

**MINUTES**  
**PALM BEACH COUNTY**  
**LOCAL CONSTRUCTION REGULATION BOARD**  
**MAY 29, 2015**

**1. CALL TO ORDER.**

Chairman Marc Weiner called the meeting to order at 10:00 a.m. The meeting was conducted in Room 1E-47, Palm Beach County Department of Planning, Zoning & Building, 2300 North Jog Road, West Palm Beach, Florida.

**A. ROLL CALL.**

**MEMBERS PRESENT:**

Marc Weiner, Chairman  
Bart Rasper  
Peter Dzenutis  
Duane Drawdy  
Margie Walden

**MEMBERS ABSENT:**

Ron Dixon  
Michael Walker  
Tom Donegan

**OTHERS PRESENT:**

Doug Wise, Building Official  
Amanda Myer, Administrative Assistant  
Diane Burress, Acting Board Secretary  
Amy Petrick, Senior Assistant County Attorney  
Shannon Fox, Assistant County Attorney  
Anne Helfant, Assistant County Attorney

**2. APPROVAL OF MINUTES.**

There were no minutes for approval.

**3. ADDITIONS & DELETIONS.**

There were no additions or deletions to the agenda.

**4. NEW BUSINESS.**

Acting Board Secretary Diane Burress swore in all persons giving testimony.

**A. Case 15-01 – Florida Screen Builders.**

(The hearing for this case is a continuation of the hearing before the LCRB on May 11, 2015.)

Attorney Thomas Dougherty, representing Florida Screen Builders, continued his direct examination of the respondent, Rene Cantin, building contractor and owner of Florida Screen Builders. During his testimony, Mr. Cantin indicated the following:

- He did not receive a copy of the letter sent by the Palm Beach County Building Division to the 285 affected property owners.
- He had subsequent plans signed and sealed by an engineer after he knew of the Palm Beach County letter to the affected property owners.
- The altered documents were altered by someone preparing the drawings for him.
- None of the 285 affected screen enclosures failed a final inspection.
- He has had an engineer sign and seal plans for 50-60 of the 285 affected screen enclosures.
- He is willing to do whatever Palm Beach County requires to make the needed corrections.
- He cannot make the corrections if his license is suspended by Palm Beach County.
- Sealed plans submitted by an engineer would solve this matter.
- He has not been given an opportunity to correct these violations.

Attorney Amy Petrick, representing Palm Beach County, cross-examined Mr. Cantin. Mr. Cantin indicated the following:

- He started Florida Screen Builders in the year 2006.
- He started the company with four people and has expanded the size of the staff over the years.
- He is responsible for preparing the master drawings for each project.
- He is willing to provide the proper engineering and fix the affected permits.

Doug Wise, Palm Beach County Building Official, testified on behalf of Palm Beach County. He indicated the following:

- Palm Beach County sent a letter to all 285 affected property owners.
- He was not sure if all 285 screen enclosures had passed a final inspection when the letter went out.

Mike Driscoll, Structural Engineer, testified on behalf of Palm Beach County. He indicated the following:

- He has compared the structural integrity of multiple sheet metal screws versus through bolts, and bolt connections are generally better designs.
- The state guide in question in this case is not site specific.

Acting Board Secretary Diane Burress swore in all members of the public giving testimony.

Three members of the public spoke about warranty issues that were specific to their screen enclosures.

Attorney Petrick made a closing statement. She indicated that Palm Beach County is requesting that the Board make the following two findings:

1. A finding of willful building code violations.
2. A finding of fraud.

She also indicated that Palm Beach County is recommending that the Board revoke the building permit rights in Palm Beach County for Mr. Cantin, or suspend the building permit rights in Palm Beach County for Mr. Cantin and not allow Mr. Cantin to use the state guide referenced in this case in future building permit applications.

Attorney Dougherty made a closing statement for Florida Screen Builders. He indicated the following:

- The screen enclosures inspected by Mr. Cantin's engineer were found to be satisfactory and better than if the guide in question had been followed.
- Mr. Cantin already has 60 of the affected building permit applications signed and sealed by an engineer.
- The statutory goal is to bring about compliance.
- The affected property owners could sue under the warranty for their screen enclosures.
- Another contractor fixing these violations would void the warranties.
- Palm Beach County failed to properly review and inspect each of these permit applications.

Attorney Dougherty requested that the Board not revoke Mr. Cantin's building permit rights in Palm Beach County.

Attorney Petrick provided the following rebuttal comments:

- The 60 engineered plans referenced by Attorney Dougherty are not part of the record for this case.
- The warranty provided by Florida Screen Builders to the affected 285 property owners is not part of this case.

Discussion ensued among the members of the Board.

Assistant County Attorney Fox clarified that the Board is to deliberate on whether Mr. Cantin, doing business as Florida Screen Builders, committed willful building code violations and fraud, and if there should be a penalty.

A motion was made and seconded for the Board to find that fraud has occurred.

Under discussion of the motion, Building Official Doug Wise indicated that the state guide in question is a copy-righted document. He also indicated that all affected permits have been completed, to the best of his knowledge, and each permit would need to be reactivated to address these building code violations.

The motion passed 5-0.

A motion was made and seconded to find that willful building code violations have occurred. The motion passed 5-0.

Discussion ensued among the members of the Board regarding the appropriate penalty.

Attorney Petrick offered that a Consent Judgement could be signed by the respondent acknowledging fraud and willful building code violations, voluntarily agreeing to remedy the violations, and giving the respondent six months to remedy the violations.

A motion was made and seconded for the Board to enter into a Consent Judgement where the respondent admits guilt for fraud and willful building code violations, as stated in the complaint, and agreeing to correct the violations in a six-month period, and then come back before the Board to determine a penalty, if any. The motion passed 5-0.

**5. BOARD MEMBER COMMENTS.**

There were no comments from the Board.

**6. STAFF MEMBER COMMENTS.**

There were no comments from staff.

**7. ADJOURNMENT.**

Chairman Weiner adjourned the meeting at approximately 3:00 p.m.

Signed for the Board by,



Marc Wiener, Chairman

Respectfully submitted,

Amanda Myer  
Recording Secretary