

**Minutes from the January 15, 2025  
Brevard County Contractors' Licensing Board  
Page 1**

**The following Board members were present:**

Clifford Barber  
Bud Crisafulli  
Roger Drabek  
Ralph (RJ) Durham  
Kerry Gardner  
Ronald Nost  
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  
Michelle Bruno, Development Services Supervisor  
Tara Mueller, Development Services Supervisor  
Tommy Latherow, Records Compliance Specialist  
Marc Smith, Manager Contractor and Code Compliance Division  
Denny Long, Supervisor Contractor and Code Compliance Division  
Maggie Castellano, Contractor and Code Compliance Officer

**Call to Order:**

Chair *Bud Crisafulli* called to order the January 15, 2025, Brevard County Contractors' Licensing Board meeting.

**Official Administrative Business:**

**Nomination and Election of Chair to the 2025 Contractors' Licensing Board**

Motion to nominate Bud Crisafulli for Board Chair by *RJ Durham*, second *Kerry Gardner*. Motion carried unanimously.

**Nomination and Election of Vice-Chair to the 2025 Contractors' Licensing Board**

Motion to nominate Albert Underwood for Board Vice-Chair by *RJ Durham*, second *Kerry Gardner*. Motion carried unanimously.

### **Annual Approval of the Contractor and Code Inspectors Continuous Training**

Motion to approve *RJ Durham*, second by *Ronald Nost*. Motion carried unanimously.

### **Approval of Minutes:**

*Kerry Gardner* motioned to approve the minutes of the December 18, 2024, Contractors' Licensing Board meeting, second *Ronald Nost*. Motion carried unanimously.

### **New Business:**

### **Personal Appearance:**

### **Brent Gray requests the Board approve his exam application for Specialty Structure Aluminum Contractor**

Brent Gray was present.

Claudine Mickle introduced the item and stated there was no question of Mr. Gray's employment with Tiki Crew Enterprises based on W2 and 1099 forms provided. Those forms do not specify a role within a company, and Mr. Gray also did not provide the Employer Verification Affidavit. The license holder for the company Mr. Gray worked with would not produce one to support the exam application.

Albert Underwood asked Mr. Gray to speak on his experience.

Mr. Gray started with Houseman Aluminum many years ago and got out of the field for some time before doing screen repairs with Tiki Crew around 2016. Mr. Gray was under the impression his employer had a license or was doing work that did not require one but received citations that have been since resolved. Mr. Gray's employer got a proper qualifier in 2018 or 2019 by his recollection.

RJ Durham inquired how extensive the repairs Mr. Gray performed were and how long he had been repairing and building full structures. Mr. Gray answered he worked with the company from 2018 to 2022. Ronald Nost had Mr. Gray clarify he was running a crew and not just being told what to do.

Kerry Gardner commented it sounded like the employer didn't want to sign the affidavit because Mr. Gray was leaving his company to go out on his own.

RJ Durham asked if Mr. Gray photographed work or completed projects, and Ronald Nost added testimony from coworkers can help, and he had the same kind of circumstance when he sat for the test.

Albert Underwood commented it is a competitive field, but it isn't like Mr. Gray is going to take away all of his previous employers business and that they are well established with a good name. RJ Durham added he would rather compete with someone he trained than someone he didn't.

Motion to approve the exam application by *Albert Underwood*, second *RJ Durham*. Motion carried unanimously.

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

*RJ Durham* motioned to approve, second *Ronald Nost*. Motion carried unanimously.

**Administrative Transfer:**

*RJ Durham* motioned to approve, second *Ronald Nost*. Motion carried unanimously.

**Citation Report:**

The Board reviewed the report and inquired on the status of Todd Harding's citations. Maggie Castellano said that Mr. Harding is inconsistently available for contact and described the open permit issues to the Board. The Board discussed at length the particulars of a screen enclosure permit by Mr. Harding holding up a separate pool permit because it was installed in the wrong location.

**Public Speaking Session:**

No public speakers.

**Reports:**

**Claudine Mickle, Development Services Assistant Manager**

Claudine Mickle introduced the two new Development Services Supervisors present. Michelle Bruno and Tara Mueller briefly introduced themselves to the Board.

### **Justin Caron, Assistant County Attorney**

Justin Caron told the Board he had been working with county staff on updating and revising Chapter 22 around the Special Magistrate process. In the past a Licensed Contractor's disciplinary proceedings would come before the Board, and a few years ago that changed to going to the Special Magistrate for a Recommended Order that then goes to the Board. The Board was asked if they would prefer the hearing directly before them or to have the Special Magistrate process. RJ Durham stated he felt there was more weight when a case goes in front of the magistrate first, and asked Justin Caron if the ratio of successful resolution was better one way or the other.

Justin Caron stated that the process is very long with the magistrate with way the code is written and takes three to four months, compared to the immediate response time of a single Board meeting. Additionally, there are potential issues with the Recommended Order coming back before the Board and the weighing of what a contractor says against what is said at the hearing compared to the later Board Meeting.

RJ Durham stated in considering that information, he felt it should come to the Board directly. Chair Bud Crisafulli mentioned he was concerned about the Board putting something in evidence improperly related to jurisdiction and procedures and having issues with an appeal later down the road. Justin Caron advised the formal rules of evidence for court don't apply in this instance, but the Board would have and previously did have outside counsel in the case of such concerns.

Justin Caron described current process of a Licensed Contractor going to the Special Magistrate. The Special Magistrate has no authority over the contractor and is just hearing the evidence and packaging it as the Recommended Order for the Board as the authority. The Contractors' Licensing Board had moved to the magistrate process many years ago when two or three hearings were happening per meeting and were going very late. The Code Enforcement Board was at the time switching to a magistrate process and so did the Board at that time. It was suggested if the hearings come back before the Board to move the meeting start time earlier in those instances.

Justin Caron stated that this alteration will require changing the code, and staff just wanted to get the Board's thoughts on the matter for now.

Maggie Castellano added that the severity of cases is understood more by the Board as Licensed Contractors themselves than a magistrate looking at only evidence and testimony that may or may not be relevant, and there is a benefit to understanding the construction industry versus only the legality of the process. Albert Underwood voiced his agreement.

Ronald Nost asked why the Special Magistrate doesn't have someone with contractor knowledge on advisement. Justin Caron answered that the magistrate is a local attorney hired as a neutral person only looking at evidence and determining something was violated.

Roger Drabyk added that with the Board's contracting experience they would be likely be harder on that person appearing before them.

Chair Bud Crisafulli asked if the Board members would be responsible in a civil court if they ruled and caused a loss of income to a contractor. Justin Caron said they are under County Sovereign Immunity as the Board.

The Board discussed the benefits and asked if their decision required a motion. Justin Caron advised no, as this was just discussion so the Board of County Commissioners could be advised on how the Board felt on the matter.

**Bud Crisafulli, Board Chair**

No report

**Members of the Board**

No report

**Adjourn:**

Meeting adjourned at 7:04 PM