

MINUTES ARE NOT VERBATIM

**PLUMBING COMPETENCY BOARD
MINUTES
January 31, 2018**

The regular meeting of the Plumbing Competency Board was held January 31, 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 Mark Parrett. Consumer Representatives in attendance were Chuck Larouche, Don Bafundo and Bill Byerley. Thomas Paccone was not present.

Okaloosa County Department of Growth Management Staff members in attendance were Elliot Kampert, Growth Management Director; Renée Lucas, Licensing Specialist; and Teresa Mullins, Administrative Asst. II.

I. CALL TO ORDER:

Chairman Julian Johnson called the meeting to order.

A. Roll Call.

Ms. Teresa Mullins conducted roll call.

II. ACKNOWLEDGE GUESTS:

Chairman Johnson welcomed the guests.

III. APPROVAL OF MINUTES OF

a. November 15, 2017:

Motion to approve the minutes as written made by Jerry Paul Cadenhead; seconded by Bill Byerley; approved unanimously.

IV. Open to the Public statement.

V. ANNOUNCEMENTS:

None

VI. OLD BUSINESS

None

VII. NEW BUSINESS

a. Swearing In Applicants/Speakers

Ms. Mullins swore in the applicant present.

b. Purged Contractor:

1. Doug Henderson – Henderson Electric of NWF Inc

Ms. Renée Lucas, Licensing Specialist, addressed the Board, stating that Mr. Doug Henderson grandfathered in as a Plumbing Contractor in 1983 and remained licensed with Okaloosa County until September of 2008. Ms. Lucas further stated that, after two (2) years of non-payment, Mr. Henderson's Competency Card was purged per County Ordinance in September of 2010. Ms. Lucas informed that Board that, per verification with the Florida Department of Business and Professional Regulation (DBPR), Mr. Henderson's State Registered Master Plumbing with Gas license, #RF0066600, was placed in null/void status as of August 31, 2007. Ms. Lucas further informed the Board that, in a statement provided to staff, Mr. Henderson stated that Ms. Virginia Hodges was the company secretary from 1979 until she became ill in 2009 and ultimately passed away in 2010. Ms. Lucas informed the Board that, per his statement, Mr. Henderson was involved in growing his business into a company employing 300 people during the period when Ms. Hodges was working for him. Ms. Lucas further informed the Board that, within the statement, Mr. Henderson said that Ms. Hodges was responsible for all of the administrative duties within the company which included making certain that Mr. Henderson's licenses & Competency Cards were renewed annually. Ms. Lucas informed the Board that, per his statement, Mr. Henderson found it difficult to find someone reliable enough to handle all of the administrative duties involved with such a large company and it was during a company move that he became aware that his State Registered and County Plumbing licenses had expired. Ms. Lucas stated that, upon this discovery, Mr. Henderson contacted staff and found that his County Competency Card had been purged; whereupon, he began working with staff to provide the information necessary to make a petition to this Board. Ms. Lucas noted that Mr. Henderson did pay the required \$200.00 fee to petition this Board for reinstatement of his County Competency Card. Ms. Lucas stated that staff contacted DBPR and were told that, due to the number of years that Mr. Henderson's State license has been in a null/void status, it would be more cost effective for him to apply for a new State Registered license rather than applying to have his previous license reinstated. 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 informed the Board that, with the Board's approval of the reinstatement of his Okaloosa County Competency Card, Mr. Henderson will then apply to the State for his State Registered Plumbing license. Ms. Lucas noted that Mr. Henderson holds a current/active State Certified Electrical license, #EC0001877, and actively purchases permits from Okaloosa County permitting staff. Ms. Lucas asked that all back fees and penalties, totally \$1,775.00, be paid and a payment deadline included in the motion

should the Board choose to approve the reinstatement of Mr. Henderson's County Competency Card. Ms. Lucas asked if Board had any questions for staff.

Chairman Johnson asked if Mr. Henderson's Electrical license had ever been suspended or voided or purged throughout the years.

Ms. Lucas stated that Mr. Henderson's Electrical license has never had any such issues to the best of staff's knowledge.

The Board had no further questions for staff at that time.

Mr. Doug Henderson greeted the Board and stated his company, Henderson Electric has been working in Okaloosa County for many years. Mr. Henderson further stated that, beginning in the 1990s and continuing through the early 2000s he was completely focused on growing his electrical company. Mr. Henderson stated that Ms. Virginia began with the company in 1979 and was originally hired by Mr. Henderson's father. Mr. Henderson further stated that Ms. Virginia was an excellent employee and was placed in charge of maintaining the residential service side of the business, which included making sure that all license and Competency Card renewals were maintained. Mr. Henderson stated that he had told Ms. Virginia to put his State Registered licenses and Competency Cards in to retired status and he thought that had been done. Mr. Henderson further stated that after Ms. Virginia's illness and death he had great difficulty in finding another employee who could handle the work and it wasn't until they moved offices that he found the license file and discovered that his State Registered license had expired and was in a null/void status at which time he contacted County staff. Mr. Henderson stated that he understands that ultimately he is the one responsible for his licenses; however, he is certain that the Plumbers on the Board who have large companies can understand how one would come to depend on their employees for such things. Mr. Henderson stated that he was wholly focused on his commercial electrical business; noting that he holds State Certified or Master Electrical licensure in Florida, Alabama, Tennessee which are all active and current.

Mr. David Cummins asked Mr. Henderson why he is seeking this approval given that his focus is on the electrical trade.

Mr. Henderson stated that his son is a licensed builder and he wants to be able to provide quality sub-contractor service for his son's jobs. Mr. Henderson further stated that he has no intention of using that license to start a plumbing business and doesn't intend to use it other than for his son's jobs. Mr. Henderson stated that he grew up in the construction business and knows how to do just about everything involved.

Chairman Johnson asked if Mr. Henderson had ever personally done any plumbing work.

Mr. Henderson stated that he did all of the work back in the 1980s to include roofing, HVAC, plumbing and electrical.

Chairman Johnson noted that the Board generally gives leeway in cases where there has been a death in the family, family illness or military service, but not generally for those who just forgot.

Mr. Henderson stated that he didn't forget but depended on an individual to handle those issues while he dealt with three hundred (300) plus employees in his electrical company that serves the entire Southeast region.

Chairman Johnson noted that all electricians have business problems and the license holder is still the one ultimately responsible for maintaining his or her license.

Mr. Mark Parrett asked staff to explain what the representative from DBPR meant by saying it would be more feasible for Mr. Henderson to apply for a new license instead of trying to get his old license reinstated.

Ms. Lucas stated that to reactivate his old license he would have to fill out an application, pay a fee and appear before their Administrative Board, which would make the decision of whether or not to reinstate. Ms. Lucas further stated that the process is very time consuming as the Administrative Board doesn't meet very often. Ms. Lucas noted that if Mr. Henderson's license had only been expired for a couple of years, then DBPR would have recommended that he ask for his license to be reinstated, but because his license has been expired since 2007 it would have required a lot more of Mr. Henderson in terms of continuing education and other costs.

Mr. David Cummins asked staff why the State would even consider reinstating his license given that he has never taken a test for the plumbing trade.

Ms. Lucas stated that the State doesn't check to see if he has tested so long as he submits a County Competency Card to them with his application. Ms. Lucas stated that the State relies on the Counties to make sure that their applicants meet all of the necessary requirement in order to be licensed. Ms. Lucas further stated that if a contractor keeps his State license current and active, the State doesn't check to make sure that his County Competency Card is current as well, the State leaves that sort of checking up to the Counties to handle.

Mr. Don Bafundo asked Ms. Lucas if Mr. Henderson has met all of the County requirements in order to get his Competency Card back.

Ms. Lucas stated that if the Board approves Mr. Henderson's request and he pays his back fees then he will have met County requirements.

A brief discussion ensued.

Motion to let him get his Competency Card back if he'll pay the \$1,775.00 fees within 60 days made by Mark Parrett; Second by Bill Byerley; approved unanimously.

A brief discussion ensued.

VIII. OTHER BUSINESS:

Mr. Elliot Kampert, Growth Management Director, informed the Board that he had information to share that would affect those sitting on the Board whose term may come up for renewal. Mr. Kampert stated that the Board of County Commissioners (BCC) has been taking a look at their advisory Boards and other decision making Boards such as this

one and some concerns have been expressed regarding potential conflicts of interest as well as multiple people sitting on multiple Boards. Mr. Kampert further stated that the BCC has decided to tighten the requirements for serving on such boards. Mr. Kampert stated that this issue would not affect Mr. Parrett, should he agree to serve another term, as the proposed Board of County Commissioner's policy has not yet been adopted; however, it will affect Mr. Larouche as County employees will not be allowed to serve on such Boards unless they are required to do so by Florida Statute. Mr. Kampert further stated that this policy will be implemented in about a month and will include a process wherein the County Administration will be advertising Board openings and even those who wish to renew will have to fill out an application and submit to a background check. Mr. Kampert noted that at the staff level there are many concerns as there are often difficulties in filling vacant seats on our Boards.

Mr. Bill Byerley stated that he finds it interesting that the BCC is taking such interest, especially in the Trade Competency Boards such as this one. Mr. Byerley stated that it is often difficult now to find people willing to fill vacancies on these Boards, and this change may well make it even more difficult, to the extent where there may be issues with having enough members to constitute a quorum to hold a meeting.

Mr. Kampert stated that staff have expressed that very concern to the Administration.

Chairman Johnson noted that this Board and the other trade Board's exist because the State requires them.

Mr. Kampert agreed that the trade Boards are mandated by State Statute.

Mr. Jerry Paul Cadenhead asked if the State lays out the requirements for the Board in Statute.

Mr. Kampert stated that Florida Statutes do lay out the requirements for each trade Board; however, State Statute does not tell the County how to go about finding or vetting the people to fill those required positions. Mr. Kampert noted again that this policy has not yet been adopted and will not affect Mr. Parrett if he chooses to serve another term.

A brief discussion ensued.

a. Board Member Renewal:

1. Mark L. Parrett

Ms. Lucas asked Mr. Parrett if he would be willing to serve another 3 year term on the Board.

Mr. Parrett stated that he would be willing to serve an additional 3 year term on the Board.

b. Chairman/Vice-Chairman Election:

Chairman Johnson opened nominations for Chairman noting that he does not believe that he will serve another term as Chairman.

Motion to nominate Jerry Paul Cadenhead as Chairman made by Buddy Johnson.

Mr. Cadenhead accepted the nomination.

Motion to nominate Buddy Johnson as Chairman made by Jerry Paul Cadenhead.

Chairman Johnson refused the nomination, stating that this will be his last meeting.

Ms. Lucas asked Mr. Johnson what he meant by stating this may be his last meeting.

Chairman Johnson stated that he didn't believe the Board acted correctly in giving Mr. Henderson back his Competency Card, and that act will open the door to anyone like him. Chairman Johnson further stated that in cases like this where more than ten (10) years has passed, it's especially troubling.

Ms. Lucas asked Chairman Johnson if he would remain on the Board for the rest of his term.

Chairman Johnson stated that he would remain on the Board for the rest of his term, but would not serve as Chairman.

There being no further nominations, Chairman Johnson closed nominations.

Jerry Paul Cadenhead approved as 2018 Chairman by unanimous vote.

A brief discussion ensued.

Chairman Johnson opened nominations for Vice-Chairman.

Motion to nominate Mark Parrett as Vice-Chairman made by Don Bafundo.

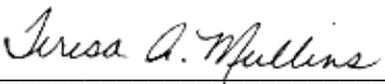
Mr. Parrett accepted the nomination.

There being no further nominations, Chairman Johnson closed nominations for Vice-Chairman.

Mark Parrett approved as 2018 Vice- Chairperson by unanimous vote.

IX. ADJOURNMENT

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

Prepared by: 
Teresa Mullins, Recording Secretary
2.2.18