

MINUTES

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

February 6, 2025, 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

B: Tammy Breden, Clerk to the Board

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

NOT PRESENT:

John Donlon

STAFF PRESENT:

Daniel Lewis stand in
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
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

April 3, 2025, at 4:00 pm

D. APPROVAL OF MINUTES

MOTION to approve December 5, 2024, minutes: Diane Quilty made motion to approve minutes from December 5, 2024, Brian Midolo seconds. Motion carries 8:0.

E. AGENDA CHANGES

Jean Stasio; Assistant County Attorney:

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	Carlos M Ochoa	6167	CIT-23-00088	\$1,000	KG
2	Carlos M Ochoa	6168	CIT-23-00089	\$1,000	KG
3	Daniel Flores- Baca	6402	CIT-23-00098	\$1,000	KG
4	Enrique Ascensio Godinez	6414	CIT-24-00004	\$1,000	KG
5	Enrique Ascensio Godinez	6416	CIT-24-00005	\$1,000	KG
6	Frederick Francisco Lindsey-Hernandez	6417	CIT-24-00007	\$1,000	KG
7	Guido Luis Arbona	6420	CIT-24-00011	\$1,000	KG
8	Yvan Darly Prieto-Minsal	6187	CIT-24-00010	\$1,000	KG

MOTION: Diane Quilty motioned to accept the fines as stated on Affidavit of Non-Compliance. Brian Midolo seconds. Motion carries 8:0.

H. REISNSTATEMENT CASES Motion's Upheld: Please See Appendix P.1 on P.4 & P.5.

MOTION: Michael Melton made a motion to open public portion of discipline cases. Brian Midolo, seconds motion. No discussions. Motion carries 8:0.

MOTION: Michael Melton made a motion to close public portion of discipline cases. Christopher Knight, seconds motion. No discussions. Motion carries 8:0.

1 Anthony J Minio II
AJM Construction Solutions LLC
Certified General Contractor
License No. CGC1518970

Served

Tom Atkinson

Case No. CIL-18-00507

MOTION: Michael Laporta made a motion to close public portion of discipline cases. Diane Quilty seconds motion. Motion carries 8:0.

- a. **Motion** by Mike Melton to reinstate license. Diane Quilty seconds. **Motion passed unanimously 8:0**

2 William C Rusaw
Dba Rusaw Plumbing Inc.
Certified Plumbing Contractor
License No. CFC1427761
Case No. CIL-19-00302

Served

Tom Atkinson

MOTION: Jeffrey Lustig made a motion to close public portion of discipline cases. Brian Midolo seconds motion. Motion carries 8:0.

- a. **Motion** by Michael Melton to reinstate license Brian Midolo seconds. **Motion passed unanimously 8:0**

I. DISCIPLINE CASES

1 Anthony Paulette
Dba High-Definition Contracting, Inc.
Certified General Contractor
License No. CGC1527212

Tom Atkinson

Motion by Brain Midolo and Mike Laporta seconds to go with staff recommendations with modification that Anthony Paulette must appear before board for reinstatement
Motion passed unanimously 8:0

J. OLD BUSINESS

None

K. NEW BUSINESS

None

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.

- 75 Open Investigations
- 6 Citations Issues
- 160 Phone Calls
- 30 Front Desk, Face to Face Appointments
- Tom Atkinson Assisted with 12 Workers Compensation.

L. REPORT FROM THE BUILDING DEPARTMENT

Shawn McNulty, Community Development, Building Official
160 Single Family Permits issues
39 in Babcock Ranch
232 COS
56 Babcock Ranch
3500 permits applied for
2920 issued

M. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

Jean Stasio, Assistant County Attorney: None

N. BOARD ATTORNEY COMMENTS

Robert Berntsson, Board Attorney: Welcome New Board Members, friendly reminder regarding the Sunshine Law, Do Not reply all in email correspondence.

O. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

None

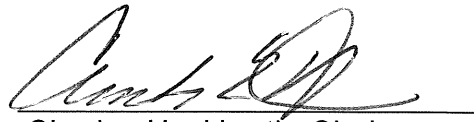
P. ADJOURNMENT

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 Melton motioned to adjourn hearing. Kevin Correll seconds.

MOTION: Motion carries 8:0. Charles Hackbarth, Chairman adjourned at 4:59 PM.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF December 5, 2024
READ AND APPROVED on February 6, 2025


Charles Hackbarth, 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 Anthony Paulette
Dba High-Definition Contracting, Inc.
Certified General Contractor
License No. CGC1527212
Case No. CIL-24-00338

Tom Atkinson

Kenneth Kendall: Not Present

- Anthony Paulette was not present to provide testimony 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

Section 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)(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)(20) - Failing to obtain inspections including but not limited to final inspections.

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 Paulette permitting privileges and right to work as a contractor in Charlotte County be suspended.

It is further ordered 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 ANTHONY PAULETTE to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if ANTHONY PAULETTE fails to comply, the FCILB order the State Certified Building Contractor's License of ANTHONY PAULETTE be revoked 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.

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Brain Midolo made a motion to approve staff recommendations with modification that Anthony Paulette must come before the board for reinstatement. Mike Laporta Seconds motion. Motion was passed unanimously.8:0