

**BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD
MINUTES OF BOARD MEETING – May 30, 2019**

The Board meeting was called to order at approximately 9:30 a.m. on Thursday, May 30, 2019 by Chairman, Stuart Kaufman.

The Clerk called roll and the following members were present:

Stuart Kaufman, Chairman
Lily Sayre
James Dillard
Robert McColgan
Ronesia Jenkins
Karen Hodge-Kaestner

Also present were: Hulda Estama, Esq. County Attorneys for the Board
 Andrij Susla, Esq. Attorney for the Department
 Anthony Vomero, Environmental Health Director

Alicia McRae, Clerk of the Board, swore in the witnesses.

Stuart Kaufman requested approval of the meeting minutes: November 16, 2018 (emergency hearing) and April 25, 2019

Motion to approve the minutes by Ms. Ronenia Jenkins; Second by Mr. James Dillard, all in favor, and none opposed.

Statement to Respondents by the Chairman, Mr. Stuart Kaufman.

Hearing procedures by the County Attorney, Hulda Estama, Esq.

Andrij Susla, Esq. proceeded with the scheduled cases.

Fort Lauderdale Retirement Home

Case No.: 19-010 SAN

Mr. Susla appeared on behalf of the Department; Jacqueline Heath appeared on behalf of the Respondent.

Proffered that the Respondent was in violation of F.S. 381.006 and F.A.C. 64E-12.006, that an order was issued on April 25, 2019 requiring the facility to implement and maintain a corrective action plan.

Mr. Susla called Environmental Health Specialist II, Christina Edghill to testify. Ms. Edghill identified herself for the record, stated her position and duties at the Department of Health (DOH). She went on to advise the Board of the status and her finding upon her inspection. She advised that there were still bedbugs present in Building 401, rooms 11,18 & 19.

Discussion

Ms. Heath was called to testify. Ms. Heath identified herself and advised that they are continuously working on the issue and provided documents from the pest control company, which were entered into evidence as Respondent's exhibit "A".

Counsel's recommendation is to postpone penalties until the next hearing, continue to monitor progress, retain jurisdiction for 90 days provide status at the next hearing and that no penalty be imposed if satisfactory inspection report is received.

Motion to accept counsel's recommendation by Ms. Lily Sayre, second by Ms. Karen Kaestner. All in favor, none opposed.

Holly Tree Patio Villas HOA, Inc.

Case No.: 19-112 SAN

Mr. Susla appeared on behalf of the Department; Paul Shapiro of USA Management appeared on behalf of the Respondent.

Mr. Susla called Environmental Specialist II, Christina Edghill to testify regarding the violations in the complaint. Ms. Edghill stated and spelled her name for the record, followed by her position and duties at DOH. Ms. Edghill advised the Board of her observation during the inspection. Ms. Edghill confirmed that the pool was closed by DOH. She added that the violations are fairly easy to correct.

Discussion

Mr. Shapiro was called to testify. He stated his name for the record and advised that he works for USA Management (the property management company) and that All Florida Pools is their pool maintenance company. Mr. Shapiro stated that all violations were corrected according to the pool company's e-mail that he received (shared with the board), which contradicted Ms. Edghill's statement.

Discussion between the board members and Mr. Shapiro.

Counsel's recommendation requests that Mr. Shapiro arrange and attend a meeting between the pool company, an association board member and DOH inspector regarding the pool violations and corrections needed to abate the violations, that the pool remain closed until there is a satisfactory inspection, that a \$500.00 administrative fee shall be paid by June 26, 2019 that the board retain jurisdiction for 90 days and status at the next hearing.

Motion to accept counsel's recommendation by Ms. Lily Sayre, second by Mr. James Dillard. 4 in favor; 1 opposed. The motion was amended by Ms. Karen Kaestner proposing to add an administrative fine in the amount of \$500.00 with consideration for mitigation at the next meeting contingent upon a satisfactory inspection report and that a member of the Board attend the next hearing. All in favor, none opposed.

Parkway Mobile Home Court

Case No.: 19-012 SAN

Mr. Susla appeared on behalf of the Department; no one appeared on behalf of the Respondent.

Mr. Susla advised the Board that the Respondent was in violation of F.S. 513.02 and F.A.C. 64E-15 for operating without a valid Mobile Home Permit (MHP) permit and that the permit has been delinquent for 3 years. Ms. Susla outlined the outstanding fees due for the permit and called Nicolas Kellman to testify.

Mr. Kellman stated and spelled his name for the record, followed by his position and duties with DOH and advised that no payments were made to satisfy the outstanding balance.

Mr. Kaufman asked why the matter was not before back in 2017.

Mr. Kellman was unaware.

The clerk of the board, Alicia McRae identified herself and advised that DOH was unable to obtain service in previous years.

Mr. Susla recommended that the permit fees, late fees and reinspection fees be paid by June 26, 2019 in addition to a \$500.00 administrative fine and \$500.00 administrative fee followed by an administrative citation or administrative complaint if the fees are not paid. The Board shall retain 90 days jurisdiction and status at the next hearing.

Alchemy Ink Collective Case No.: 19-011 SAN

Mr. Susla appeared on behalf of the Department; no one appeared on behalf of the Respondent.

Mr. Susla recommended an order adopting stipulation.

Motion to accept counsel's recommendation by Ms. Karen Kaestner, second by Mr. James Dillard.

Cypress At Woodmont III

Case No.: 18-127 SP

Mr. Susla appeared on behalf of the Department; no one appeared on behalf of the Respondent.

Mr. Susla proffered that a continuance was granted at the last hearing to allow time for receipt of the stipulation agreement and fee.

Mr. Susla called Nicolas Kellman to verify if the funds were received. Mr. Kellman stated his name, position and duties with DOH and advised that the fees were received. No further action is needed.

1830 Dewey St., LLC

Case No.: 19-003 SAN

Mr. Susla appeared on behalf of the Department; no one appeared on behalf of the Respondent.

Mr. Susla recommended an order adopting stipulation.

Motion to accept counsel's recommendation by Ms. Karen Kaestner, second by Mr. James Dillard.

Hawaiian Gardens Phase I (South)

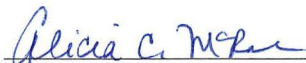
Case No.: 19-008 SAN

Mr. Susla appeared on behalf of the Department; no one appeared on behalf of the Respondent.

Mr. Susla advised the Board that the violations were abated and that the Respondent is compliant with the order issued in April. No further action is needed.

The meeting was adjourned by Mr. Stuart Kaufman at 11:00 a.m.

PREPARED AND SUBMITTED BY:



Alicia C. McRae, Clerk of the Board