

The following Board members were present:

Cliff Barber
Bud Crisafulli
Roger Drabek
Ralph (RJ) Durham
Brian Fleis
David Foley
Kerry Gardner
Patrick Ripton

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, Contractor and Code Compliance Manager
Denny Long, Contractor and Code Compliance Supervisor
Jeff King, Inspector Contractor and Code Compliance Officer

Call to Order:

Chair *Bud Crisafulli* called to order the April 19, 2023, Brevard County Contractors' Licensing Board meeting.

Approval of Minutes:

RJ Durham motioned to approve the minutes of the March 15, 2023 Contractors' Licensing Board meeting, second *Kerry Gardner*. 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. Tristan Benziger were in attendance of the meeting to provide Howard's probationary update.

Howard and Tristan addressed the Board and provided them with a three-page packet. Tristan described the packet to include three reports, advising the first page included their current outstanding debts for non-roof projects (Attachment A, 2 pages), the second page included debts incurred by Gulf Eagle suppliers (Attachment B), and the third report entailed debts by the supplier, Sun Coast (attachment C). Upon further review of the reports, Board Member David Foley questioned the total amount paid for the month. To which Howard conveyed they had paid down over \$9,224, and will be paying down \$30,000. Tristan added that the attorney adds \$600 per job in attorney's fees.

Howard and Tristan provided the Board with updates on the Hilltop property, as still under delays due to the window subcontractor, IKON. Howard confirmed that the windows have been installed and removed three times due to installation errors as they are being held to the industry standards set forth by the manufacturer, DSW. He further added at times windows have been damaged, installed and reinstalled. Should the windows be completed, the draw from this project will be \$30,000.

The Board acknowledged that although the continuous project updates provided by Howard and Tristan are in an attempt to resolve the matters outlined in the Stipulated Agreement and Order, they have yet to receive an updated balance sheet with the debts paid and balance owed in its entirety. The Board expressed the Benziger's importance in to provide clear and tangible records of what is owed, paid, and remaining for their obligations.

Tristan vocalized with the expected \$30,000 in funds and anticipated an additional \$40,000, they would short by \$25,000. Tristan did not disclose who the \$85,000 would be disbursed to.

Roger reiterated the terms of the first Order and questioned how much has been paid to date. He questioned the hand out provided by the Benzigers' as unable to determine a starting or ending point. Roger expressed concern of

being in the same place as they were when the Order was signed and questioned what has been paid down.

Claudine acknowledged that Howard has not met the terms of the Agreement by not providing proof of paid obligations. The supplier spreadsheets that were provided at the meeting totaled \$112,151 which included the Gulf Eagle and Sun Coast projects. She added that the Benzigers' had previously mentioned they were awaiting a large draw on the Hilltop project as previously as \$200,000. Tristan and Howard confirmed that amount was for the total remaining payouts and their portion was only \$40,000. Claudine requested the Benzigers' to provide the name of the subcontractor used by IKON for the improper window installations and delays. Tristan confirmed knowledge of the first name only as Chad.

The Board again expressed their expectations for Howard to provide transparency to all of their financial obligations to report any expected draws, anticipated loan payouts, etc. While the Board acknowledged the handouts provided some of their outstanding debt they still have not provided a starting point of debt incurred, nor an ending point of what was been paid down this year. At this time, the Board has not been provided any evidence that the debt is being paid down.

Ralph Durham motioned to require Howard to provide evidence that all financial obligations have been paid by providing proof by way of release of lien, cleared check, a letter from creditors or suppliers, and not in the format of a spreadsheet.

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

Resolution, Denise Campagna

Claudine introduced the draft resolution of the former Contractor Licensing Manager and Secretary to the Board.

The Board reviewed the draft and did not have any amendments.

Roger Drabek motioned to approve the resolution as written, second *Kerry Gardner*. The motion carried unanimously.

New Business:

Applicants That Passed the GITS and Prov Exams

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

Public Speaking Session:

No public speakers.

Reports:

Dawn Verostic, Development Services Manager

No report

Claudine Mickle, Development Services Assistant Manager

No report

Justin Caron, Assistant County Attorney

Justin reported on recent legislative changes that could impact the construction industry and permitting. A summary of the updates will be provided to the Board as the Bills progress.

Bud Crisafulli, Board Chair

No report

Members of the Board

No report

Adjourn:

Meeting adjourned at 7:40 PM