



CONSTRUCTION INDUSTRY LICENSING BOARD OF PALM BEACH COUNTY (CILB)

Meeting: April 25, 2022

Agenda Item C

Minutes of Regular Meeting for March 28, 2022 (F.S. 286.011)

The Construction Industry Licensing Board (CILB) (hereinafter, "CILB") of Palm Beach County held the regular scheduled monthly meeting, called to order by Chairman, Mr. Ringle per Chapter 67-1876, Special Act, Laws of Florida, as amended, Section 3(D). The meeting was held at Vista Center, Planning, Zoning & Building - 2300 N. Jog Road, 1st Floor, Conference Room 1W-47, West Palm Beach, Florida.

A. CASE ASSIGNMENT & BOARD REVIEW

Board members met at 1:00 p.m. to review applications on agenda items F.1, 2, 3 & 4 for approval.

B. CALL TO ORDER:

R/T: 0:01:15

Chair Mr. Ringle: Called the meeting to order and welcomed everyone. Upon finalizing the workshop and applicant review, the meeting commenced at 2:15 p.m.

1. Roll Call:

Board Attendance / Members Present:

- James Pickard - HARV Contractor (seat 1)
Damaris Guardado - Electrical Contractor (seat 2)
Ben Preston - Roofing Contractor (seat 4)
Gerry Kelly - General Contractor / V. Chair (seat 5)
Frank Keiser - Residential Contractor (seat 6)
Peter Ringle - Building Official -City of Lake Worth Beach / Chairman (seat 7)
Richard Kaplan - Plumbing Contractor (seat 8)
Mark Lodge - Engineer (seat 9)
Haydee Ullfig - Swimming Pool Contractor (seat 10)
James McKay - Architect (seat 12) - partially present

Absent Members:

- Veronica Vidal - Consumer Member (seat 13)

Vacant Seats:

- N/A - General Contractor (seat 3)
N/A - Building Contractor (seat 11)
N/A - Consumer Member (seat 14)
N/A - Consumer Member (seat 15)

County Staff Present:

Legal:

- Shannon Fox - CILB, Assistant County Attorney
Ryan Maher P. - Division, Assistant County Attorney



Administrative:

- Oscar Alvarez - Division Director I
- Ryan Perez - Certification Coordinator
- Janeth Cervera - Administrative Assistant I

Investigative:

- Jeremy Dennis - Sr. Investigator
- Sirlei Silveira - Field Investigator

Mrs. Cervera: Acknowledged the presence of ten out of eleven current board members present; meeting the Ordinance 21-009 requirement of three (25%) present members for a quorum. **Mr. McKay** left the meeting at 3:30 pm bringing the quorum down to nine members continuing to meet the required minimum.

C. APPROVAL OF MINUTES: February 28, 2022 R/T: 0:02:10

Chair Mr. Ringle: Asked the Board if they had any suggested language changes to the previously emailed draft they had received of the minutes for February 28, 2022, if none were to be provided he entertained a motion for approval.

MOTION BY MR. MCKAY TO APPROVE THE MINUTES FROM THE MONTHLY MEETING AS SO WRITTEN, SECONDED BY MR. KAPLAN. MOTION CARRIED BY UNANIMOUS VOTE.

D. OLD BUSINESS: R/T: 0:03:00

1. CC-2021-1483 Stephen Clark Caraccio (Caraccio Company LLC/Swimming Pool Construction Contractor) – Tabled

Mr. Perez: Stated that they were waiting for the arrival of applicant’s sponsor. Recommendation made to give applicant time until end of the meeting based on applicant’s statement sponsor was on the way.

MOTION BY MR. KEISER TO TABLE ITEM AFTER AGENDA ITEM F; SECONDED BY MR. MCKAY. MOTION CARRIED BY UNANIMOUS VOTE.

E. APPEALS:

1. Unpaid Civil Citation(s): ** R/T: 0:09:31

- a. CILB vs. Thomas S. Mason: Case: #2019-20958
Citations: #13012, 13013, 13014, 13015, 13016,
13018, 13019, 13020, 13021, 13022,
13024, 13025, ~~13076~~, 13077, 13092,
13093, 13098, 13099, 13103, 13104,
13105, & 13106

Dir. Mr. Alvarez: Stated that Asst. Co. Atty. Mr. Maher would be presenting the case for staff and the respondent would be allowed his rebuttal and presentation.



Participants sworn under oath:

Ryan Maher P	Division, Assistant Co. Attorney
Sirlei Silveira	CILB, Field Investigator
Karen Hao	Complainant
Jacek Tomasik	Building Official Village of Wellington
Ronald Andersen Hurst Jr.	Respondent's Attorney – The Hurst Law Group, PL
Thomas S. Mason	Respondent

Testimony, exhibits, oral argument and recommendations were presented by both parties. Hearing was recorded via video / audio. Record of exhibits saved to the case file.

CILB Motion: 01:39:00

MOTION BY V. CHAIR MR. KELLY TO ACCEPT THE FACTS; AFFIRM THE CITATION AND THE FINES TO REMAIN AT \$500.00 EACH FOR CITATIONS #13012, 13013, 13014, 13015, 13016, 13018, 13019, 13020, 13021, 13022, 13024, 13025, 13077, 13092, 13093, 13098, 13099, 13103, 13104, 13105, & 13106 WITH THE EXCEPTION OF #13076.

Asst. Co. Atty. Mrs. Fox: Asked Mr. Kelly to make clarifications that enabled him to make his determination. **V. Chair Mr. Kelly:** Stated Mr. Mason was involved with the work that took place in advertising on the business card. **Chair Mr. Ringle:** Citations came from the business card and contract. **V. Chair Mr. Kelly:** Stated that pictures also depicted the type of work, plumbing, electric, HVAC but was unsure if there were roofing pictures. **Chair Mr. Ringle:** Roofing was listed on the business card.

MOTION SECONDED BY MR. KEISER. MOTION CARRIED BY UNANIMOUS VOTE.

Dir. Mr. Alvarez: Confirmed that the hearing concluded and they would be receiving an order in the mail outlining the conclusion and fines.

2. Application Denial(s): | R/T: 01:43:09
 a. CILB vs. CC-2021-1170 Remy Dulorier (Reciprocity St. Lucie County/Electrical Contractor)

Participants sworn under oath:

Ryan Perez	CILB, Certification Coordinator
Remy Dulorier	Respondent

Testimony, exhibits, oral argument and recommendations were presented by both parties. Hearing was recorded via video / audio. Record of exhibits saved to the case file.



CILB Motion: 01:59:03

MOTION BY MS. GUARDADO TO DENY APPEAL FOR APPLICATION CC-2021-1170, AS DID NOT MEET THE QUALIFICATIONS DURING THE 45 DAY PROCESS. SECONDED BY MR. PRESTON. MOTION CARRIED BY UNANIMOUS VOTE.

F. NEW BUSINESS:

R/T: 02:01:06

1. Qualify an Additional Company:

Alessandro Do Espirito Santo Pereira (U-22402/Hardscape by Design Inc) Summers Industries Inc d/b/a Superior Surfaces – Paver Brick / Interlocking Brick Contractor

Mrs. Cervera: Clarified that the applicant was to address the board as stated in the Special Act. **Dir. Mr. Alvarez:** Stated that the Board member that reviewed the application did not see a need for it. **Asst. Co. Atty. Mr. Maher:** Read verbatim Section 6 D of the Special Act. **Dir. Mr. Alvarez:** Stated he did not see a need to have him address the board.

MOTION BY MR. V. CHAIR MR. KELLY TO APPROVE THE APPLICANTS ON THE PROPOSED LIST F.1 #1. SECONDED BY MS. ULLFIG. MOTION CARRIED BY UNANIMOUS VOTE.

2. Applicants for Change of Status and Reciprocity:

Mr. Perez: Recommended approval of applicant #1 as listed on the proposed list based upon staff and Board members review.

MOTION BY MR. KAPLAN TO APPROVE THE APPLICANT ON THE PROPOSED LIST F.2 #1; SECONDED BY MR. PRESTON. MOTION CARRIED BY UNANIMOUS VOTE.

3. Applicants for a Certificate of Competency:

Mr. Perez: Recommended approval of all applicants # 1,2,4 & 5 as listed on the proposed list based upon staff and Board members review with the exception of #3 & 6:

3.) CC-2021-1483 Stephen Clark Caraccio (Caraccio Company LLC) Swimming Pool Construction Contractor)– Tabled

6.) CC-2022-127 Andler Similien – Journeyman Electrician - Tabled

MOTION BY MS. ULLFIG TO APPROVE THE APPLICANTS ON THE PROPOSED LIST F.3 #1, 2, 4 & #5 ; SECONDED BY MS. GUARDADO. MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY MR. KAPLAN TO TABLE #6 CC-2022-127 ANDLER SIMILIEN TO NEXT MONTHS MEETING; SECONDED BY MR. KEISER. MOTION CARRIED BY UNANIMOUS VOTE.



- G. BOARD ORDER IMPOSING A FINE/LIEN:** | R/T: 02:23:30
Mrs. Cervera: Explained that Agenda Item G was a list of five respondents that had failed to pay 13-issued citation by investigations nor had they requested an appeal within the allotted timeframe. Staff recommended that the Board make a motion to convert citations to a Board Order Imposing a Fine/Lien.

MOTION BY MR. KEISER TO CONVERT THE CITATIONS LISTED ON AGENDA ITEM G TO BOARD ORDER IMPOSING FINE/LIENS, SECONDED BY MS. ULLFIG. MOTION CARRIED BY UNANIMOUS VOTE.

- H. CILB MONTHLY REPORTS:** February 2022 R/T: 2:24:25
1. Field Investigator Monthly Report:
Sr. Inv. Mr. Dennis: Read agenda item H.1 verbatim Enforcement Report into the record.
 2. Applicant Examination Results:
Dir. Mr. Alvarez: Agenda Item H.2 provided the monthly passing and failing amount of applicant's for GITS and PROV the two board approved providers.

- I. ATTORNEY COMMENTS** R/T: 02:31:44
CILB & Division Co. Atty.'s had no pending matters or additional information.

- J. DIRECTOR COMMENTS:** R/T: 02:31:55
1. CILB Membership Status:
Mrs. Cervera: Stated that agenda item J.1 outlined everyone's current terms and the vacancies, she had two referrals for trade listed seat 3, general contractor Mr. Jerry Wilson CGC-1523128 and seat 11, building seat Tom Peede, CRC-1330699. They had both been sent the application and paperwork to complete. **Chair Mr. Ringle:** Inquired if a Residential contractor could sit under the Building member seat? **Mrs. Cervera:** Stated she would research. **Dir. Mr. Alvarez:** Stated that Mr. Lynch had expressed an interest in coming back.
 2. County/State Contractor Email Notification Re: License Display Notice
Dir. Mr. Alvarez: Stated that the email had gone out already informing contractors and had received feedback. **Ms. Ullfig:** Inquired if magnetic signs were allowable. **Dir. Mr. Alvarez:** Stated that seemed ok. **Chair Mr. Ringle:** Stated that many associations did not permit commercial vehicles and that was one of the reasons behind the magnetic signs.
 3. June 27, 2022 –CILB Meeting:
Dir. Mr. Alvarez: Stated that the facilities department was to be working on updating equipment in the hearing chambers and they could possibly not be able June therefore the meeting may not happen. **Chair. Mr. Ringle:** Stated that they could discuss at the next meeting.



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4. Rule 10(G) Investigations Appeals:

Dir. Mr. Alvarez: Stated that this section authorize him to make decisions but the rule also allowed that the decision could be appealed for any factor. **Asst. Co. Atty. Mr. Maher:** Stated that a complainant had limited rights, and the Florida statute allowed for judicial due process, which was more than ample. **Asst. Co. Atty. Mrs. Fox:** Stated the County Attorney's Office opinion even though it was a well-intended rule, the recommendation was to strike the rule as a county officials have discretion making decisions. **Dir. Mr. Alvarez:** Stated a taskforce notice would be published for the April meeting. **Chair Mr. Ringle:** Stated to make it part of the agenda so discussion be provided and amended.

5. Departmental Newsletter:

Dir. Mr. Alvarez: They had a sample that goes to all department employees as well as other departments, this would be published quarterly in case there would be suggestion on inclusions.

K. BOARD COMMENTS:

R/T: 02:49:00

V. Chair V. Chair V. Chair Mr. Kelly: Stated that the CRC candidate would not work to sit as a CBC member as it was a lesser license, under J1 but it would need to be confirmed. Secondly, he felt that it would be best to see the appeals to go to a magistrate as they seem to be getting more legally involved.

L. PUBLIC COMMENTS:

R/T: 02:57:25

Matthew Branning, Landscape Irrigation Contractor stated that he was having issue with a personal credit score to qualify a new business and was at his expiration to turn in his paperwork on a license application. Under the Special Act he was hoping to have something approved by providing a Bond or a Conditional Approval to raise his score. **Dir. Mr. Alvarez:** Stated that his key issue that the credit score was zero. **Asst. Co. Atty. Mrs. Fox:** Stated that according to rule stated that he would not qualify to turn in an application and they would have to advertise in order to change the rule adopted by the board therefore it would have to brought back at a later date. **Mr. Branning:** Stated that he has renewed his license previously at least three times in the past but now had issues with completing a Change of Status application. **Chair Mr. Ringle:** Stated they did not have the ability to change the rule at the time but he would not support a change in rule as he saw it at a fair advantage for any applicant. He would need to work with staff to see what his options are.

Jake Leahey, addressed the board as to continuing education as he had a customer that had obtained a license in October of 2021, would he be required to complete the 14 hour course as he was recently licensed. **Chair Mr. Ringle:** Stated that yes continuing education was part of the requirement of the renewal process. **Mr. Leahey:** Stated that he was state registered and the State was not requiring continuing education at this time as his license was recently issued. **Chair Mr. Ringle:** Stated that all state electrical contractors are required to provide continuing education upon renewal. **Mr. Leahey:** Stated that was correct but was inquiring if the county had the same regulation in place as the state when a license had been issued less than a year. **Asst. Co. Atty. Mr. Fox:** Stated that public comments, was to make a comment the question that are being asked should be addressed by staff and not in a formal meeting.



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M. ADJOURNMENT OF MEETING

R/T: 03:10:30

Meeting adjourned at 5:40 PM

THE NEXT BOARD MEETING IS SCHEDULED FOR

April 25, 2022

1ST FLOOR - CONFERENCE ROOM 1W-47

Peter Ringle

Mr. Peter Ringle, Chairman CILB

Note: These minutes have been edited to include only salient issues discussed; for additional details please request a copy of the recording/video of this board meeting.

* Attorneys need not be sworn to provide testimony or conduct a hearing.

** Recorded time listed on the video/recording to capture the complete hearing/appeal or subject matter as outlined in the minutes.

R/T: Recorded Time on Video.

Copies of the Agenda along with agenda items and case exhibits may be requested via a formal Records Request to pzbccert@pbcgov.com, please include Meeting Month (note: cost may be incurred)