

**3J-1**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARD APPOINTMENT SUMMARY**

=====  
**Meeting Date:** March 22, 2016  
**Department:** Planning, Zoning & Building  
**Submitted By:** Contractors Certification Division  
**Advisory Board Name:** Construction Industry Licensing Board  
 =====

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends a motion to approve: Appointment of a new member to complete an unexpired term ending September 30, 2016 and begin a full three (3) year term commencing October 1, 2016 and ending September 30, 2019 to the Construction Industry Licensing Board (CILB).

<u>Appoint</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
James M. McKay	12	Architect Member	3/22/16-9/30/19	Commissioner Abrams Commissioner Burdick Vice Mayor Valeche

**Summary:**

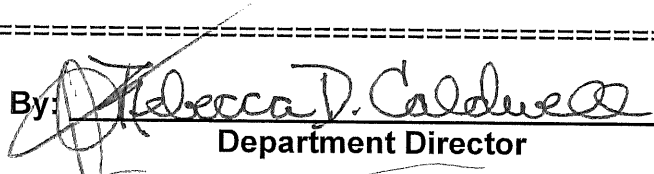
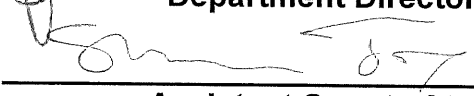
The Construction Industry Licensing Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of fifteen members. The nomination for appointment of one new member is as follows: Mr. James M. McKay has been nominated by the American Institute of Architects, Palm Beach Chapter (AIA) to replace Ms. Vicki Soderlund, who has resigned. The nomination represents the seat for one Architect Member, as cited in the Special Act, and F.S. establishing the Construction Industry Licensing Board. Memorandums for appointments and endorsements were sent to the Board of County Commissioners on January 28, 2016; No other nominations were received. The CILB has fourteen member seats currently filled, and a diversity count of White: 11 (78.57%) Hispanic: 3 (21.43%). The gender ratio (male: female) is 14:0. Countywide (SF)

**Background and Justification:**

The membership of the Board consists of two general contractors, and one member of the following categories: building, residential, electrical, plumbing, HARV, roofing, swimming pool, architect, engineer, and building official. In addition, 489.131, F.S. requires that we have three Consumer Representatives. The Board is to establish qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors, and is empowered to discipline licenses.

**Attachments:**

1. Boards/Committees Applications
2. Resumes for James M. McKay
3. Recommendation e-mail for James M. McKay
4. Memorandum to the Board of County Commissioners January 28, 2016
5. Special Act (excerpt regarding membership composition)

=====  
**Recommended By:**  2/23/16  
 Department Director Date  
**Legal Sufficiency:**  2/29/16  
 Assistant County Attorney Date

**II. REVIEW COMMENTS**

**A. Other Department Review:**

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**Department Director**

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION

The information provided on this form will be used in considering your nomination. Please COMPLETE SECTION II IN FULL. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.

16 FEB -3 PM 1:35  
EQUAL OPPORTUNITY

**Section I (Department):** (Please Print)

Board Name: Construction Industry Licensing Board of Palm Beach County Advisory  Not Advisory

At Large Appointment or  District Appointment /District #: \_\_\_\_\_

Term of Appointment: 3 Years. From: 03/22/2016 To: 09/30/2019

Seat Requirement: Architect Seat #: 12

\*Reappointment or  New Appointment

or  to complete the term of Vicki Soderlund Due to:  resignation  other

Completion of term to expire on: 09/30/2016

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: n/a

**Section II (Applicant):** (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: McKay James M  
Last First Middle

Occupation/Affiliation: Architect / American Institute of Architects (AIA)  
Owner  Employee  Officer

Business Name: Registered Architect #AR-94593, Self Employed Engineer -FL PE #59078

Business Address: \_\_\_\_\_

City & State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Residence Address: 152 Coventry Place

City & State Palm Beach Gardens, FL Zip Code: 33418

Home Phone: ( ) 561-803-7479 Business Phone: ( ) \_\_\_\_\_ Ext. \_\_\_\_\_

Cell Phone: ( ) 610-506-2510 Fax: ( ) \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No   
If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  Asian-American  African-American  Caucasian  
 Native-American  Hispanic-American

Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-445 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
<u>None</u>			

(Attach Additional Sheet(s), if necessary)  
OR

NONE



NOT APPLICABLE/  
(Governmental Entity)



**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, **Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyetics.com/training.htm>.** Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):



By watching the training program on the Web, DVD or VHS on Jan. 19, 2016  
By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: *James McKay* Printed Name: James McKay Date: Jan. 20, 2016

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyetics.com](http://www.palmbeachcountyetics.com) or contact us via email at [ethics@palmbeachcountyetics.com](mailto:ethics@palmbeachcountyetics.com) or (561) 355-1915.

Return this FORM to:  
c/o: Janeth Cervera Fontecha, Planning, Zoning, & Building /Contractors Certification Division  
2300 N. Jog Road, Suite 2W-61, West Palm Beach, FL 33411

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on:

Commissioner's Signature: *S. Abrams* Date: 2/3/16

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 02/01/2016

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.

**Section I (Department):** (Please Print)

Board Name: Construction Industry Licensing Board of Palm Beach County Advisory  Not Advisory

At Large Appointment or  District Appointment /District #: \_\_\_\_\_

Term of Appointment: 3 Years. From: 03/22/2016 To: 09/30/2019

Seat Requirement: Architect Seat #: 12

\*Reappointment or  New Appointment

or  to complete the term of Vicki Soderlund Due to:  resignation  other

Completion of term to expire on: 09/30/2016

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: n/a

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: McKay James M  
Last First Middle

Occupation/Affiliation: Architect / American Institute of Architects (AIA)

Owner  Employee  Officer

Business Name: Registered Architect #AR-94593, Self Employed Engineer -FL PE #59078

Business Address: \_\_\_\_\_

City & State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Residence Address: 152 Coventry Place

City & State Palm Beach Gardens, FL Zip Code: 33418

Home Phone: ( ) 561-803-7479 Business Phone: ( ) \_\_\_\_\_ Ext. \_\_\_\_\_

Cell Phone: ( ) 610-506-2510 Fax: ( ) \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  Native-American  Hispanic-American  Asian-American  African-American  Caucasian

Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
None			

(Attach Additional Sheet(s), if necessary)  
OR

NONE

NOT APPLICABLE/  
(Governmental Entity)

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By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: *James McKay* Printed Name: James McKay Date: Jan. 20, 2016

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 355-1915.

Return this FORM to:

c/o: Janeth Cervera Fontecha, Planning, Zoning, & Building /Contractors Certification Division  
2300 N. Jog Road, Suite 2W-61, West Palm Beach, FL 33411

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: *Janette Buedict* Date: 2-16-2016

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 02/01/2016

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BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

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Last First Middle

Occupation/Affiliation: Architect / American Institute of Architects (AIA)  
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Mailing Address Preference:  Business  Residence

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If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  Hispanic-American  Asian-American  African-American  Caucasian  
 Native-American

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By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: *James McKay* Printed Name: James McKay Date: Jan. 20, 2016

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 355-1915.

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c/o: Janeth Cervera Fontecha, Planning, Zoning, & Building /Contractors Certification Division  
2300 N. Jog Road, Suite 2W-61, West Palm Beach, FL 33411

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: *Alex Valverde* Date: 2/8/16

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 02/01/2016



# Curriculum Vitae

*Construction Consulting and Litigation Support Worldwide*



## James M. McKay, P.E., AIA Consulting Engineer and Architect

### Education

**Rensselaer Polytechnic Institute, Troy, NY**

- Master of Architecture, 1969
- Bachelor of Architecture, 1968
- Bachelor of Science, Building Science, 1966

### Registrations

▪ **Professional Engineer:**

Pennsylvania (PE-027874-E)  
Maryland (15322)  
New Jersey (GE42689)  
Delaware (12306)  
Florida (59078)

▪ **Registered Architect:**

Pennsylvania (RA-006961-X)  
Illinois (001-015615)  
Florida (AR94593)

### Professional Affiliations

- American Institute of Architects (AIA), Member
- American Bar Association, Associate Member
- ABA Forum on the Construction Industry, Member

### Employment History

**Independent Consulting Practice (July 2004 – Present)** *Independent Consultant*

Provided independent consulting services to clients in the building industry on scheduling issues, design errors and omissions, productivity disputes, damage quantification and dispute resolution. Assignments include both affirmative and defensive positions on disputes in a wide variety of industries and project types.

**MDCSystems®, Berwyn, PA (1997-2004).** *Executive Vice President*

Supervised the professional staff's analysis and defense, or preparation, of a variety of complex construction disputes. Mr. McKay is highly experienced in contract litigation and construction claims as both a technical consultant and expert witness. Accepted by several courts as an expert in construction scheduling, methods, procedures and disputes.

**MDCSystems®/Day & Zimmermann, Inc., Phila., PA (1988-1997).** *Project Manager.* Performed as a team leader on a wide variety of construction related consulting assignments. Clients included major international developers, industrial manufacturing firms, several U.S. government agencies, design firms and contractors.

**Capital Program Management, Inc., New York, NY (1986-1988).** *Vice President.*

Served as a principal in this consulting firm with a national reputation as a leader in the development of architectural programs for correctional facilities. Expanded the firm's services to include construction litigation support.



**Cleveland Wrecking Company, Sharon Hill, PA (1981-1985). *Project Manager.***

Provided both resident as well as home office project management on a wide variety of demolition and dismantlement (including asbestos and other hazardous material disposal) projects throughout North America. Estimated numerous projects for bid preparation. Supervised project activities from bidding to closeout. Project size ranged from \$25,000 to \$5 million.

**Department of Public Property, City of Philadelphia, PA (1975-1981).**

*Assistant Director of Architecture and Engineering.* Supervised the operation of a 50-person design and construction department. The department was responsible, through its own staff and outside consultants, for the design and construction of a wide variety of municipal facilities. Annual volume included more than 500 contracts with an aggregate value of \$10-\$20 million.

**Meridian Engineering, Philadelphia, PA (1973-1975). *Project Manager.***

Provided various support services to the City of Philadelphia as Coordinating Consultant on a proposed \$185 million center city rail tunnel project. Coordinated the work and progress of three primary design firms and their subconsultants on the project. Performed special studies for the City Director of Finance and Managing Director on construction packaging, phasing, double shifting, scheduling, etc.

**Citicorp Realty Consultants, New York, NY (1971-1973). *Project Manager.***

Developed long-range client space need projections and architectural programs for client facilities (mostly commercial office space). Served as Owner's Representative on the construction of a new headquarters facility in New Hampshire.

**James Kirkman & Associates, Albany, NY (1969-1971). *Project Manager.***

Developed computer-based project management systems for single projects and multi-facility programs. Developed computer-based construction program financing, scheduling and econometric models. Developed detailed computer-based construction schedules for contractors.

**New York State University Construction Fund, Albany, NY (1967-1969).**

*Research Associate.* Directed the development of environmental (acoustics, lighting, handicapped access) performance criteria for university facility spaces. Developed long range planning and facility delivery procedures including capital budgeting development.



**From:** [AIA Palm Beach](#)  
**To:** [Janeth Cervera-Fontecha](#)  
**Subject:** RE: Vacancy to the CILB  
**Date:** Monday, January 18, 2016 5:29:59 PM  
**Attachments:** [image002.png](#)  
[McKay, James.pdf](#)

---

Hi Janeth,

AIA Palm Beach would like to nominate James McKay for the vacancy on CILB. Please find his resume attached.

Thanks,  
Becky

**From:** AIA Palm Beach [mailto:director@aiapalmbeach.org]  
**Sent:** Wednesday, December 16, 2015 1:43 PM  
**To:** 'Janeth Cervera-Fontecha' <JCerveraFontecha@pbcgov.org>  
**Subject:** RE: Vacancy to the CILB

Hi Janeth,

We are seeking a member to fill this vacancy. Thanks for reaching out to us.

Thanks,  
Becky

Becky Wilson Magdaleno, CAE  
3300 S. Dixie Hwy  
Ste 1-266  
West Palm Beach, FL 33405  
561-832-8223  
AIA Palm Beach

**From:** Janeth Cervera-Fontecha [mailto:JCerveraFontecha@pbcgov.org]  
**Sent:** Tuesday, December 08, 2015 3:26 PM  
**To:** [Director@aiapalmbeach.org](mailto:Director@aiapalmbeach.org)  
**Cc:** [victor.chodora@palmbeachschools.org](mailto:victor.chodora@palmbeachschools.org)  
**Subject:** Vacancy to the CILB  
**Importance:** High

Good Afternoon,

I am contacting you as to an upcoming vacancy on the CILB for an architect member. Please find enclosed correspondence also sent via us mail. If you have any questions please feel free to contact me. Thank You



**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
www.pbcgov.com/pzb



**Palm Beach County  
Board of County  
Commissioners**

- Mary Lou Berger, Mayor
- Hal R. Valeche, Vice Mayor
- Paulette Burdick
- Shelley Vana
- Steven L. Abrams
- Melissa McKinlay
- Priscilla A. Taylor
- County Administrator**
- Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

printed on sustainable  
and recycled paper



To: Mayor Mary Lou Berger, and  
Members of the Board of County Commissioners

From: Oscar Alvarez, Director  
Contractors Certification Division

Date: January 28, 2016

Re: Appointment to the Construction Industry Licensing Board (CILB)  
of Palm Beach County

**ITEM:** The purpose of this memo is to request a nomination for the Construction Industry Licensing Board (CILB) Architect Member. Appointment would be effective for an unexpired term ending September 30, 2016 and a full three (3) year term commencing October 1, 2016 and ending September 30, 2019. The current appointment was held by Ms. Vicki Soderlund who resigned December 4, 2015, due to other professional obligations. The American Institute of Architects, Palm Beach Chapter (AIA) has submitted a nomination for your consideration and approval of Mr. James M. McKay.

**BACKGROUND:** The primary function of the CILB is for approval of certificate of competency construction trade licenses for Palm Beach County. The CILB consists of 15 members, 3 consumer members can be appointed by the Board of County Commissioners (BCC). The term of office of each member is three years, with two consecutive year terms. The meetings are held once a month on the fourth Monday of each month. The qualifications to be appointed to this board is to be actively engaged in the construction business in Palm Beach County and have held a certificate of competency in his name and have been so engaged for a period of not less than 5 consecutive years immediately before the date of his appointment, and be a resident of Palm Beach County. The architect and engineer member shall be licensed in the State of Florida and be a resident of Palm Beach County.

**DISPOSITION:** The application and resume for Mr. James M. McKay is attached for your consideration and signature. If you would like to nominate a different candidate, please provide us with the candidate(s) contact information. Please return your nomination to the Contractors Certification Division, Janeth Cervera Fontecha by mail or fax (561) 233-5554 on or before February 11, 2016. Staff will prepare an agenda item for the March 22, 2016 BCC meeting.



Should you have any questions regarding this appointment or nomination, please contact Janeth Cervera Fontecha at (561) 233-5540 or [jcerverafontecha@pbcgov.org](mailto:jcerverafontecha@pbcgov.org).

OA/jcf

Attachments:

- Boards/Committees Application
- Resume for James M McKay
- Email from the American Institute of Architects- Palm Beach Chapter (AIA)
- Resignation email from Vicky Soderlund
- CILB Membership List for 2015-16.
- Meeting Schedule for 2016
- Board Member Requirements per Special Act, Chapter 67-1876, as amended.

cc: Verdenia Baker, County Administrator  
Rebecca Caldwell, Executive Director, PZ&B  
Shannon Fox, Assistant County Attorney  
File: CILB Appointments

## BOARD MEMBER QUALIFICATIONS

**Special Act, Laws of Florida, Chapter 67-1876, as amended Section 3. Construction Industry Licensing Board of Palm Beach County, organization, meetings, powers, duties. --**

(A) The Construction Industry Licensing Board of Palm Beach County is hereby created and composed of the following: two general contractors, one contractor who is primarily engaged in the business of furnishing those services to which a building contractor is limited, one contractor who is primarily engaged in the business of furnishing those services to which a residential contractor is limited, one electrical contractor, one plumbing contractor, one HARV contractor, one roofing contractor, one swimming pool contractor, one architect, one engineer, and one full-time building official, employed by a local government within Palm Beach County who meets the requirements of the Building Officials Association of Florida. All members of the Board shall be appointed by the Palm Beach County Board of County Commissioners.

(B) To be eligible for appointment each contractor member shall be:

(1) Actively engaged in the construction business in Palm Beach County and have held a certificate of competency in his name and have been so engaged for a period of not less than 5 consecutive years immediately before the date of his appointment, and be a resident of Palm Beach County. The architect and engineer member shall be licensed in the State of Florida and be a resident of Palm Beach County.

(2) Each member of the Board except the Building Official shall hold a valid certificate issued by this Board or the state of Florida in addition to having the qualifications required in subsection (B) (1) above.

(C) All terms of office expire on September 30 of the last year of term. As the terms of members expire, the Board of County Commissioners shall appoint a member to fill the vacancy for a term of 3 years, but no member shall serve for more than two consecutive terms but may be reappointed after a three (3) year hiatus. Vacancies in the membership of the board for any cause shall be filled by the Board of County Commissioners for the balance of the unexpired term.

### **F.S. § 489.131 Applicability.**

(10) No municipal or county government may issue any certificate of competency or license for any contractor defined in s. 489.105(3)(a)-(o) after July 1, 1993, unless such local government exercises disciplinary control and oversight over such locally licensed contractors, including forwarding a recommended order in each action to the board as provided in subsection (7). Each local board that licenses and disciplines contractors must have at least two consumer representatives on that board. If the board has seven or more members, at least three of those members must be consumer representatives. The consumer representative may be any resident of the local jurisdiction who is not, and has never been, a member or practitioner of a profession regulated by the board or a member of any closely related profession.

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