

RUDOLPH (RUDY) G. KRAUSE, CBC048885, **CHAIRMAN**
STEVE ROY HENSON, ENG I 22A, **VICE-CHAIRMAN**
Peggy Bankester
Gary Centonze, CFC1425735
Vacant – Reg. Electrical Contractor
Vacant - Layperson
Vacant – Master Mechanical
Vacant – Layperson
Frank Toppino ENG I 132A – Alternate
Charles E. Miller CGC023830 – Second Alternate

AGENDA
CONTRACTORS EXAMINING BOARD
REGULAR MEETING
TUESDAY, **DECEMBER 8, 2015***, 9:30 A.M.
MARATHON GOVERNMENT CENTER

1. Call to Order / Roll Call
2. Agenda Changes
3. Approval of Agenda
4. Approval of Minutes:
 - a. September 8, 2015
5. Swearing-in of Witnesses to Testify
6. "Is there anyone from the public present who would like to speak on an agenda item?"
7. "Have any Board members been contacted outside the presence of this meeting regarding an agenda item? If so, would you please disclose the nature of the contact?"
8. New Business:
 - a. Application Review for 2013-15 Renewal of Expired COC for Reinstatement
 - i. Anthony Antonacci SP 3693
A & T Installations, Inc.
Cabinet & Millwork Contractor
 - ii. Daniel W. Davis SP 3367
Island Interior Specialist, LLC.
Cabinet & Millwork Contractor
 - iii. Matthew J. Rolfsen SP
Certapro Painters, LLC.*
Painting & Decorating Contractor

New company to be qualified: CPP Enterprises, LLC.
 - iv. Jose Luiz Leal SP 3882
Leal & Leal, Inc.
Tile, Terrazzo, and Marble Contractor

v. Wolfgang Noack
Reliance Property Management, Inc.

1. Landscaping Contractor – SP 3376
2. Lawn Sprinkler Contractor – SP 3556

b. Code Compliance Cases:

- i. CE15060103 Notice to Appear
John Patrick Jackson CBC1253572
ECI Construction, Inc.
MCC: 6-202.(11)a Work without a permit
MCC: 6-143 Work concealed prior to inspection
Issued: 06/29/15
Service: 07/09/15
Fine: Notice
Inspector: Bruno
- Previous
Violation(s): 1. [CE13070192](#) MCC 6-234.(a) contractor advertising – Warning
- Sister Case: N/A
- ii. CE15080081 Notice to Appear - ***Pending Stipulated Agreement***
Raymond Vazquez EC0002558
Florida Keys Electric, Inc.
MCC: 6-202.(11)a Work without a permit (windows, doors, decks)
MCC: 6-202.(1) Working outside scope of license
Issued: 08/25/15
Service: 08/31/15
Fine: Notice
Inspector: Bruno
- Previous
Violation(s): N/A
- Sister Case: N/A
- iii. CE15090074 Notice to Appear
Levi John Miller, Jr.
Levi John Miller Jr, LLC.
MCC: 6-77 No certificate of competency (installed tiki hut)
Issued: 09/17/15
Service: 09/26/15
Fine: Notice
Inspector: Lake
- Previous
Violation(s): 1. [CE13060182](#) – MCC 6-234.(a) Advertising with no license. Paid/Case closed
2. [CE11050054](#) – MCC 6-234.(a) Advertising with no license. Paid/Case closed
– MCC 6-77 No certificate of competency. Paid/Case closed
3. [CE10110143](#) – MCC 6-202.(5) Violation of w/c codes. Paid/Case closed

CE15090074 - Miller continued

4. [CE10110142](#) – MCC 6-77 No certificate of competency. Paid/Case closed
5. [CE09050161](#) – MCC 6-77 No certificate of competency. Paid/Case closed

Sister Case: Property case

- iv. CE15080062 Notice to Appear
John Patrick Jackson CBC1253572
ECI Construction, Inc.
MCC: 6-32 Work through a stop work order (SWO)
MCC: 6-202.(8) Aiding & abetting (unlicensed and not on payroll)
Issued: 08/20/15
Service: 09/01/15
Fine: Notice
Inspector: Bruno

Previous Violation(s): 1. [CE13070192](#) MCC 6-234.(a) contractor advertising – Warning

Sister Case: 1. [CE14110006](#) (Medina-Lopez / Lien 4/27/15)
2. Property case

- v. CE15100025 Notice to Appear
Jay O. Berry ES12000309
J. W. Berry Signs, Inc.
MCC: 6-202.(11)a Work without a permit (installed sign)
Issued: 10/05/15
Service: 10/19/15
Fine: Notice
Inspector: Lake

Previous Violation(s): N/A

Sister Case: Property case

- vi. CE15100107 Notice to Appear
John Patrick Jackson CBC1253572
ECI Construction, Inc.
MCC: 6-143 Concealing work prior to inspection (drywall)
Issued: 10/23/15
Service: 11/03/15
Fine: Notice
Inspector: Bruno

Previous Violation(s): 1. [CE13070192](#) MCC 6-234.(a) contractor advertising – Warning

Sister Case: N/A

c. Time-Management Case:

1. 2:30 P.M.

- i. John Ambrosio
Homeowner
Petitioner,
- v.

Dana E. Banks CAC056642
Dana's A/C & Appliance Service, Inc.

MCC Sec. 6-202 states it shall be unlawful for any contractor, as defined by this article, operating anywhere within the county, licensed individually or as a firm contractor, officers, directors, or qualified representative of a firm contractor, to commit any one or more of the following acts or omissions:

- (3) Divert funds or property received for the execution or completion of a specific construction project or operation, or for a specified purpose to any other use whatsoever.

d. Motion for Imposition of Fines & Costs / Lien Request for Non-Payment of Citation

- i. Case No.: [CE15090046](#)
Name: Ricardo Ranon Barahona
Company: N/A
License No.: N/A
MCC: 6-77 No certificate of competency (tile/interior repair)
Issued: 09/09/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Bruno
Comments: Fine due 09/19/15
Sister Case: CE15090047, CE15090045
- ii. Case No.: [CE15090047](#)
Name: David E. Barahona
Company: N/A
License No.: N/A
MCC: 6-77 No certificate of competency (tile/interior repair)
Issued: 09/09/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Bruno
Comments: Fine due 09/19/15
Sister Case: CE15090046, CE15090045
- iii. Case No.: [CE15090045](#)
Name: Hector E. Murillo
Company: N/A
License No.: N/A

CE15090045 / Lien / Murillo continued:

MCC: 6-77 No certificate of competency (tile/interior repair)
Issued: 09/09/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Bruno
Comments: Fine due 09/19/15
Sister Case: CE15090046, CE15090047,

- iv. Case No.: [CE15100004](#)
Name: Elvin Antonio Cruz
Company: N/A
License No.: N/A
MCC: 6-77 No certificate of competency
Issued: 10/01/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Bruno
Comments: Fine due 10/15/15
Sister Case: CE15100006 and CE15100005
- v. Case No.: [CE15100006](#)
Name: Jorge Ramirez
Company: Seleste Billie
License No.: N/A
MCC: 6-77 No certificate of competency
Issued: 10/01/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Bruno
Comments: Fine due 10/15/15
Sister Case: CE15100004 and CE15100005
- vi. Case No.: [CE15100005](#)
Name: Jose Perez Funez
Company: N/A
License No.: N/A
MCC: 6-77 No certificate of competency
Issued: 10/01/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Bruno
Comments: Fine due 10/15/15
Sister Case: CE15100004 and CE15100006
- vii. Case No.: [CE15100050](#)
Name: Jimmy Lee Greene
Company: N/A
License No.: N/A

CE15100050 / Lien / Greene continued:

MCC: 6-77 No certificate of competency
Issued: 10/09/2015
Service Rcvd: In the field
Fine: \$500.00
Inspector: Grant
Comments: Fine due 10/28/15
Sister Case: N/A

e. Question / Rudy Krause

- i. What type of license would someone need in order to do sandblasting work?

f. Executed Stipulated Agreements

- i. CE15090041 – Brett Ekblom CGC1506439 \$500 fine + \$100 costs, total \$600, with 30 days probation
- ii. CE15090022 – Kevin P Mason CRC035274 \$ 500 fine + \$100 costs, total \$600, with 30 days probation

g. 2016 CEB Hearing Dates

h. Construction Trades Application Review of Verification of Construction Experience

- i. Jose Lazaro Fontao / Re-approval / Air Conditioning Class B / Original approval 05/14/13
- ii. Stephen M. Moring / New Application / Landscaping Contractor
- iii. Roberto Santos / New Application / General Contractor
- iv. Juan Anibal Cohen / New Application / Aluminum Specialty / Reciprocating from St. Lucie County. (SP 3769 null & void (2007))
- v. Sean Creedon / New Application / Landscape Contractor
- vi. Michael Biskupich / New Application / Lawn Sprinkler Contractor
- vii. Paul G. Abate / New Application / 2nd Review / Painting & Decorating Contractor
- viii. Nicolas Alexander Alegria / New Application / Cabinet & Millwork Contractor / Wavier of examination reciprocating from Broward County
- ix. Maria C. Hernandez / New Application / Cabinet & Millwork Contractor
- x. Roy Allen Presswood / new Application / Marine Construction / Reciprocating from Broward County
- xi. Rafael Marin / New Application /
- xii. Ariel Garcia / New Application / Cabinet & Millwork Contractor
- xiii. Gabriel Nieves / New Application / Journeyman Electrical / Originally approved 06/14/11
- xiv. Dennis Wade Quinn / New Application / Electrical Contractor / Reciprocating from Polk County
- xv. Ramon Perez / New Application / Glazing Contractor / Reciprocating from Broward Count
- xvi. Emilio Alvear / New Application / Painting & Decorating / Originally approved 05/21/11

i. Null & Void Certificate of Competency

1. Paul Joseph Wunderlich
 - a. Paving Contractor (ENG II 295D expired 10/31/2011)
 - b. Excavating & Grading Contractor / (ENG II 296E expired 10/31/2011)

Mr. Wunderlich received re-approval to re-test on 09/08/15.

9. Staff Reports

a. Rick Griffin, Building Official / Board Secretary

b. Thomas Wright, Contractors Examining Board Attorney

c. Steve Williams, Assistant County Attorney

i. Appeal of 05/12/15 CEB Final Order filed with 16th Judicial Court

1. Juan Luis Hernandez Case No.: APM152
v. Code Case No.: CE15030124
Monroe County CEB

ii. Passed and approved by BOCC on 10/21/15 MCC Chapter 6 Amendments

1. 6-240.(b) Fees (02/11/14)
2. 6-242.(a) Request for renewal or reinstatement (02/11/14)
3. 6-263 – Created (CEB) (08/12/14)
4. 6-32 – Stop Work Order (06/14/11)
5. 6-237.(1)(a) Application; examination; issuance of contractors certificate - Text amendment (05/14/13)
6. 6-201.(E)(2) (F.S. 489.127.(5)(f) Penalties) – *New Addition*
7. 6-198 - Definitions:
 - a. *Asphalt sealcoating specialty contractor*
 - b. *Journeyman*
 - c. *Sand Set / Brick Pavers – New Classification*
 - d. *Welding – Re-introducing back into Code (11/19/13)*
 - e. *Master*

d. Cynthia McPherson, Code Compliance Director

10. Old Business

a. 09/08/15

i. Affidavit of Costs and Values on Home Remodeling Project / See attachment

b. 08/04/15

i. MCC 6-100 Building Permits Required

c. Update of March 12, 2015 CEB Final Order

i. CE14120084 James Trumble SP 2152
Quality Screening & Enclosures, Inc.

Comments: Permit received final inspections and closed 09/16/15. Code case closed 11/04/15.
Permit Number 15101914 issued 09/03/2015.

11. Each person need to review their applications, approve/disapprove them, sign, date the application, and read them into the record and state your name. (12/10/13)

12. Meeting adjourned.

Odalys Mayan

Contractor License Coordinator/CEB Liaison

PURSUANT TO FLORIDA STATUTE SECTION **286.0105 f.s.**, be advised that, if a person decides to appeal the decision made by the Contractors' Examining Board (CEB) with respect to any matter considered at today's hearing, that person will need a record of the proceedings, and that, for such purpose, he or she 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.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

NOTICE: It shall be the responsibility of *each* Respondent or other person addressing the Board to bring an interpreter if the party is **NOT** able to understand or speak the English language.



MONROE COUNTY GROWTH MANAGEMENT BUILDING DEPARTMENT

Middle Keys/Main Office: 2798 Overseas Highway, Suite 300, Marathon, FL (305) 289-2501

Upper Keys Office: 102050 Overseas Highway, Key Largo, FL (305) 453-8800

Lower Keys Office: 5503 College Road, Suite 203, Key West, FL (305) 295-3990

MEMORANDUM

TO: CEB Members and All Interested Parties

FROM: Odalys Mayan, Licensing Coordinator/CEB Liaison

SUBJECT: 2016 CEB Meeting Dates

DATE: December 4, 2015

HEARING DATES

January 12

February 9*

March 8

April 12*

May 10

June 14*

July 12

August 9*

September 13

October 11*

November 8

December 6*

Meetings are held on the second Tuesday of every other month from 9:30 A.M. to 4:30 P.M. at the Marathon Government Center, 2798 Overseas Highway, Second Floor, BOCC Room, Marathon, FL, MM 47.5, unless otherwise noted. Dates are subject to change. Please visit the County Calendar at www.monroecounty-fl.gov for up-to-date information.

* Reserved as an overflow meeting

ATTENDANCE:

Every board member is expected to be in attendance at every meeting per MCC 6-265(d), unless excused from such attendance by consent of the board.

If a member is unable to attend any of the above scheduled meetings, unless in case of an emergency, **immediately** contact Licensing Coordinator at 305-289-2583 or by e-mail at mayan-odalys@monroecounty-fl.gov.

AFFIDAVIT OF COSTS AND VALUES
ON HOME REMODELING PROJECT

STATE OF FLORIDA
COUNTY OF MONROE

BEFORE ME, appeared _____, HOMEOWNER and _____, GENERAL CONTRACTOR, both first being duly sworn, say under oath as follows:

- My name is _____. I am the owner of real property located at _____, located in Monroe County. I currently have hired GENERAL CONTRACTOR to perform repairs and/or improvement to my property. The value of the contract to perform said repairs/improvements is \$_____.
- _____ is the GENERAL CONTRACTOR for the repairs/improvements located at _____. I am lawfully authorized to act on behalf of the GENERAL CONTRACTOR and execute this Affidavit. I have executed a contract with HOMEOWNER in the amount of \$_____ to perform repairs or improvements on the property.
- This Affidavit has or may have been executed in two separate parts with HOMEOWNER and GENERAL CONTRACTOR not necessarily appearing simultaneously before the same Notary Public.

I SWEAR AND AFFIRM THAT THE ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Homeowner

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing affidavit was acknowledged before me this ____ day of _____, 20__, by _____, who has provided _____ as identification or is personally known to me.

Notary Public, State of Florida

Name: _____
Printed Name

I SWEAR AND AFFIRM THAT THE ABOVE IS TRUE AND CORRECT
TO THE BEST OF MY KNOWLEDGE.

General Contractor

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing affidavit was acknowledged before me this ____ day of _____, 20__, by _____, who has provided _____ as identification or is personally known to me.

Notary Public, State of Florida

Name: _____
Printed Name

MINUTES of the
CONTRACTORS EXAMINING BOARD
REGULAR MEETING
TUESDAY, SEPTEMBER 8, 9:30 A.M.
MARATHON GOVERNMENT CENTER

1. Call to Order / Roll Call:
Chairman Rudy Krause called the meeting to order at 9:45 A.M. Present were Vice-Chairman Steve Henson, Mr. Charlie Miller, Mrs. Peggy Bankester, Mr. Frank Toppino, and Chairman Rudy Krause, and absent was Gary Centonze.

Present with no roll call were Assistant County Attorney Steve Williams and Attorney Thomas Wright, and Interim Building Official Wesley (Wes) C. Maltby not present.
2. Agenda Changes: No.
3. Approval of Agenda: Approved by Mr. Henson and seconded by Mrs. Bankester; no nays.
4. Approval of Minutes:
 - a. Regular Meeting: August 4, 2015

Mr. Henson requested that on page 5, Item 12, under MCC 6-202.(2), the word “not” between “recommending” and “finding” be removed. Correction noted and minutes will be corrected accordingly.

Mr. Henson also requested clarification of page 7, Item 14, paragraphs a and b. He is seeking clarification of paragraph a as he is not sure it reflect the correct final discussion. Chair moved this item to page 5, Old Business.

Paragraph b – This item is pending. Wes was supposed to come back to the board with a response. Chair moved this item to page 5, Old Business.

After discussion, Mr. Henson approved the minutes with noted corrections and seconded by Mrs. Bankester; no nays.
5. Next Meeting Date:
 - a. Regular Meeting:
 - i. November 10, 2015
6. Swearing-in of Witnesses to Testify:
Attorney Wright sworn-in all testifying at today’s meeting.
7. Chairman asked if “is there anyone from the public present who would like to speak on an agenda item?”
No.
8. Chairman asked if “any board member been contacted outside the presence of this meeting regarding an agenda item? If so, to please disclose the nature of the contact? No.
9. New Business:
 - a. Application Review of the 2013-15 Renewal of Expired Certificates of Competencies

- i. Richard Edward Williams SP 2310
FL Keys Waterproofing, Inc.
Waterproofing & Roof Painting Contractor

Mr. Williams failed to appear before the Board. Staff read into the record an e-mail that Mr. Williams sent on August 19, 2015 at 7:58 A.M. stating that he will no longer seek renewal of his expired certificate of competency per his accountant's advice. Board removed item from agenda.

- ii. Ariel Herrera SP 3397
Paradise Construction Services, Inc.
Tile, Terrazzo, and Marble Contractor

Mr. Herrera addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Mr. Henson recommending the renewal of the certificate of competency and renewal fee of \$150.00. Motion seconded by Mr. Miller; no nays.

- iii. Kirk Edwin Bauers SP 4091
Marble Crafters, Inc.
Tile, Terrazzo, and Marble

Mr. Bauers addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Mr. Miller recommending the renewal of the certificate of competency and renewal fee of \$150.00. Motion seconded by Mr. Henson; no nays.

- iv. Patrocino Martinez SP 1172
Concept Tile Corp
Tile, Terrazzo, and Marble Contractor

This item was re-scheduled from the August 4th meeting where Mr. Martinez failed to appear before the CEB due to miscommunication of the cancelled and new meeting date.

Mr. Martinez addressed the Board regarding his expired certificate of competency. Dean Martinez, son, acted as translator. After discussion, motion was made by Mr. Henson recommending the renewal of the certificate of competency and renewal fee of \$150.00. Motion seconded by Mr. Toppino; no nays.

- v. Humberto F. Perez ENG II 270
Individual
Paving Engineering Contractor

Mr. Perez addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Mr. Miller recommending the renewal of the certificate of competency and renewal fee of \$150.00. Motion seconded by Mrs. Bankester; no nays.

- vi. Phillip Donald Pierce SP 4009
P. Square Interior Millwork
Painting and Decorating Contractor

Mr. Pierce was a walk-in and addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Mr. Henson recommending the renewal of the certificate of competency and renewal fee of \$150.00. Motion seconded by Mrs. Bankester; no nays.

- b. Update on March 12, 2015 CEB Final Order for James Trumble
 - i. CE14120084 James Trumble SP 2152
Quality Screening & Enclosures, Inc.

Permit Number 15101914 issued 09/03/2015. Final inspections and closure of permit still needed, and fines and costs still due.

c. Code Compliance Cases:

- i. CE15060083 Notice of Appeal
Jeff J. Jennings SP 3828
Jeff Jennings Aluminum, LLC.
MCC: 6-202.(11)a Work without a permit
Issued: 06/22/2015
Service: 06/26/15
Fine: \$500.00
Inspector: Bruno

Mr. Jennings failed to appear before the Board and did not have legal representation present. Good service received at address of record with County on 07/09/15. Code Compliance Inspector Bruno was present to address the County. Staff (Mayan) advised Board that Mr. Jennings called the office September 7, 2015 at 4:55 P.M. requesting a continuance due to medical issue. He was advised that the next meeting would not be until November 10th and that will be after the 10/31/2015 certificate of competency renewal deadline. He would be able to renew but with penalties if renewed by November 31st.

In light of this information, Mr. Miller made a motion and seconded by Mrs. Bankester recommending for a brief recess to allow staff to contact Mr. Jennings to see if he was going to be able to make it to the meeting, would like to re-schedule, or just withdraw his appeal and pay the \$500.00 fine. After a brief discussion with Mr. Jennings, staff advised board that Mr. Jennings wished to withdraw his appeal and just pay the \$500.00 fine. Appeal request withdrawn.

- ii. CE15050020 Notice to Appear
Octavio C. Correa* CGC1521553
CTO General Contractor, Inc.
MCC: 6-202.(8) Aiding and abetting
Issued: 05/05/2015
Service: 05/08/15
Fine: NTA
Inspector: Bruno

Mr. Correa present without legal representation to address the board and contested the violation. Code Compliance Inspector Bruno was present to address the County. After testimony, evidence, and exhibits were taken from all parties and entered into evidence with no objections,

motion was made by Mr. Henson recommended finding Respondent IN violation as cited and seconded by Mr. Miller. Motion carried unanimously.

Penalty Phase – Motion made by Mr. Henson ordering Respondent to pay administrative costs of \$237.18 within 30 days or lien, and recommending no further action to Construction Industry Licensing Board and seconded by Mrs. Bankester. Motion carried unanimously

- iii. CE15070064 Notice to Appear
Stephen Richard Cusimano CBC1258403
Cusimano Construction, LLC.
MCC: 6-143 Work concealed prior to inspection
Issued: 07/24/2015
Service: 08/27/15
Fine: NTA
Inspector: Bruno

Mr. Cusimano present without legal representation to address the board and contested the violation. Code Compliance Inspector Bruno was present to address the County. Mr. Toppino advised that he had a conflict of interest and that he will not be able to hear this case. With his abstention, the CEB was without a quorum to hear the matter. Case was moved to the November 10th hearing. Mr. Cusimano raised a concern that a board member not present at this meeting may know him in a professional capacity and may have a conflict as well. If this is the case, Mr. Cusimano would be advised prior to the next meeting.

- iv. CE15050029 Notice to Appear
Frank E. Mata*
MCC: 6-32 Working through a stop work order
Issued: 05/07/2015
Service: 06/22/15 - First-Class Mail
Fine: NTA
Inspector: Bruno

Mr. Mata failed to appear before the Board and did not have legal representation present. This case was forwarded from 08/04/15 meeting. Good service received at address of record with County on 06/22/15 through First Class Mailing. Code Compliance Inspector Bruno was present to address the County. After testimony, evidence, and exhibits were taken from all parties and entered into evidence with no objections, motion was made by Mr. Henson recommending finding Respondent IN violation as cited and seconded by Mr. Miller. Motion carried unanimously.

Penalty Phase – Motion made by Mr. Henson recommending fine of \$1,000.00 plus administrative costs of \$285.54, for a total of \$1,285.54, to be paid within 30 days or lien, and seconded by Mr. Miller. Motion carried unanimously

- v. CE15080064 Notice to Appear
 Wolfgang H. Noack
 Reliance Property Management, Inc.
 MCC: 6-77 No certificate of competency
 Issued: 08/20/2015
 Service: 08/24/2015
 Fine: NTA
 Inspector: Bruno

Mr. Noack failed to appear before the Board and did not have legal representation present. Good service received at address of record with County on 08/24/15. Code Compliance Inspector Bruno was present to address the County. After testimony, evidence, and exhibits were taken from all parties and entered into evidence with no objections, motion was made by Mr. Henson recommending finding Respondent IN violation as cited and seconded by Mr. Toppino. Motion carried unanimously.

Penalty Phase – Motion made by Mr. Henson recommending fine of \$1,000.00 plus administrative costs of \$314.22, for a total of \$1,314.22, to be paid within 30 days or lien, and seconded by Mr. Miller. After discussion, motion carried unanimously

d. Motion for Imposition of Fines & Costs / Lien Request for Non-Payment of Citation:

1. Case No.: [CE14110058](#)
 Name: Raymond Goodrich Blydenburgh III
 Company: N/A
 License No.: N/A
 MCC: 6-77 No certificate of competency
 Issued: 11/14/14
 Service: 11/14/14
 Fine: \$300.00
 Costs: \$100.00
 Inspector: Bruno
 Comments: Only paid 2 payments of a 5 payment stip plan

Mr. Henson approved request for lien if fine & costs are not paid within 30 days and seconded by Mr. Toppino; no nays.

e. Add-on / Rudy Krause:

i. Contractor falsifying job costs on affidavit filed with county

Mr. Krause requested this item be added to the agenda to discuss something that was brought to his attention - a contractor falsifying costs on job costs. It was brought to his attention that a contractor may be misrepresenting the cost of job on the building permit application. For example, contractor puts on the application \$135,000.00 cost for a \$415,000.00 job and \$312,000.00 for a \$633,000 job.

One recommendation would be perhaps drafting an affidavit where both the homeowner and the contractor sign would reduce the misrepresentation fraud on their building permit application.

Attorney Williams suggested the affidavit have the language of "I hereby authorize the following contractor to act on my behalf - with a warning stating if the dollar amounts contained on any application with the county are incorrect, I as the homeowner hereby agree to be bound by.....and we can fill in the blank." However, the challenge is going to be putting a price on remodeling is going to be more challenging than on new construction because new construction is set a module whereas remodeling does not.

Attorney Williams stated if we are provided as a county with the info you are discussing, he can meet with both code and Contractor License Inspector Lynn to see where it is best fit in terms of a potential violation of our fee ordinance, or is it more chapter 6 and fraud. He can then come back in November and see if you (board) agree with what we are going to do with these in the future.

After discussion, the Board made the recommendation and asked Attorney Williams to draft the affidavit, meet with Code, and then bring back in November for discussion/review/approval.

- f. Construction Trades Application Review of Verification of Construction Experience
- i. Stephen M. Moring / New Application / Landscaping Contractor / Denied by Mr. Henson for insufficiency.
 - ii. Maivy Martinez / New Application / Painting & Decorating Contractor / Denied by Mr. Miller for insufficiency.
 - iii. Maivy Martinez / New Application / Drywall Contractor / Denied by Mr. Miller for insufficiency.
 - iv. Paul Joseph Wunderlich / New Application / Excavating & Grading Contractor / (ENG II 296E expired 10/31/2011 –null & void) / Approved by Mr. Miller.
 - v. Paul Joseph Wunderlich / New Application / Paving Contractor / (ENG II 295D expired 10/31/2011 – null & void) / Approved by Mr. Miller.
 - vi. Roderick Cornelius Butler / New Application / Plastering Contractor by waiver of examination from Broward County / Approved by Mr. Krause.
 - vii. Roger J. Belgrave / New Application / Cabinet & Millwork Contractor / Approved by Mr. Krause.
 - viii. Albert Robleto, Jr. / New Application / Tile, Terrazzo, and Marble Contractor / Approved by Mr. Krause
 - ix. Travis Noel / New Application – 2nd Review / Painting & Decorating Contractor / Approved contingent applicant submits a new application by Mrs. Bankester.
 - x. Camilo A. Silva / New Application / Painting & Decorating Contractor (SP 3742 expired 10/31/11- - null & void) / Approved by Mrs. Bankester.
- g. Staff Reports
- a. Wes Maltby, Interim Building Official / Board Secretary / not present
 - b. Thomas Wright, Contractors Examining Board Attorney / nothing to report
 - c. Steve Williams, Assistant County Attorney / Refer to Item #10, Old Business, c, i-vii.1-5.
 - d. Cynthia McPherson, Code Compliance Director / nothing to report

10. Old Business:

a. Clarification of 08/04/15 Minutes:

i. Mr. Henson requested clarification under Discussion on page 7, Item 14, paragraphs a (Permit Extensions) & b (Work Requiring a Permit). After discussion, the word “the” to be removed from the fifth sentence in paragraph a. Correction noted and minutes will be corrected accordingly.

ii. 6-100 Building Permits Required -

6-100 Building Permits Required -

Work Requiring a Permit	Residential Exceptions*
Site preparation including: land clearing, placements of fill, excavation, and blasting; however, no permit for site preparation may be issued except in conjunction with the establishment of a use or structure allowed in the land use district	None. However, no fee (including education; contractor investigation; or tech fees) shall be charged for invasive exotic vegetation removal if permit is not classified as clearing and grubbing.
Any new construction and remodeling work of principal and accessory structures	Interior remodeling where the fair market value of such work is less than \$2,500.00 and there is no change in the original size or configuration.
All work in the electrical, mechanical, and plumbing trades	Normal maintenance or ordinary minor repairs where the fair market value of such work is less than \$2,500.00.

**Note: Notwithstanding the exceptions set forth herein, building permits will always be required for new work involving electrical, mechanical, plumbing or any improvements subject to floodplain regulations; and if the construction, repair, remodeling or improvement work is a part of a larger or major operation, whether undertaken by the same or different contractor. NO EXCEPTIONS apply to work conducted below base flood elevation and/or subject to the floodplain management requirements of the Monroe County Code to structures located within a Coastal Barrier Resource System (CBRS) or structures located within Flood Zone AE or Flood Zone VE. All residential work that is exempt from Monroe County permitting shall still comply with the Florida Building Code, this chapter, and part II of this Code and shall be subject to code compliance.*

No corrections made to paragraph b (Aug. 4th minutes) at this time; item still pending waiting on Interim Building Official Maltby to response from August 4th meeting.

Attorney Williams advised the Board that Item c, i-vii.1-5, (listed on Agenda as Item b, i-vii.1-5) going to BOCC 09/16/15 for approval of advertisement. Actual meeting where items will be considered will be October 21st 2015 in Marathon.

c. Proposed MCC Chapter 6 Amendments

- i. 6-240.(b) Fees (02/11/14)
- ii. 6-242.(a) Request for renewal or reinstatement (02/11/14)
- iii. 6-263 – Created (CEB) (08/12/14)
- iv. 6-32 – Stop Work Order (06/14/11)

- v. 6-237.(1)(a) Application; examination; issuance of contractors certificate - Text amendment (05/14/13)
- vi. 6-201.(E)(2) (F.S. 489.127.(5)(f) Penalties) – *New Addition*
- vii. 6-198 - Definitions:
 - 1. *Asphalt sealcoating specialty contractor*
 - 2. Journeyman
 - 3. Sand Set / Brick Pavers – *New Classification*
 - 4. Welding – *Re-introducing back into Code (11/19/13)*
 - 5. Master

(No discussion on Item d, CEB Vacant Seats)

d. CEB Vacant Seats:

- i. Vacant, 11/12/2014, Registered Electrical Contractor, Expires 10/17/2015
- ii. Vacant, 11/20/2014, Layperson, Expires 05/01/2017
- iii. Vacant, 03/11/2014, Master Mechanical Card, Expired 06/15/2014
- iv. Vacant, 04/21/2014, Layperson, Expired 06/15/2014

15. Meeting adjourned at 4:57 P.M.

Odalys Mayan, Coordinator/Liaison

APPROVED by the Contractors Examining Board of Monroe County, Florida, at a regular meeting held on _____ day of _____ 2015, [_____] “as submitted” or [_____] “as amended.”

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