

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
MIA SANTOS, LAYPERSON
VENETIA FLOWERS, LAYPERSON
BRENT ROBINSON, LAYPERSON
CHARLES E. MILLER, FIRST ALTERNATE, CGC023830

MINUTES
MONROE COUNTY
CONTRACTORS EXAMINING BOARD
REGULAR MEETING
TUESDAY MARCH 12, 2024 9:30 A.M. – 4:30 P.M.
MARATHON GOVERNMENT CENTER

Contractor Examiner Board Meeting Webinar Information

Topic: Contractor Examiner Board Meeting – **March 12, 2024**

Participation via Telephone, Computer, or Mobile App.

Webinar starts at 9:00 a.m. Meeting starts at 9:30 a.m.

Please click the link below to join the webinar:

<https://mcbocc.zoom.us/j/86480673485>

Or iPhone one-tap :

US: +16465189805,,86480673485# or +16699006833,,86480673485#

Or Telephone:

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

US: +1 646 518 9805 or +1 669 900 6833

Webinar ID: 864 8067 3485

International numbers available: <https://mcbocc.zoom.us/j/86480673485>

1. Call to Order / Roll Call – 9:39 a.m.

****Chairman Rudy Krause, Frank Herrada, Venetia Flowers, Don Horton and Gary Centonze****

2. Excused Absence Approval – Brent Robinson (not available), Steve Henson (medical), and Mia Santos (medical) ****Motion for approval of absence by Don Horton seconded Frank Herrada no nays****

3. Agenda Changes -
Add-On:

****Page 4. # 4. Industry Input-Discussion of New Items (would like to have this added to all future agendas as well.)**

****Motion to approve agenda changes made by Frank Herrad seconded by Don Horton no nays****

4. Approval of Agenda –
****Approval by Frank Herrada seconded Don Horton - no nays****
5. Approval of Minutes for January 16, 2024 (must have participated in meeting to move or second)
****Approved by Don Horton seconded by Venetia Flowers no nays****
6. Next scheduled meeting: May 7, 2024
7. Swearing - in of Witnesses to Testify – **by Board Attorney Thomas Wright**
8. "Is there anyone from the public who would like to speak on an Agenda item?"
****Gary Burchfield on Zoom and Armand Messina in person****
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?
****records show no****

****Chairman Rudy Krause and Board expressed appreciation of service for Maria Partington and Tom Wright as this is the last CEB meeting for both****

Old Business:

10. CBAA – Construction Board of Adjustment & Appeals – BOCC met on February 21, 2024 and approved both applicants for a 3 year term
 - a. Thomas Walker
 - b. William Campbell****Read into record****

New Business:

11. Renewal / reinstatement request of expired Certificate of Competency 2-year renewal period expired on October 31, 2023.
 1. Edward J Sanchez/Building Contractor RB466B – State Registration RB29003688
**** Mr. Sanchez was available on Zoom and said that he meant to let his fencing license expire not this one and got them confused.**
Motion by Don Horton approval to re-instatement seconded by Frank Herrada
- no nays.
 2. Bradley S Bennett/ Drywall Specialty Contractor SP4331 – State Registration RX11066865
**** Mr. Bennett was available on Zoom. He was out of town when he got the renewal**

reminder and then just forgot it.

Motion by Frank Herrada approval to re-instate seconded by Gary Centonze - no nays.

3. Gary Burchfield/Roofing Contractor/County RC605 –RC29027091

****Mr. Burchfield was available on Zoom. Office transition and personal issues caused him to miss the due date.**

Motion by Don Horton approval to re-instate seconded by Frank Herrada -no nays.

4. William Valdes Zuazo/Glazing Specialty Contractor/County SP4552

****Mr. Valdez Zuazo was available on Zoom. Said he did not receive the paperwork in the mail. Address confirmed by him as 3660 NW 41st Street, Miami FL 33142.**

Motion by Don Horton approval to re-instate seconded by Frank Herrada-no nays.

5. Steven B Weaver/Building Contractor/County RB483B-State Registration RB29003847

**** Not present in person or on Zoom.**

Don Horton moved to continue until next meeting seconded by Gary Centonze -no nays.

12. Construction trades applications ****Frank Herrada will be recusing himself from discussion on applicant number 9 due to a familial relationship (daughter).****

1. Butterfield, Joshua Lee/ New Application/Specialty Painting Contractor **Approved for test Rudy Krause**

2. Henry, Stefanie/New Application/Specialty Flooring Contractor **Approved for test Frank Herrada**

3. Ayres, Dylan/New Application/Glazing Specialty Contractor **Approved for test Gary Centonze**

4. LaMattina, Alain/Re-approval for 2 years/Glazing Specialty Contractor **Approved for test Gary Centonze**

5. Prado, Aldolph/New Applicant/Cabinet and Millwork **Approved for test Don Horton**

6. Voiles, John/Re-approval for 2 years/General Contractor **Approved for test Rudy Krause (originally assigned to Mia Santos.)**

7. Padin, Yordani/New Application/Cabinet and Millwork **Approved for test Don Horton**

8. James, Taylor L/New Application/Specialty Painting Contractor **Approved for test Venetia Flowers**

9. Herrada, Mercedes Edith/New Applicant/Unlimited Pool Contractor **Approved for test Rudy Krause**

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? **Answered no.**

Do we have any in person speakers signed up to speak? **Armand Messina-Pres. FL Keys Contractor Assn.**

1. Armand Messina, Public Speaker, FL Keys Contract Assn – March 12, 2024

Many contractors are seeing repeat offenders working. What happens with Unlicensed Contractor Complaints? Can we work together with Sherrif or District Attorney? ****BO Griffin- We only have 2 inspectors, and they have to be caught on site. They can only go on property if there is an open permit.**

Rudy Krause- Lachelle can only do certain types of violations. Can she site for unpermitted work? BO Griffin- They are still working out procedures for unpermitted work but complaints cannot be anonymous.

Rudy Krause-Understands that complaint cannot be anonymous. Can homeowners be sited for unpermitted work if the contractor cannot be caught? Attorney Dugan-Yes, it would need to be referred to code. Rudy Krause-Is Unlicensed Contracting automatically referring to code when unpermitted work is found? BO Griffin-Yes, that is what usually happens.

Don Horton to Armand Messina-Is there a section of the Keys that the complaints are more prevalent? Mr. Messina-Many reports from up and down the Keys a lot of them are condos.

Mr. Messina-What if we have pictures of them working can they be sited based on that?

Don Horton-No, they have to be personally seen by the investigator so they can testify to the unlicensed work.

Mr. Messina- When you catch someone what happens then?

Doug Peel- He can only site if they come of property when there is no permit. He cites them if he can. BO Griffin then decides whether or not to do a Stop Work Order if life safety is a concern or a Code Referral, but it is Rick's decision not the officer as to what to do when a citation cannot be issued.

Mr. Messina-Isn't this a felony? Can they be arrested? Feels like nothing is being done.

Attorney Dugan-Not in all cases. We cannot arrest, we can only issue civil citations. It is only a felony during a state of emergency. CEB is only civil and can only fine or impact contractor licenses. Law enforcement handles any criminal investigations.

Don Horton-Is any of this referred to DBPR? BO Griffin-Not at this time. Mark Terrill is the DBPR representative in the Keys. Don Horton-Can we start referring these to the state? Rudy

Krause said that referrals to DBPR have to come from BO it cannot come from FL Keys Contr. Assn. Gary Centonze recommended to Mr. Messina that the Contr. Assn can take out an ad education homeowner about the dangers of hiring unlicensed contractors (lawsuits, citations, etc.) We have to police our own industry.

Frank Herrada-He spoke to mark at DBPR and they have done some stings in the county. Can we do something like this with the Sheriff's office?

Mr. Messina-Is the county going after advertising on trucks?

Rudy Krause-New trucks can no longer have magnets on them to meet the advertising regulations. To Rick- When there is a complain and no one is seen on site does it get referred to code?

BO Griffin-yes it would be.

Rudy Krause- Is there a way to track complaints to cases online? BO Griffin-They will need to call lor email to check.

Mr. Messina- Do you have to give a name to make a complaint, or can it be made from the FL Keys Contr. Assn? Attorney Dugan-It must be a name and address.

Mr. Messina-Can it be FL Keys Contr. Assn. or does it have to be a person? Attorney Dugan- There is no case law, but the law says person. She can look into it to see if she can clarify the issue. Frank Herrada-He just looked at the law and it says individual. It cannot be an Assn.

Mr. Messina has been in contact with State Attorney Denis Ward and it comes down to lack of staff in his office.

2. Mr. Messina President of the FL Keys Contractor Assn asked what the relationship between Monroe County and the City of Marathon was. ****Attorney Dugan said we have no interlocal agreement with them right now and that Marathon would need to request it if they want to pursue that****

New Business for Industry Input:

1. BO Griffin – Lori Lehr (zoom/webinar invitee) ****Info has been placed in CEB binders BO Griffin says neither he nor Ms. Lehr is knowledgeable on the insurance rates**** Chairman Krause asked how the discounts are really working for individual policies and asked if we could get a rep. from FIRM to discuss insurance. Attorney Dugan said that falls outside the scope of the CEB.

Old Business for Industry Input:

1. Don Horton-Sept 12, 2023:

BO Griffin-Contacting FEMA on final approval of form and verify implementation of the approved form. FEMA substantial damage assessment form**** Still waiting on final approval. Troy Winterfield recommended when asked that we can go ahead and use the new form since it has not been rejected**

and as Mr. Horton pointed out FEMA only provides guidelines. Chairman Krause asked if signed copies of contracts were still OK to accept and Troy reported that yes they were**

2. Chairman Krause-Sept 12, 2023

Monroe County Online Permitting System

Ed Koconis to provide updates: **sent updates via email to be read into record**

a. Continued conversation on the new Contractor/Sub Contractor authorization Form:

Why is the form required every time, even if applicant is already authorized agent.

Why would the contractor/qualifier be required to provide a signed form, when applying as the permit applicant.

****This was addressed in an email set to CEB and ListServ in Feb. Form now required in fewer situations- item complete****

Previous asked questions remaining on agenda until completed (including who and when the quest was presented to the board)

a. Don Horton – Sept 12, 2023

Inspections-time field is available as a choice. If not available item should be grayed out or removed.

****This was addressed in an email sent to CEB and ListServ in Feb. Time of Day option has been removed- item complete****

b. Don Horton – Sept 12, 2023

Can permit contact section auto populate the contractor/emails listed on the contractor section of the permit. ****The system cannot perform at this time****

c. Mia Santos – Jan 16, 2024

Inspection onsite document requirements-the system is not user friendly, does not provide the list of approved attachments that need to be printed and placed on site for inspections. Frank Herrada suggested possibly changing the color of the stamped final approved set of plans. ****Frank was not aware that we already use 3 different colors for different disciplines. Please rescind this request-item completed****

d. Mia Santos – Jan 16, 2024

Permit card – Addition of permit conditions returned to the printable format as part of the permit card ****Rey Ortiz-Permit card meets FBC requirements and extra info can make the permit card very large, and he is hoping to eventually eliminate conditions from the permit entirely. Ms. Santos(via Zoom) wants the card to have the same information that it did under Community Plus. Mr. Ortiz will meet with Mr. Koconis to come up with a solution before the next meeting****

e. Don Horton – March 14, 2024

Change of permit applicant once permit is issued. ****Ed Koconis-this was addressed in an email sent to CEB and ListServ in Feb. This is now possible-Item completed****

f. Public Speaker-Mr. Urbanski-July 11, 2023

Online permitting system requiring an inclusive Search program that includes historical data. ****Ed Koconis-Web page has multiple options for viewing completed and expired permits. Rudy Krause wants a more effective search as this information is important for the FEMA 50% rule. Rey Ortiz**

suggested a Public Records request as an option, but also said he would meet with Rick and Ed regarding a long-term solution**

g. Steve Henson and board members – Jan 16, 2024

Requested a blast email be sent out and notify contractors and the public of the penalties that an unlicensed contractor and no permit can face within Monroe County. ****This is on hold until BOCC discusses changing the fine amounts****

h. Chairman Krause – March 14, 2023

BO Griffin – verify the requirement of 24 inches of non-structural landscape fill in V zone. ****Technical Bulletin 5 provided in binders. Minimal amount of fill can be used for drainage around pools (12”), a v zone certificate still needed, and pools are not allowed to be under houses in a v zone****

i. Chairman Krause – March 14, 2023

Continued conversation on current County Ordinances that are more stringent than the Florida Building Code and or FEMA regulations. ****Troy Winterfield – Pools are more stringent, inspections for enclosures prior to sale. New in FBC accessory structures are limited in both A & V zones, but our 299 sf restriction is more restrictive than the FBC. Mr. Krause asked for an update on the inspections and Attorney Dugan answered that it won't be sent to FEMA without final BOCC approval. It was discussed at Jan. BOCC meeting. Mr. Krause would like an update on this.**

3. Gary Centonze/Steve Henson – September 12, 1013

Attorney Thomas Wright – Update on the recommendation by the CEB to increase the current Monroe County/Florida Building Code/Florida Statutes Violation fine from \$ 500.00 to \$ 2,500.00 per violation.

****This matter is now under the consideration of the BOCC. It is up to them to decide whether or not to take up this issue. They received the letter from Mr. Wright. Mr. Krause asked if the CEB wants to move forward with more cases. Don Horton made a motion to recommend that the County adopt a policy that unlicensed activity be issued a Notice to Appear rather than a violation. This was seconded by Venetia Flowers and passed unanimously****

**** BO Griffin was asked if he would support this policy and he answered yes. Attorney Duggan reiterated a previous discussion that the Notice to Appear policy can be changed without BOCC approval, but BOCC approval is needed to increase the fines****

4. Discussion of New Items:

a. Rudy Krause – March 12, 2024

What planning issues can be discussed going forward - ****Attorney Dugan will send out direction from Attorney Peter Morris to CEB****

b. Rudy Krause – March 12, 2024

Why is there no one here from planning even with BOCC resolution 165-2021? ****Tom Wright indicated that the new attorney could address the BOCC on this****

c. Venetia Flowers – March 12, 2024

When a revision is sent in does anyone get a system notification? ****Rey Ortiz- CSRs get the information and disperse it to the correct department****

d. Frank Herrada – March 12, 2024

He will be bringing the ordinance to the next meeting for discussion about scopes of work that do not apply to planning.

e. Rudy Krause – March 12, 2024

Provided information to the Board that DBPR is in the process of developing new categories of specialty licenses per HB 1383. ****Attorney Dugan noted that while the categories were adopted last year there was a new bill SB 1142 that extended the time to create those licenses to July 1, 2025****

f. Rudy Krause – March 12, 2024

Mitigation fee for Bio have changed effective 4/1/24, but he will have to contact Bio after the meeting for the information on these changes since there is no one from Bio/Planning at this meeting.

g. Don Horton – March 12, 2024

A Permit to remove & replace cabinetry has an Environmental fee. Why is this. Rudy Krause mentioned that this fee should only be charged if the square footage is increased. ****BO Griffin has not seen this fee charged. Rudy Krause said he has several permits with this fee. Who should he talk to about these fees? Rey Ortiz- For Permit fees talk to Crystal Sebben, but for why a fee is being charged talk to Mike Roberts****

h. Rudy Krause – March 12, 2024

Is the Restricted Covenant language in the Land Development Code covered by the Building Department? ****Rey Ortiz- No, that would be the Planning Department questions will need to be directed to Emily's staff****

i. Rudy Krause – March 12, 2024

Would like to see the website updated on the 90 day extension language. ****Rey Ortiz will make sure it gets updated****

j. Rudy Krause – March 12, 2024

There is some odd language in some mechanical permits that made the public think that extra fees will be charged. ****Rey Ortiz will look into it****

k. Rudy Krause – March 12, 2024

ROGO Points have changed this year. Can you answer questions about that? ****Rey Ortiz-Planning would need to answer those questions****

l. Rudy Krause – March 12, 2024

Is there an update on having a new attorney in place for the next CEB meeting? ****Attorney Dugan- We are planning to have a new attorney in place by the May meeting. We have a back-up plan of using the attorney for the Planning Commission or moving the meeting to the overflow date of June 11****

m. Rudy Krause – March 12, 2024

With Maria leaving what is the staffing plan for the Contractor License Department? ****BO Griffin-The plan is to get a new person for the department. The date will be revisited once the retirement date is fixed****

n. Rudy Krause – March 12, 2024

Have we replaced Corey's position in the Marathon inspector office? ****BO Griffin-Bradly Albright from the Key Largo office will take the Chief position in the Marathon office****

Lunch Break from 12:24 pm through 1:43 pm

[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.

15. Staff Reports

1. Rick Griffin Building Official - CEB Secretary
****nothing to report****
2. Rey Ortiz Assistant Building Official – Dir. Contractor licensing Dept.
****Gave a brief update on the new Building Safety Inspection Program****
3. Thomas Wright, Contractors Examining Board Attorney
****It has been a pleasure to represent the CEB for 15 years, and he wishes everyone the best.**

The CEB appreciates his service.**

4. Kelly Dugan/ Assistant County Attorney
****Nothing to report****
5. LaChelle Thompson, Unlicensed Contractor Code Investigator
****Provided Dept. monthly report to board members****

Meeting adjourned: 2:55 p.m.

**Jamie Gross / Senior Contractor 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 FS](#), 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.