

Construction Licensing Enforcement and Appeals Board

June 12, 2018

The meeting was called to order at 7:02 pm. In the Highlands County Board of County Commission Chambers at 600 S. Commerce Ave., Sebring Florida, with the following members present: Troy Maloyed, Gary Bagwell, John Palmer, J.C. Schoop, Tommy James, Rob Horne and Chairman Scot LeConey. Also in attendance was County Attorney Joy Carmichael.

1. Rob Horne made motion to approve the minutes from the May 1, 2018 meeting, seconded by Tommy James and passed by unanimous vote.
2. Building official asked to move item 1 c to the end of the meeting.
3. Business:
 - A. Applicant Amgiern Caceres applying to take the painting exam.
Mr. Caceres spoke to his history and experience. Board inquired of his current employment and Mr. Caceres stated that he had been working for a local contractor. Troy Maloyed made motion to approve, seconded by Gary Bagwell and passed by unanimous vote.
 - B. Applicant Carmelo Cruz was not in attendance and no action was taken.
 - C. Applicant Austin Pearce applying for fencing.
Mr. Pearce spoke to his experience and being in business locally. Troy Maloyed made motion to approve, seconded by Gary Bagwell and passed by unanimous vote.
 - D. Applicant Robert White applying to take the aluminum specialties exam.
Mr. White spoke to his experience and history as a licensed contractor in the county and the need for this licensure to allow him to make repairs in conjunction with his roofing business. Motion was made to approve by Gary Bagwell and seconded by John Palmer and passed by unanimous vote.
 - E. Administrative review of complaint filed by Susan Amicarelle against Mike Secor qualifier of Trinity Development Corporation.
Chairman Scott LeConey recused himself from this case citing conflict as he has represented both parties in unrelated cases. The gavel was passed to John Palmer.
Mr. Secor had an attorney representing him. This attorney had spoken with the county attorney prior to the meeting to negotiate plea bargain. Ms. Carmichael offered to the board that Mr. Secor would plead guilty to not obtaining a permit and agree to a \$1,000.00 fine. The board was not receptive to this offer and indicated that they would like to proceed with hearing of the complaint. At this time, it was realized that Ms. Amicarelle was not in attendance. Board asked if she had been noticed of meeting and Building Official could not confirm if notice had been sent to her. Mr. Secor's attorney questioned if complainant was not present if case should be dropped. Recollection was made of Ms. Amicarelle residing out of state. Motion was made to reset hearing date to the July meeting by Troy Maloyed and seconded by Gary Bagwell. When checking the actual date of the next meeting to clarify the date in the motion it was determined to reset the hearing to the August meeting. Motion was made to reset the hearing date to the August 7, 2018 meeting by Troy Maloyed and seconded by Rob Horne and passed by unanimous vote.
 - F. Applicant Tommy James applying to take the roofing exam.

Mr. James spoke to his experience and the numerous calls he is receiving for roof replacement work. As a general contractor he was able to roof homes that he constructed and during the state of emergency after hurricane Irma he was able to obtain permits for reroof work. Now that the state of emergency has expired he still sees the need and would like to help customers that call. He also asked for a 120-day provisional license to be able to obtain permits until he can schedule to take the exam and await processing of license by the state. Motion was made to approve and grant a 120-day provisional license by Troy Maloyed and seconded by John Palmer and passed by unanimous vote.

Board then asked if they could discuss the administrative review case while still in open meeting. Ms. Carmichael said that they could although the defendants had left and discussion of specifics of the case should not be part of the discussion. Board questioned the need to rehear the case and Ms. Carmichael explained that she had some concerns with procedural issues with the prior hearing. Board members stated that they recalled major concerns relating some examples to which Ms. Carmichael advised again that specifics of the case could not be part of the discussion. Board asked if they could have a copy of the minutes from the May meeting when case is reheard. It was explained that this would probably not be advisable as a rehearing is not an additional hearing, it is a completely new procedural process. It was then asked if we could schedule a meeting with the county attorney to discuss proper procedures so in the future we would have the process correct. This was confirmed and a meeting with the county attorney was scheduled for August 6, 2018 at 7:00 pm.

With no other business the meeting was adjourned at 7:59 pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "C. R. Jones", written over a light blue horizontal line.

Building Official