

The following Board members were present:

Clifford Barber
Bud Crisafulli
Roger Drabyk
Ralph Durham
Brian Fleis
David Foley
Kerry Gardner
Patrick Ripton
Albert Underwood

The following members of staff were present:

Justin Caron, Assistant County Attorney
Denise Campagna, Development Services Manager
Claudine Mickle, Development Services Supervisor
Katy Schindler, Development Services Supervisor
Cherronda Juitt, Development Services Supervisor
Misty Shirah, Development Services Certification Specialist

Call to Order:

Chair Bud Crisafulli called to order the May 18, 2022, Brevard County Contractor Licensing Board meeting.

Approval of Minutes:

Ralph Durham motioned to approve the minutes of the April 20, 2022 Contractors' Licensing Board meetings, second *Patrick Ripton*. Motion carried unanimously.

New Business:

Personal Appearance

Ronald Griffin requests the Board approve his exam application for Electrical Contractor.

Mr. Griffin was present, Licensing Manager, Denise acknowledged that the experience documentation provided did not meet the standard electrical contractor requirements. Denise informed the Board, he has been employed with Florida Power & Light as a Journeyman Lineman and confirmed staff was unable to determine if a Lineman meets the experience requirements of an electrical contractor.

Board member, Ralph Durham expressed his background knowledge and experience as a licensed electrician and air conditioning contractor. He further conveyed that the constant education and training, as well as the level of skills required is comparable to the electrical field. Mr. Durham acknowledged that linemen work in higher voltages than that of a journeyman electrician. Ralph, therefore, confirmed that the experience of a Florida Power & Light, lineman supports the level of experience required for the electrical contractor license.

Based on the discussion by the Board and experience documentation provided by Mr. Griffin, the Board motioned to approve the electrical contractor exam.

Motion for approval made by *Ralph Durham*. Second, *Albert Underwood*. Motion carried unanimously.

Boris Thomas requests the Board approve his reciprocity application for Electrical Contractor.

Licensing Manager, Denise introduced Mr. Thomas as the licensed qualifier and owner of Electrons on Demand, LLC out of Duval County. Denise informed the Board that Mr. Thomas has applied with Brevard County to qualify the second business entity Space Coast Electrical Services LLC, as an employee only. Denise conveyed the owner of the company is Chad Griffin, whose credit report found no history, and no derived FICO score. Denise stated that the State registration of the County license requires the licensed qualifier, Mr. Boris Thomas, to have financial and supervisory authority for the business with the further acknowledgement that he has check signing authority.

Mr. Thomas expressed to the Board of his support in qualifying the owner, Mr. Griffin of Space Coast Electrical Services. Boris urged the Board to trust in his experience as a licensed electrical contractor he will encourage Mr.

Griffin to apply for a Master Electrician license, to eventually become his own licensed qualifier. And will oversee the business.

Chad Griffin introduced himself to the Board, as the owner of the new business entity and confirmed that he has no open lines of credit, conveyed he does not have any loans, and has a credit score of 600.

Ralph Durham reminded Boris and Chad that the reciprocity application was not declined and under review due to the lack of documented financial stability. The board further stated the license holder, Boris operates his business out of Jacksonville and would be responsible as the qualifier of a 2nd business entity overseeing the financial stability of the Brevard County company, permit applications and overall accountability of all business financial aspects.

Boris conveyed that he and Mr. Griffin will work together to succeed and not fail, and requested the Board give them a chance to grow and develop in Brevard County.

Motion for approval made by Albert Underwood. Second, Roger Drabyk. Motion carried unanimously.

Stipulated Agreement

Scott M Kiah, Poseidon Land and Sea Construction Inc, Brevard County Marine Contractor, Certificate of Competency License Number 14-M1-CT-00005.

Contractor Licensing & Code Compliance Officer, Maggie Castellano provided the Board with a summary of a complaint received filed against Scott Kiah of Poseidon Land & Sea Construction Inc. The complaint involved a project where no permit was obtained. When the property owner requested permit

Howard L Bezinger, Ben Kee Construction, Inc, Brevard County General Contractor Certificate of Competency License number GC2932.

Contractor Licensing & Code Compliance Officer, Maggie Castellano provided the Board with a summary of three complaints received over the last few months filed against Howard Benziger of Ben Kee Construction, Inc.

Similarly, to the previous request for Show Cause Hearing, staff inquired as to whether the Board would also consider a Stipulated Agreement in lieu of a hearing. The Board discussed at length the egregiousness of the complaints filed and the financial harm caused to the consumers. It was suggested that if a Show Cause Hearing resulted in the revocation of his license, that Mr. Benziger may not have the ability to pay restitution.

The Board further discussed the severity of seeking revocation, however ultimately determined in order for the debts to be repaid he would have to have the capability to continue working.

Based on the information provided; in lieu of a Show Cause Hearing the Board formed the following terms to Mr. Benziger for the Stipulated Agreement:

- a) Benziger shall pay to Brevard County administrative fees in the amount of \$550.00 within fourteen (14) days of the Contractor Licensing Board's Order and ratification of the Stipulated Agreement.
- b) Benziger's Certificate of Competency License GC2932 placed on probationary status for three (3) years beginning May 1, 2022 with the condition that Benziger shall not violate State law and the provisions of the Brevard County Code of Ordinances set forth in Chapter 22 or any order of the Contractors' Licensing Board.
- c) Should the Contractors' Licensing Board determine that prima facie evidence exists of a violation of this Stipulated Agreement, the Contractors' Licensing Board's Order, State law, or the Brevard County Code of Ordinances at a regularly scheduled public meeting, shall report to the following Contractors' Licensing Board Meeting to show cause why his Certificate of Competency should not be revoked.
- d) Should the Contractor's Licensing Board determine that Benziger has violated this Stipulated Agreement, Benziger's Certificate of Competency be immediately revoked. This penalty in no way prohibits the County or other third party from taking any legal action as may be provided by law.

- e) Benziger shall provide a list to the County, detailing all outstanding debts and liens owed, known and unknown, with the dollar amounts indicated in date order of when the debts incurred.
- f) Benziger shall pay all outstanding debt owed to creditors, suppliers, and subcontractors and all debts and liens to property owners within 12 months, since Howard Benziger of Ben-Kee Construction Inc. has not been paying their financial obligations.
- g) During the probationary period Benziger shall appear before the Contractors' Licensing Board once every three (3) months to report his progress, provide the Board proof of paid obligations, and address any outstanding issues or complaints.

The board discussed Mr. Benziger's lack of accountability for his financial debt, and if he is not in agreeance to the stipulations, the Board would like to refer the matter to the State Attorney's office.

Albert Underwood motioned to approve the Stipulated Agreement. Motion seconded by *Ralph Durham*. Motion carried unanimously.

Applicants That Passed the Prometric, GITS and Prov Exams

Ralph Durham motioned to approve, second *Kerry Gardner*. Motion carried unanimously.

Administrative Transfers

David Foley motioned to approve, second *Patrick Ripton*. Motion carried unanimously.

Incoming Reciprocity Approval

Ralph Durham motioned to approve, second *Kerry Gardner*. Motion carried unanimously.

Public Speaking Session:

No public speakers.

Reports:

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Denise Campagna, Manager, Development Services

No report.

Justin Caron, Assistant County Attorney

No report.

Bud Crisafulli, Board Chair

No report.

Members of the Board

No report.

Adjourn:

Meeting adjourned at 7:55 PM