

MINUTES

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

December 5, 2024, 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

Charles Hackbarth, 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

By: Tammy Breden, Clerk to the Board

Michael Melton
Charles Hackbarth
Dianne Quilty
John Donlan
Christopher Knight
Jeffrey Lustig

NOT PRESENT:

Michael LaPorta
Brian Midolo
Kevin Correll

STAFF PRESENT:

Robert Berntsson, Board Attorney
Jean Stasio, Assistant County Attorney
Shawn Horton, Code Enforcement & Licensing Manager
Gail Gursky, Supervisor, Code Compliance
Shawn McNulty, Community Development Building Official & Flood Plan Administrator
Tom Atkinson, Certified Code Compliance Officer
Kenneth Garcia, Certified Code Compliance Officer
Tammy Breden, Senior Administrative Assistant and Clerk to the Board

C. NEXT MEETING DATE

February 6, 2025, at 4:00 pm

D. APPROVAL OF MINUTES

MOTION to approve August 8, 2024, minutes: Diane Quilty made motioned to approve

minutes from August 8, 2024, John Donlan seconds. Motion carries 6:0.

E. AGENDA CHANGES

Jean Stasio: Assistant County Attorney: Next Hearing is February 6, 2025

F. SWEARING IN OF ALL THOSE GIVING TESTIMONY

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

I. 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. **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	Alberto M. Orellana	6317	CIT-24-00019	\$1,000	PC
2	Alberto M. Orellana	6361	CIT-24-00020	\$1,000	PC
3	Erna L Gomillia Jr	6319	CIT-24-00024	\$1,000	PC
4	Mario A. Alcala	6252	CIT-24-00008	\$1,000	TA
5	Anner L Alvarenga Rodriguez	6179	CIT-24-00043	\$1,000	TA
6	Walter J Grim	6368	CIT-24-00035	\$1,000	TA
7	Walter J Grim	6385	CIT-24-00034	\$1,000	TA
8	Anthony G Martinson	6155	CIT-23-00053	\$1,000	KG
9	Anthony G Martinson	6156	CIT-23-00054	\$1,000	KG
10	Anthony G Martinson	6153	CIT-23-00055	\$1,000	KG
11	Anthony G Martinson	6157	CIT-23-00057	\$1,000	KG
12	Anthony G Martinson	6158	CIT-23-00058	\$1,000	KG
13	Anthony G Martinson	6160	CIT-23-00059	\$1,000	KG
14	Anthony G Martinson	6161	CIT-23-00060	\$1,000	KG
15	William G McNeill	6165	CIT-23-00071	\$1,000	KG
16	William G McNeill	6164	CIT-23-00072	\$1,000	KG
17	Jhon Edison Rodriguez-Portilla	5559	CIT-23-00039	\$1,000	KG

MOTION: Michael Melton motioned to accept the fines as stated on Affidavit of Non-Compliance. Diane Quilty seconds. Motion carries 6:0.

H. DISCIPLINE CASES

1 William C Rusaw- No Show status remains
Rusaw Plumbing Inc
Certified Plumbing Contractor
License No. CFC1427761
Case No. CIL-19-00302

Tom Atkinson

2 Anthony J. Minio II
AJM Construction Solutions LLC
Certified General Contractor
License No. CGC1518970
Case No. CIL-18-00507

Tom Atkinson

MOTION: Michael Melton made a motion to close public portion of discipline cases. John Donlan seconds motion. Motion carries 6:0.

a. Motion's Upheld: Please See Appendix. 1 on P. 5

3 Jarrett Louis Gross
dba Evolve Construction LLC
Certified Building Contractor
License No. CGC1505281
Case No. CIL-24-00369

Tom Atkinson

a. Motion's Upheld: Please See Appendix. 2 on P. 5

4 Donato Mosquera
dba Arielle Development Corp.
Certified General Contractor
License No. CGC1509635
Case No. CIL-23-00374

Tom Atkinson

a. Motion's Upheld: Please See Appendix. 3 on P. 6

I. OLD BUSINESS

None

J. NEW BUSINESS

None

K. REPORT FROM THE LICENSING MANAGER

Shawn Horton, Community Development, Code Enforcement & Licensing Manager
Business as usual since the last hearing.

- 40-45 lobby contacts with contractors and citizens.
- 250-300 phone calls
- 10 citations
- 8 assists with workers' compensation

L. REPORT FROM THE BUILDING DEPARTMENT

Shawn McNulty, Community Development, Building Official and Flood Plan Administrator
permits slightly down compared to last month.

- Permitting is currently under various states of emergency varying from multiple storms.

M. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

Jean Stasio, Assistant County Attorney: None

N. BOARD ATTORNEY COMMENTS

Robert Berntsson Board Attorney: Missing agenda item for Chair and Vice Chair position. Taking nominations for the CILB Board. Christopher Knight nominated Charles Hackbarth for Chairman accepted by Robert Berntsson. Charles Hackbarth nominated Mike Melton as Vice Chairman accepted by Robert Berntsson.

O. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

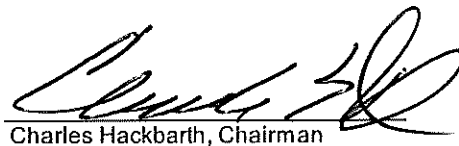
None

P. ADJOURNMENT

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 verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

MOTION: Michael LaPorta motioned to adjourn hearing. Mike Melton seconds. Motion carries 6:0. Charles Hackbarth, Chairman adjourned meeting at 4:58pm.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF August 8, 2024
READ AND APPROVED on December 5, 2024



Charles Hackbarth, Chairman

ATTEST:



Tammy Breiden
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 Case

Anthony J. Minio II: was present and provided testimony to the Construction Industry Licensing Board,
12/9/2024 9:42 AM

hereinafter, (Board)

- Licensing investigator Tom Atkinson provided testimony to the Board.
- **Motion:** by Mike Melton to continue case until February 6, 2025. Diane Quilty seconds. Motion passed unanimously 6:0

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Mike Melton made a motion to recommend Mr. Minio submit 4 letters of good standing 2 from municipalities, 2 from clients or one year of permit history. Diane Quilty Seconds motion. Motion was passed unanimously. 6:0

Appendix 2. Discipline Case

Jarrett Louis Gross : Not Present

- Jarrett Louis Gross was not present; therefore, no testimony was given to the Construction Industry Licensing Board, hereinafter, (Board)
- Licensing investigator Tom Atkinson provided testimony to the Board.

The Respondent was charged with the following:

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. 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.

CHARLOTTE COUNTY CODE

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

3-2-47(b)(31) - Proceeding on any job without obtaining applicable local building department permits and inspections.

IN THAT YOU willfully violated Florida Building Codes 110.3 and 110.5, adopted by Charlotte County Code 3-2-23, and Charlotte County Code 3-2-47(b)(20) and 3-2-47(b)(31), Replaced *exterior windows at 4790 Harbor Point Court, Port Charlotte, Charlotte County, FL, without an issued permit. An application was applied for but required documents were never provided and application never started review process.*

You were previously notified of these violations by Notice of Violation dated **August 14, 2024**. You are hereby notified to comply with these cited sections within **ten (10) days** by applying for and obtaining the required permit, work and schedule and pass the required inspections.

Upon consideration, it is ORDERED:

That JARRETT LOUIS GROSS permitting privileges and right to work as a contractor in Charlotte County be **SUSPENDED until case is compliant.**

It is further ordered a copy of this case along with a copy of 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 JARRETT LOUIS GROSS to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if JARRETT LOUIS GROSS fails to comply, the FCILB order the State Certified Building Contractor's License of JARRETT LOUIS GROSS be **SUSPENDED until case is compliant** by the Florida Construction Industry Licensing Board.

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.

Appendix 3. Discipline Case

12/9/2024 9:42 AM

Donato Mosquera: Not Present

- Donato Mosquera was not present; therefore, no testimony was given to the Construction Industry Licensing Board, hereinafter, (Board)
- Licensing investigator Tom Atkinson provided testimony to the Board.
- **MOTION:** Mike Melton to continue to February 6, 2025. Diane Quilty second. Motion passed unanimously 6:0