



BROWARD COUNTY

Board of Rules & Appeals

One North University Drive, Suite 3500B, Plantation, Florida 33324

Phone (954) 765-4500 Fax: (954) 765-4504

<http://broward.org/codeappeals.htm>

BOARD OF RULES AND APPEALS

MARCH 8, 2018

MEETING MINUTES

Call to order:

Chair Daniel Lavrich called a published meeting of the Broward County Board of Rules and Appeals to order at 7:01 p.m. The roll was called and the following members were present:

Present:

Daniel Lavrich, P.E., Chair
Kenneth Wynn, Vice Chair
Ron Burr
Gary Elzweig, P.E.
Jeff Falkanger, AIA
Shalanda Giles-Nelson (arrived as noted)
Robert A. Kamm, P.E.
Jeffrey Lucas, FM, CFI, CFEI
David Rice, P.E.
Daniel Rourke
James Terry
Dennis A. Ulmer
Abbas H. Zackria

After the roll call, the presence of a quorum was announced.

Approval of Minutes

MR. LUCAS MADE A MOTION AND MR. ZACKRIA SECONDED THE MOTION TO APPROVE THE FEBRUARY 8, 2018 MEETING MINUTES. THE MOTION CARRIED BY UNANIMOUS VOTE OF 12-0. MS. GILES-NELSON WAS NOT PRESENT.

CONSENT AGENDA

1. Certifications – Staff Recommended

MR. BURR MADE A MOTION AND MR. LUCAS SECONDED THE MOTION TO APPROVE ALL SUBMITTED CERTIFICATIONS. THE MOTION PASSED BY UNANIMOUS VOTE OF 12-0.

2. Appeal 18-01 – Steven Burd – 100 SW 96th Terrace, Plantation, FL

a. Staff Report

Chairman Lavrich advised that this appeal has been withdrawn. Mr. Charles Kramer, Board Attorney, highlighted the reasons for the withdrawal.

3. **The Board will consider adopting Broward County Local Amendments to the Florida Fire Prevention Code, as follows: F-101 General, Section F-103, Fire Chief, Bureau of Fire Prevention, Fire Marshal, Fire Plans and Inspectors, Section F-108 Tents, Air-Supported Structures, Temporary Structures, Section F-110 High Pile Combustible Stock, Section F-111 Test Criteria for Mechanical Smoke Control Systems, Section F-112 Automatic Sprinklers Required, Section F-116 Flammable and Combustible Liquids, Section F-120 Fireworks and sparkler/Novelty Items, Section F-122 Mobile and Temporary Cooking Operations and Section f-123 Permanently Installed Cooking Exhaust Systems. The effective date for all amendments listed March 19, 2018.**

a. Staff Report

Mr. Bryan Parks, Chief Fire Code Compliance Officer, noted that as part of a three-year cycle, staff reviews and recommends changes to the local code after evaluating them in comparison with changes made to the State code. If a provision is added the NFPA code and it is adopted by Florida, it needs to then be removed from the local code. There is nothing new in any of the items.

b. Public Hearing

Chairman Lavrich opened the floor for a public hearing, but there was no one wishing to speak.

c. Board Action

A MOTION WAS MADE BY MR. ZACKRIA, SECONDED BY MR. FALKANGER TO ACCEPT THE AMENDMENTS AS RECOMMENDED. THE MOTION PASSED BY UNANIMOUS VOTE OF 12-0.

4. **Requested authority to establish a four-year minimum retention period for audio recordings and notes of the Board of Rules and Appeals and appointed committee meetings and proceed with disposal accordingly.**

a. Staff Report

Mr. James DiPietro, Administrative Director, advised that the State standard period is two years. The recommendation is a little more conservative.

Mr. Zackria asked about conversion of documents to electronic media if necessary. Mr. DiPietro noted that this particular item is about recordings. He referred to State standards in place for disposition of local government records and noted that for the previously policy established concerning certification files, some samples were retained. Before

proceeding, approval is secured from both the County and State. No recordings would be destroyed without the corresponding minutes. The approved minutes represent the official record. There are issues to work out for those meetings where there were ad hoc committees and the minutes have not been signed off. In response to Mr. Ulmer, Mr. DiPietro indicated that for records that are destroyed there is a documented record showing the disposal, however, audio tapes have not been destroyed. In response to Mr. Kamm, Ms. Ruth Boselli, Administrative Coordinator, advised that the board meeting recordings are now digital but historically the recording was made on cassettes.

Mr. Lucas noted a typographical error in the spelling of policy in the agenda memorandum.

b. Board Action

A MOTION WAS MADE BY MR. ULMER AND SECONDED BY MR. LUCAS TO APPROVE THE PROPOSED POLICY. THE MOTION PASSED BY UNANIMOUS VOTE OF 12-0.

Ms. Giles-Nelson arrived.

5. Director's Report

Mr. James DiPietro, Administrative Director, indicated that while a regular meeting is not anticipated for April, a disciplinary hearing is scheduled for April 17th, concerning Mr. John Madden. He asked that Board members clear their calendars if possible. He elaborated upon quorum requirements in relation to those who served on the Probable Cause Committee. More logistics about the hearing were discussed. Mr. DiPietro added that while the public is welcome, there is no public comment permitted. Mr. Charles Kramer, Board Attorney, also noted that the hearing officer is John Hearn, City of Coral Springs City Attorney, which could be likened to the role of a judge.

6. Attorney's Report - none

7. Committee Report - none

8. General Board Members Discussion - none

9. Public Comment (3-minute limit per person) and written communication - none

10. Adjournment

Having no further business to go before the Board, the meeting adjourned at 7:21 p.m.



Daniel Lavrich, P.E. – Chair

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