

AGENDA
MONROE COUNTY CONTRACTORS' EXAMINING BOARD REGULAR MEETING
Tuesday, March 12, 2013, 9:30 A.M.
Marathon Government Center

PURSUANT TO FLORIDA STATUTE SECTION 286.0105, 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.

1. Call to Order

2. Roll Call

3. Agenda Changes

4. Approval of Agenda

5. Approval of Minutes

a. Regular Meeting: January 8, 2013

b. Regular Meeting: November 13, 2012 (revised as discussed at the 01/08/13 meeting)

6. Next Meeting Date: May 14, 2013

7. Swearing-in of Witnesses to Testify

8. Lunch Break

a. 11:45 a.m. to 1:15pm

9. Code Compliance Cases:

- a. CE12090008 Notice to Appear*
Manuel Menendez, Alejandro Menendez, and Eduardo La Casa
6-202.(8) Aiding and abetting
Inspector Bruno

This case was continued at the November 13, 2012 CEB meeting at the request of the County.

Previous Violation(s): 1) CE11080012
6-202.(8) aiding and abetting
\$500.00 fine paid 10/5/2011

*Appeal letter received via fax 09/18/12 followed by original letter received 09/19/12

- b. CE12120058 Notice to Appear
Robert Charles Milligan CBC1251036
Milligan Construction

CE12120058 / Milligan case continued

- 6-202.(8) Aiding and abetting
- 6-202.(9) Conspire/allow use of cert. by unlicensed person
- 6-202.(10) Fraud causing substantial injury
Inspector Bruno

Previous Violation(s): No.

- c. CE13010140 Notice to Appear
Argelio Rivas*
6-77 No certificate of competency license
Inspector Bruno

Previous Violation(s): No.

*scrivener's error – citation written as Arelio Rivas

10. License Review

11. Staff Reports

- a. Jerry Smith, Building Official/Board Secretary
- b. Thomas Wright, Contractors' Examining Board Attorney
- c. Lisa Granger, Code Compliance Attorney
- d. Ronda Norman, Code Compliance Director

12. New Business

- a. Current Sitting Members Term Expiring
 - 1. Steve Henson, May 19, 2013
 - 2. Gary Centonze, May 19, 2013
- b. Proposed amendments of Monroe County Code Chapter 6 as follow:
 - 1. 6-242 – Clarifying when a certificate of competency license is expired
 - 2. 6-198 – Providing clarification of definition of employee;
 - 3. 6-200.(7) - Clarifying the parameters and restrictions of owners acting as their own contractor;
 - 4. 6-270.(b) – Clarifying the difference between an owner as their own contractor and an unlicensed contractor;
 - 5. 6-100.(a) To increase the building permit exception amounts from \$1000 to \$2500 and to remove tool sheds from the listed exceptions; and
 - 6. 6-23 Amending definition of normal maintenance or repair work for consistency
- c. Motion for Imposition of Fines/Liens for Outstanding Citations

13. Old Business:

- a. CBAA:

Old Business / CBAA continued

1. Vacant Seat: Registered Architect

b. Proposed amendment of Monroe County Code Section 6-202 Prohibited Actions

At the November 13, 2012 meeting, the Board recommended that the legal team (Steve Williams') work on changing MCC Section 6-202 – Prohibited Actions to include homeowners, owner/builders, and unlicensed persons to the article to read:

It shall be unlawful for any homeowner, owner-builder, ~~or~~ contractor, or unlicensed person 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.

(CODING: Words ~~stricken~~ are deletions; words underlined are additions)

c. Longshoreman's Insurance update (TW)

At the January 8, 2013 meeting, Steve Henson asked Attorney Wright to research Attorney Mercado's January 30, 2007 decision on longshoreman's insurance and report back with findings.

14. Department of Business and Professional Regulation Case Status

a. DBPR Complaint Number: 2013006172
CE12110117 Sean L. Lilly / CEB 01/08/13: Case withdrawn
DBPR Status: Case closed

b. DBPR Complaint Number: 2013006160
CE12120017 Eric F. Salazar / CEB 01/08/13: Not in violation
DBPR Status: Case closed due to insufficient evidence

15. Construction Trades Application Requiring Review16. Adjournment

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Odalys Mayan, Coordinator