

MINUTES OF A REGULAR MEETING OF THE BOARD OF EXAMINERS OF CONTRACTORS OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 9:00 A.M. ON TUESDAY, JULY 11, 2017.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mr. Matula and Mr. Grimsley were unable to attend the meeting.

Present: Holly Theuns; Ralph Fogg; Paul Thomas; Don Bergman; John Langel; Kenneth Waters; Reed Sudderth; Robert Scott Bruhn

Absent: James Matula; Marvin Grimsley

4. CONSIDERATION OF ABSENCE(S)

Motion was made by Reed Sudderth, seconded by John Langel to excuse the absences of Mr. Grimsley and Mr. Matula.

AYE: Holly Theuns, Paul Thomas, Don Bergman, John Langel, Kenneth Waters, Ralph Fogg, Reed Sudderth, Robert Scott Bruhn

Passed

APPROVAL OF MINUTES

APPROVAL OF JUNE 13, 2017 MEETING MINUTES

Motion was made by Reed Sudderth, seconded by Ralph Fogg to approve the minutes of the July 11, 2017 meeting as presented.

AYE: Holly Theuns, Paul Thomas, Don Bergman, John Langel, Kenneth Waters, Ralph Fogg, Reed Sudderth, Robert Scott Bruhn

Passed

6. CONSENT ITEMS

a.

Citation #	Violators Name	Violators Business Name	Enforcement Officer
228	James Chauncey	Chauncey's Glass Inc	Shaun Coss

Date of Citation	Location of Violation	Description of violation / facts
4/28/17	1807 Avenue D	On 4/7/17 Chauncey's Glass replaced the storefront at 1807 Avenue D. Prior to the permit being issued. As a courtesy, a stop work order was not issued. Mr. Chauncey was advised that the permit needed to be picked up ASAP. When checked on 4/27/17, the permit still had not been issued. Permit was issued on 5/9/17.

5-53 (a)(8)	Commence or perform work for which a building permit is required pursuant to Chapter 5 of the Fort Pierce Code of Ordinance without such building permit being in effect.
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The alleged violator(s) have not requested an administrative hearing and the citation(s) have not been paid – This is his 2nd offense. Enter in an order to pay penalty in the amount of \$1,000.00

Mr. Michael Waldrop, Manager at Chauncey's Glass, represented Mr. Chauncey who was out of town, and explained that Mr. Chauncey was currently having business difficulties. After discussion, the Board decided to entertain the motion to possibly continue the hearing until Mr. Chauncey could appear before the Board himself to explain what happened.

Motion was made by Kenneth Waters, seconded by Ralph Fogg to continue the case until the August 8, 2017 meeting.

AYE: Don Bergman, Kenneth Waters, Ralph Fogg, Reed Sudderth
 NAY: Holly Theuns, John Langel, Robert Scott Bruhn
 Other: Paul Thomas (ABSTAIN)
 Passed

7. UNLICENSED CONTRACTOR(S) ADMINISTRATIVE HEARING

a.

Citation #	Violators Name	Violators Business Name	Enforcement Officer
207	Marcello Brunson		Shaun Coss

Date of Citation	Location of Violation	Description of violation / facts
6/16/17	1901 York Ct	Marcello Brunson was installing tile at 1901 York Ct. without being licensed or as an employee of a properly licensed contractor.

5-53 (a)(6)	Engage in the business or act in the capacity of a contractor or advertise himself/herself or a business organization as available to engage in the business or act in the capacity of a contractor without being duly registered or certified.
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1st Offense	The City requests that if the Board finds the violation exists, the violator pay a penalty of \$500.00.
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Appearing also with Mr. Brunson was Mr. Brown, an official with the Mad Dads organization, a group that mentors young men and assists them in finding paying work. Mr. Brown felt responsible as he wasn't aware that a permit was required for tile work. Mr. Sudderth stated that he was not aware of this as well. Mr. Coss indicated that the ordinance was adopted in December of 2016 that a specialty license was required for all flooring except carpet.

The Board agreed that the organization provides a service to the community. Ms. Theunes suggested the organization work more closely with the Building Department.

Mr. Waters said that in the future he would like to see proof of the financial transaction before having to make a decision on the case, proof that the law was broken, admittance that money

was taken. Mr. Coss stated that this was in direct opposition to the directive received by City Administration; that staff is not allowed to request paperwork from the worker at the time of alleged violation.

Caroline Valentin, Board Attorney, stated that this Board is considered an informal Board and shall not be bound on evidence, such as a court of law. She noted that decisions should be made from the facts presented by all parties.

There was discussion of the notification process for hearings.

Motion was made by Robert Scott Bruhn, seconded by Kenneth Waters to allow this case to be dismissed with a warning to Mr. Brunson.

AYE: Holly Theuns, Don Bergman, John Langel, Kenneth Waters, Ralph Fogg, Reed Sudderth, Robert Scott Bruhn

Other: Paul Thomas (ABSTAIN)

Passed

b.

Citation #	Violators Name	Violators Business Name	Enforcement Officer
205	Hugo Tovar	Aztec Graphix	Shaun Coss

Date of Citation	Location of Violation	Description of violation / facts
5/23/17	3500 Okeechobee Rd	Aztec Graphix was re-facing a sign at 3500 Okeechobee Road for Tasty Pot Jamaican Grill.

5-53 (a)(6)	Engage in the business or act in the capacity of a contractor or advertise himself/herself or a business organization as available to engage in the business or act in the capacity of a contractor without being duly registered or certified
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1st Offense	The City requests that if the Board finds the violation exists, the violator pay a penalty of \$500.00.
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Mr. Tovar was not present for the meeting. He admitted in his paperwork to staff that he was not aware that he needed a license to reface a sign.

Motion was made by John Langel, seconded by Kenneth Waters to authorize a penalty of \$500 to Mr. Tovar for refacing a sign without a license.

AYE: Holly Theuns, Don Bergman, John Langel, Kenneth Waters, Ralph Fogg, Reed Sudderth, Robert Scott Bruhn

Other: Paul Thomas (ABSTAIN)

Passed

8. **PUBLIC COMMENTS**

9. **STAFF COMMENTS**

10. **BOARD COMMENTS**

11. ADJOURNMENT

There being no further discussion, Chairman Bergman adjourned the meeting at 10:30 A.M.