

**Minutes from the November 15, 2023
Brevard County Contractors' Licensing Board
Page 1**

The following Board members were present:

Cliff Barber
Bud Crisafulli
Ralph (RJ) Durham
Brian Fleis
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 Supervisor
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:

Vice Chair *Albert Underwood* called to order the November 15, 2023, Brevard County Contractors' Licensing Board meeting.

Approval of Minutes:

RJ Durham motioned to approve the minutes of the July 19, 2023 Contractors' Licensing Board meeting, second *David Foley*. Motion carried unanimously.

New Business:

Personal Appearance:

Dustin Devine requests the Board approve his exam application for Excavation Contractor

Mr. Devine was present and introduced himself to the Board and discussed his background and experience in brush clearing and grading work in excavation. Mr. Devine further acknowledged his past experience as as having worked for various companies as their subcontractor. He advised the Board he is seeking to move into larger excavation projects that require the contractor's license.

Bud Crisafulli asked Mr. Devine if he owned any equipment to which he confirmed ownership of a 20,000 lb. excavator, tractor with attachments, and skid steers to clear brush.

The Board acknowledged Mr. Devine's vast knowledge and experience with brush clearing, however clarified they were seeking documented experience on excavation. Mr. Devine. informed the Board he primarily worked out of Volusia County where excavation is not a regulated trade. He further discussed his experience working with MacBuild Construction and other larger companies who contracted for the work and subcontractor him for the labor.

RJ Durham asked if Mr. Devine could provide documentation from these other contractors as Mr. Devine only submitted invoices and letters of recommendation from land clearing services. Albert Underwood then went into detail about the potential hazards and regulations involved with excavation as the reason for needing this documented experience over personal testimony.

Claudine Mickle clarified that three years of documented experience is needed to administratively approve the application, and the lack of that documentation is why Mr. Devine was called before the Board.

The Board suggested that Mr. Devine complete the OSHA excavation course as well as additional work with licensed contractors to build documented experience.

Motion to table exam application by *RJ Durham*, second by *Patrick Ripton*.
Motion carried unanimously.

Thomas DeBaise requests the Board approve his transfer application for Mechanical Contractor

Mr. DeBaise was present. Ray Smith, President of G and G Roofing spoke to the issue of transferring Mr. DeBaise's license from Zone Heating and Cooling to G and G Roofing. A standing judgment from a previous client of G and G appeared on the credit check and prevented the application from being administratively approved.

RJ Durham asked what the Board could do in this situation. Assistant County Attorney Justin Carron responded that the Board is making sure the applicant is financially responsible, but the judgment is not against the applicant but for the company being transferred to.

David Larkin, attorney of G and G Roofing brought up that there is a pending motion to set aside the judgment and there is a clear legal basis for defense.

Ray Smith added that it is not as if he went to trial and lost, but that the judgment about the roof is unwarranted as it is work G and G did not do being held as under warranty that is expired according to G and G.

RJ Durham said he didn't believe the transfer should be stopped and to let the courts decide anything beyond that.

RJ Durham motioned to approve the transfer application, second *David Foley*. The motion carried unanimously.

Justin Schurlknight requests the Board approve his exam application for Irrigation Contractor

Justin Schurlknight was present. Claudine Mickle introduced the item and said Mr. Schurlknight was told to appear because of findings from his original license application in 2021 and his criminal background report. Complaints were received for advertisement and unlicensed activity with only two of the three citations paid. Another complaint was received that claimed the application includes false information.

Bud Crisafulli asked where the complaint came from and said that it was kind of unusual to get this kind of complaint.

Mr. Schurlknight said that he had been doing work without a license and that is why he is trying to go through the licensing process and move forward with his business legitimately.

RJ Durham stated that Mr. Schurlknight is not the first person who's worked without a license and that as long as the person paid the fines and has the experience that those would be the biggest problems in moving forward and not the complaints.

Mr. Schurlknight then spoke to the judgments against his landscaping company, one with John Deere for roughly \$60,000 and another with a plant nursery he worked with for roughly \$6,000. He also spoke a confirmed felony conviction with revocation to civil rights from 2015.

RJ Durham added that the Board has the potential to stop the application, but that Mr. Schurlknight made mistakes like every other person could have and that he has since paid for it.

The Board asked Claudine Mickle about Mr. Schurlknight's exam, and she stated that yes, he had passed the exams in October 2023 and that already goes against the complaint of false information on the application as knowledge of the trade was demonstrated. The Board agreed saying that the outstanding debts must be paid and staff informed so the application could be administratively approved.

Motion to pay outstanding debts and submit documentation within 30 days to staff by RJ Durham, second *David Foley*. Motion carried unanimously.

Thomas Mackanos requests the Board approve his exam application for Irrigation Contractor

Thomas Mackanos was present. Mr. Mackanos spoke to his FDLE background report, explaining his previous charges of battery on a law enforcement officer and marijuana possession.

Mr. Mackanos explained that since then he was cleaned up his life and has been working for Total Coverage LLC and worked in many communities and commercial projects. RJ Durham said that since he was doing corporate work, that meant they were doing background checks as well. Mr. Mackanos

responded yes, his background was disclosed and that he had been cleared for interviews.

Motioned to approve the exam application *Kerry Gardner, Second Bud Crisafulli*. Motion carried unanimously.

Jonathan Patton requests the Board approve his exam application for Plumbing Contractor

Jonathan Patton was present and spoke to his FDLE background report. Mr. Patton had been involved in two separate physical altercations in 2008 and in 2022.

The Board discussed the need to control anger and that there will always be difficult customers. Mr. Patton acknowledged that and stated that with his work he has been going into homes his whole life and has always shown respect to customers in those dealings. As experience in the trade was not in question, RJ Durham said that people make mistakes and wanted Mr. Patton to move forward.

RJ Durham motioned to approve the exam application, second *Patrick Ripton*. Motioned carried unanimously.

Citation Report

The Board reviewed the citation report. Marc Smith spoke on Nilesh Gandhi's citations that were not paid with over a 10 day notice. The Board inquired about possible actions to take and acknowledged staff was continuing to work on the situation.

Applicants That Passed the GITS and Prov Exams

Brian Fleis motioned to approve, second *Kerry Gardner*. Motion carried unanimously.

Administrative Transfers

RJ Durham motioned to approve, second *David Foley*. Motion carried unanimously.

Public Speaking Session:

No public speakers.

Reports:

Claudine Mickle, Development Services Assistant Manager

Claudine Mickle addressed the upcoming holidays and whether or not the Board would convene on December 20th. Assistant District Attorney Justin Caron mentioned that there was a potential item received. The Board agreed that if there was business to be had they would convene.

Claudine additionally mentioned that earlier applicant Jonathan Patton would have to get a state registration for his Plumbing Contractor's license, and if the state does not approve him then he would not be able to move forward with a County License.

Justin Caron, Assistant County Attorney

No report

Bud Crisafulli, Board Chair

No report

Members of the Board

The Board recognized Katy Schindler, Cherronda Washington, and Misty Shirah's award for their service as Brevard County's Emergency Operations Center Function Coordinators.

Adjourn:

Meeting adjourned at 7:45 PM