

Minutes

CHARLOTTE COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD
Administration Center, County Commission Meeting Room #119
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

April 1, 2021 at 6 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

Chairman Michael Melton calls meeting to order at 6:00PM

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

MEMBERS PRESENT:

Michael Melton
Christopher Knight
Louis Green
Michael Ferrara
Charles Hackbarth
Robert Overcash
Kelly Munsell

NOT PRESENT:

Rick Castro

Staff Present:

Erin Mullen-Travis, Licensing Manager
Melissa Sutton-Estrada, Certified Licensing Officer
Daryl Dillow, Deputy Building Official
Ryan Maher, Assistant County Attorney
Kristin Binns, Senior Administrative Assistant, Clerk to the Board
Robert H Berntsson, Board Attorney

D. OPENING STATEMENT

Read by Chairman Michael Melton.

E. **NEXT MEETING DATE**
May 6, 2021 at 6:00 pm

F. **APPROVAL OF MINUTES**

Christopher Knight made motion to approve the minutes from March 4, 2021 meeting, Charles Hackbarth seconded the motion, all in favor.

G. **SWEARING IN OF ALL THOSE GIVING TESTIMONY**

Kristin Binns administered oath to those who gave testimony

H. **PUBLIC INPUT-AGENDA ITEMS ONLY**

I. **AGENDA CHANGES**
Announced by Ryan Maher

J. **EXAMINATION**
NONE

K. **LICENSE REVIEW**
NONE

L. **CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**

- | | |
|---|------------------------|
| 1. RICHARD RENNY, CIT NO. 5919, CIL-21-00341, \$1000 | Erin Mullen-Travis |
| 2. ELYN R CARDONA, CIT NO 5640, CIL-21-00350, \$1000 | Tom Atkinson |
| 3. LUIS MARTINEZ-SANCHEZ, CIT NO 5641, CIL-21-00347, \$1000 | Tom Atkinson |
| 4. GONZALO RUIZ-DIAZ, CIT NO 5642, CIL-21-00349, \$1000 | Tom Atkinson |
| 5. LUIS A MORALES, CIT NO 5850 & 5851, CIL-21-0361,\$2000 | Melissa Sutton-Estrada |

MOTION: Charles Hackbarth motioned to accept the fines as stated in the Affidavit of Non-Compliance. Robert Overcash seconded, and motion was passed unanimously.

M. **CONTESTING CITATIONS**
NONE

N. **REINSTATEMENT**
NONE

O. **OLD BUSINESS**
NONE

P. DISCIPLINE CASES

**1. JERRY A TARACEK
Tropical Solar Energy LLC
Certified Solar Contractor
License No. CVC56980
CIL-20-00813**

Melissa Sutton-Estrada

Mr. Taracek was not present to provide testimony to the Board, licensing investigator Melissa Sutton-Estrada provided testimony the Board.

The Respondent was charged with the following:

CHARGE 1: Florida Building Codes 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 **(10 counts)**.

CHARGE 2: Charlotte County Code 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 **(10 counts)**.

CHARGE 3: Charlotte County Code 3-2-47 (b)(20) Failing to obtain inspections including but not limited to final inspections **(10 counts)**.

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 Jerry A. Taracek'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 the Board's order be forwarded to the Department of Business and Professional Regulation and Florida Construction Industry Licensing Board with the recommendation the State Certified Solar/Photovoltaic Contractor License of Mr. Taracek be

disciplined up to and including suspension of Mr. Taracek Contractors license by the Florida Construction Industry Licensing Board.

MOTION: was made by Charles Hackbarth to accept the staff's recommendation that Mr Taracek's new permitting privileges and the right to work in Charlotte County be REVOKED. Motion was seconded by Robert Overcash, all in favor. Motion carries.

R. REPORT FROM THE LICENSING MANAGER

Erin Mullen-Travis welcomes new Board member Kelly Munsell and announces that Licensing Officer Wendy Pacheco will be leaving May 3, 2021.

S. REPORT FROM THE BUILDING OFFICIAL

Daryl Dillow reported that our department remains very busy with over 200 SFR permits issued last month, approximately 500 inspections are completed daily, and that there are currently hiring new inspectors.

T. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

Ryan Maher welcomes new Board member Kelly Munsell

U. BOARD ATTORNEY COMMENTS

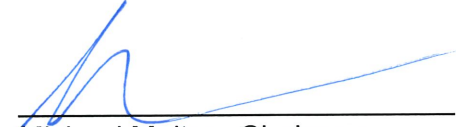
NONE

V. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

W. ADJOURNMENT

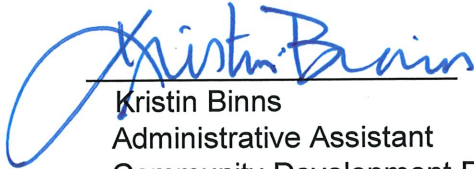
Charles Hackbarth made the motion to adjourn and Christopher Knight seconds the motion and it was approved unanimously at 6:15pm.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF APRIL 1, 2021
READ AND APPROVED ON MAY 6, 2021



Michael Melton, Chairman

ATTEST:



Kristin Binns
Administrative Assistant
Community Development Department
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 is made, which record includes the testimony and evidence upon which the appeal is to be based.