The Broward County Board of Rules and Appeals convened a Special Disciplinary Hearing at 9 a.m. on October 22, 2018, at the Broward County Governmental Center, Room 430, 115 -South Andrews Avenue, Fort Lauderdale, Florida. The hearing was continued on October 23, 2018 at the same address, but in Room 302. It also convened at 9 a.m.

Roll Call for both October 22 and October 23, 2018:

Daniel Lavrich, Chair
Kenneth Wynn, Vice Chair
Gregg D’Attilie
John Famularo
Robert A. Kamm
Dennis A. Ulmer
Stephen Bailey
Bill Flett
Robert Taylor

Approval of Minutes

Mr. Kamm made a motion seconded by Mr. Taylor to approve the March 7, 2016 probable cause committee meeting minutes. The motion carried by unanimous vote.

While Chairman Lavrich chaired the meeting, as a member of the Probable Cause Committee, he did not cast any votes. No members of the Probable Cause Committee voted.

Violation #1: Mr. Madden failed to supervise and coordinate the efforts of the structural plans examiners in Fort Lauderdale

Violation #2: Mr. Madden failed to provide his interpretation of FBC 1612 and ASCE 7 and 24 to the structural plans examiners in Fort Lauderdale

Mr. Bailey made a motion and Mr. Ulmer seconded the motion, that in pursuance of the complaint stated by the board against John Madden to find Mr. Madden guilty of
nonfeasance of violations nos. 1 and 2, as outlined in the probable cause committee finding, that he failed to supervise his subordinate plans examiner, being that the plans approved did not meet the 2010 building code, and he did not provide clear and precise interpretations of plans.

Roll Call Vote:

Wynn     Yes
D’Atille Yes
Famularo Yes
Kamm     No
Ulmer    Yes
Bailey   Yes
Flett    Yes
Taylor   Yes

The motion carried by a vote of 6-2.

The Probable Cause committee recommended an administrative fine of $500 payable within 30 days and period of probation of one year in Broward County. We need a motion before we can discuss.

Mr. D’attile made a motion and Mr. Famularo seconded the motion to accept the recommendation of the probable cause committee to impose an administrative fine in the amount of five hundred dollars ($500) and one-year probation within Broward county.

During discussion of the above motion, Mr. Bailey proposed that the probation be reduced from one-year to three months.

Roll Call Vote:

Wynn     Yes
D’Atille No
Famularo Yes
Kamm     No
Ulmer    Yes
Bailey   Yes
Flett    Yes
Taylor   Yes

The motion carried by a vote of 6-2.

An amended motion was made by Mr. Bailey and seconded by Mr. Ulmer imposing an administrative fine in the amount of five hundred dollars ($500) and three months of probation within Broward county.
Roll Call Vote:

- Wynn: Yes
- D’Atille: No
- Famularo: Yes
- Kamm: No
- Ulmer: Yes
- Bailey: Yes
- Flett: Yes
- Taylor: Yes

The October 22, 2018 was continued from 5:30 p.m. to October 23, 2018 at 9 a.m. and adjourned at 12 p.m.

Daniel Lavrich, P.E. - Chair