

Minutes

CHARLOTTE COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD
Administration Center, County Commission Meeting Room #119
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

September 2, 2021 at 6 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

Chairman Michael Melton calls meeting to order at 6:00PM

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

MEMBERS PRESENT:

Michael Melton
Louis Green
Michael Ferrara
Kelly Munsell
Robert Overcash
Angela Wade

NOT PRESENT:

Charles Hackbarth
Christopher Knight
Rick Castro

STAFF PRESENT:

Tom Atkinson, Certified Licensing Officer
Ben Bailey, Community Development Director and Building Official
Daryl Dillow, Deputy Building Official
Kristin Binns, Senior Administrative Assistant, Clerk to the Board
Ken Garcia, Certified Licensing Officer
Ryan Maher, Assistant County Attorney
Robert H Berntsson, Board Attorney
Maria Di Pompo, Senior Administrative Assistant
Shawn Horton, Code Enforcement & Zoning Manager
Gail Gursky, Supervisor, Code Compliance

STAFF NOT PRESENT:

Erin Mullen-Travis, Licensing Manager

D. OPENING STATEMENT

Read by Chairman Michael Melton.

E. NEXT MEETING DATE

October 7, 2021 at 6:00 pm

F. APPROVAL OF MINUTES

Robert Overcash made motion to approve the minutes from May 6, 2021 meeting with amended approval date, Louie Green seconded the motion, all in favor.

G. SWEARING IN OF ALL THOSE GIVING TESTIMONY

Kristin Binns administered oath to those who gave testimony

H. PUBLIC INPUT-AGENDA ITEMS ONLY

I. AGENDA CHANGES

Announced by Tom Atkinson

J. EXAMINATION

K. LICENSE REVIEW

NONE

L. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES

NONE

M. CONTESTING CITATIONS

NONE

N. REINSTATEMENT

1. **RICHARD E JOHNSON,
R.E. Johnson Electrical Contractor, Inc
Certified Electrical Contractor,
License No. CEC13001228,**

Tom Atkinson

Mr Johnson is requesting to have his License reinstated by the Board

Mr Johnson was present to request his license be reinstated by the Board.
Testimony was presented by Tom Atkinson.

MOTION: Robert Overcash makes a motion to accept the staff's recommendation to **APPROVE** Mr Johnsons' request to have his Permitting privileges reinstated. Motion was seconded by Louie Green. All in favor Motion is granted.

O. OLD BUSINESS

NONE

P. DISCIPLINE CASES

**1. ANTHONY PAVESE
AP Construction LLC
Certified Roofing Contractor,
License No. CCC1329025,
CIL-19-00456**

Tom Atkinson

Mr. Pavese was not present to provide testimony to the Board, licensing investigator Tom Atkinson provided testimony the Board.

The Respondent was charged with the following:

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 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) - 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 3-2-47 (b)(20) Failing to obtain inspections including but not limited to final inspections **(1 count)**.

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 Anthony R. Pavese's permitting privileges and right to work as a contractor in Charlotte County be **revoked**.

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 (FCILB) with the recommendation the FCILB order Mr. Pavese to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if Mr. Pavese fails to comply, the FCILB order the State Certified Roofing Contractor's License of Mr. Pavese be revoked by the Florida Construction Industry Licensing Board.

MOTION: was made by Robert Overcash to accept the staff's recommendation that Pavese's permitting privileges and right to work as a contractor in Charlotte County be **revoked**.

It is further ordered 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 (FCILB) with the recommendation the FCILB order Mr. Pavese to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if Mr. Pavese fails to comply, the FCILB order the State Certified Roofing Contractor's License of Mr. Pavese be revoked by the Florida Construction Industry Licensing Board.

Motion was seconded by Michael Ferrara all in favor, motion granted.

Q. REPORT FROM THE LICENSING MANAGER

Erin Mullen-Travis not present, Certified Licensing Officer Tom Atkinson announced that the Clerk Kristin Binns is leaving her position at Charlotte County and her replacement is Maria Di Pompo.

R. REPORT FROM THE BUILDING OFFICIAL

Ben Bailey announced that a new Licensing Law was passed that will affect the Licensing Department and the Building Department will be sending out memos to industries when more Information is available. Discussed that Charlotte County no longer accepts anonymous complaints for Code Enforcement unless it is an imminent danger complaint. PACE program was discussed letting the Board know that this program will be brought up at the upcoming Commissioners meeting for termination or modification due to current issues with the program. He also reported that the Building department has been very busy there were 350 SFR permits issued last month that is the most we have had in a month since 2006.

T. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

Ryan Maher reminded Board members to make sure they get their financial disclosure turned in when request.

U. BOARD ATTORNEY COMMENTS

Rob Berntsson welcomed new Board member Angela Wade

U. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

Welcomed new Board Member Angela Wade

W. ADJOURNMENT

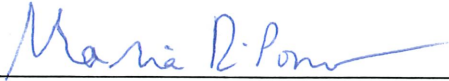
Robert Overcash made the motion to adjourn, and Kelly Munsell seconds the motion, and it was approved unanimously at 6:29 pm.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF SEPTEMBER 2, 2021
READ AND APPROVED ON OCTOBER 7, 2021



Michael Melton, Chairman

ATTEST:



Maria Di Pompo For Kristin Binns
Senior Administrative Assistant
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 ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.