

**MINUTES November 18, 2015  
OF THE CITY OF KEY WEST  
CONTRACTOR'S EXAMINING BOARD  
KEY WEST FLORIDA**

DOMINGO CASTELLANOS, CHAIRMAN

CALL TO ORDER: 3:02 PM.

**PRESENT:**

Domingo Castellanos, Chairman  
Rick Milleli  
Dan Acevedo  
Merrill Sands  
Norman Wood  
Frank Balbuena (arrived late)

**ABSENT:**

none

**STAFF:**

Carolyn Walker, Secretary  
Larry Erskine, City Attorney  
Bonnita Badget, Code Officer  
Leo Hernandez, Code Officer

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

All in favor.

**APPROVAL OF MINUTES**

All in favor

Witnesses sworn in.

**ACTION ITEM**

**704 Caroline Street, T Ryan Contracting (hearing) 15CEB70  
Code Officer Leonardo Hernandez**

**CHARGE:** Working without benefit of a building permit and Certificate of Appropriateness (HARC). Working beyond scope of contractor license

(Roofing Contractor performing work requiring Building Contractor license).

On 6/23/15 contractor was found working at site (removed deck to access roof).

**PERMIT APPLICATION:** Both a HARC and Roofing permit were applied for and issued in April 2015 for the following work:

Roofing Permit 15 00001401 HARC permit 15-01-0526

**INSPECTIONS:** This permit received an in-progress inspection on 6/12/15.

As of November 4, 2015 no permit application has been made for removal of decking.

The original HARC and roofing permit have not received a final inspection.

**LICENSING:** T Ryan Contracting has a valid State and City license.

**HISTORY:** No prior violations.

Tim Gould did not contest the charges but stated that there were extenuating circumstances and explained what happened on the site; that needed to make roof watertight before obtaining permit. He also stated that he paid fine before Special Magistrate. Code Officer Hernandez presented for the City. Brief Discussion by the Board.

Motion by Member Wood to dismiss.

Second by Member Sands.

Balbuena, Milelli, Sands, Wood, Acevedo in favor.

Castellanos nay.

Motion passed.

### **3743 Donald Avenue SALINERO ENTERPRISES (hearing) 15CEB75 Building Inspector David Ray**

**CHARGE:** Depart from or disregard in any material respect the plans or specifications of a construction job without consent of owner or authorized representative.

On August 5, 2015 the Building Department received a request from the DBPR Construction Industry Licensing Board to investigate a pool installation complaint at 3743 Donald Avenue.

David Ray visited the site and found that:

1. Pool is not level (Between 4" and 4 1/2" difference end to end.)
2. Wet deck around pool cracked.
3. The Hayward salt generator was incorrectly installed according to manufacturer technician.

**PERMIT APPLICATION:** On 5/2/14 pool permit was applied for and issued 5/22/14.

Application number . . . : 14 00001983

**INSPECTIONS:** This permit received a final inspection on 6/10/15. Note that

a separate pool electrical permit was also pulled and received final inspection.

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**PERMIT APPLICATION:**

Application number . . . : 15 00004062 (Applicant: Simply Blue Pools LLC)

**INSPECTIONS:** This permit received a final inspection on 10/9/15.

**LICENSING:** Salinero Enterprises LLC has a valid State CGC, State Registered Pool License, and valid competency card. City of Key West BTR current and active.

**HISTORY:** No prior violations.

Fred Salinero stated his case to the Board and presented photographs and other documents. Building Inspector David Ray and stated that the pool was not level and needs to be repaired, and also discussed the SALT system and pool installation. Carolyn Walker explained that the complaint came to the Building Department from the State DBPR since Salinero Enterprises is a Registered Pool Contractor (the CEB must hear the complaint first). Property owner also addresses the Board with her concerns. Member Sands stated, and other members agreed, that this appeared to be primarily a civil case. Chairman Castellanos passed the gavel.

Motion by Member Castellanos to dismiss.

Second by Member Balbuena

All voted in favor.

**26 Kestral Way Stone Age Construction (hearing) 15CEB71 Code Officer  
Bonnita Badgett**

**CHARGE:** Working without benefit of a building permit.

On 9/2/15 Officer Badgett wrote "I placed a stop-work-order at 26 Kestral Way for replacing 3 windows and trim. Stonage Construction, Michael Posada. "

**PERMITS:** Permit 15-3936 was applied for on 9/21/15 and picked up on 9/30/15. Applicant was Wayne Garcia CBC.

Application number . . . : 15 00003936

**INSPECTIONS:** Final inspection was approved on 10/21/15.

**LICENSING:** Stone Age Construction, Michael Posada qualifier, holds a Specialty Cabinet & Millwork Contractor license only. Business Tax Receipt and Competency card are both current and active.

**HISTORY:** No prior violations.

Michael Posada pled no contest.

Code Officer Badgett had no additional comments.

Motion by Member Acevedo \$100 admin & letter.  
Second by Member Sands.  
All voted in favor.

**404 Duval St AMCON GROUP INC (hearing) 15CEB72  
Code Officer Bonnita Badgett**

**CHARGE:** Working without benefit of a building permit.

On 10-8-15 Officer Badgett placed a stop-work-order at 404 Duval Street for contractor installing drywall without a permit; contractor license was expired. Flooring was being installed by unlicensed workers.

**PERMIT:** Permit applied for on 10-13-15, approved on 10/27/15, but was not picked up as of 11/4/15.

Application number . . . : 15 00004250

**INSPECTIONS:** None.

**LICENSING:** Amcon Group Inc, Edward Weller, Qualifier, is a CGC that registered to work in Key West for 30 days only.

**HISTORY:** No prior violations.

Brian Fernandez pled no contest but stated that he thought owner had pulled permits. Code Officer Badgett briefly reiterated case.

Motion to dismiss by Member Milelli.  
Second by Member Sands.  
All in favor.

**3800 Duck Ave Wardlow Builders 15CEB73 Code Officer Bonnita  
Badgett**

(secretary swore in Chris Wardlow who arrived late)

**CHARGE:** Working without benefit of permit (pool electrical and building).

On 9/1/15 Officer Badgett issued a stop-work-order at 3800 Duck Avenue after the licensed and permitted electrical contractor (JC Electric) cancelled his permit and pulled off the job due to someone else completing the electrical work under his permit. While on the site she also saw that a deck was under construction and the deck permit was not issued.

**ELECTRICAL PERMITS:**

Original pool electrical permit:

Application number . . . : 15 00004400

NEW PERMIT PICKED UP AND PAID FOR ON 10/26/15.

**INSPECTIONS:** No inspections have been scheduled as of 11/4/15.

**DECK PERMIT:**

Application number : 15 00003408

**LICENSING:** Wardlow Building Group Inc. Chris Wardlow Qualifier, is a Certified General Contractor with active but suspended state license and active city license.

**HISTORY:** Wardlow Building Group received a letter of reprimand and \$100.00 fine on July 9, 2014.

Chris Wardlow pled no contest to the after-the-fact deck portion but contested the electrical issue.

Officer Badgett presented testimony for the City.

Motion by Member Sands for \$300 fine and \$100 administrative fee.

Second by Member Acevedo.

All in favor.

**DISCUSSION ITEM**

Meeting dates for 2016.

January 13

March 9

May 11

July 13

September 14

November 9

Carolyn Walker informed Board that Raymond Vasquez has been appointed by the Mayor as new member (electrical).

Meeting adjourned 4:25 pm.

Respectfully submitted,

Cwalker

Carolyn Walker,

Secretary