

**The following Board members were present:**

Cliff Barber  
Bud Crisafulli  
Ralph (RJ) Durham  
David Foley  
Kerry Gardner  
Patrick Ripton  
Albert Underwood

**The following members of staff were present:**

Justin Caron, Assistant County Attorney  
Dawn Verostic, Development Services Manager  
Claudine Mickle, Development Services Assistant Manager  
Katy Schindler, Development Services Supervisor  
Cherronda Washington, Development Services Supervisor  
Misty Shirah, Development Services Certification Specialist  
Marc Smith, Manager Contractor and Code Compliance Division  
Denny Long, Supervisor Contractor and Code Compliance Division  
Jeff King, Inspector Contractor and Code Compliance Division  
Maggie Castellano, Inspector Contractor and Code Compliance Division

**Call to Order:**

Chair *Bud Crisafulli* called to order the March 15, 2023, Brevard County Contractors' Licensing Board meeting.

**Approval of Minutes:**

*RJ Durham* motioned to approve the minutes of the February 15, 2023 Contractors' Licensing Board meeting, second *Kerry Gardner*. Motion carried unanimously.

**Official Administrative Business:**

**Approval of the Licensing, Regulation, and Enforcement Training**

Claudine Mickle introduced the newest member of the Licensing Enforcement staff to the Board, Jeff King. Claudine informed the Board that Jeff has a dual role in Planning and Development as a Contractor and Code Compliance Officer. She added that he has been shadowing Investigator Maggie Castellano for a number of months.

Jeff was in attendance and introduced himself to the Board. Jeff added his background and experience of 27 years in law enforcement, and further conveyed his interest to uphold the laws and ordinances of Brevard County to protect the residents of the County. Motion to approve the training of Jeff King by *Ralph Durham*, Second by *David Foley*. The motion carried unanimously.

### **Old Business:**

### **Personal Appearance**

### **Howard Benziger, Ben Kee Construction, Inc, General Contractor, GC2932**

Claudine Mickle introduced the agenda item. Mr. Howard Benziger and Mr. Trisan Benziger were in attendance of the meeting to provide Howard's probationary update.

Howard addressed the Board, provided testimony and the following updates:

The news story addressed at previous Board meeting was confirmed reported by a supplier who have since been paid \$4,000.

60 Hill Top Lane, Rockledge:

1. The 7,000 square feet new construction project includes over \$200,000 in 45 window and door openings.
2. Once the windows and sliders are complete they expect their next draw needed to pay down additional debt.
3. Delays on the project were due to supplier delays from the manufacturer.
4. The improper installation of the windows was done by the subcontractor. They have been required to remove and reinstall three different times.

2200 Rockledge Drive, Rockledge:

1. Large roof project, roof tile material was delivered to the job site.
2. The installation of the roof tile has been delayed until the funds are released for another unrelated project.
3. The homeowner is aware this project is delayed.

4350 Stillwater Drive, Merritt Island:

1. Installed trim work.
2. Payment for this project was used to pay down existing debt.

Project Update: (no address stated)

1. Property owner recognizes their efforts in assisting with the white Portland cement installation and is aware of the delays to the summer kitchen portion.

They have applied for Employee Retention Credit and are awaiting determination of approval to help with their current labor shortages.

The Board acknowledged the accountability of Howard and Tristan and how they are working to resolve the matters outlined in the Stipulated Agreement and Order. However, the Board further requested at the next meeting for Howard and Tristan to provide an updated balance sheet for the Board to review the debts paid and balance owed in its entirety. Tristan confirmed he would email a spreadsheet with copies of checks to staff.

After reviewing handouts provided to the Board, Albert Underwood asked Tristan for status on the status of their Workers Compensation Insurance policy per the email conversation between him and staff. Tristan confirmed that Howard held an exemption from workers compensation and that he still needed to file for his exemption.

### **Stipulated Agreement**

**Casem Elgamil, EG Doors and Windows, LLC dba Superior Doors and Services, Window and Door Contractor, 12-WD-CT-00028**

Assistant County Attorney, Justin Caron reminded the Board they requested a Show Cause Hearing at the November 16, 2022 meeting. Justin stated that Mr. Elgamil has since retained an attorney, and with the assistance of his counsel and investigator Maggie Castellano, they were able to reach a

stipulated agreement. Justin informed the Board they were initially seeking \$2500 in fines with a 6-month probation. However, both parties agreed upon \$1300 in fines with the 6-month probation.

Justin presented the Board with the Stipulated Agreement and advised the Board should wish to modify the agreement they would then be required to reschedule the item until Mr. Elgamil and his attorney can be present.

The Board reviewed and discussed the terms of the agreement. Board Member, David Foley inquired if Mr. Elgamil has been responsive, and cooperative with staff to which, Investigator Castellano confirmed the communication has been primarily through email and he is now working to resolve the complaints filed. The Board sought clarification from counsel to confirm if future aggressions towards staff would be considered a violation of probation. Justin informed the Board the investigator could request the respondent to appear before the Contractor's Licensing Board to proceed with a Show Cause Hearing if any further aggressions were to arise.

Motion to approve the Stipulated Agreement as written made by *Ralph Durham*, Second by *Albert Underwood*. The motion carried unanimously.

### **New Business:**

#### **Personal Appearance**

#### **Kenneth Balsler requests the Board approve his reciprocity application for Fence Contractor**

Claudine introduced applicant, Mr. Kenneth Balsler, addressing his fence contractor application question number 17 was checked yes. She informed the Board that he provided a letter of explanation and a background check report and advised he was present to provide his testimony.

Kenneth acknowledged an incident from 2010 that occurred while he was away at work. He expressed that his son was at home in the care of his child's mother who had injured him. Due to his sons' injuries, Kenneth was arrested and charged with a felony. Since the arrest, Kenneth stated he has remarried and has full custody of the child for the last 7 years. He was proud to add that he has since had another child, both boys are healthy, well behaved with good grades. Kenneth acknowledged that it is his intention to

bring his extensive construction background to give back to the community. He added he is anxious to be a licensed fence contractor in the community.

After Mr. Balsler provided his testimony, the Board confirmed all experience documentation was reviewed and approved with staff. Motion for approval made by *David Foley*. Second, *Kerry Gardner*. Motion carried unanimously.

During the discussion with Mr. Balsler, Justin confirmed the Board of County Commissioners approved the changes made to the ordinance regarding construction definitions. He added it will go into effect July 1, 2023.

**Applicants That Passed the GITS and Prov Exams**

*David Foley* motioned to approve, second *Kerry Gardner*. Motion carried unanimously.

**Incoming Reciprocity Approval**

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

**Public Speaking Session:**

No public speakers.

**Reports:**

**Claudine Mickle, Development Services Assistant Manager**

No report

**Justin Caron, Assistant County Attorney**

Justin reiterated to the Board that the Board of County Commissioners approved the recent Code of Ordinance changes to Chapter 22, Definitions at their last meeting. The Board inquired if it was under Consent agenda, to which staff confirmed it was not and added that the motion to approve was unanimous by Commission. Justin confirmed the changes to the ordinance would be effective July 1, 2023.

**Bud Crisafulli, Board Chair**

No report

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**Members of the Board**

No report

**Adjourn:**

Meeting adjourned at 7:12 PM