

**MINUTES March 9, 2016
OF THE CITY OF KEY WEST
CONTRACTOR'S EXAMINING BOARD
KEY WEST FLORIDA**

DOMINGO CASTELLANOS, CHAIRMAN

CALL TO ORDER: 3:07 PM.

PRESENT:

Domingo Castellanos, Chairman
Rick Milelli
Dan Acevedo
Merrill Sands
Frank Balbuena
Raymond Vasquez

ABSENT:

Norman Wood

STAFF:

Carolyn Walker, Secretary
Ron Wampler, Building Official
Ron Ramsingh, City Attorney
Bonnita Badget, Code Officer
James Young, Code Manager

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

All in favor.

APPROVAL OF MINUTES

All in favor

Witnesses sworn in.

ACTION ITEM

15CEB76 Wardlow Building Group Inc (hearing)
Code Officer Bonnita Badget
3800 Duck Ave
CHARGE: Working without benefit of a building permit.

On 12/10/15 Code Officer Bonnita Badget placed an additional stop work order at 3800 Duck Avenue. Deck was completed and building permit was not picked up from Building Department; as well as electrical work for pool was completed without permit.

PERMIT APPLICATION: 15-3408 "ADD A 20' X 6' WOOD DECK PER DRAWING"

Applied for 8/13/15

Approved 11/25/15

Paid for and picked up 12/10/15

Final inspection approved 12/31/15

PERMIT APPLICATION: 15-5074 "Add equipotential bonding" (Pulled by Eagle Eye Electric)

Applied for 12/17/15

Approved 12/29/15

Paid for and picked up 12/29/15

Final inspection 1/5/16

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

HISTORY: 7-9-15 Letter of reprimand and \$100 admin fee. (1607 Laird St)

11-18-15 Letter of reprimand, \$300 fine, \$100 admin fee. (3800 Duck Ave)

(Updated 3-7-16): 1-13-16 Letter of reprimand, \$300 fine, \$100 admin fee (1400 Alberta St)

This case was been continued from January 13, 2016 to March 9, 2016.

Chris Wardlow spoke first and contested the charges. He stated that #1: the original Electrical contractor, JC Electric, actually performed the electrical bonding on the pool before he cancelled the permit with the City; and #2: that he, Mr. Wardlow, believed that the deck permit was part of his revised pool permit; that he did not complete the deck without a permit as charged. Discussion with the Board: Member Vasquez reiterated that Mr. Wardlow was certain that only licensed electricians performed pool electrical work. Mr. Wardlow replied in the affirmative. Member Milelli stated that in order to eliminate the confusion Mr. Wardlow should have cancelled the redundant deck permit; why was there both a pool permit and deck permit going through the permitting system if one permit covered both? CBO Wampler

stated that the Building Dept's primary concern was safety: that pool electrical and pool plumbing errors or mistakes can have grave outcomes. Member Sands inquired whether all permits

associated with this job were now closed; Mr. Wardlow stated yes. (Staff confirmed). Member Acevedo suggested a letter of reprimand without an associated monetary fine; the City Attorney stated that the two are linked together.

Motion by Member Acevedo for letter of reprimand and \$100 administrative fee.

Second by Member Sands.

All in favor.

Secretary note: During this discussion a pocket discussion was held regarding fines placed on Certified Contractors. City Attorney Ramsingh stated that the Board may only perform one of two actions when the contractor before them is State Certified: find no violation or find a violation and issue a letter of reprimand and a \$100 administrative fee. Staff stated that indeed, they had imposed and collected fines when Certified Contractors were found in violation. Later in the meeting, the City Attorney stated that imposing fines on Certified Contractors was not contradictory to Florida Statute; however only the State could take actions to affect a Certified Contractor's ability to continue working (pulling permits, scheduling inspections, etc).

16CEB80 Key West Boyz Company (hearing)

Building Official Ron Wampler

3317 Harriet Avenue

CHARGE: Building Permit time limitations.

On February 26, 2016 CBO Ron Wampler requested that Key West Boyz Company, Frank White Qualifier, be brought to the CEB for failure to perform in regards to a demolition permit at 3317 Harriet Avenue.

PERMIT APPLICATION 15-1443 "Demo as per Engineer specs: approximately 825 square feet footprint."

Applied for: 4/21/15

Approved: 4/21/15

Paid for and picked up: 4/21/15

No inspections as of 3/9/16.

LICENSING: Key West Boyz Company Inc, Frank White Qualifier, is a Certified General Contractor with active State and City licensing.

HISTORY: CEB 08-2712 5-5-2011 1305 Petronia Street. Letter of reprimand and settlement agreement approved by Special Master: \$5,000.00 for irreparable violation, \$500.00 fine per count (2), \$250.00 costs. Total \$6,250.00.

Frank White did not contest the charges, and stated that he had some issues with the owner plus had been busy on other jobs, but asked if he could have until May 15 to complete the work. CBO Wampler stated that the contractor's inaction had resulted in damage to the adjacent units in the 4-plex, and that he was receiving steady inquiries and complaints about this lack of action from the neighbors and from a realtor. Discussion between Mr. White, Board Members, and CBO Wampler.

Motion by Member Milelli to continue to May CEB meeting.,

Second by Member Sands.

All in favor.

DISCUSSION ITEMS:

Members unanimously appointed Mr. Milelli as Vice-chair.

Meeting adjourned 4:35 pm.

Respectfully submitted,

CWalker

Carolyn Walker,

Secretary

(note: there is no tape available for this meeting)