

**BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD
MINUTES OF BOARD MEETING – OCTOBER 31, 2019**

The Board meeting was called to order at approximately 9:35 a.m. on Thursday, October 31, 2019 by the Chairman, Stuart Kaufman.

The Clerk called roll and the following members were present:

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

Also present were:

Hulda Estama, Esq. - Attorney for the Board
Alicia McRae – Clerk of the Board
Andrij Susla, Esq. - Attorney for the Department
Clifford Friedman, Esq. - Attorney for the Department
Zachary Orthen - Environmental Health Assistant Administrator

Mr. Kaufman requested approval of the meeting minutes from August 30, 2019.

Motion to postpone approval of the minutes until the end by Mrs. Hodge-Kaestner; all in favor.

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

Statement to Respondents by Mr. Kaufman.

Hearing procedures by Ms. Estama.

Mr. Friedman proceeded with the scheduled cases.

Helbert Lopez **Case No.: 19-115 SAN**

Mr. Friedman appeared on behalf of the Department; Helbert Lopez appeared Pro Se; Andrew (Andy) Tolomeo appeared on behalf of Septic Medic, Inc.

Mr. Friedman proffered the board and reminded them of what was ordered previously and advising that Mr. Tolomeo was subpoenaed to appear.

Mr. Friedman called Christopher Cappiello, EH Inspector, to testify. Mr. Cappiello stated his name, position and duties for the record; followed by Mr. Kellman.

Mr. Friedman called Andrew “Andy” Tolomeo of Septic Medic, Inc. to testify. Mr. Tolomeo testified that he was called out to the property to investigate. He dug a small hole to investigate the septic tank and drain field. Mr. Tolomeo testified that he did not find any issues with the septic tank.

Discussion

Motion by Mrs. Sayre for Mr. Lopez to apply for and obtain the permit from the Department, to schedule an inspection to determine if the septic tank was tampered with or changed prior to the next hearing. Seconded by Mrs. Hodge-

Kaestner. 5 in favor: 1 opposed (Mr. McColgan). The status shall be provided at the next hearing, and fees and fines shall be deferred until the next hearing, contingent upon the status and compliance.

Parkway Mobile Home Court **Case No.: 19-012 SAN**

Mr. Friedman appeared on behalf of the Department; Joe Levy appeared on behalf of the Respondent.

Mr. Friedman proffered the board and called Mr. Levy to testify. Mr. Levy advised that there were a series of events and circumstances that led to his delinquency and asked the Board to mitigate the daily fines ordered.

Mr. Friedman called Nicolas Kellman, Accounts Receivables Supervisor, to testify and verify the amount outstanding due to the daily fines assessed. Mr. Kellman advised that the past due permit fees were paid, but the 2019-2020 permit expired on September 30, 2019. The daily fine remains outstanding, totaling \$42,000.00.

The Department recommended to settle the matter at \$2,500.00 per year, totaling \$6,000.00.

Motion by Mrs. Sayre to accept the recommendation with an amendment that the 2019-2020 permit be paid immediately, that the mitigated amount of \$6,000.00 be paid within sixty (60) days. Seconded by Mr. Dillard. All in favor.

Peter Glindmeier **Case No.: 19-116 SAN**

Mr. Friedman appeared on behalf of the Department; No one appeared on behalf of the Respondent.

Mr. Friedman advised the Board that the Respondent in violation of Fla. Stat. 386.01 and Broward County Code 15-212. That the respondent failed to correct the sanitary nuisance violation reasonable notice.

Mr. Friedman called EH Inspector, Laura Ramirez. Ms. Ramirez advised that there were no changes to the condition of the property at her last inspection on October 23, 2019.

Pictures taken by Ms. Ramirez was entered into evidence as Department's composite exhibit "A".

The Department's recommendation is that the violation be abated immediately.

Motion by Ms. Hodge-Kaestner for a \$500.00 fee and a \$500.00 fine to be paid prior to the next hearing date. Status at the next hearing date. Seconded by Mr. Dillard. All in favor.

Anthony C. Ramsey Sr. **Case No.: 19-114 SAN**

Mr. Friedman appeared on behalf of the Department; No one appeared on behalf of the Respondent.

Mr. Friedman proffered the Board and advised that there was no change to the conditions of the property, and that the Department remain in contact with the City Attorney regarding the matter. Status at the next hearing.

Meeting was adjourned at 11:15 a.m.

PREPARED AND SUBMITTED BY:



Alicia C. McRae, Clerk of the Board