

Largo, Florida, January 22, 2019

The regular bimonthly meeting of the Pinellas County Construction Licensing Board (PCCLB) was held in the General Board Room, Young-Rainey STAR Center, 7887 Bryan Dairy Road, Largo, Florida at 1:35 P.M. on this date.

Members Present:

MEMBERS

Alan Holderith, Chair  
Mike Kelly, Vice-Chair  
Douglas Erwin  
Jason Holloway  
Marina Kron  
Ernest Lashlee  
Daniel Melker  
Bill Palmer  
Michael Rodde

CLASSIFICATION

General Contractor  
Swimming Pool Contractor  
Electrical Contractor (Late Arrival)  
Consumer Representative  
Mechanical Contractor  
Residential Contractor  
Consumer Representative  
Beach Community Building Official  
Fire Official

Not Present:

Laurance Dickie	Architect
Jim Ford	South County Building Official
James “Arry” Housh	Roofing Contractor
David Olivieri	North County Building Official

Also Present:

Jake Stowers, Assistant County Administrator  
Gay Lancaster, Interim Director, Contractor Licensing Department  
Russ Cowper, Administrative Support Supervisor, Contractor Licensing Department  
Todd Myers, Investigations Manager, Contractor Licensing Department  
Jacina Haston, Assistant County Attorney  
Other interested individuals  
Michael Schmidt, Senior Board Reporter, Deputy Clerk

**CALL TO ORDER**

Chair Holderith called the meeting to order at 1:35 P.M. and announced that Director Glenn Wardell has resigned; and that Ms. Lancaster has been appointed Interim Director effective today.

**PLEDGE OF ALLEGIANCE/ROLL CALL**

Chair Holderith led the Pledge of Allegiance, and Ms. Lancaster conducted a roll call of the members and confirmed the presence of a quorum. Later in the meeting, Chair Holderith administered the Oath to persons planning to give testimony.

**PUBLIC ANNOUNCEMENT**

No one appeared in response to the Chair’s call for persons wishing to make a public announcement.

**APPROVAL OF MINUTES**

Upon motion by Mr. Holloway, seconded by Mr. Rodde and carried unanimously, the minutes of the meeting of November 13, 2018, were approved.

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Mr. Erwin entered the meeting at 1:48 P.M.			
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**REQUEST TO RESCIND EXPIRED PERMITS FROM THE NOVEMBER BOARD CONSENT LIST**

Mr. Cowper indicated that the following cases were placed on the November Consent Agenda in error and requested their reconsideration by the members:

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|----|--------------------------|----------|
| 1. | John W. Barger           | A18-882  |
| 2. | Todd A. Dorer            | A18-1349 |
| 3. | Donald Walter Gelsinger  | A18-1020 |
| 4. | Stephen M. Meares        | A18-1103 |
| 5. | Stacey Victoria Majewski | A18-1089 |
| 6. | Ron Larson               | A18-1353 |
| 7. | Gerald McKinney          | A18-1101 |
| 8. | Joseph E. Castellano     | A18-936  |
| 9. | Mathew W. Wirsing        | A18-1289 |

- |     |                     |          |
|-----|---------------------|----------|
| 10. | Matthew Gary Brooks | A18-909  |
| 11. | Gregory Moore       | A18-1401 |
| 12. | Edwin Moyano        | A18-1125 |
| 13. | Mark Osborne        | A18-1137 |
| 14. | Nathan Radcliff     | A18-1155 |
| 15. | Anton M. Schoeman   | A18-1200 |
| 16. | Steven Tonking      | A18-1413 |

### **CITIZENS TO BE HEARD**

John Tedesco appeared regarding Administrative Complaint A18-2224, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Kelly moved, seconded by Mr. Holloway and carried unanimously, that Mr. Tedesco be removed from the Consent Agenda regarding Administrative Complaint A18-2224 and allowed to take the necessary steps to close out his expired permit.

Cecil Leedy appeared and provided background information regarding his case, relating that he received conflicting information about a permit being allowed to expire following an approved final inspection. Chair Holderith related that there is no action to be taken at this time; and that Mr. Leedy has at least two months to resolve the matter before it would come before the Board.

Thomas Michael Popa appeared regarding Administrative Complaint A18-2141, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Melker and carried unanimously, that Mr. Popa be removed from the Consent Agenda regarding Administrative Complaint A18-2141 in order that separate action be taken on his case.

Thereupon, Mr. Rodde moved, seconded by Mr. Kelly and carried unanimously, that Mr. Popa be allowed to take the necessary steps to close out his expired permit.

Willie Washington appeared regarding Administrative Complaint A18-2259, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Kelly and carried unanimously, that Mr. Washington be removed from the Consent Agenda regarding Administrative Complaint A18-2259 and allowed until the next meeting to resolve his case.

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Donald Palozie appeared regarding Administrative Complaint A18-2120, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Melker and carried unanimously, that Mr. Palozie be removed from the Consent Agenda regarding Administrative Complaint A18-2120 and allowed to take the necessary steps to close out his expired permit.

Mr. Palozie discussed extenuating circumstances pertaining to Administrative Complaints A18-2118 and A18-2119 regarding two expired permits, and responded to comments and queries by the members; whereupon, Chair Holderith stated that the cases would remain on the Consent Agenda; and that no separate action would be taken.

Rolando Escamilla appeared in the case of Administrative Complaint A18-2212 (Lincoln T. Sziranko), and requested an extension to pay the fine, fees, and costs regarding the case; whereupon, Chair Holderith confirmed that Mr. Escamilla has 30 days resolve the matter.

John Merillat appeared regarding Administrative Complaints A18-1723 and A18-2054 through A18-2059, discussed extenuating circumstances concerning his expired permits, and responded to comments and queries by the members; whereupon, Chair Holderith confirmed that Mr. Merillat has 30 days to pay the fines, fees, and costs regarding the cases.

Billy Wayne McKnight appeared regarding Administrative Complaints A18-2047 and A18-2048, discussed extenuating circumstances concerning his expired permits, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Kelly and carried unanimously, that Mr. McKnight be removed from the Consent Agenda regarding Administrative Complaints A18-2047 and A18-2048 and allowed until the next Board meeting to resolve his cases.

John Henry Wendell appeared regarding Administrative Complaint A18-2264, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Melker and carried unanimously, that Mr. Wendell be removed from the Consent Agenda regarding Administrative Complaint A18-2264 and allowed three months to resolve his case.

Kenneth Vogel appeared with regard to 21 Administrative Complaints, discussed extenuating circumstances concerning the expired permits, and responded to comments and queries by the members; whereupon, Chair Holderith related that Mr. Vogel has 30 days to resolve his cases and to pay the associated fines, fees, and costs.

Michael Brooks appeared regarding Administrative Complaint A18-1811, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Melker moved, seconded by Mr. Kelly and carried unanimously, that Mr. Brooks be removed from the Consent Agenda regarding Administrative Complaint A18-1811 in order that separate action be taken on his case.

Thereupon, Mr. Melker moved, seconded by Mr. Palmer and carried unanimously, that Mr. Brooks be allowed 30 days to resolve his case.

Kevin Reynolds appeared regarding Administrative Complaint A18-2153, discussed extenuating circumstances concerning his expired permit, and responded to comments and queries by the members; whereupon, Mr. Rodde moved, seconded by Mr. Kelly and carried unanimously, that Mr. Reynolds be removed from the Consent Agenda regarding Administrative Complaint A18-2153 in order that separate action be taken on his case.

Thereupon, Mr. Rodde moved, seconded by Mr. Kelly and carried unanimously, that Mr. Reynolds be allowed two months to resolve his case.

Tara Pedersen, Bay Area Builds, LLC discussed laminate and vinyl click flooring, and requested that there be a license for those who install the latter. Following discussion, Mr. Lashlee moved, seconded by Mr. Melker, that a committee be created to research the prospect of creating a new category; and that the committee include active Board members. Upon call for the vote, the motion carried unanimously.

Cody Ellis Oram appeared regarding Administrative Complaints A18-2093 through A18-2112, discussed extenuating circumstances concerning his expired permits, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Palmer, that Mr. Oram be removed from the Consent Agenda regarding Administrative Complaints A18-2093 through A18-2112 and allowed two months to resolve the cases. Following brief discussion and upon call for the vote, the motion carried unanimously.

## **PUBLIC HEARINGS**

The Board conducted informal administrative hearings in accordance with Section 120.57(2), Florida Statutes. The respondents elected informal hearings, defaulted by not executing an Election of Rights, or failed to respond and were therefore scheduled for informal hearings by the Board to resolve the complaints. The actions taken are the Final Orders of the Pinellas County Construction Licensing Board.

Informal Hearings

Chair Holderith related that the following individuals scheduled to appear at the meeting are not in attendance:

- Csaba Detari, Administrative Complaint A18-1364
- David Ferreira, Administrative Complaint A18-2688
- Tiana Marshall, Administrative Complaint A18-2021
- Christopher S. Wiggins, Administrative Complaints A18-1274 and A18-1275

Manuel F. McAlpin appeared regarding Administrative Complaint A18-1097 and requested that it be reconsidered. He discussed extenuating circumstances concerning his case, and responded to comments and queries by the members; whereupon, Mr. Melker moved, seconded by Mr. Erwin and carried unanimously, that the \$300 fine be waived and the remaining \$226 of fees and costs be paid.

Jorge Rodriguez appeared regarding Administrative Complaints A18-2162 through A18-2169, discussed extenuating circumstances concerning his expired permits, and responded to comments and queries by the members. During discussion Mr. Melker moved, seconded by Mr. Kelly, that Mr. Rodriguez be allowed four months to resolve his cases and to pay fines in the amount of \$2,400 in \$600 monthly installments. Upon call for the vote, the motion failed 4 to 5, with Chair Holderith and Messrs. Lashlee, Palmer, Rodde, and Holloway casting the dissenting votes.

Following further discussion, Mr. Rodde moved, seconded by Mr. Holloway, that Mr. Rodriguez be allowed two months to resolve his cases and pay \$2,400 in associated fines. Upon call for the vote, the motion carried 7 to 2, with Messrs. Lashlee and Melker casting the dissenting votes.

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Ms. Lancaster left the meeting at 4:19 P.M., and Mr. Stowers assumed her seat.

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Michael Williams Cummins appeared regarding Administrative Complaint A18-1861, discussed extenuating circumstances concerning his expired permit, requested lienency regarding the related fine, fees, and costs, and responded to comments and queries by the members; whereupon, Mr. Holloway moved, seconded by Mr. Kelly and carried unanimously, that Mr. Cummins be removed from the Consent Agenda regarding Administrative Complaint A18-1861 in order that separate action be taken on his case.

Thereupon, Mr. Palmer moved, seconded by Mr. Melker, that the \$300 fine be waived and the remaining \$226 of fees and costs be paid. Upon call for the vote, the motion carried 8 to 1, with Mr. Rodde casting the dissenting vote.

**REGULAR AGENDA**

PCCLB Legislative Amendment

Mr. Stowers provided historical information regarding the Special Act and a proposed local bill with respect to term limits and residency requirements for Board members.

**CONSENT AGENDA**

Expired Permit Violations

The cases included under the Expired Permit Violations spreadsheet provided in the agenda package were forwarded to the PCCLB from various building departments for disciplinary action by the Board due to expired permits which were not resolved within the 30 days after notification by the Board.

Upon review for probable cause, an Administrative Complaint was served upon each of the cases, and the violations remain. The contractors have been notified of the hearing by certified mail or constructive service. The Director recommends the Board accept the allegations as filed in the Administrative Complaint as findings of fact and enter a Final Order as follows:

- Reprimand for permit violation;
- Fine of \$300;
- Administrative fees and costs of \$226; and
- Thirty days to comply. If not, license is subject to suspension.

Mr. Holloway moved, seconded by Mr. Rodde, that the Consent Agenda be approved. Upon call for the vote, the motion carried unanimously.

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Mr. Palmer left the meeting at 4:36 P.M.

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**REGULAR AGENDA – CONTINUED**

Local Technical Amendments

Pinellas County Floodplain Administrator Lisa Foster and Assistant County Attorney Brendan Mackesey presented background information regarding the item, relating that the members are the governing body with the authority to adopt Local Technical Amendments; and that the amendments for today’s consideration pertain to Building Codes and Floodplain Management.

Ms. Foster reviewed the amendments, noting those particular to the unincorporated area and the City of Clearwater, and responded to comments and queries by the members, and Attorney Mackesey provided input. During discussion, she related that all of the amendments have been reviewed by the Board of Adjustment and Appeals and are recommended for adoption.

Mr. Holloway moved, seconded by Mr. Kelly, that the Pinellas County Local Technical Amendments to the Florida Building Code be adopted, specifically R322.3.2. Upon call for the vote, the motion carried 7 to 1, with Mr. Erwin dissenting. Following discussion, Mr. Holloway moved, seconded by Mr. Kelly, to adopt the City of Clearwater Local Technical Amendments to the Florida Building Code. Upon call for the vote, the motion carried unanimously.

PCCLB Vacancies

Following discussion, Mr. Rodde moved, seconded by Mr. Kelly, that the item be tabled until the next meeting. Upon call for the vote, the motion carried unanimously.

**MISCELLANEOUS DISCUSSION**

In response to comments and queries by Messrs. Kelly and Holloway, Mr. Stowers discussed staffing in the Development Review Services Department and the timeframe to file a proof of publication regarding local bills, and Chair Holderith thanked the members for their perseverance during the long meeting.

**ADJOURNMENT**

Upon motion by Mr. Rodde, seconded by Mr. Holloway and carried unanimously, the meeting was adjourned at 5:07 P.M.

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Chair