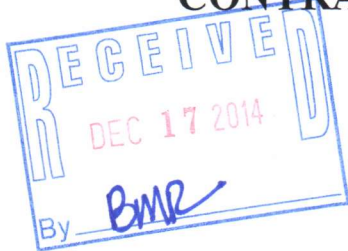


**MINUTES
OF THE COLLIER COUNTY
CONTRACTORS' LICENSING BOARD MEETING**



October 15, 2014
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: Patrick White
Vice Chair: Thomas Lykos

Members: Ronald Donino
Terry Jerulle
Richard Joslin
Gary McNally
Robert Meister

Excused: Michael Boyd
Kyle Lantz

ALSO PRESENT:

Michael Ossorio – Supervisor, Contractors' Licensing Office
Kevin Noell, Esq. – Assistant County Attorney
James F. Morey, Esq. – Attorney for the Contractors' Licensing Board
Rob Ganguli – Licensing Compliance Officer



COLLIER COUNTY CONTRACTORS' LICENSING BOARD

AGENDA

**OCTOBER 15, 2014
9:00 A.M.**

**COLLIER COUNTY GOVERNMENT CENTER
ADMINISTRATIVE BUILDING
BOARD OF COUNTY COMMISSIONERS CHAMBERS**

ANY PERSON WHO DECIDES TO APPEAL A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THAT TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

- I. ROLL CALL
- II. ADDITIONS OR DELETIONS:
- III. APPROVAL OF AGENDA:
- IV. APPROVAL OF MINUTES:
DATE: September 17, 2014
- V. DISCUSSION:
- VI. NEW BUSINESS:
 - (A) Orders of the Board
 - (B) Tobias Simmons, Duane Thomas Marine Construction, LLC—Second entity application
 - (C) Martin Selden, Asphalt Seal & Repair of SW Florida LLC- Second entity application
 - (D) Yanira I. Tejada – Review of Credit.
 - (E) Leonardo F. Alvarez, Leomar Cabinets, Inc. – Waiver of Exam(s) for Reinstatement
- VII. OLD BUSINESS:
 - (A) Marius Pughiuc, Advanced Flooring of SW FL, Inc. – Review of Credit Report(s)
- VIII. PUBLIC HEARINGS:
- IX. REPORTS:
- X. NEXT MEETING DATE: WEDNESDAY, DECEMBER 17, 2014
COLLIER COUNTY GOVERNMENT CENTER
ADMINISTRATIVE BUILDING
THIRD FLOOR IN COMMISSIONER'S CHAMBERS
3299 E. TAMIAMI TRAIL
NAPLES, FL 34112

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 the proceedings is made, which record includes the testimony and evidence upon which the Appeal is to be based.

I. ROLL CALL:

Chairman Patrick White called the meeting to order at 9:00 AM and read the procedures to be followed to appeal a decision of the Board. Roll call was taken and a quorum was established; **seven** voting members were present.

II. AGENDA – ADDITIONS, DELETIONS, OR CHANGES:

(None)

III. APPROVAL OF AGENDA:

Richard Joslin moved to approve the Agenda as presented. Gary McNally offered a Second in support of the motion. Carried unanimously, 7– 0.

IV. APPROVAL OF MINUTES – SEPTEMBER 17, 2014:

Corrections:

- **On Page 13**, (arrival of Mr. Meister) – changed to read as follows:
 - “*nine voting members were present*”
- **On Page 19**, (Disclosure of Local Officer’s Interest: Robert Meister) – changed to read as follows:
 - “which **may have** inured”

Vice Chairman Thomas Lykos moved to approve the Minutes of the September 17, 2014 meeting as amended. Gary McNally offered a Second in support of the motion. Carried unanimously, 7– 0.

V. DISCUSSION:

(None)

VI. NEW BUSINESS:

A. Orders of the Board

Richard Joslin moved to approve authorizing the Chair to sign the Orders of the Board. Vice Chairman Thomas Lykos offered a Second in support of the motion. Carried unanimously, 7– 0.

(Note: With reference to the cases heard under Section VI, the individuals who testified were first sworn in by the Attorney for the Board.)

**B. Tobias Simmons – Application for Second Entity
(d/b/a “Duane Thomas Marine Construction, LLC.”)**

Tobias Simmons explained the reasons why he had requested to qualify a Second Entity:

- There are various reasons to qualify Duane Thomas to perform electrical work. It is easier to finalize a deal with a customer when electric is included with dock construction.
- Most electricians do not carry the Longshoreman’s Insurance required to perform dock work for marine contractors.
- This is an opportunity for me to resume doing dock work.

Michael Ossorio stated the Applicant also qualifies “Prime Contractors and Associates, Inc.”

Richard Joslin asked the Applicant if he was applying to qualify a Second Entity in order to work in Collier County and the response was, “Yes.”

Terry Jerulle asked the Applicant to explain his purpose.

A. At the present time, an electrical contractor who wants to work for a marine contractor has to obtain Longshoreman’s Insurance. Most electrical contractors do not want to deal with it. Marine Contractors are left with a limited selection of electricians who can do the work.

Q. You are an electrical contractor?

A. Yes, sir.

Chairman White noted there were some pages missing from the application and specifically cited Page 7.

Q. You’re not an officer of that corporation?

A. No, sir.

Q. I ask that because on Page 4, under Question #5(b), your answer was “No.” The question was, “Has the proposed Entity been previously qualified?” The ‘proposed Entity’ is Duane Thomas Marine, correct?

Vice Chairman Lykos explained to the Applicant the Board had no idea that he had applied to qualify Duane Thomas Marine for electrical because the packet did not indicate that intention. He stated it appeared as if the Applicant was applying to qualify Duane Thomas Marine as the primary qualifier in the construction business.

A. Oh, no.

Mr. Lykos continued a cover letter could have explained everything. Regarding the question, “Has the proposed Entity been previously qualified?,” the Board knows it has been while the Applicant’s answer was “No.”

Chairman White noted the corporation has been in business since 2003.

Vice Chairman Lykos suggested the Applicant should start over and explain what Duane Thomas Marine is currently doing and his role in relationship to Duane

Thomas Marine. He stated the packet is totally inappropriate for what the Applicant is trying to do.

Duane Thomas, owner of Duane Thomas Marine Construction, explained:

- I am a Marine Contractor and I build boat docks.
- In order to have electrical work done in Collier County, you need to have a Longshoreman's Insurance Certificate. Very few electricians carry it because they aren't doing that much dock work.
- There is a real problem with supply and demand because there are only a couple of electricians who are available ... and they can be six – eight – nine weeks out even if you can get them to quote the job.
- What I am wanting to do is to put Tobey on the payroll and hire a couple of Journeymen Electricians – one of whom used to work for Mr. Bogart our Electrical Inspector on Marco Island – and put them on our payroll and have Tobey supervise them on a daily basis ... taking an hour or two hours to make sure they are doing the job correctly.
- At the end of the day, the job is going to get done – it will be inspected by Tobey and by the [Collier County] Inspectors but what I'm trying to gain in this is a complete package for my customer.
- One – I can get it done in a timely manner, and quote the job and do it all under the one corporation – Duane Thomas Marine Construction – and one billing system.
- And for ease of me, so I can control what I've got going on in my business because people don't want to pay for their boat dock until their boat lift is wired. And if I can't get the boat lift wired for eight weeks down the road because the electricians who do have the Longshoreman's Insurance aren't available – it just makes the whole system untidy.
- And so I'm just trying to tighten it up and do this in my business plan. I've brought my General Manager whose been with me for a year and my business is growing again ... I went through some problems in 2009 with the economy ... went through a Chapter 11 Reorganization ... a successful one ... basically, what the need for this is ... one, for the customer in streamlining to get the whole process done.
- The people who will be doing the electrical work will be Journeyman Electricians and Tobey will be working with them and inspecting their work.

Richard Joslin:

- Q.** What is the purpose of the Second Entity? If you're going to have him on payroll and you're going to put him in as an employee, why not just use his license?
- A.** He doesn't have Longshoreman's Insurance in his company.

Terry Jerulle:

- Q.** So it is just a matter of his getting Longshoreman's Insurance?
- A.** Well, there's more to it than that.

Q. I'm looking at the packet and I think there are a whole bunch of things that are wrong here. You've done a fairly good job of explaining it, but I'm going to recommend that you start over.

A. For what reason, sir?

Chairman White stated:

- You are missing one of the pages of the application.
- The information that is in it is not clear as to what the form of the request is.

Chairman White suggested reviewing the entire application so that he and Mr. Simmons understands the Board's concerns and can return with a complete packet. He stated he reviewed the packet initially and had been confused. He was not clear concerning "how it all fit together."

Michael Ossorio explained the process of applying for a Second Entity:

- When the Applicant comes to the office, there is a pre-app meeting during which we go over the Application with the individual.
- We explain what items are to be filled out.
- The Applicant then receives the completed document and is responsible for making the required 17 copies.
- The Contractors' Licensing Office is no longer responsible for making copies because it was too time consuming for Staff.

He stated somewhere along the way between giving the document to the Applicant who copied it and then returned the copies to the Office, pages were lost.

Chairman White pointed out Federal law requires that no one's full Social Security number is to be included on a public document. He noted the Applicant's number had not been redacted on the application (Page 1).

Terry Jerulle referenced Page 6 of the Application. He stated the Page was titled "Application to Qualify a Second Entity" and asked whether the 'Entity' referred to was Prime Contractors and Associates, Inc. or Duane Thomas Marine Construction. **He further pointed out** that Mr. Thomas explained he had filed for bankruptcy but the response to Item G. ("*Filed or been discharged in bankruptcy within the past five years?*") was "No."

He asked Mr. Thomas if he had ever been before the Board previously.

Duane Thomas replied he appeared after being cited for beginning a job without first obtaining a DEP permit.

Duane Thomas: I'm confused about the application ... should it be Tobey's or should it be Duane Thomas?

Chairman White:

- The Applicant is Tobias Simmons.
- The name of the business to be qualified should be identified, i.e., Duane Thomas Marine Construction, LLC.

- It should be stated the Applicant is specifically trying to qualify the business as an Electrical Contractor.
- It was noted Page 2 was missing; Pages 3 and 4 were out of order.
- On Page 4, at Question 5-A, Mr. Simmons answered that he was currently qualifying his full time employers' business and wish to earn extra money qualifying a local marine contractor.
 - **Chairman White** asked if the "full time employer" was Prime Contractors and Associates, Inc.?

Vice Chairman Lykos noted that in another part of the Application, the company was referred to as "Prime Electric."

Tobey Simmons explained that Prime Contractors and Associates was the company's umbrella name and there were several divisions (d/b/a's) operating under it, i.e., "APM Custom Homes," "Island Cabinets," and "Prime Electric." He stated he works for Prime Electric.

Chairman White questioned Tobey Simmons:

Q. You already qualify Prime Contractors but only that portion of the company (under one of the d/b/a's) that does electrical?

A. Yes, sir.

Q. Okay – that wasn't clear.

A. But just the home builder ...

Q. You wire residential structures?

A. Todd Schneider's Residential Homes on Marco.

Chairman White: "From my perspective, your desire to earn extra money by qualifying a Second Entity is unpersuasive. And, in fact, may be a negative. We understand that everyone works to make money, but when that's the basis for why you want to qualify a Second Entity, it suggests that since you are not making enough money where you are -- perhaps you should pay less attention to the other company and more attention to this one."

He continued: "Those are the types of concerns the Board generally has about qualifying a Second Entity. As I have said before, you are asking to take on a second "plate." We want to be sure you are able to keep both of them "filled" and monitored and ..."

Tobey Simmons: "It is very hard for me to put those thoughts on paper but basically what's happened recently within my company is, I have stopped doing outside work – outside of Prime Contractors – and have focused my attention directly to Todd Schneider's work. It has left a void. I have done marine construction for many years ... almost my entire career ... and I really would like to get back into it. I would like to get back into doing the dock work – it's something that I enjoy."

Chairman White referenced Page 5 of the application. Item "I" asks how the Applicant is being paid by the business you presently qualify which is Prime Contractors. Your answer was: 'Varies – per job basis.'

Chairman White: “That is not a complete answer in my mind, and I need you to tell me now or put it in the application if it’s going to be resubmitted depending upon what the Board wants to do.”

Tobey Simmons: “That would be re-submitted – that was a complete misunderstanding. The ‘varies – per job basis’ was intended to be Duane Thomas’ entity, not how I get paid now. I get paid a salary from Prime Contractors. That was the wrong answer on my part.”

Duane Thomas: “In my entity, it’s going to be by the hour depending on how many hours he needs to supervise he two fellows that we have working.”

Richard Joslin: “And you’re going to do this with no interest in the company?”

Duane Thomas: “No.”

Chairman White: “So the answer to “J” would be salary.”

Vice Chairman Lykos: “No, the answer to “I” is salary. The answer to “J” is by the hour.”

When questioned about “payroll company,” Duane Thomas explained he used a payroll company and has his insurance – including the Longshoreman’s Insurance – through the payroll company.

Richard Joslin asked the Applicant to explain the percentage of ownership that he may or may not have in Duane Thomas Marine Construction. He noted it did not appear the Applicant had an interest in either business but he was putting his “license on the line” for each.

Tobey Simmons explained the difference between being in business for himself and working for Prime Contractors. “My life is very easy – for taxes, I get a W-2. Life is very simple for me and I’m able to concentrate on what I have to do for my job without the stress, i.e., making payroll, etc.”

Chairman White: “How do you fit into Prime’s management structure when you have issues or concerns – either about materials, or workmanship, or inspections? We need to understand if you are, today, functionally fully in the capacity of a Qualifier for that business before we have you qualify a second one.”

Tobey Simmons: “All, I guess, you have is my word on it. I’ve spend every waking moment taking care of the electrical end of Prime Contractors and I feel I do have the time to take care of Duane’s dock work also.”

Chairman White: “How do you fit into the management structure – the decision making process of Prime?”

Tobey Simmons: “I am it. Todd Schneider who is the primary of Prime Contractors and Associates has his plate full with the construction. I am “it” on the electrical side in that company.”

Chairman White: “What I am trying to understand is how – if there’s a problem getting something done with the wiring in a series of houses, for example, a supplier short-fall that going to affect the contract – you’re not going to get it done in time – how does that get handled?”

Tobey Simmons: “By me. That’s what I’m good at. Those problems don’t happen when I’m ...”

Chairman White: “Do you let Mr. Schneider know what’s going on?”

Tobey Simmons: “Oh, yes.”

Chairman White: “Okay, what I’m trying to get to is the relationship that you have between the two.”

Vice Chairman Lykos: “For a Second Entity, if I remember correctly, we are to have an Affidavit from the currently qualified business that they understand – and it’s not in the packet.”

Tobey Simmons: “That must be one of the missing pages because it was definitely done.”

Chairman White: “We have two Affidavits from you.”

Vice Chairman Lykos: “We don’t have anything from the owner of Prime acknowledging that you are qualifying a Second Entity.”

Chairman White: “There is a Resolution of Authorization but ... Mr. Thomas has told us that ... what your designation is in Duane Thomas Marine.”

Duane Thomas: “He is going to be an employee for Duane Thomas and ...”

Chairman White: “What’s your role in Duane Thomas?”

Duane Thomas: “I’m the owner.”

Chairman White: “You’re the owner but, when you sign an Authorization, you don’t sign it as the owner – you’re signing on behalf of an LLC – correct?”

Duane Thomas: “Yes, but there’s no President ...”

Chairman White: “Okay ... it would be great if you would put under your signature either ‘Manager’ or ‘Managing Member’ so we knew what you were signing in the capacity of ... rather than as an individual because you signing as an individual isn’t enough.”

Duane Thomas: “If I may expound a little bit on the electrical work that we would be doing ... and of the situation is ... the electrical work requirements for my company is a full-time position for three people – it’s not a full-time position for one person. I build a boat dock a week but out of that, there may be eight or ten or twelve hours of actual electrical work that needs to be done. So what I am planning on doing is, as I’ve said, hiring a Journeyman Electrician who also is willing to work in the other aspects of my construction field. He may be helping with the carpenters – there are a lot of different things that he may be doing but there’s not a 24/7, 3 guys working, just doing electrical work for Duane Thomas. I don’t have that much work. But that’s one of the reasons ...”

Chairman White: “Now I’m confused – okay because up until now ...”

Duane Thomas: “But he’s only going to be working part-time. It’s not like he’s going to be working for Prime Electric 24/7 and me for 24/7. For me, I’m only going to need Tobey for 8 to 10 hours a week at most.”

Chairman White: “I’m comfortable at this point with the amount of time that will be spent in a work week with respect to each of the two entities, but you’ve signed an authorization and you’ve just stated again that he’s going to be responsible for ‘all matters connected with the contracting business of Duane Thomas Marine Construction’ ...is that true or it is just electrical?”

Duane Thomas: “It’s just electrical. He’ll be involved in the electrical end of my business.”

Chairman White: “So he’s not going to be doing any management or supervision of carpentry?”

Duane Thomas: “No – the only supervising Tobey is going to be doing is for the Journeyman that I hired to work for me. Tobey is going to be supervising him doing the electrical portions of the jobs that I have on boat docks.”

Chairman White: “In my time on the Board, this is the first one like this that I have seen where someone is looking to qualify a portion of a Second Entity and already only qualifies a portion of some other existing entity.”

Michael Ossorio: “We’ve seen this before ... maybe not this Board but Mr. Lykos has and I believe Mr. Simmons will tell you that he’s qualified two companies and this Board had approved it.”

Chairman White noted the Resolution of Authorization contained an error since the statement that Mr. Simmons was going to be “active in all matters connected with the contracting business” was wrong and must be corrected. It should say it is specific to electrical contracting. The form should be modified to fit the facts.”

Duane Thomas: “Now I’m confused. How could Tobey be qualifying anything to do with my contracting? He has nothing to do with it?”

Chairman White: “You signed the authorization, not me.”

Richard Joslin moved to approve denying the application of Tobias Simmons to qualify a Second Entity. Terry Jerulle offered a Second in support of the motion. Carried unanimously, 7 – 0.

C. Martin Selden – Application to Qualify a Second Entity, “Asphalt Seal & Repair of SW Florida, LLC.”
(d/b/a “Advanced Sweeping and Service, Inc.”)

Martin Selden stated he had applied to become the Qualifier for *Asphalt Seal & Repair of SW Florida, LLC*.

Richard Joslin asked the Applicant why he wanted to qualify a Second Entity.

Martin Selden:

- He is the owner and Qualifier of *Advanced Sweeping and Service, Inc.*
- He has applied to Qualify *Asphalt Seal & Repair of SW Florida, LLC*. To be able to asphalt sealcoat and stripe in Collier County.
- He has worked with AS&R for two years doing their striping jobs. In turn, he subs to them for his asphalt sealcoating jobs.
- The previous Qualifier passed away earlier this year.
- He also qualifies both companies in Lee County.

Chairman White asked Mr. Selden if *Asphalt Seal & Repair of SW Florida, LLC* was currently operating without a Qualifier.

A. Absolutely not.

Q. Do you have factual knowledge of that?

A. Yes, I do.

Richard Joslin asked Michael Ossorio asked if a Qualifier for a company dies, is there a time limit within which the company may legally operate while it finds a new Qualifier?

Michael Ossorio:

- Pertaining to Specialty Contractors – no.
- Pertaining to Registered and General Contractors, Division 1 and Division 2, - – yes. The State has a provision – we work under that provision on a daily basis – and allows 60 days.
- There is nothing in the Collier County Ordinance that allows for a Qualifier’s passing, no. A company cannot operate without a Qualifier.
- It can take weeks to obtain a temporary registration for a State-Certified Contractor.
- In Collier County, tests are offered on a daily basis. A license could be obtained within weeks.
- The Contractors’ Licensing Board has the authority to authorize a temporary registration.

Mr. Joslin expressed concern that Collier County did not have a provision in its Ordinance concerning the death of a Qualifier. If a Qualifier dies, the company must immediately stop doing business because it is without a license. He suggested the Board should examine the Ordinance and propose an Amendment.

Martin Selden stated it takes longer that a couple of weeks to obtain a license if someone is not a current Qualifier; he/she must take a test – study for it – as well as find a school that will accept you. He agreed with Richard Joslin that if a Qualifier passes away, a company should be allowed to operate in Collier County for 60 days. He stated that was the situation with *Asphalt Seal & Repair of SW Florida, LLC* -- all business in Collier County was shut down.

Chairman White referenced Page 5 of the Application.

- **H.** *List persons authorized (currently and in the past 6 weeks) to pull permits on your license(s).*

He noted the answer was “Mark Selden.”

Martin Selden explained “Mark” was his brother and the salesman for *Asphalt Seal & Repair*. He stated he is also authorized to pull permits but his brother would do it most often.

Vice Chairman Lykos asked for clarification of Questions “I” and “K”:

- **I.** *How are you being paid by the business(s) you presently qualify?*
- **K.** *What percentage of ownership do you have in the present business you are qualifying and what percentage of ownership will you have in the business you are attempting to qualify?*

In response to “I,” Martin Selden stated he is paid a percentage of the profits from his business. He confirmed he will be paid a percentage of the gross sales from *Asphalt Seal & Repair*’s contracts.

In response to “K,” he stated he will have a 10% ownership interest in the company.

Vice Chairman Lykos asked Mr. Selden if he has check writing authority for both businesses and the response was, "Yes." He will obtain a letter from the bank verifying his authority if the application is approved.

It was pointed out the answer to Question 10 ("Organizational Relationships") on Page 7 should have been "Yes." Mr. Selden admitted he had made an error when completing the document.

Chairman White questioned whether the company, *Asphalt Seal & Repair*, was a "foreign" corporation.

Martin Selden explained it was a Florida corporation as well as a Wisconsin corporation. He stated he has no interest in the Wisconsin corporation.

Vice Chairman Thomas Lykos moved to approve the application of Martin Selden to Qualify a Second Entity. Gary McNally offered a Second in support of the motion.

Motion carried, 7-1 - "Yes"/1 - "No." Terry Jerulle was opposed.

D. Yanira I. Tejada – Review of Credit Report and Application for a Specialty Trade License: Landscaping - restricted

Yanira Tejada stated:

- She has set up a payment plan with Capital One;
- She contacted Citi Financial, Chase, and Citibank; she stated paperwork is being sent to her re: Citibank account because she did not remember opening it;
- The judgment and the three liens have been paid;
- The dispute with the insurance company has been resolved;
- The Target account has been paid and she produced a receipt.

When questioned about the balance due to Direct TV, Ms. Tejada stated the account had been paid in full and she contacted the vender who stated it had no record of a past due balance. She stated she will contact the collection company regarding this situation.

Chairman White noted her credit score was a 509 while the previous applicant's score was almost 700. He said the higher credit rating does matter.

Richard Joslin questioned the 2006 Tax Lien in the amount of \$1,000.

Yamira Tejada stated she had been making monthly payments but in 2011, her tax refund was seized and applied resulting in an overpayment.

Gary McNally questioned whether she had contacted CitiFinancial and Chase and the response was, "Yes," and she had discussed arranging for a payment plan with each.

The County did not offer a recommendation. Discussion ensued among the Board members concerning options.

Richard Joslin moved to approve the application of Yanira Tejada for a Specialty Trade License: Landscaping – restricted on a probationary period of six months. Ms. Tejada will return at the end of the probationary period and present a current credit report for review by the Board. Gary McNally offered a Second in support of the motion. Carried unanimously, 7 – 0.

E. Leonardo F. Alvarez – Waivers of Exam(s) for Reinstatement of License (d/b/a “Leomar Cabinets, Inc.”)

Leonardo Alvarez stated:

- Due to “misinformation” he did not review his Collier County license as a Cabinet Installer;
- He kept his licenses in Lee County and Cape Coral active because he is a resident of Lee County;
- He was requesting to obtain a “new opportunity”;
- He does installation and service work for cabinet shops such as Sahara Cabinets;
- When Sahara Cabinets did not have enough work for him, he left the area to find other work;
- There is more work and he would like to reinstate his Collier County license.

Vice Chairman Lykos noted the Applicant had mentioned working for a subcontractor that he has used. He stated he did not think it would have any bearing on his ability to make a determination but wanted full disclosure “*on the record.*”

Chairman White concurred, stating the disclosure did not sound as if there would be an appearance of a conflict of interest.

Chairman White noted the application indicated Mr. Alvarez was licensed in the City of Cape Coral for carpet/rugs installation and laminate flooring. He asked if the Applicant was planning on doing the same work in Collier County.

Mr. Alvarez stated he would be taking the trace test in Collier County because it would open more opportunities for him in both Counties. He understood he was not currently licensed to do the work in Collier County. He further stated the City of Cape Coral and Lee County did not require the exam.

Terry Jerulle asked the Applicant when he obtained his license in Collier County and when it expired.

A. 2006 and 2012.

Q. Have you taken any Continuing Education courses?

A. In my trade?

Q. Yes.

A. No, I have not.

TRADE

Vice Chairman Lykos asked the Applicant if there was a Continuing Education requirement for his license renewal and the response was, “No, not for cabinets and millwork.”

Chairman White explained to the Applicant that there was a rule in Collier County that if a license was allowed to lapse for a period of two or more years, he was required to re-take the exam in order to reinstate his license. The Board was being asked by the Applicant to waive the examination requirement.

Leonardo Alvarez stated that other companies consider him to be a good worker and he has received calls and emails to work for them, i.e., installing cabinets, baseboard, crown molding. He has been doing similar work in Lee County in Fort Myers and Cape Coral. There is a company in Collier County that has work for him.

When asked if he was doing any finish carpentry work in Collier County without a license, Mr. Alvarez stated, “No. That’s why I’m trying get my license – I want to do things right. There is a great opportunity right now to grow as a business.”

Terry Jerulle asked Mr. Alvarez when he began the renewal process and the response was, “Last month.”

Q. If you started this process last month, according to Mr. Ossorio, you could have taken the test and had your license already. Why would you wait and go through this whole process – you could have taken the test and not even come before us?

A. I don’t have my books anymore for the Business Law exam which I took in 2006. This is the way that I thought would be right – I’ve had my license and I thought the most fair thing would be to pay for those years – the past years that I didn’t pay. I think it’s the right thing to do. It’s not that I’m not capable of doing the test – I passed it on my first time.

Vice Chairman Lykos moved to approve Leonardo Alvarez’s application for a Waiver of Examination and reinstatement of his Specialty Trade license as a Cabinet Installer. Ronald Donino offered a Second in support of the motion.

Discussion:

- **Richard Joslin:** On the application, the license indicates a lot of things, i.e., ceramic tile, stonework, carpentry, installation of cabinets, floor covering and installation?
 - A.** When I went to the Workers’ Comp office, I was asked what kind of work did I do ... I said flooring, cabinets, trim, casings, baseboards, ... and she said to “press here and here” and she helped me to find it on the computer ... some of the things didn’t work, like carpentry ... I told her I don’t do carpentry ... I don’t do framing ... the flooring is carpet and vinyl but not tile or stone. I guess I should have done it and left blanks.

Chairman White called for a vote on the motion. Carried unanimously, 7 – 0.

VII. OLD BUSINESS:

(Note: With reference to the cases heard under Section VII, the individuals who testified were first sworn in by the Attorney for the Board.)

**A. Marius Pughiuc – Review of Credit Report(s)
(d/b/a “Advanced Flooring of SW FL, Inc.”)**

Michael Ossorio provided background information:

- Mr. Pughiuc had appeared before the Board in September;

[Excerpt from Minutes of the September 17, 2014 Contractors’ Licensing Board meeting:

“Kyle Lantz moved to approve issuing a probationary license to Marius Pughiuc to become effective the date that all fees are paid to the County and the sum of \$6,825 is deposited into an escrow account with proof of same provided to the Contractors’ Licensing Supervisor. The probationary license will be effective for a period of six months during which time the dispute with the insurance company must be settled. At the expiration of the probationary period, Mr. Pughiuc is to appear before the Board and produce an updated credit report.”]

- The Board gave him a provisional license for 60 days;
- He decided to fix his issue and paid the judgment as required by the Board;
- He has petitioned the Board to remove his license from probation.

Mr. Ossorio stated the County had no objection to ending the probation.

Richard Joslin moved to approve terminating the probation of Marius Pughiuc and granting a permanent license. Ronald Donino offered a Second in support of the motion. Carried unanimously, 7 – 0.

VIII. PUBLIC HEARINGS:

(None)

IX. REPORTS:

Michael Ossorio:

- Confirmed the next Board meeting will be held on December 17, 2014.
- Stated he will meet with the Assistant County Attorney to review the application as update them as necessary.
- Introduced Jason Birdwell as the replacement for Connie Thomas as the Administrative Supervisor for the Contractors’ Licensing Office.

- X. **NEXT MEETING DATE:** **Wednesday, December 17, 2014**
BCC Chambers, 3rd Floor – Administrative Building “F,”
Government Complex, 3301 E. Tamiami Trail, Naples, FL

There being no further business for the good of the County, the meeting was adjourned by the order of the Chairman at 10:30 AM.

**COLLIER COUNTY CONTRACTORS
LICENSING BOARD**



PATRICK WHITE, Chairman

The Minutes were approved by the Board/Committee Chair on December 17, 2014,
“as submitted” **OR** “as amended” .