

RUDOLPH (RUDY) KRAUSE, CHAIRMAN, CBC048885
STEVE ROY HENSON, VICE-CHAIRMAN, ENG I 222A
GARY CENTONZE, BOARD MEMBER, CFC1425735
FRANK HERRADA, BOARD MEMBER, CAC1817003
DONALD W. HORTON, CRC057947
MARNIE WALTERSON, LAYPERSON
VENETIA FLOWERS, LAYPERSON
BRENT ROBINSON, LAYPERSON
CHARLES E. MILLER, FIRST ALTERNATE, CGC023830

MINUTES
MONROE COUNTY
CONTRACTORS EXAMINING BOARD
REGULAR MEETING
TUESDAY MAY 10TH, 2022 9:30 A.M.
MARATHON GOVERNMENT CENTER

Contractor Examiner Board Meeting - May 10, 2022

You are invited to a Zoom webinar.

When: May 10, 2022 09:00 AM Eastern Time (US and Canada)

Topic: Contractor Examiner Board Meeting - May 10, 2022

Please click the link below to join the webinar:

<https://mcbocc.zoom.us/j/87501126639>

Or iPhone one-tap :

US: +16465189805,,87501126639# or +16699006833,,87501126639#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

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Webinar ID: 875 0112 6639

International numbers available: <https://mcbocc.zoom.us/j/kcOAz6mdTg>

1. Call to Order / Roll Call

****9:30 A.M.****

**Attending role call: Chairman Rudy Krause, Steve Henson, Gary Centonze, Frank Herrada
Donald Horton and Marnie Walterson**

**Present: County Attorney Kelly Dugan
Board Attorney Thomas Wright**

**Building Official Rick Griffin, Assistant Building Official Rey Ortiz and
Sr. Admin. Floodplain Karl Bursa**

2. Excused Absence Approval - Brent Robinson/personal leave and Venetia Flowers/ personal medical
****Motion for approval by Gary Centonze 2nd by Steve Henson – no nays – both approved****
3. Agenda Changes
****No changes Agenda****
Additions: Chairman to Industry Input new business section – (2) Fema Forms & (3) Construction cost breakdown form requirements.
(4) Donald Horton – Fema mechanical repair & replace below flood**
4. Approval of Agenda
****Motion for approval by Gary Centonze 2nd by Frank Herrada – no nays – Approved****
5. Approval of Minutes for March 8th, 2022 (must have participated in meeting to move or second)
****Motion for approval by Gary Centonze 2nd by Steve Henson – no nays – Approved****
6. Next scheduled meeting: July 12th, 2022
****Approved****

Chairman Krause introduced the new County Attorney - Kelly Dugan

7. Swearing - in of Witnesses to Testify
****by Attorney Thomas Wright 9:36 a.m.****
8. “Is there anyone from the public who would like to speak on an Agenda item?”
****No response from public****
9. 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?
****Chairman Krause – Rick Showers (present) and Gay Marie Smith (present) on zoom Christian Duncan/ all personally known, will not affect any decision****

New Business:

10. Applications for Reinstatement/Renewal of expired Certificate of Competency, period ending October 31, 2021. Application fees paid/ no open or active code cases (Applicants on Zoom)

Mr. Showers was not available at the March 8th, 2022, Meeting/ Chairman Krause re-scheduled

1. Richard C Showers
Drywall Specialty Contractor
Rok ITT Drywall Inc – SP2224/ RX11066983
****Present – Motion by Gary Centonze to reinstate expired COC license
2nd by Steve Henson – no nays – Approved****
2. Christian Duncan
Landscaping Specialty Contractor
Hammerhead Landscaping & Bobcat LLC – SP4341
****Present on zoom – Motion by Steve Henson to reinstate expired COC
license 2nd by Donald Horton – no nays – Approved****

11. Construction Trades Application Review for Verification of Construction Experience and Approvals:

1. Adler, Daniel/ Reciprocity from Collier County/ Landscaping Specialty
****Approved Reciprocity by Frank Herrada****

12. Lien request for non-payment of citation/ imposition of fines & costs:

Case No: 21400539

Name: Guadalupe Avelino Rodriguez Ruiz

Company: n/a

MCC: 6-77 Certificate of Competency required: unlicensed contractor

Issued: 11/29/2021

Intent to Lien notice: 4/11/2022

Fine: \$ 500.00 Administrative Costs: \$ 371.55

****Motion by Steve Henson 2nd by Donald Horton - no nays – Motion Passed
\$500.00 Fine Administrative fee \$371.55 thirty days to pay or lien****

INDUSTRY INPUT

Industry Input: We will now open the floor for any comments or questions from the construction industry or public. Please either use the raised hand feature on Zoom or make sure that you have filled out a green speaker card if you are here in person.

Jethon is there anyone with their hand raised on Zoom? ****No raised hands****

Do we have any in person speakers signed up to speak? **** 1 speaker present****

Old Business for Industry Input:

1. ABO Rey Ortiz – Continued clarification on Door & Window requirements
****Presented non-binding interpretation from BOAF – read into record
1 window does not trigger 30% (of the value of building)
The final decision from BO Griffin - No decision at this time, will be issuing a memorandum which will also include impact windows and requirements on replacements.
Question: Chairman Krause – windows & shutter requirements when required
ABO Ortiz read FS 707.4 – No further questions from the board.**
2. ABO Rey Ortiz – Mobile Home clarification on permitting/repairs and approved materials
****ABO Ortiz - Fla. Admin.Code does cite what can/can not be done to a mobile home, with BO memorandum in reference to same for same
Manufactured mobile home replacement/repair like for like prior to 1975 no longer available built after this date will be approved by BO Griffin**
3. ABO Rey Ortiz – Owner Builder Affidavit updates to existing form
****ABO Ortiz - Will be updated to the upcoming Oracle System Owner information section****
4. ABO Rey Ortiz – Update on the FL. Bldg.Code 707.4 cut-off dates and information
****ABO Ortiz – was answered #1 of this section****
5. ABO Rey Ortiz & Ed Koconis – Oracle Updates
****ABO Ortiz – Moving forward as expected, go date currently set for some time in June and possibility for public input/training end of May by select group of contractors. Future date to be scheduled for partial closing of permitting offices for final training and preparation. Date to be determined and adequate notification to public will be provided.
Donald Horton inquired on the select group for input/training and application process.
The contact person is Ed Kokonis.****
6. ABO Rey Ortiz – Update on requested additional information of the original Fema Agreement
****Correction answered by Karl Bursa – Presentation by Karl Bursa on clarification on 299sq ft Enclosure rules. (Available on MCTV 5/10/22 CEB)
Frank Herrada requested additional information on the limit of garage doors and the 299 sq.ft. enclosure, one or the other not both.
Chairman Krause – Requesting the review AE Zone only, louver aluminum panels 50% open space. BO Griffin can make a recommendation to Mr. Bursa to move forward and request**

FEMA guidance on approval of recommendation. Rick will discuss with Bursa on how to proceed without jeopardizing the Class 3 status.

Gary Centonze requesting BO and Karl Bursa to provide some ideas and some recommendations that will provide some relief to property owners in Monroe County. Chairman Krause requested a review and possibility of an adjustment to below flood restrictions to include 50% open space louvers in AE Zones Only. BO Griffin can request for Mr. Bursa to contact FEMA for recommendations. (No direction provided at meeting) BO Griffin working with Planning Dept. attempting a variance approval by BOCC allowing platforms within setback.

7. Update House Bill 736

****not discussed****

8. BO Rick Griffin – Update on requested guidance information packet for the public, when constructing below base flood.

****User guide to the Technical Bulletin will be place on the County Online Website to offer guidance to the public**** Date added to website: n/a at this time.

New Business for Industry Input:

1. Request by Chairman Krause for clarification of the Plans Review Process and Approvals required, on a Revision to a SFR-Single Family Residence issued permit.

Question: If a Revision is applied for and references Building Material Change - no change to the existing footprint as permitted.

Why does the Revision Plans Review process require a review by Planning & Bio Dept.?

How is the Building Dept. Plans reviewer not able to n/a-not applicable on these additional time consuming reviews on a revision?

What process is currently in place to expedite these types of Revisions that are Department specific?

****Per BO Griffin a Planning & Bio review is required to review per normal standard practices, all previously approved permits must be reviewed by and n/a by the Dept. That originally approved. Oracle will allow simultaneous review and should control the delay in revision approval process.**

Assist Dir. Envir. Mike Roberts presents at meeting to answer questions and concerns from the board members in reference to the revision question on permits. Each licensed discipline reviews their section of a permit and or revision as required per code.

ABO Ortiz forwarding permitting matrix for member review as requested. (Emailed 5/11/2022)

Planning review process for remodel/ repair projects should possibly be reviewed by plans reviewer and n/a building reviews not required with approved language to expedite the process.

From the public: Additional discussion on the current process in place for revisions and the matrix system requirements in place.

Continued:

2. Add-on – Fema Forms

****Previously approved Owner/ Contractor Affidavits Cost of Job detail list. No longer approved must use FEMA SISD Form provided by the Building Official.**

The Chairman requested the interpretation of the current Ordinance to be reviewed and allow the detailed owner/contractor affidavit allowed in lieu of Fema SISD Form.

Karl Bursa forwarding FEMA P758 guidelines to members. (Emailed 5/11/2022)

To Karl Bursa – Public questioned current County Form available on website with outdated information not acceptable at the counter. Request to possibly use the county contractors/ industry for input prior to moving forward with Forms and some county implementation.

Karl Bursa answer: The website form is under review and being updated at this time.

To BO Griffin – Public question – In reference to built-in appliances and the cost breakdown requirements, what is considered built in and should be listed on the FEMA form. Clear definition and direction on “an appliance” that is considered built-in.

Board members requested a decision from the Building Official to provide public clarification.

Lunch break: 12:30 p.m.

Back to Order: 1:45 p.m.

Continued after lunch break:

Chairman requested clarification on the substantial improvement requirements listed on the Substantial Improvement/Damage application packet.

Copies made of the Substantial Improvement application packet 6 pgs. on County website provided to members.

What is acceptable form of assessment by the County and Building Official – previously taken photos etc. In reference to storm damage vs. structural damage when assessing substantial improvement calculations.

****Building Official Rick Griffin requesting additional time to clarify and make a determination****

Page 2 -cost of demolition may be excluded. What is the definition of demolition?

**** Building Official Rick Griffin to interpret definition of Emergency Demolition**

Bottom page 2 – read into record by chairman.

Page 3 – Elevator should be included on the list presented.

Page 4 – Items required to evaluate your application – copy of construction contract?

Page 5 – Appliances – definition of built in once again requires clarification from Building Official

Property owners cost break down owner / contractor – excessive dollar amount breakdown being required. Average or basic breakdown should be considered.

Continued:

Building Official Rick Griffin, is not in agreement with Karl Bursa and the form being provided excessive detail dollar amounts being requested on form. He will work on form and the requirements being requested.

He will attempt to work with Fema and Karl in reference to update the current form.

Chairman Krause read sections of Resolution MCC245 - 215 passed in 2015

page 6 # 3. Cost estimate requirements in reference to damages and improvements.

Karl Bursa refers to MC Land Development Code Chapter 122 Section 122-3(b)

The required Form is provided by the BO Griffin – the form can be amended by Resolution and approved by BOCC – Attorney Thomas Wright agreed with Donald Horton the form can be amended and approved by the BOCC. The state does not make the final decision of approval on a county form.

BO Griffin reiterated the form does need amending. The procedure requires pre- approval from the Planning/ Bio Dept. and Floodplain prior to presenting to the BOCC as a Resolution Amendment.

3. Add-on – Construction cost breakdown Form for non-substantial building

Chairman Krause is requesting information on the new Form and information be provided to the board at the next CEB Meeting.

4. Add-on – Fema/ mechanical repair & replace below base flood

Donald Horton requested further clarification on the County procedure for the re-open of expired permits without final inspection. Usually done at re-sale of parcel.

Karl Bursa – referenced Fema Technical Document P-348 protecting building utility systems from flood damage. This document was adopted by the BOCC in 2015. Donald Horton clarifies the information in the technical document in his opinion references new construction.

BO Griffin clarifies in the past the removal and replacement in the same location, was approved as long as there was no substantial improvement. If only the condensing unit was replaced, and not considered a substantial improvement when permitted, then the re-open for final inspection of the permit would allow the condensing unit to be in the same location as originally located on CO'd plans. Can apply for a re-open permit for final inspection and once inspected could be approved and permit closed.

Chairman Krause inquired from ABO Ortiz if any further clarification about closing the office the building permitting offices. Mr. Ortiz did inform the Chairman that a decision has been postponed until further notice. The public and contractors board will be notified in advance as well as posting on the website. The dates and information on the office schedules and the new online Oracle permitting implementation will be communicated in a timely manner moving forward.

[Chairman to read into record]

If there is nothing further from the public, then this closes out the industry input section of this meeting and we will continue with the rest of the CEB agenda.

13. Old Business:

- A. Clarification requested by Chairman Krause on the approved Incentive Pay increase for multi-disciplined Building Plans Examiners and Building Inspectors/ Ed Koconis to present.
****ABO Ortiz provided information on question - available to new employees only? Or retroactive for employees?
No, not just for new employees. Employees rates were increased accordingly after the approval of the incentive pay. ****

Ad-On: Chairman Krause inquired about open position for unlicensed investigator.

**** Investigator Thompson informed board of possible candidate may be brought back for a second interview. ****

Donald Horton inquired about reaching out to DBPR and Workers Compensation State Office for some assistance in the area for unlicensed and workers compensation requirement violations.

**** Investigator Thompson currently works with DBPR. She can investigate on the possibility of workers compensation fraud dept. coming into the area for sweep. ****

- B. CEB Board Members Steve Henson and Gary Centonze were both approved by the BOCC on April 20th, 2022. For a 3-year reappointment to the Contractors Examining Board due to expire May 2025.
**** Read into record and congratulated****

14. Staff Reports

1. Rick Griffin, Building Official/CEB Secretary/ Rey Ortiz, Assistant Building Official
****nothing to report****
2. Thomas Wright, Contractors Examining Board Attorney
****nothing to report****
3. Kelly Dugan/ Assistant County Attorney
****nothing to report****
4. LaChelle Thompson, Unlicensed Contractor Code Investigator
****submitted her monthly report ****
Gary Centonze inquired about the progress of implementing HB735
Investigator Thompson is finding the owner and service business are exceeding the limits of the work the service business may offer without licensure.

Meeting adjourned: **3:15 p.m.**

Maria L. Partington CEB liaison / Senior Licensing Coordinator
Assistant liaison Jamie Gross / Licensing Coordinator
Monroe County Contractors Examining Board

Meeting Location - Open to the public:
Marathon Government Center
BOCC Room Second Floor
2798 Overseas Highway
Marathon, Fl. 33050

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.