

MINUTES ARE NOT VERBATIM

**PLUMBING COMPETENCY BOARD
MINUTES
March 28, 2018**

The regular meeting of the Plumbing Competency Board was held March 28, 2018, 9:00 a.m. at the Okaloosa County Administrative Building, 1250 Eglin Parkway N., first floor BCC Chambers, Shalimar, Florida. Board members in attendance were Julian Johnson, David Cummins, Jerry Paul Cadenhead, and Thomas Paccone. Consumer Representatives in attendance were Don Bafundo and Bill Byerley.

Okaloosa County Department of Growth Management Staff members in attendance were Renée Lucas, Licensing Specialist; and Teresa Mullins, Administrative Asst. II. Board Attorney Kerry Parsons was also present.

Board of County Commissioners Office staff in attendance was Ms. Patty Cook, Office Supervisor.

I. CALL TO ORDER:

Chairman Jerry Paul Cadenhead called the meeting to order.

A. Roll Call.

Ms. Teresa Mullins conducted roll call.

II. ACKNOWLEDGE GUESTS:

Chairman Cadenhead welcomed the guests.

III. APPROVAL OF MINUTES OF

a. January 15, 2017:

Motion to approve the minutes as written made by Thomas Paccone; seconded by Bafundo; approved unanimously.

IV. OPEN TO THE PUBLIC STATEMENT

Chairman Cadenhead noted that the meeting is open to the public.

V. ANNOUNCEMENTS:

Ms. Renée Lucas informed the Board that, as they are aware, Okaloosa County is now working under the 2017 Florida Building Code; however, staff has been notified by PROV, the testing company, that they have not been able to update the booklists and exams to the 2017 code for all of their exams as yet. Ms. Lucas stated that the book lists and exams still under the 2014 Florida Building Code that are the purview of this Board

include Irrigation Contractor, Master Plumbing with Gas Contractor, Swimming Pool Maintenance Contractor and Underground Utility Contractor. Ms. Lucas noted that the book lists and exams for the Residential Pool Contractors, Commercial Pool Contractors and Master Gas Pipe Fitter Contractor have been updated to the 2017 Florida Building Code. Ms. Lucas stated that PROV is working to get the others updated and have promised to notify staff as soon as they are updated.

VI. OLD BUSINESS

Ms. Lucas informed the Board that Mr. Henderson has paid all of his back fees and penalties as required by this Board's order and staff will work with him in his application to the State.

VII. NEW BUSINESS

a. Swearing In Applicants/Speakers

Ms. Mullins swore in the applicants present.

b. Candidates for Testing Approval:

1. Brandon C. Corbitt – Master Gas Fitter

Ms. Lucas informed the Board that Mr. Brandon Corbitt is seeking Board approval to test for a Master Gas Fitter local specialty license. Ms. Lucas noted that, in his Board application, Mr. Corbitt stated that he was convicted of a felony when he was 20 years old, ranging from DUI to trafficking stolen firearms, for which he spent 4 years in prison. Ms. Lucas noted that Mr. Corbitt was released in 2013 and has had no further legal issues since that time. Ms. Lucas reminded the Board that, per Okaloosa County Code of Ordinances, Chapter 6; Article VIII; Division 3; Section 6-313 (b): **Eligibility, Licensure by Examination:**

The applicant shall have no outstanding judgements or have been convicted of a felony. This requirement can be waived by the Board on a case-by-case basis with appropriate documentation.

Ms. Lucas informed the Board that the type of license Mr. Corbitt is seeking is not issued by the State of Florida Department of Professional Regulation but is only a local specialty license although he can reciprocate with those Counties with whom we have a reciprocal agreement.

Mr. Brandon Corbitt was present to answer questions from the Board.

Chairman Cadenhead asked Mr. Corbitt if he had been in any trouble since his release.

Mr. Corbitt stated that he has been too busy working, up to 3 jobs at a time, and has been in no trouble since his release. Mr. Corbitt further stated that he has been doing gas piping work for the past 4 ½ years, first for his father's company, Ken's Gas Piping, then for others.

Mr. Thomas Paccone asked Mr. Corbitt which other gas companies he worked for and for what length of time.

Mr. Corbitt stated that he stopped working for his father's company in February of 2017 and went to work for Gas Works seeking additional experience, where he is still employed.

Motion to approve made by Julian "Buddy" Johnson; second by David Cummins; approved unanimously.

2. David Landon Wise – Irrigation Sprinkler Contractor

Mr. David Wise was present to answer questions from the Board.

Chairman Cadenhead asked Mr. Wise if he has been doing irrigation for a long time.

Mr. Wise stated that he has been doing landscaping.

Mr. Cadenhead asked Mr. Wise if he has ever taken this test in the past.

Mr. Wise stated that he took the test in 2011 but did not have the correct book and failed the exam.

A brief discussion ensued.

Motion to accept his request made by David Cummins; second by Thomas Paccone; approved unanimously.

c. Candidate for Testing Extension:

1. Allan L. Spodnik – Master Plumbing with Gas

Ms. Lucas reminded the Board that Mr. Spodnik appeared before this Board on March 29, 2017 and was approved to test for a Master Plumbing with Gas contractor's license. Ms. Lucas noted that Mr. Spodnik's examination expiration date is March 29, 2018. Ms. Lucas informed the Board that Mr. Spodnik was scheduled to take both the trade exam as well as the Business & Law exam on March 15th; however, halfway through the testing, the computer system shut down due to the exam demographics not working properly and Mr. Spodnik was unable to finish the examinations. Ms. Lucas stated that staff received notification from the director of PROV stating, due to technical errors in their new software, testing centers were having difficulties receiving the exams; therefore, PROV was going back to their old testing software until the situation can be worked out and they are providing free testing to those applicants who were affected by these issues. Ms. Lucas noted that staff were contacted by PROV and told that Mr. Spodnik did pass his Business and Law exam, and it was just the trade exam that was incomplete due to the software. Ms. Lucas further stated that when Mr. Spodnik contacted PROV to reschedule, he was told that the next testing dates were toward the end of April which would exceed his time limit to test, through no fault of his own. Ms. Lucas stated that Mr. Spodnik is present to request an extension on his testing time limit to include the end of April so that he is able to reschedule the exam he was unable to complete. Ms. Lucas

further stated that Mr. Spodnik understands that if he fails to pass this exam, he will be required to appear before this Board for approval before any further testing is authorized.

Mr. Spodnik was present to answer questions from the Board.

The Board had no questions for Mr. Spodnik.

Motion to approve made by David Cummins; second by Thomas Paccone; approved unanimously.

A brief discussion ensued.

Motion that Mr. Spodnik receives approval to test for an additional 90 days made by Don Bafundo; second by David Cummins; approved unanimously.

d. Purged Contractor:

1. Johnny D. Sparks

Ms. Lucas informed the Board that Mr. Johnny Sparks appeared before this Board on May 27, 2015 seeking the reinstatement of his Master Plumbing with Gas competency Card. Ms. Lucas reminded the Board that Mr. Sparks took and passed the Master Plumbing with Gas as well as the Business and Law exams in 2001. Ms. Lucas further reminded the Board of the motion made and approved at the May 2015 meeting:

Motion that we go along with staff's recommendation to approve with paying back fees within a 6 month period beginning today and let him continue on made by Bill Byerley; second by Jerry Paul Cadenhead; approved unanimously.

Ms. Lucas stated that an invoice was provided to Mr. Sparks with a payment deadline of November 27, 2015 along with a list of requirements needed to obtain his County Competency Card. Ms. Lucas further stated that he was also provided with all of the required forms to submit for reinstatement. Ms. Lucas stated that Mr. Sparks submitted the documentation required to begin the process of reinstating his Competency Card, along with the payment of \$2,391.94 in back fees and penalties as required by staff and this Board. Ms. Lucas further stated that, on December 7, 2017, staff were notified that Mr. Sparks check given in payment of the back fees, etc. was rejected to do insufficient funds. Ms. Lucas stated that notification was sent to Mr. Sparks on December 11, 2015 and again on January 21, 2016 by our Department's Financial Coordinator to the address Mr. Sparks had on file. Ms. Lucas further stated that this Board was made aware of this issue at their meeting on January 26, 2016 at which time the following motion was made and approved:

Motion made to send out notice that he attend the March 30 meeting made by Jerry Paul Cadenhead; Second by David Cummins; approved unanimously.

Ms. Lucas stated that notice of the Board's order was mailed to Mr. Sparks on February 2, 2016 and despite numerous attempts to get in touch with Mr. Sparks, no further contact

was made. Ms. Lucas further stated that in February of 2017, Mr. Sparks again contacted staff about his appearing before the Board at their May, 2017 meeting. Ms. Lucas stated that staff emailed him notification of all back fees and penalties along with the additional charges due to the NSF checks that still remain unpaid. Ms. Lucas noted that staff received no response and after many failed attempts to contact Mr. Sparks, he was removed from the May agenda prior to the meeting. Ms. Lucas stated that in March of 2018 Mr. Sparks again contacted staff concerning his appearing before the Board at this meeting on March 28, 2018. Ms. Lucas stated that staff provided Mr. Sparks with an email, dated March 2, 2018, outlining all of the back fees, penalties and NSF charges which total \$2,936.23. Ms. Lucas further stated that on March 13, 2018 Mr. Sparks paid the \$200.00 Board appearance fee and provided a written statement to staff concerning his past history to date. Ms. Lucas informed the Board that in his statement, Mr. Sparks said he had been working in Colorado for a contractor for about a year and a half and is currently working with John Nelson, license holder for A Two Z Plumbing here in Okaloosa County. Ms. Lucas further informed the Board that in his statement, Mr. Sparks said that he would like the opportunity to reinstate his license so that he can build a business which he can leave to his children and grandchildren. Ms. Lucas reminded the Board that, per Okaloosa County Code of Ordinances, Chapter 6; Article VIII; Division 3; Section 6-318 (g) **Expiration, renewal and retired certificates:**

The board may give special consideration in purged license cases concerning family illness and military deployment, and other circumstances as the board deems appropriate.

Ms. Lucas stated that staff asks, should the Board approve his request, that all back fees penalties and NSF charges, totaling \$2,936.23, be paid and that a payment deadline be made part of the Board's motion. Ms. Lucas asked if Board had any questions for staff.

A brief discussion ensued.

Mr. Johnny Sparks was present to answer questions from the Board.

Chairman Cadenhead asked Mr. Sparks if was prepared and able to pay all of the back fees, penalties and NSF charges.

Mr. Sparks stated that he would be able to pay those charges.

Mr. David Cummins asked Mr. Sparks to explain why he wrote a bad check and then left the area.

Mr. Sparks stated that he went to jail for a DUI after he wrote the check to the County, and paying his bail to get out of jail caused the check to the County to bounce. Mr. Sparks further stated that such a thing would never happen again.

Bill Byerley asked Mr. Sparks if he left a forwarding address when he left for Colorado.

Mr. Sparks stated that he did not leave a forwarding address, noting that he just left the area to try and make a new start and put the DUI behind him.

Chairman Cadenhead asked how long Mr. Sparks had held his license.

Ms. Lucas stated that Mr. Sparks was licensed through the County until 2002, although his State Registered license was active until 2011.

Mr. Sparks stated that he didn't understand that he had to keep active with the County since his State license was current, which was his fault. Mr. Sparks further stated that he assumed that the County and State fees were the same thing.

A brief discussion ensued.

Motion to approve with 30 days to make payment of all fees made by Buddy Johnson; Second by David Cummins; motion approved 5 ayes, 1 nay (Bill Byerley).

A brief discussion ensued.

VIII. OTHER BUSINESS:

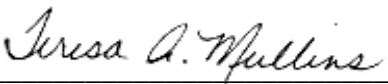
a. Presentation on New Board Member Procedures – Patty Cook

Ms. Patty Cook, Office Supervisor, Okaloosa County Board of County Commissioners, presented the Board members with a packet of information regarding the new procedures for new and renewing Board member approval. Ms. Cook informed the Board that on February 20, 2018 the Board of County Commissioners a new policy regarding the 14 Citizen Boards/ Councils that operate under their aegis. Ms. Cook further stated that the policy requires submission of an application or résumé as well as a background check, the cost of which will be absorbed by the County. Ms. Cook stated that the Board is working toward transparency and this policy isn't aimed at any one particular Board or Board member. Ms. Cook further stated that, at this time, current Board members will only have to go through this process when their term renews. Ms. Cook stated that the application can be filled out at any time and it will be kept on file for 2 years. Ms. Cook noted that an application will not be deemed submitted until it is in her hands.

A brief discussion ensued.

IX. ADJOURNMENT

Motion to adjourn made by Bill Byerley; Second by David Cummins; approved unanimously.

Prepared by: 
Teresa Mullins, Recording Secretary
3.30.18