

**BUILDING BOARD
MEETING
FEBRUARY 24, 2009**

MEMBERS PRESENT: Mary Fleenor, Chairman
John Burrage, Thomas Cavanaugh, James McClary,
David Reeves, Larry Sandles, Al Villalobos

MEMBERS ABSENT: Peter Coccaro

OTHERS PRESENT: David Levin, City Attorney; Randy Cole, Building Official; John Smith,
Plans Examiner; Mike Wilson, Board Attorney; Suzy Russell, Permit
Supervisor; Albert Wiker, Alternate Board Member; Sandra Jelliff,
Andrew Jelliff, Stephan Weiss

CALL TO ORDER/ANNOUNCEMENTS

A. Roll Call

APPROVAL OF MINUTES

A. Meeting of January 27, 2009

- Mr. Sandles MOVED, Ms. Fleenor SECONDED approval of the January 27, 2009 minutes.
MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

- Recording Secretary Stewart swore in all participants.
- City Attorney David Levin provided a brief update on the Adamo versus City of Punta Gorda case, stating the Board's decision was challenged in Circuit Court. He explained the Court ruled in the City's favor with regard to Adamo's charge of violation of due process, adding the Court did not make a finding with respect to whether or not the Board's decision was supported by competent and substantial evidence but rather quashed the Board's Order and remanded to the Board on the basis that the Board did not follow one of the procedural requirements of City Code. He clarified the City must go back and cure that defect after which the Court would go on to consider whether or not competent and substantial evidence was available in the record to support the findings. He expressed optimism based on the Court's posture at this point. He stated the Court also ordered the matter to come back before the Board for a new hearing; however, he did not feel same was the appropriate remedy to cure the defect and thus had filed a motion for clarification to advise the Court, based on case law, that the hearing itself did not need to be re-opened but rather the deliberation held following the hearing. He noted City Code stated the Board must make definitive findings and recommendations either sustaining the charges and finding the certificate holder guilty or finding the person so charged not guilty. He advised the Board must

now make a specific finding of guilt or innocence with respect to each count in every case heard. He summarized the Adamo case would come back to the Board for a review of the hearing transcript, adding he would present a list of each charge and would ask the Board to make a finding of guilt or innocence. He noted he would provide members with copies of suggested motions for each case from this point forward.

- Ms. Fleenor asked if the Board would need to make two motions, one finding guilt or innocence and one related to penalty.
- City Attorney Levin replied affirmatively. He commented on one of the cases to be heard this date, stating the City would only seek prosecution with respect to City Code as opposed to State violations.
- Ms. Fleenor asked if the Board would then impose fines associated with each violation.
- City Attorney Levin replied City Code provided for the Board to impose one or a combination of restitution, overall penalty and/or revocation of City permitting privileges rather than licenses. He reminded members the Board did not have the authority to directly penalize State licensed contractors.
- A. Charges Filed against Supreme Contracting Inc., Sandra Jelliff, Qualifier
 - Mr. Randy Cole, Building Official, announced staff continued to work towards finalizing unfinished or uninspected projects as discussed at the Board's last meeting.
 - Mr. Burrage confirmed Ms. Sandra Jelliff, qualifier, was present, noting she had not attended the Board's January 2009 meeting.
 - City Attorney Levin confirmed Ms. Jelliff was properly served with notice of the Board's hearing and had not submitted a request for continuance, adding the Board heard the case and voted to revoke the permitting privileges of Supreme Contracting. He advised there was no need to take any additional action with regard to the evidence and testimony portion of the hearing unless the Board wished to formally re-open the hearing and begin anew. He expressed uncertainty with regard to the Board's request to include the case on this agenda.
 - Mr. Burrage explained the Board felt compassion for the building industry, adding members were willing to give the qualifier a chance to state her position.
 - City Attorney Levin confirmed the City was prepared to re-open the case, present testimony anew and provide the qualifier the opportunity to present her defenses.
 - Mr. McClary MOVED, Mr. Villalobos SECONDED to re-open the hearing.
 - VOTING AYE: Cavanaugh, McClary, Reeves, Villalobos, Burrage.
 - VOTING NAY: Fleenor, Sandles.
 - MOTION CARRIED.

- Mr. Burrage asked Ms. Jelliff if she was aware of all charges against her company.
- Ms. Jelliff replied affirmatively, stating she had been out of town on the day of the Board's January 2009 meeting. She noted she had telephoned the City to request a continuance and had been advised such request must be submitted in writing; however, she acknowledged she had never done so.
- City Attorney Levin confirmed Ms. Jelliff had received notice of the Board's January 2009 hearing, adding that notice identified all charges. He then announced Supreme Contracting had been charged with violation of City Code Section 7-13(a)(3), 7 counts, and Section 7-13(a)(2), 2 counts.
- Ms. Fleenor commented four different, alleged violations of City Code had been identified in the agenda material, confirming two had been dismissed.
- Mr. John Smith, Plans Examiner, advised Supreme Contracting/Ms. Jelliff had been charged with seven counts of violation of Section 7-13(a)(3), Abandonment of any contract without legal excuse or justification, and two counts of violation of Section 7-13(a)(2), Negligence, incompetency or misconduct and carrying on a business of contracting within the means of the subject Chapter of City Code. He reported seven violations of Section 7-13(a)(3) in Buttonwood Village, specifically 701 Aqui Esta Drive, Units 8, 52, 54, 84, 85, 149 and 154. He testified he had personally inspected all subject properties and confirmed all had deficiencies. He mentioned he spoke with Mr. Andrew Jelliff on this matter approximately two months earlier and was informed this issue would be resolved. He advised Mr. Jelliff did not inform him he would be unable to attend the January 2009 meeting.
- City Attorney Levin requested documentation confirming Ms. Jelliff was the qualifier for the seven properties identified by Mr. Smith.
- Mr. Smith responded the license application identified Ms. Jelliff as the qualifier and included a photograph.
- City Attorney Levin asked what evidence was available indicating the contracts had been abandoned.
- Mr. Smith replied the 2005 permits had expired, adding approved, final inspections were required six months from date of issuance; thus, these permits were approximately four years old.
- City Attorney Levin asked if the City had been provided with any type of written statement of justification for abandonment.
- Mr. Smith replied he had not.
- City Attorney Levin then asked Mr. Smith to identify the basis for the two counts of negligence, incompetency and misconduct.

- Mr. Smith commented there should actually be seven counts as each property had deficiencies.
- City Attorney Levin acknowledged same; however, the City's notice only identified two.
- Mr. Smith responded he could not identify the two locations at this time.
- Ms. Fleenor interjected the Board's agenda material stated "two" counts of negligence in one paragraph and "seven" counts in another.
- City Attorney Levin confirmed "two" was a typographical error. He then asked Mr. Smith to identify the basis of the seven counts.
- Mr. Smith testified as to Unit 8, stating the fourth wall construction was missing, two 2'x4' knee braces were required, an attachment detail for the roof to beam must be provided, roof beam to wood wall construction, ¼" thru bolts were required at the base of each column or 3 3/8" thru bolts. He explained this work was incomplete and presented a safety issue in that a storm event could result in flying debris.
- City Attorney Levin then questioned Mr. Smith's observations with respect to Unit 52.
- Mr. Smith replied fourth wall construction was required, knee braces were required at the columns and two ¼" thru bolts were required at the base of each column. He clarified the work was incomplete at this time
- City Attorney Levin asked Mr. Smith to identify his observations with respect to Unit 54.
- Mr. Smith replied missing fourth wall construction, knee braces were required and ¼" thru bolts were required at the base of the columns, adding those items were incomplete.
- City Attorney Levin asked Mr. Smith to identify his observations with respect to Unit 84.
- Mr. Smith replied 2'x8's and 2'x6's had been substituted for 2'x9's, the latter being called out on the plans, one 2'x4' missing on the right side of the carport, knee braces were required on the columns, and four ¼" thru bolts or three 3/8" thru bolts were required at the base of each column. He concluded this work was incomplete. At City Attorney Levin's request for his observations regarding Unit 85, he reported the screen enclosure had not been constructed according to the plans; thus, a plans change would be required. He continued 2'x4' knee braces were required on the columns, and four ¼" thru bolts or three 3/8" thru bolts were required at the base of each column, adding this work was incomplete. With regard to Unit 149, he advised fourth wall construction was missing, 2'x3' knee braces were required at each column and two ¼" thru bolts were required at the base of each column, adding that work was not completed.
- City Attorney Levin then requested Mr. Smith's testimony with regard to Unit 154.

- Mr. Smith stated fourth wall construction was missing, 2'x3' knee braces were required at each columns and two ¼" thru bolts were required at the base of each column, adding this work was incomplete as well.
- City Attorney Levin submitted seven inspection status reports into the record, noting same had been included in members' agenda material. He confirmed all identified properties were located within City limits.
- Mr. Burrage clarified the inspection reports were at least eight months old.
- Mr. Cole asked Mr. Smith to explain the significance of fourth wall construction.
- Mr. Smith explained most older mobile homes required same as the overhang attached to the home was not structurally adequate to carry the load; thus, a fourth wall was built in front of that wall to carry that load without an actual attachment to the structure. He clarified it was actually part of the structural member which supported the roof above it.
- Mr. Cavanaugh asked if the fourth wall was depicted on the documents submitted for approval.
- Mr. Smith replied affirmatively, stating it was built as part of the enclosure.
- Mr. Sandles commented fourth walls were actually meant to be almost an independent structure.
- City Attorney Levin then announced Mr. Smith was available for questions.
- Ms. Jelliff commented on Supreme Contracting's character, asking how many City permits had been pulled which were finalized and in good standing.
- Mr. Smith replied he did not have that information at this time.
- Mr. Jelliff advised several hundred permits were finished in good standing. He noted each homeowner of the seven properties were 100% satisfied with the work performed. He asserted they had been unaware these permits were still open.
- Mr. Burrage pointed out contractors must meet the requirements of both their customers and the municipality.
- Mr. Jelliff acknowledged same. He disagreed with a portion of Mr. Smith's testimony, specifically with regard to a lack of bolts, contending only one ½" bolt was required, and some of the homes did not require fourth wall construction. He stated Supreme Contracting was aware of the problems and was willing to rectify same; however, the economy was negatively affecting business. He clarified they simply had not had sufficient funds to fix the stated deficiencies. He asserted they had never intentionally abandoned a job.
- Mr. Burrage asked how much time was needed to correct the identified deficiencies.

- Ms. Jelliff replied they could all be taken care of very quickly; however, finances were prohibiting them from doing so.
- Mr. Jelliff opined all work could be completed within one month. He advised all records with the exception of Lot 84 had been pulled. He reiterated not all of the plans showed a fourth wall, adding he disputed the knee wall brace requirements unless a carport was freestanding.
- Mr. Smith commented on Mr. Jelliff's statement regarding his customers, stating a homeowner may be satisfied but unaware of safety requirements. He reminded the Board of the upcoming hurricane season, stating Supreme Contracting's Insurance was in jeopardy.
- Mr. Jelliff asked why three years had elapsed before the City contacted him.
- Mr. Smith replied scheduling of inspections was not the City's responsibility. He explained staff had only recently had sufficient time to begin to review hundreds of old cases.
- Ms. Jelliff noted Supreme Contracting was in the process of filing bankruptcy, reiterating their finances were minimal.
- City Attorney Levin then provided the Board with a list of suggested motions for all 14 counts.
- Mr. McClary asked what recourse the City would have if the qualifier filed bankruptcy and dissolved the company.
- City Attorney Levin replied the subject charges were filed against the qualifier, Ms. Jelliff. He advised the Board's deliberations were to be done in two phases, the first to determine guilt or innocence, the second being the penalty phase.
- Mr. Cavanaugh commented Mr. Jelliff's testimony with regard to what had been part of the approved plans differed from Mr. Smith's, stating he believed the Board must have a clearer understanding before moving forward.
- City Attorney Levin agreed, stating if sufficient evidence of guilt had not been heard with respect to a particular property, the Board must make a finding of not guilty.
- Mr. Smith confirmed he had copies of the plans, stating his inspections were conducted according to the approved plans. He asserted the deficiencies he identified were based on the approved plans, submitting same into evidence.
- Mr. Burrage opined the City's goal was to gain compliance, asking if this process must be followed.
- City Attorney Levin replied affirmatively, noting the Board could take into consideration any mitigating factors.

- Mr. Villalobos asked if the Board should wait to determine guilt in that the qualifier was willing to work with the City to resolve this issue.
- Mr. Cole pointed out staff had made numerous attempts to work with the qualifier to no avail, adding Ms. Jelliff had not appeared before the Board at their last meeting even though she was properly noticed.
- Mr. McClary stated although the qualifier was willing to do anything, they did not have any funds to do so; thus, he opined they would not complete the work.
- Ms. Levin responded they had just completed a job and were awaiting payment, adding they would then be able to complete at least some of the work.
- City Attorney Levin commented many people will acknowledge a mistake, stating the Board had several options: (1) continue the case, ask the qualifier to come into compliance and, if so, dismiss all charges; (2) make a finding of guilt and issue an enforceable order to require the qualifier to come into compliance; (3) a jury pardon where the Board had the ability to find the qualifier not guilty on all charges even though the evidence may be to the contrary. He recommended Option (2).
- Ms. Fleenor asked if the Board could fine the qualifier guilty, impose fines and then waive same if compliance was achieved.
- City Attorney Levin responded a better approach was to find guilt, place the qualifier on probation for a certain period of time and then make a determination at the end of that period.
- Ms. Jelliff then stated she did not believe they were denying the charge with respect to fourth wall construction.
- Mr. Jelliff replied some were shown while others were not.
- Ms. Jelliff countered some were not shown on the drawings but were depicted on the engineering.
- Mr. Jelliff noted some carports were underneath the overhang against the wall of the home itself, adding some manufacturers had provided a letter stating fourth wall construction was not required.
- Mr. Smith drew members' attention to his evidence indicating the fourth wall construction requirement on Lot 52, specifically the second page of the engineering plans, which was submitted with the permit application. He advised any waiver of this requirement would have required a letter attesting to the unit being constructed after approximately 1986 and that same was structurally able to carry that load. He asserted that letter was not provided with the application package.
- Mr. Jelliff stated a fourth wall on Lot 52 would prohibit a window from opening.

- Ms. Jelliff interjected she did not believe they were contesting the fourth wall requirement but rather the deficiencies regarding bolts.
- Mr. Smith stated this was a discrepancy between interpretation of the engineering which should be discussed between the qualifier and himself as opposed to the Board. He noted he last spoke with Mr. Jelliff on January 15, 2009, and provided him with a detailed list of deficiencies, adding Mr. Jelliff stated he would visit each job site and report back to Mr. Smith with regard to when the repairs would be done; however, he had not spoken with Mr. Jelliff until this date.
- Ms. Jelliff stated they had been working since that time to generate the money necessary to complete the repairs.
- Mr. Reeves questioned the cost of repairs.
- Mr. Jelliff replied \$200 to \$300 per job or \$2,500 in materials.
- Mr. Burrage asked the qualifier if any work could be performed within the next month.
- Mr. Jelliff requested 30 days to resolve all deficiencies identified this date.
- Mr. McClary MOVED, Mr. Sandles SECONDED after considering the charges, evidence and arguments presented before this Board to find Ms. Sandra Jelliff guilty of violating Section 7-13(a)(3), Punta Gorda Code, concerning the abandonment of a contract for construction at 701 Aqui Esta Drive, Lots 8, 52, 54, 84, 85, 149 and 154, Punta Gorda, Florida, without legal excuse of justification. MOTION CARRIED UNANIMOUSLY.
- Mr. McClary MOVED, Mr. Sandles SECONDED after considering the charges, evidence and arguments presented before this Board to find Ms. Sandra Jelliff guilty of violating Section 7-13(a)(2), Punta Gorda Code, concerning negligence, incompetency or misconduct in carrying on the business of contracting at 701 Aqui Esta Drive, Lots 8, 52, 54, 84, 85, 149 and 154, Punta Gorda, Florida, without legal excuse of justification.
- VOTING AYE: Cavanaugh, Fleenor, McClary, Reeves, Sandles, Burrage.
- VOTING NAY: Villalobos.
- MOTION CARRIED.
- Ms. Fleenor MOVED , Mr. McClary SECONDED to suspend new permitting privileges for 30 days, require the qualifier to appear at the Board's next meeting and show all work had been completed, fines to be reviewed at that point if work was not complete.
- Mr. Sandles confirmed suspension of new permitting privileges would leave the qualifier with the ability to complete the jobs discussed this date.
- Mr. Reeves suggested placing the qualifier on a one-year probation and requiring all deficiencies to be corrected within 30 days, adding permitting privileges could then be suspended if compliance was not attained.

- Mr. Sandles asked if the qualifier had any jobs in the City other than what had been discussed this date.
 - Mr. Jelliff replied they had nothing in the City.
 - Mr. Reeves pointed out they would be unable to bid on a job which became available within the next 30 days.
 - Mr. Sandles countered the qualifier had been paid for the seven jobs back in 2005, adding the contractor was responsible to obtain a final inspection. He asserted those homeowners were unprotected in the event of a damaging storm as their insurer would deny coverage. He opined the majority of homeowners were unaware of same.
 - Ms. Fleenor WITHDREW her MOTION.
 - Mr. McClary WITHDREW his SECOND.
 - Ms. Fleenor MOVED, Mr. McClary SECONDED to place Ms. Sandra Jelliff on probation until March 24, 2009, at which time the Board would determine if the issues had been resolved and, if not, may take additional, appropriate action.
 - VOTING AYE: Cavanaugh, Fleenor, McClary, Reeves, Villalobos, Burrage.
 - VOTING NAY: Sandles.
 - MOTION CARRIED.
 - City Attorney Levin confirmed Ms. Jelliff was noticed of the requirement to appear at the Board's March 24, 2009 meeting.
 - Ms. Jelliff acknowledged their State licenses and Workers Compensation insurance would need to be updated prior to any work taking place.
- B. Charges Filed against Weiss Construction Company Inc., Stephan Weiss, Qualifier
- Mr. Smith advised four of the five problems outlined at the Board's previous meeting had been rectified, recommending a 30 day continuance as the last enclosure on 2790 Luna Court required site specific engineering.
 - Mr. Sandles MOVED, Ms. Fleenor SECONDED to continue this case to March 24, 2009. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

- A. Election of Chairman and Vice Chairman
- Recording Secretary Stewart opened the floor for nominations for Chairman.
 - Ms. Fleenor NOMINATED Mr. Sandles for Chairman.
 - Mr. Sandles declined the nomination.
 - Mr. Sandles NOMINATED Ms. Fleenor for Chairman.
 - As there were no other nominations, Ms. Fleenor was appointed Chairman by acclamation.
 - Recording Secretary Stewart opened the floor for nominations for Vice Chairman.

- Ms. Fleenor NOMINATED Mr. Cavanaugh for Vice Chairman.
 - Mr. Cavanaugh declined the nomination.
 - Ms. Fleenor NOMINATED Mr. McClary for Vice Chairman.
 - Mr. McClary declined the nomination.
 - Ms. Fleenor NOMINATED Mr. Sandles for Vice Chairman.
 - As there were no other nominations, Mr. Sandles was appointed Vice Chairman by acclamation.
- B. Charges filed against Aluminum Installers of Florida Inc., Jay Corcoran, Qualifier
- Ms. Fleenor confirmed Mr. Corcoran was not in attendance.
 - Mr. Smith confirmed Mr. Corcoran was properly served with notice of this hearing.
 - Discussion ensued with regard to the charges outlined within the agenda material.
 - City Attorney Levin concluded the qualifier had been charged with 25 separate counts as follows: 12 counts of violation of City Code Section 7-13(a)(3), Abandonment of any contract without legal excuse or justification; 12 counts of violation of City Code Section 7-13(a)(2), Negligence, incompetency or misconduct in carrying on the business of contracting within the means of this chapter; 1 count of violation of violation of Florida Statute (F.S.) 489.129(1)(o), Proceeding on a job without permit(s) or inspection(s).
 - Ms. Fleenor asked if anything had been received from Mr. Corcoran.
 - Mr. Smith replied nothing had been submitted, stating the last date of communication was on April 23, 2007, specifically a telephone call placed by him to Mr. Corcoran.
 - Ms. Suzy Russell, Permit Supervisor, interjected this hearing had originally been scheduled for the January 2009 Meeting, adding she had received confirmation of Mr. Corcoran's notice; however, Mr. Corcoran requested additional information which was provided. She concluded she had heard nothing since that time.
 - Mr. Burrage clarified Mr. Corcoran was no longer pulling permits in the City.
 - Mr. Villalobos asked if Mr. Corcoran was still in business.
 - Mr. Smith replied he had no knowledge of same. He then entered into evidence documentation identifying Mr. Corcoran as the qualifier for each of the subject properties. He listed properties on which a final inspection had not been done: 3524 St. Florent Court, 2845 Don Quixote Drive, 406 Valetta Court, 1234 Via Tripoli, 3559 Whippoorwill Boulevard, 901 Bal Harbor Boulevard, 513 Andora Drive, 3943 San Pietro Court, 27 Sabal Drive, 3413 Sandpiper Drive, 2481 Flora Lane and 3727 Candia Drive.
 - City Attorney asked if Mr. Corcoran was identified as the qualifier for each of the stated properties.
 - Mr. Smith replied affirmatively.

- City Attorney Levin asked what evidence was available indicating those properties had been abandoned.
- Mr. Smith replied all permits were pulled in 2004 or 2005, adding the last date of inspections varied through 2007. He reiterated his last contact with Mr. Corcoran was April 23, 2007. He concluded no corrections had been made to date which exceeded the six month time period allowed by State Statute.
- City Attorney Levin then asked what Mr. Smith had observed which constituted incompetency, negligence or misconduct.
- Mr. Smith stated at 3524 St. Florent Court, a chair rail was missing, horizontal spacing of 6 feet on all walls was not done properly, 6 pieces of diagonal bracing must be added in the roof; 2845 Don Quixote Drive, no bonding to the cage, 2'x7' roof beams had been substituted for 2'x8' roof beams and were over-spanned, 2'x3' chair rail and hip bracing were required and had not been done.
- Ms. Fleenor requested clarification of "bonding."
- Mr. Smith explained it was similar to a grounding conductor, stating it took electricity away from the wet area. He confirmed this was a safety feature. He then stated at 406 Valetta Court, the enclosure had not been bonded; 1234 Via Tripoli, 2'x9' roof beams which were over-spanned at 27 and 30 feet, 2'x3' roof purlins must be added; 3559 Whippoorwill Boulevard, enclosure was not constructed according to approved plans, a plans change was required, to-scale as built plans must be provided, 2'x6' roof beams had been substituted for 2'x8' in one area, engineering called out 8 inches on center beam stitching but was at 24 inches on center; 901 Bal Harbor Boulevard, 2'x4' bearing columns were required but were substituted with 2'x3's, 4 1/8"x2"x2" angle brackets were required at the base of each column; 513 Andora Drive, bonding must be reconnected to the enclosure; 3943 San Pietro Court, bonding must be reconnected to the enclosure; 27 Sabal Drive, fasteners on self mating beams were missing and should be 24 inches on center, a bond wire must be added to the motor housing to the pool cage; 3413 Sandpiper Drive, angle brackets were missing at the base of bearing columns as well as the tap cons, first tap con at the base of the columns must be within 6 inches of the angle bracket, post to beam connections require 6 sheet metal screws per side but only 5 exist, beam stitching called for 8 inches on center rather than the existing 24 inches, missing angle brackets at the top of bearing columns, enclosure must be bonded to the pool pump motor; 2481 Flora Lane, beam to gutter calls for clip with 6 screws, add 1x2 angle to back side of columns or replaced the 1/4 inch anchors with 3/8 secondary angles per page 14 of the engineering plans; 3727

Candia Drive, work done with no permit and without meeting engineering specifications.

- City Attorney Levin submitted the inspection reports into the record.
- Mr. Cavanaugh clarified these property owners were not aware of the deficiencies.
- Mr. Smith agreed, stating they would be notified of same after this hearing. He mentioned these 12 sites remained from an initial count of 56 open permits.
- Ms. Fleenor commended the Building Division for their diligence.
- Mr. Villalobos asked if property owners could have the required work completed by another contractor but with permit fees waived.
- Mr. Smith replied affirmatively.
- Ms. Fleenor suggested a public service announcement advising residents to check on any open permits.
- Mr. Smith responded he did so on a weekly basis on the radio.
- Mr. Reeves questioned how the State could be advised of these discrepancies.
- Ms. Russell replied the State would receive a copy of the Board's Order.
- Mr. Sandles commented many people made full payment prior to final inspections.
- Mr. Smith agreed, stating he advised homeowners not to do so as often as possible.
- Mr. Burrage MOVED, Mr. McClary SECONDED after considering the charges, evidence and arguments presented, to find Mr. Jay Corcoran guilty of violating City Code Section 7-13(a)(3), Abandonment of any contract without legal excuse or justification in carrying on the business of contracting at 3524 St. Florent Court, 2845 Don Quixote Drive, 406 Valetta Court, 1234 Via Tripoli, 3559 Whippoorwill Boulevard, 901 Bal Harbor Boulevard, 513 Andora Drive, 3943 San Pietro Court, 27 Sabal Drive, 3413 Sandpiper Drive, 2481 Flora Lane and 3727 Candia Drive. MOTION CARRIED UNANIMOUSLY.
- Mr. Burrage MOVED, Mr. Sandles SECONDED after considering the charges, evidence and arguments presented, to find Mr. Jay Corcoran guilty of violating City Code Section 7-13(a)(2), Negligence, incompetency or misconduct in carrying on the business of contracting at 3524 St. Florent Court, 2845 Don Quixote Drive, 406 Valetta Court, 1234 Via Tripoli, 3559 Whippoorwill Boulevard, 901 Bal Harbor Boulevard, 513 Andora Drive, 3943 San Pietro Court, 27 Sabal Drive, 3413 Sandpiper Drive, 2481 Flora Lane and 3727 Candia Drive. MOTION CARRIED UNANIMOUSLY.
- Mr. Burrage MOVED, Mr. Sandles SECONDED after considering the charges, evidence and arguments presented, to find Mr. Jay Corcoran guilty of violating F.S. 489.129(1)(o) by proceeding on a job without permits or inspection at 3727 Candia Drive. MOTION CARRIED UNANIMOUSLY.

- Mr. Villalobos MOVED, Mr. McClary SECONDED to revoke Mr. Jay Corcoran's permitting privileges. MOTION CARRIED UNANIMOUSLY.
- Mr. Cole reiterated all property owners would be notified as would the Department of Business & Professional Regulation (DBPR) and surrounding counties.
- Mr. Burrage requested status reports on the cases with Mr. Stephen Busbee, ERS Construction and PGA LLC.
- Ms. Russell replied there had been no changes or contact from the qualifiers.
- Mr. Burrage requested an update on the issues with Direct Heating & Cooling.
- Ms. Russell replied she spoke with the customer who advised she would not pursue the case any further.
- Mr. Burrage then questioned the status of the Mr. Frederick Hall case.
- Ms. Russell replied the Board's Order had been prepared and was awaiting signature.
- Mr. Cole advised the qualifier for ERS Construction had his license revoked by Charlotte County.

OTHER BUSINESS

- Ms. Fleenor suggested a Pledge of Allegiance before each meeting.
- Mr. Cavanaugh MOVED, Reeves SECONDED to start each meeting with the Pledge of Allegiance. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

- Meeting Adjourned: 10:57 a.m.

John Burrage, Chairman

Sheri Stewart, Recording Secretary