

**Minutes from the September 18, 2024  
Brevard County Contractors' Licensing Board  
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**The following Board members were present:**

Cliff Barber  
Bud Crisafulli  
Roger Drabyk  
David Foley  
Patrick Ripton  
Albert Underwood

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

Justin Caron, Assistant County Attorney  
Claudine Mickle, Development Services Assistant Manager  
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  
Maggie Castellano, Contractor and Code Compliance Investigator

**Call to Order:**

Chair *Bud Crisafulli* called to order the September 18, 2024, Brevard County Contractors' Licensing Board meeting.

**New Business:**

**Approval of Minutes:**

*David Foley* motioned to approve the minutes of the November 15, 2023, Contractors' Licensing Board meeting, second *Patrick Ripton*. Motion carried unanimously.

*Roger Drabyk* motioned to approve the minutes of the December 20, 2023, Contractors' Licensing Board meeting, second *David Foley*. Motion carried unanimously.

*David Foley* motioned to approve the minutes of the January 17, 2024, Contractors' Licensing Board meeting, second *Albert Underwood*. Motion carried unanimously.

## **Personal Appearance:**

### **Joseph Mowery requests the Board approve his exam application for Residential, Roofing, and Drywall Contractor.**

Joseph Mowery was present.

Claudine Mickle introduced the item and stated staff was unable to administratively approve the application due to Mr. Mowery checking yes to items 15, 16 and 17 pertaining to Bankruptcy and Felony Conviction.

Mr. Mowery spoke to his son being diagnosed with Stage 4 Hodgkin's Lymphoma in 2016 and the treatment costs in relation to the bankruptcy filing.

Albert Underwood commented the credit report was quite lengthy, and asked Mr. Mowery if there was anything else the Board might be concerned with. Mr. Mowery replied that yes, he is delinquent on payments "once in a while". When Mr. Underwood expressed concern about vendor payments, Mr. Mowery responded he only uses one vendor and they are paid in full.

David Foley asked why Mr. Mowery was seeking three licenses at once. He responded he has been doing these things for years in Wisconsin since 2006 and wanted to be able to complete all aspects of jobs in Brevard. Using a kitchen remodel as an example of the need for drywall and oven vents regarding roofing, Mr. Mowery commented adding too many subcontractors can make jobs take months longer.

Bud Crisafulli asked Claudine Mickle to speak to the three licenses being requested. Ms. Mickle stated Drywall is within the scope of Residential Contractor, and Drywall itself would only be required for Commercial work. Mr. Mowery stated he does not do Commercial projects.

Albert Underwood discussed Mr. Mowery's background report involving the most recent DUI in 2018 and a Grand Theft charge in Pinellas County. Mr. Mowery stated he has moved forward and made no excuses for his past drinking behavior. The Grand Theft incident was related to tools on a payment plan from a previous employment, where after Mr. Mowery separated the employer demanded the tools be immediately paid in full and pressed charges.

Mr. Underwood expressed concern at Mr. Mowery attempting three license applications at once. David Foley asked if Mr. Mowery was familiar with Florida construction concerns and requirements since he primarily worked in

Wisconsin. After explaining his experience and willingness to learn, Claudine Mickle added that Mr. Mowery's experience was already approved according to his application and the only reason he appeared before the Board was due to the background check information.

Patrick Ripton said it sounded like Mr. Mowery was focused on the Residential license, to which Mr. Mowery himself agreed. The Board discussed moving forward with the Residential and Roof exams, and Assistant County Attorney Justin Caron advised withdrawing the Drywall application for propriety.

*Patrick Ripton* motioned to approve the Residential and Roofing exam applications, second *Roger Drabyk*. Motion carried unanimously.

### **Request for Show Cause Hearing**

#### **Kenneth Robert Jacobs, Jr., Secure Fence and Rail LLC, Fence Contractor, 14-FE-CT-00044**

Claudine Mickle introduced the agenda item to the Board and stated Kenneth Jacobs Jr. as the qualifier for Secure Fence and Rail LLC had complaints regarding work with permit violations and failure to maintain worker's compensation insurance from September 2023.

Maggie Castellano spoke to her investigation of the insurance and the case. Out of the 49 complaints she investigated, all but one was deemed to be work without a permit. In a meeting with Mr. Jacobs, it was discussed that DR Horton owed him money. Mr. Jacobs had said most of the issues started a year and half ago when he allowed his partner to operate the day to day of the business and was not overseeing it as he should, leading to several hundred thousand dollars of missing money, fuel, and materials. Maggie Castellano added Fraud was listed as well because of customer contracts stating, "will obtain permits." In total, the citations totaled approximately \$25,000 in fees.

In the meeting, Mr. Jacobs mentioned the company would engage in a "distress sale" pending around October with a proposed hedge fund assuming responsibility and the business becoming a DBA under that hedge fund.

David Foley expressed concerns of encroachment on all the work without permits especially with the pending loss of fiduciary duty and the lack of insurance. Ms. Castellano disclosed she worked with Mr. Jacobs in the past including for her own home and that she was at least comfortable speaking on the apparent quality of his previous work. When previously cited for

unlicensed contractor activity about ten years prior, Mr. Jacobs quickly went through the necessary process to become licensed and do the right thing.

After discussion the Board agreed the only way forward is a Show Cause Hearing. Assistant County Attorney Justin Caron advised the Board to specify the disciplinary action regarding Mr. Jacobs.

Motion to proceed with Show Cause Hearing seeking License Probation by *Albert Underwood*, second *Roger Drabyk*. Motion carried unanimously.

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

*David Foley* motioned to approve, second *Roger Drabyk*. Motion carried unanimously.

**Administrative Transfers:**

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

**Citation Report:**

**Notice for Unpaid Citation**

Claudine Mickle reminded the Board at the July meeting it was discussed sending a notice to violators not paying their fees in a timely manner to appear before the Board. A draft of such a notice was provided to the Board for their review. The Board agreed that Marc Smith, Manager Contractor and Code Compliance should be the signatory of the notice.

Motion to approve the Notice by *David Foley*, second *Albert Underwood*. Motion carried unanimously.

**Citation Report for July and August**

Maggie Castellano presented information from her investigation regarding delinquent citation payments regarding David Hlewicki and Todd Harding. The Board discussed the possible course of action and staff used the example of the previous case with Contractor Charles Black as a similar situation, where the Contractor would be noticed to appear before the Board and discuss the possible suspension of permitting privileges.

Motion to Notice Mr. Hlewicki and Mr. Harding to appear before the Board at the next scheduled Board meeting by *Albert Underwood*, second *Roger Drabyk*. Motion carried unanimously.

**Public Speaking Session:**

No public speakers.

**Reports:**

**Claudine Mickle, Development Services Assistant Manager**

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 7:28 PM