47(b)(31)** - Proceeding on a job without permits or inspections. **3-2-47(b)(33)** Failing to satisfy a civil judgment relating to contracting within a reasonable time.

IN THAT YOU willfully violated lawful orders and provisions of the Charlotte County Code and state construction laws; abandoned a project by failing to perform work for over 90 days; failed to update your address; neglected to obtain required inspections, including final inspection; engaged in financial mismanagement; demonstrated incompetence or misconduct; worked without proper permits or inspections; and failed to satisfy a civil judgment related to contracting in a timely manner.

You were previously notified of these violations by Notice of Violation (NOV), case no. CIL-23-00318 dated **July 11, 2023**, by regular mail and certified mail \ return receipt requested (7022 3330 0000 7485 9726) to Rafael Martinez, DBA New Havens Construction & Development LLC, 636 Edgemere St, Port Charlotte, FL 33948., and by email on August 21, 2025.

Upon consideration, it is **ORDERED**:

1. The allegations of fact set forth in the Notice of Violation are approved and adopted and incorporated herein by reference as findings of fact.
2. The conclusions of law alleged and set forth in the Notice of Violation are approved and adopted and incorporated herein.

UPON THESE FINDINGS, it is **FURTHER ORDERED**:

That **Rafael Martinez 's NEW permitting** privileges as a contractor in Charlotte County be **SUSPENDED**. **RAFAEL MARTINEZ** will need to appear before **FCILB for REINSTATEMNET**.

It is further ordered a copy of this case along with 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 (FCILB) with the recommendation the FCILB order **RAFAEL MARTINEZ** to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if **RAFAEL MARTINEZ** fails to comply, the FCILB order the State Certified Building Contractor's License of **RAFAEL MARTINEZ** be **SUSPENDED** by the Florida Construction Industry Licensing Board. FCILB IS further requesting that a monetary fine be imposed upon **RAFAEL MARTINEZ**.

In accordance with Florida Statutes, Chapter 489.131(7)(c)(d), & (e), the disciplined contractor, the complainant, or the Department of Business and Professional Regulation may challenge the local jurisdiction enforcement body's recommended penalty for Board action to the State Construction Industry Licensing Board. A challenge shall be filed within sixty (60) days of the issuance of the recommended penalty to the State Construction Industry Licensing Board in Tallahassee, Florida.

MOTION TO CLOSE PUBLIC PORTION: Charles Hackbarth motions to close public portion Diane Quilty seconds. Passes: 8/0

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Charles Hackbarth made a motion to approve staff recommendations. Diane Quilty second's motion

Motion was passed unanimously: 8/0