CONSUMER PROTECTION BOARD MEETING MINUTES
September 18, 2024 @ 9:30 am

PRESENT:	Angel, David Daley, Herbert Flynn, Michael Morguess, Joseph (telephonically) Tewari, Ram (via Teams) Aronofsky, Jill (telephonically) Cooley, Beverly (telephonically) Dunn, Shernette (via Teams) Rubalcaba, Jenny
ABSENT:	Hugley, Christopher Horowitz, Charles
ALSO PRESENT:	O'Geen, Joseph – Regulated Business Administrator Custode, W. Gail – Regulated Enforcement Administrator Navas, Javier – Assistant County Attorney (via Teams) Apicella, Robert – Regulated Business Supervisor McCrary, Doug – Regulated Business Supervisor Labaty, Naomie – Boards Administrator (via Teams) St. Preux, Kilishi – Boards Analyst (via Teams) Franco, Camila – Board Clerk

Michael Flynn, chair, calls the meeting to order at 9:33 a.m., conducts the roll call, and establishes a quorum.

Panel sign-up sheets and attendance are distributed among members.

CORRESPONDENCE

None

RESIGNATION AND NEW MEMBERS

Mr. O'Geen announces that there is a new board member, David Angel, but that the board has also lost a member, Charles Horowitz.

Mr. Flynn welcomes Mr. Angel to the board.

Mr. O'Geen confirms the board is still at eleven (11) members.

The Chair requests a Motion to approve the Board meeting minutes from May 15, 2024. Mr. Herbert Daley makes the motion, and Ms. Jenny Rubalcaba seconds it.

ANNOUNCEMENT

None

ADMINISTRATOR’S REPORT/DIVISION’S REPORT

Quarterly Reports

Mr. O’Geen begins with announcing that the web visits increased significantly from 7,700 in the last quarter to 17,000 in the 3rd quarter, and that additionally, the Division’s analysts responsible for addressing consumer complaints were able to return over $48,000 back to consumers. He then states that the number of complaints remained about the same. The report from the 3rd Quarter of FY 2024 of the Broward County Consumer Protection Program is distributed among members.

Mr. O’Geen adds that the board still needs seven (7) members and asks everyone to let either him or their commissioners know if they know anyone interested in joining.

Mr. Flynn congratulates Doug McCrary on a successful quarter regarding his section’s role in returning $48,000 to consumers. Mr. McCrary affirms that some cases with higher monetary returns may spike the numbers some quarters, but that regardless of whether a case involves $20 or $500, every case is an equal win for the Division.

The conversation is brought back to the number of consumer complaints this quarter. Mr. O’Geen affirms they are roughly the same as last quarter. Mr. McCrary adds that they may go up next quarter due to the increase in cruise trips during that time of year.

BOARD MEMBERS’ CONCERN:

Boards Administrator Naomie Labaty is present for the meeting via Teams to discuss the Sunset Review and take suggestions from the board members as to how the board can be improved. The first issue Ms. Labaty brings attention to is the lack of board members. Mr. Flynn explains how difficult it can be to conduct regular hearings with only eleven members, supporting this with the fact that hearings have been cancelled due to insufficient volunteers. He asserts that with less members, there is more pressure on the active members to volunteer. Lastly, he suggests that the board is willing to expand their role beyond chauffeur denial hearings, such as assisting with the changes being made to the nuisance abatement ordinance.

Ms. Labaty addresses the lack of members issue with assuring her office is actively seeking members for the boards. Dr. Shernette Dunn inquires about the steps being taken to recruit more members. Ms. Labaty explains that the commissioners with vacancies are notified and asked to appoint new members. Additionally, if anyone applies, she will get in contact with their commissioner to have them appointed as soon as possible. Vacancies are also published on her section’s website. Dr. Dunn suggests that the board vacancies be promoted via mail to residents of Broward County, to which Ms. Labaty replies that she will run it by her office.

Mr. Flynn proposes that the Consumer Protection Board and its vacancies be advertised on the Consumer Protection website. Mr. O'Geen assures he can have that done.

Ms. Beverly Cooley raises the issue that the board's meetings and hearings start time of 9:30 a.m. poses an obstacle for potential applicants whose jobs would make them unavailable so late in the morning. Mr. Flynn asks the Consumer Protection Division staff whether 8:30 a.m. meetings and hearings would be possible, to which nobody from the Division objects.

Ms. Jill Aronofsky joins the conversation to oppose earlier meetings, noting the higher traffic at that time. Mr. Joe Morguess concurs with her opinion.

Dr. Dunn attests to Ms. Cooley's claims that the current start time is too late for members, and potential members, who work. She expresses how it has made it difficult for her to attend hearings.

Mr. Tewari agrees with Ms. Aronofsky's stance. He also expresses that there ought to be some form of showing appreciation of service to board members, recounting how the school board issues yearly certificates signed by the chair. Lastly, he brings up the lack of parking at Governmental Center West, which has made it difficult to attend hearings on time.

Ms. Labaty explains how certificates of appreciation may be difficult to implement considering the vast number of boards within the county. She does clarify that certificates are currently issued when a board member is leaving the board as a thank you for their service, but that she will take note of Mr. Tewari's suggestion.

Mr. Flynn adds that he will work with the Division's staff to implement Mr. Tewari's idea of appreciation certificates, and that he was remiss in not doing so sooner. He then suggests a poll be distributed regarding the start time debate. The Division staff affirms that a poll will be sent out. Mr. Flynn and Mr. Navas discuss the Sunshine requirements for officially taking a vote on the matter at a future meeting. Mr. Robert Apicella poses the possibility of not changing all the start times, but maybe a few to accommodate those that prefer the earlier time. Mr. Flynn confirms this can be discussed based on poll results.

Ms. Labaty asks for an update on the nuisance abatement order. Mr. Navas explains that the board composed a letter signed by the chair with their proposed changes to the ordinance, and that he worked with intergovernmental staff on the language for the changes. Mr. Flynn adds that the heavy lifting on the ordinance is done.

Ms. Labaty requests that the board vote on maintaining their current operations. After failing to get a motion, Mr. Flynn and Mr. Navas resolve any concerns and assure the board that this is just a "housekeeping" procedure. Dr. Dunn makes a motion, and Mr. Daley seconds it. Mr. Flynn calls for a vote and the board unanimously agrees to continue operating without any changes.

COUNTY ATTORNEY'S REPORT:

Assistant County Attorney Javier Navas reminds the board to maintain professionalism and composure during hearings, and to be mindful of not just verbal language, but body language as well. He explains how he appreciates their voluntary service on the board and empathizes with the members on the difficulty of handling certain situations. Ms. Custode adds to Mr. Navas' sentiment by reenacting a recent incident of a board member displaying inappropriate behavior by expressing disagreement and aggravation with the panel as an alternate. She encourages the board to have lively discussion and to express different perspectives, but to be mindful of how the appellants may perceive disagreements. Mr. Flynn clarifies the points being made by Mr. Navas and Ms. Custode by assuring the board they can have the dissenting opinion, but not to leave the appellant with skepticism of the process. Ms. Custode chimes in, in reference to the incident mentioned earlier, that alternates should not express their stance on cases during hearings.

Ms. Aronofsky questioned whether this discussion was about a specific person, and whether it would be better to have a direct discussion with said person. Mr. Flynn and Mr. Navas both explain how this discussion would be beneficial for everyone, and that the information is something to keep in mind given the nature of being on a panel and having different opinions. Ms. Custode adds that this is board business and needs to be discussed with the entire board, due to limitations of the Division on speaking to board members directly.

Lastly Mr. Navas notes that if changes to meeting and hearings start times are made, that the website will need to be updated and there needs to be enough time to provide notice to appellants.

OLD BUSINESS:

None

NEW BUSINESS:

None

NOMINATIONS OF OFFICERS:

None

With no further business, the meeting is adjourned at 10:28 a.m.

Respectfully submitted,

Camila Franco
Board Clerk