

**MINUTES
OF THE COLLIER COUNTY
CONTRACTORS' LICENSING BOARD**

August 15, 2018
Naples, Florida

LET IT BE REMEMBERED that the Collier County Contractors' Licensing Board, having conducted business herein, met on this date at 9:00 AM in **REGULAR SESSION** in Administrative Building "F," 3rd Floor, Collier County Government Complex, Naples, Florida, with the following Members present:

Chairman: Michael Boyd

Vice Chair: Kyle Lantz

Members: Terry Jerulle
Richard Joslin
Robert Meister
Matthew Nolton
Patrick White

Absent: Gerard Shannon

ALSO PRESENT:

Everildo Ybaceta – Supervisor, Contractors' Licensing Office
Kevin Noell, Esq. – Assistant Collier County Attorney
Jed Schneck, Esq. – Attorney for the Contractors' Licensing Board
Reggie Smith – Contractors' Licensing Compliance Officer
Joe Nourse – Contractors' Licensing Compliance Officer

Any person who decides to appeal a decision of this Board will need a record of the proceedings and may need to ensure that a verbatim record of said proceedings is made, which record includes the testimony and evidence upon which any Appeal is to be made.

I. ROLL CALL:

Chairman Michael Boyd opened the meeting at 9:02 AM and read the procedures to be followed to appeal a decision of the Board.

Roll Call was taken; a quorum was established; **seven (7) voting members** were present.

II. AGENDA- ADDITIONS, CHANGES, OR DELETIONS:

Deleted:

- Under **Item X, "Public Hearings,"** the County requested to Withdraw the following:
 - **Case #2018-08:** George Gareau, Respondent, d/b/a *The Aluminum Store*

Everildo Ybaceta, Supervisor - Contractors' Licensing Office, requested to amend the Agenda by withdrawing the case which had been scheduled for a Public Hearing. He stated the Contractor had come into compliance.

Richard Joslin moved to approve the County's request to amend the Agenda. Vice Chairman Kyle Lantz offered a Second in support of the motion.

Carried unanimously, 7 – 0.

III. APPROVAL OF AGENDA:

Richard Joslin moved to approve the Agenda as amended. Vice Chairman Kyle Lantz offered a Second in support of the motion. Carried unanimously, 7 – 0.

IV. APPROVAL OF MINUTES – JUNE 20, 2018:

Richard Joslin moved to approve the Minutes of the June 20, 2018 Meeting as submitted.

Vice Chairman Kyle Lantz offered a Second in support of the motion.

Carried unanimously, 7 – 0.

V. PUBLIC COMMENT:

(None)

VI. DISCUSSION:

- **Vice Chairman Kyle Lantz** noted the Board had been informed during the June meeting that a new member had been appointed, Gerard Shannon, but had been excused from attending that meeting. He stated Mr. Shannon was not in attendance at the August meeting.
- **Patrick White** inquired if Mr. Shannon had asked to be excused.

- **Everildo Ybaceta** replied, “No.” He confirmed that Mr. Shannon had been sent the standard notification email which is sent to all Board members reminding them of the upcoming meeting. He further stated Mr. Shannon had not replied to the email and was deemed to be “Absent” from the August meeting.
- **Patrick White** asked if the Board was expected to acknowledge receipt of Form 8B entitled “Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers.”
- **Everildo Ybaceta** confirmed the document had been sent by the Board’s attorney to the Chairman.
- **Attorney Jeb Schneck** explained Chairman Boyd had abstained from voting at the June meeting in the case of Len Ciarrocchi who was contesting the Citations which had been issued to him due to a conflict of interest, i.e., both the Chairman and the Respondent were State-certified Contractors in the same trade. He noted once Form 8B is submitted to the Clerk, it would become a public record and part of the minutes for the meeting.
- **Patrick White** asked for clarification concerning the Agenda item from the last meeting.
It was noted the case was heard under **Item VIII-C, “New Business.”**
- **Richard Joslin** noted he had been contacted by a Code Enforcement officer who asked him if a Residential Building Contractor could pull a permit to build a swimming pool. Mr. Joslin researched the question with the State of Florida Department of Business and Professional Regulation – the answer was, “absolutely not.”

VII. REPORTS:

(Will be heard at the end of the proceedings)

VIII. NEW BUSINESS:

A. Orders of the Board:

*Patrick White moved to approve authorizing the Chairman to sign the Orders of the Board. Terry Jerulle offered a Second in support of the motion.
Carried unanimously, 7 – 0.*

(Note: The individuals who testified in the following cases under Item VIII, “New Business,” were first sworn in by the Attorney for the Board.)

**B. Nicholas H. James – Review of Experience (Master Electrical License)
(d/b/a *Nick James Electric, LLC*)**

Chairman Boyd asked Mr. James to explain his background and experience.

Nicholas James stated he had prepared a one-page summary of his education and experience. He had copies for the Board and stated he could read the document into