



PINELLAS COUNTY CONSTRUCTION LICENSING BOARD

MINUTES

The regular bimonthly meeting of the Pinellas County Construction Licensing Board was held at 201 Highland Avenue, Building 3 in the Largo City Hall Complex on July 18, 2006. This meeting was publicly advertised and a quorum was present.

Members in attendance were:

MEMBERS

Thomas Tafelski, Vice Chair
Rick Dunn
Gareth Eich
Ernest Hand
Rick Howard
Jack Joyner
Michael Keane
Patrick Murphy
Robert Nagin
James Rosenbluth
Danny Sandlin
Charlie Spitzer
Sandy Sullivan
John Tillinghast
Peter Vasti
Fritz Wolf

CLASSIFICATION

Building
Building Official
Architect
Fire Marshal
Swimming Pool
Mechanical
General
Building Official
Building Official
Building
Building Official
Electrical
Fire Marshal
Roofing
Consumer
Residential

Also attending: Rodney Fischer, Exec. Director
Jason Ester, Esq. Caroline Jones, Admin. Secretary
Members of the Public

The meeting was called to order at 1:30 p.m.

I. PUBLIC HEARING - Pledge of Allegiance/Roll Call

1. The Board received a proposed change in the scope of work for the Tile and Marble Specialty Contractor Classification as recommended by the Ad Hoc Committee. Following discussion and consideration by the members, upon motion by Member Murphy, seconded by Member Nagin, the Board voted and approved, effective immediately, the adoption of the following definition for this classification:

TILE AND MARBLE SPECIALTY CONTRACTOR

1. Scope of Rule: The purpose of this rule is to provide for the certification of a Tile and Marble Specialty Contractor.
2. Definition:
 - 2.1. The "Tile and Marble Specialty Contractor" is a specialty contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary for the fabrication, assembling, handling, erection, installation, dismantling, adjustments, alteration, repair and servicing when not prohibited by law, in accordance with accepted industry standards and/or according to the manufacturers specification involving hard tile, marble, non structural stone and thin pavers.
 - 2.2. The scope of such work shall include and be limited to the preparation and/or the installation of the base or substrate materials, ceramic tile, grout, marble and stone floor tile and countertops and wall splash; and thin pavers installed on existing surfaces. The scope of such work shall comply with all plans, specifications, codes, laws and regulations applicable.
 - 2.3. The "Tile and Marble Specialty Contractor" shall not contract for any other work of another trade that is included within the scope of any other licensed contractor. Nothing in this definition shall be construed to limit or infringe upon the scope of the work of any other specialty contractor licensed by the Pinellas County Construction Licensing Board.

(Established 7/9/91)(Rev 7/18/06)

II. CONSENT AGENDA

After consideration, and on a motion by Member Joyner and a second by Member Murphy, the Board unanimously accepted/approved the consent agenda as presented. All stipulations are Final Orders of the Board in accordance with Section 120.57(3), Florida Statutes. Motion carried.

III. REGULAR AGENDA

A. The Board conducted informal administrative hearings in accordance with section 120.57(2), Florida Statutes. The Respondents either elected an informal hearing or defaulted by not executing an Election of Rights and were therefore scheduled for informal hearings by the Board to resolve the complaints. The actions taken are Final Orders of the Pinellas County Construction Licensing Board. Rodney S. Fischer appeared in the cases for the Petitioners.

1. John W. Knight, a State-Certified Building Contractor (CBC1252339), did not appear and was not represented in the case of Administrative Complaints C06-56, C06-420; and C06-421.

After consideration, review of testimony, and on a motion by Member Nagin and a second by Member Joyner, the Board voted to accept the allegations of Administrative Complaint C06-421 as Findings of Fact and concluded Respondent violated Section 24 (2)(d)(e)(h)(j)(l)(m)(n), Chapter 75-489, Laws of Florida, and imposed the following penalty, as amended:

- a) Respondent is reprimanded for misconduct, aiding and abetting, workers' compensation insurance violation, building code violation and financial mismanagement; and
- b) Respondent's registration is immediately suspended with notification to all Pinellas County jurisdictions, and
- c) Reinstatement of Respondent's registration occurring only after appearance before the PCCLB Board, provide proof of resolution of outstanding Administrative Complaint C06-421, completion of referenced construction with all required inspections completed; and a stipulated settlement of \$1,000.00 per count for C06-421. Upon reinstatement, Respondent will be on probation for a period of one year.

After consideration and review of complaint, and on a motion by Member Murphy and a second by Member Dunn, regarding Administrative Complaint No. C06-420, the Board voted to accept the allegations of Administrative Complaint No. C06-420 as Findings of Fact and concluded respondent violated Section 24 (2) (d) (h) (j) (m), Chapter 489, Laws of Florida, and imposed the following penalty, as amended:

- a) Respondent is reprimanded for financial mismanagement and misconduct; and
- b) Respondent's registration is immediately suspended with notification to all Pinellas County permitting jurisdictions; and
- c) Reinstatement of Respondent's registration occurring only after appearance before the PCCLB Board, provide proof of resolution of outstanding Administrative Complaint C06-420, including reimbursement of customer's funds, and a stipulated settlement of \$1,000.00 per count for C06-420. Upon reinstatement, Respondent will be on probation for a period of one year.

After consideration and review of complaint, and on a motion by Member Nagin and a second by Member Rosenbluth, regarding Administrative Complaint No. C06-56, the Board voted to accept the allegations of Administrative Complaint No. C06-56 as Findings of Fact and concluded respondent violated Section 24(2) (d) (e) (h) (j) (l)(m)(n), Chapter 489, Laws of Florida, and imposed the following penalty, as amended:

- a) Respondent is reprimanded for aiding and abetting, workers' compensation insurance violation; building code violation; financial mismanagement and misconduct; and
- b) Respondent's registration is immediately suspended with notification to all Pinellas County permitting jurisdictions; and

- c) Reinstatement of respondent's registration occurring only after appearance before the PCCLB Board, provide proof of resolution of outstanding Administrative Complaint No. C06-56, completion of referenced construction with all required inspections, letter of satisfaction, and a stipulated settlement of \$1000.00 per count for C06-56. Upon reinstatement, Respondent will be on probation for a period of one year.

IV. MISCELLANEOUS CORRESPONDENCE & REQUESTS

A. Old Business - There were no topics of old business to be addressed.

B. New Business

1. Board reaffirmed Civil Litigation Policy.
2. Upon motion by Member Nagin, seconded by Member Rosenbluth, the Board voted to grant signatory rights to the PCCLB Vice Chair during the absence of the Chairman.
3. Following presentation by Assistant County Attorney Jason Ester, Member Nagin moved, seconded by Member Joyner to grant authority for the County Attorney to initiate litigation against Laminates "R" US; upon call for the vote, the motion carried unanimously. During discussion relating to unlicensed contractors placing advertisements in various publications, Attorney Ester indicated he would research state law pertaining to the issue.

C. Miscellaneous Correspondence and Reports – None.

D. Public Comment – No one appeared to be heard.

The next meeting of the Pinellas County Construction Licensing Board will be held on September 19, 2006 at 1:30 P.M. at Building 3, Largo City Hall Complex, 201 Highland Avenue, Largo, Florida.

ADJOURNMENT

The meeting was adjourned at 2:30 P.M.