

MINUTES

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

June 5, 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

Michael Melton, Co-Chairman PRO TEM 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:

Kevin Correll
Charles Hackbarth
Christopher Knight

STAFF PRESENT:

Brian Beason, Stand in for Board Attorney
David Moscosco, 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
Daryl Dillow, Certified Code Compliance Officer
Kenneth Garcia, Certified Code Compliance Officer
Tammy Breden, Senior Administrative Assistant and Clerk to the Board

C. NEXT MEETING DATE

June 5, 2025, at 4:00 pm

D. APPROVAL OF MINUTES

MOTION to approve April 3, 2025, minutes: Brian Midilo made motion to approve minutes, Diane Quilty seconds. Motion carries 6:0.

E. AGENDA CHANGES

David Moscosco; Assistant County Attorney: We have two continuances on agenda

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	Alberto M Orellana	6192	CIT-24-00014	\$1,000	KG
2	Alberto M Orellana	6190	CIT-24-00015	\$1,000	KG
3	Alberto M Orellana	6191	CIT-24-00016	\$1,000	KG
4	Alberto M Orellana	6193	CIT-24-00017	\$1,000	KG
5	Alberto M Orellana	6188	CIT-24-00018	\$1,000	KG
6	Richard Granados Gomez	6421	CIT-24-00023	\$1,000	KG
7	William A Alfaro	6199	CIT-25-00014	\$1,000	KG
8	William A Alfaro	6200	CIT-25-00015	\$1,000	KG
9	Pereira Edimilson Candido	6442	CIT-25-00023	\$1,000	KG
10	Jose G Iran	6443	CIT-25-00024	\$1,000	KG

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

H. CONTESTING CITATIONS

	Contesting Citations				
	Name	CIT No.	Case #	Amount	Officer Name
1	Jefferson Freire	6210	CIT-25-00035	\$1,000	DD

Motion to close public part of the Contesting Citation. Motion to close Brian Midilo, Diane Quilty seconds motion.

Motion to uphold staff recommendations by Diane Quilty, Brian Midilo seconds the motion.

Motion passes 6:0

H. DISCIPLINE CASES Motion's Upheld: Please see Appendix 1 ON Pages 5 thru 10

- | | |
|---|---|
| 1 Bryson Jeffs
dba Lumio HX, INC
Certified Electrical Contractor License
License No. CEC13011870
Case No. CIL-24-00304 | Tom Atkinson |
|
 | |
| 2 Brett Aaron Ferguson
dba Ferguson Construction and
Aluminum
Certified Specialty Contractor
License No. SCC131151644
Case No. CIL-24-00322 | Tom/Daryl |
|
 | |
| 3 Richard J Gulash Jr
dba Richco Residential Corp
Certified Residential Contractor
License No. CRC1329670
Case No. CIL-25-00003 | Ken Garcia
CONTINUANCE |
|
 | |
| 4 Leonard Uzcategui
dba Invision Real Estate Investments LLC
Certified General Contractor
License No. CGC1513630
Case No. CIL-24-000383 | Ken Garcia
CONTINUANCE |
|
 | |
| 5 Tavaris J Davis
dba Davis Development and Construction LLC
Certified Building Contractor
License No. CBC1257346
Case No. CIL-25-00013 | Daryl Dillow |
|
 | |
| 6 Lam Phi Nguyen
dba True Florida Construction LLC
Certified General Contractor
License No. CGC1524395
Case No. CIL-25-00008 | Daryl Dillow |

I. OLD BUSINESS

None

J. NEW BUSINESS

K. OLD BUSINESS

L. REPORT FROM THE LICENSING MANAGER

Shawn Horton, Community Development, Code Enforcement & Licensing Manager

125 Onsite Investigations

18 Citations Issues

320 Phone Calls

75 Front Desk, Face to Face Appointments

Tom Atkinson Assisted with 16 Workers Compensation.

M. REPORT FROM THE BUILDING DEPARTMENT

Shawn Horton, Community Development, Code Enforcement & Licensing Manager

6400 permits issued in the last 2 months

450 Single Family Permits issues

2395 permits issued

N. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

David Moscosco, Assistant County Attorney:

O. BOARD ATTORNEY COMMENTS

Brian Beason stands in for Robert Berntsson ESQ

P. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

None

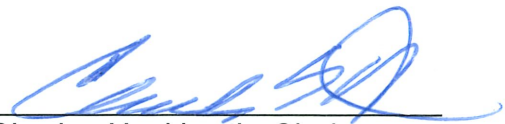
Q. ADJOURNMENT

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: Diane Quilty motioned to adjourn hearing. Brian Midilo seconds motion.

MOTION: Motion carries 6:0. Michael Melton, Co-Chairman PRO TEM adjourned at 5:29 PM.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF June 5, 2025
READ AND APPROVED on August 7, 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 Bryson Jeffs

dba Lumio HX, INC

Certified Electrical Contractor License

License No. CEC13011870

Case No. CIL-24-00304

Tom Atkinson

Bryson Jeffs: Not Present

- Bryson Jeffs 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

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.

You were previously notified of these violations by Notice of Violation dated **January 12, 2024**. You are hereby notified to comply with these cited sections within **thirty (30) days** by renewing the expired permits, as well as obtaining timely inspections including final inspections.

You were previously notified of these violations by telephone communication, e-mails, and video conference meeting where violation(s) were discussed.

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 **Bryson Jeffs's** permitting privileges and right to work as a contractor in Charlotte County be **REVOKED**.

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 **Bryson Jeffs** to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if **Bryson Jeffs** fails to comply, the FCILB order the State Certified Building Contractor's License of **Bryson Jeffs** 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 to close public portion of case: Brain Midilo motion to close public portion, Diane Quilty seconds motion.

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Michael Laporta made a motion to approve staff recommendations and John Donlon second's motion
Motion was passed unanimously.6:0

2 Brett Aaron Ferguson
dba Ferguson Construction and Aluminum
Certified Specialty Contractor
License No. SCC131151644
Case No. CIL-24-00322

Tom/Daryl

Brett Aaron Ferguson: Not Present

- Brett Aaron Ferguson was not present to provide testimony to the Construction Industry Licensing Board, hereinafter,
- 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)(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.

You were previously notified of these violations by Notice of Violation dated **April 17, 2024**. You are hereby notified to comply with these cited sections within **thirty (30) days** by renewing the expired permits, as well as obtaining timely inspections including final inspections.

You were previously notified of these violations by telephone communication, e-mails, and video conference meeting where violation(s) were discussed.

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 **Brett Aaron Ferguson's** permitting privileges and right to work as a contractor in Charlotte County be **REVOKED**.

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 **Brett Aaron Ferguson** to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if **Brett Aaron Ferguson** fails to comply, the FCILB order the State Certified Building Contractor's License of **Brett Aaron Ferguson** 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 to close public portion of case: Diane Quilty motion to close public portion, Michael Laporta seconds motion.

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Michael Laporta made a motion to approve staff recommendations and Jeffery Lustig second's motion
Motion was passed unanimously.6:0

5 Tavaris J Davis
dba Davis Development and Construction LLC
Certified Building Contractor
License No. CBC1257346
Case No. CIL-25-00013

Daryl Dillow

Tavaris J Davis: Not Present

- Tavaris J Davis was not present to provide testimony to the Construction Industry Licensing Board, hereinafter
- Licensing investigator Daryl Dillow 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)(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.

You were previously notified of these violations by warning letter dated **April 08, 2025**. You are hereby notified to comply with these cited sections within **thirty (30) days** by renewing the expired permits, as well as obtaining timely inspections including final inspections.

You were previously notified of these violations by telephone communication, e-mails, and video conference meeting where violation(s) were discussed.

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 **TARVARIS J DAVIS** 's **permitting** privileges and right to work as a contractor in Charlotte County be **REVOKED**.

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 **TARVARIS J DAVIS** to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if **TARVARIS J DAVIS** fails to comply, the FCILB order the State Certified Building Contractor's License of **TARVARIS J DAVIS** 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 to close public portion of the case: Brian Midilo motions to close public portion of the case, John Dolon seconds the motion.

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Michael Laporta made a motion to approve staff recommendations and Brian Midilo second's motion
Motion was passed unanimously.6:0

6

Lam Phi Nguyen
dba True Florida Construction LLC
Certified General Contractor
License No. CGC1524395
Case No. CIL-25-00008

Daryl Dillow

Lam Phi Nguyen: Not Present

- **Lam Phi Nguyen** was not present to provide testimony to the Construction Industry Licensing Board, hereinafter,
- Licensing investigator Daryl Dillow 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)(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.

You were previously notified of these violations by warning letter dated **March 18, 2025**. You are hereby notified to comply with these cited sections within **thirty (30) days** by renewing the expired permits, as well as obtaining timely inspections including final inspections.

You were previously notified of these violations by telephone communication, e-mails, and video conference meeting where violation(s) were discussed.

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 **Lam Phi Nguyen** 's **permitting** privileges and right to work as a contractor in Charlotte County be **REVOKED**.

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 **Lam Phi Nguyen** to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if **Lam Phi Nguyen** fails to comply, the FCILB order the State Certified Building Contractor's License of **Lam Phi Nguyen** 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 to close public portion of the case: John Donlon motions to close public portion of the case, Brian Midilo seconds the motion.

MOTION FOR CILB RECOMMENDATIONS DISCUSSION: Michael Laporta made a motion to approve staff recommendations and Brian Midilo second's motion
Motion was passed unanimously.6:0