

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**BOARD APPOINTMENT SUMMARY**

**Meeting Date:** January 9, 2007

**Department:** Environmental Resources Management

**Advisory Board:** Artificial Reef and Estuarine Enhancement Committee

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Three (3) re-appointments of at-large members to the Artificial Reef and Estuarine Enhancement Committee (AREEC) to three-year terms.

<u>Re-appoint:</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
Gail Nelson	Local Government Entity	2	Comm. Newell Comm. Marcus Comm. Koons Comm. McCarty Comm. Aaronson
Tom Twyford	Recreational Fishing	7	Comm. Newell Comm. Marcus Comm. Koons Comm. McCarty Comm. Aaronson
John Hargis	Recreational Diving	8	Comm. Newell Comm. Marcus Comm. Koons Comm. Aaronson

**Summary:** A Memorandum dated October 24, 2006 was sent to the Board advising that the term of Seats 2 and 7 expired on October 15, 2006 and that Seat 8 expired on November 3, 2006. Commissioners Newell, Marcus, Koons, McCarty and Aaronson submitted nominations for re-appointment of Gail Nelson and Tom Twyford. Commissioners Newell, Marcus, Koons and Aaronson nominated John Hargis for re-appointment. All appointments are for a three-year term expiring December 19, 2009. The nominees meet their respective seat requirements and wish to serve on the AREEC. Countywide (HF)

**Background and Justification:** Resolution No. R96-1489 provides for a nine-member AREEC. Gail Nelson was originally appointed to Seat 2 on January 21, 1986 and wishes to be re-appointed. Tom Twyford was originally appointed to Seat 7 on September 6, 1988 and wishes to be re-appointed. John Hargis was originally appointed to Seat 8 on November 3, 2000 and wishes to be re-appointed. No other nominations were received.

**Attachments:**

1. Board Appointment Information Forms
2. Current Membership and Attendance Record
3. Resolution No. R96-1489

**Recommended by:**

Richard E. Winkley 12/7/06  
 Department Director Date

**Legal Sufficiency:**

[Signature] 12/19/06  
 Assistant County Attorney Date

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARD APPOINTMENT INFORMATION FORM**

**Part I:**

Board Name: Artificial Reef & Estuarine Enhancement Committee

Appointment: At Large ☐ Town ☒ or Industry ☐

Seat # 2 Special Requirements of the Seat: Local Government Entity

\*Reappointment ☒ or New Appointment ☐

or ☐ to complete the term of \_\_\_\_\_

due to: ☐ resignation ☐ other \_\_\_\_\_

Completion of term to expire on: October 15, 2006

Term of Appointment: 3 years. From October 15, 2006 To November 1, 2009

**Part II:      APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Ms. Gail Nelson

Occupation/Affiliation: Local Government Entity

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City & State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Residence Address: 14972 Palmwood Road

City & State: Palm Beach Gardens, FL Zip Code: 33410

Home Phone: 626-5354 Business Phone: \_\_\_\_\_

Mailing Address preference: ☐ Business Address ☒ Residence Address or ☐ Other: \_\_\_\_\_

**Minority Identification Code:**

☐ IF (American Indian Female)

☐ AF (Asian Female)

☐ BF (Black Female)

☐ HF (Hispanic Female)

☒ WF (White Female)

☐ IM (American Indian Male)

☐ AM (Asian Male)

☐ BM (Black Male)

☐ HM (Hispanic Male)

☐ WM (White Male)

**Part III:      COMMISSIONER COMMENTS:**

Appointment to be made at BCC Meeting on: Earliest Possible

**\*\*When a person is being considered for reappointment, the number and nature of previously disclosed voting conflicts shall be considered by the Board of County Commissioners.**

\_\_\_\_ Number of previously disclosed voting conflicts.

Signature:  Date: OCT 26 2006

By: Warren Newell  
T:\eer\mer\_marine estuarine\AREEC\board appoint info form seat#9 10-06.doc

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BOARD OF COUNTY COMMISSIONERS  
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**Part I:**

Board Name: Artificial Reef & Estuarine Enhancement Committee

Appointment: At Large ☐ Town ☒ or Industry ☐

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Signature: Andy L. DeFilippo for Date: 10/26/06  
Comm. Karen T. Marcus

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BOARD OF COUNTY COMMISSIONERS  
BOARD APPOINTMENT INFORMATION FORM**

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Signature:  Date: Nov 1

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Signature:  Date: 10/25/06

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BOARD OF COUNTY COMMISSIONERS  
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Signature: Burt Jones Date: 12-11-06

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARD APPOINTMENT INFORMATION FORM**

**Part I:**

Board Name: Artificial Reef & Estuarine Enhancement Committee

Appointment: At Large ☒ Town ☐ or Industry ☐

Seat # 7 Special Requirements of the Seat: Recreational Fishing

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due to: ☐ resignation ☐ other \_\_\_\_\_

Completion of term to expire on: October 15, 2006

Term of Appointment: 3 years. From October 15, 2006 To November 1, 2009

**Part II:      APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Mr. Tom Twyford

Occupation/Affiliation: Recreational Fishing

Business Name: West Palm Beach Fishing Club

Business Address: P.O. Box 468

City & State: West Palm Beach, FL Zip Code: 33402

Residence Address: \_\_\_\_\_

City & State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Business Phone: 832-6780

Mailing Address preference: ☒ Business Address ☐ Residence Address or ☐ Other:

**Minority Identification Code:**

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Signature:  Date: OCT 26 2006

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Signature: Cindy R DeFilippo for Date: 10/26/06  
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Signature: 16/ Mary McCarley Date: 10/21/06

## Part I:

Appointment: At Large ☒ Town ☐ or Industry ☐

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Signature: Burt Vance Date: 12-11-06

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BOARD OF COUNTY COMMISSIONERS  
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Board Name: Artificial Reef & Estuarine Enhancement Committee

Appointment: At Large ☒ Town ☐ or Industry ☐

Seat # 8 Special Requirements of the Seat: Recreational Diving

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due to: ☐ resignation ☐ other \_\_\_\_\_

Completion of term to expire on: November 3, 2006

Term of Appointment: 3 years. From November 3, 2006 To November 1, 2009

**Part II:      APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Mr. John Hargis

Occupation/Affiliation: Recreational Diving

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City & State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Residence Address: 1301 SW Third Avenue

City & State: Boca Raton, FL Zip Code: 33486

Home Phone: \_\_\_\_\_ Business Phone: 832-6780

Mailing Address preference: ☐ Business Address ☒ Residence Address or ☐ Other: \_\_\_\_\_

**Minority Identification Code:**

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Signature:  Date: OCT 26 2006

By: Warren Newell  
T:\cer\mer\_marine estuarine\AREEC\board appoint info form seat #8 10-06.doc

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BOARD OF COUNTY COMMISSIONERS  
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Signature: Cindy L DeFilippo for Date: 10/26/06  
Comm. Karen T. Marcus

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**Minority Identification Code:**

- |  |   |
|--|---|
| <input type="checkbox"/> IF (American Indian Female) | <input type="checkbox"/> IM (American Indian Male)  |
| <input type="checkbox"/> AF (Asian Female)           | <input type="checkbox"/> AM (Asian Male)            |
| <input type="checkbox"/> BF (Black Female)           | <input type="checkbox"/> BM (Black Male)            |
| <input type="checkbox"/> HF (Hispanic Female)        | <input type="checkbox"/> HM (Hispanic Male)         |
| <input type="checkbox"/> WF (White Female)           | <input checked="" type="checkbox"/> WM (White Male) |

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Signature: John F. Hargis Date: Nov 1

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☐ HF (Hispanic Female)

☐ WF (White Female)

☐ IM (American Indian Male)

☐ AM (Asian Male)

☐ BM (Black Male)

☐ HM (Hispanic Male)


☒ WM (White Male)

**Part III:      COMMISSIONER COMMENTS:**

Appointment to be made at BCC Meeting on: Earliest Possible

**\*\*When a person is being considered for reappointment, the number and nature of previously disclosed voting conflicts shall be considered by the Board of County Commissioners.**

\_\_\_\_ Number of previously disclosed voting conflicts.

Signature:  Date: 12-11-06

# ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Advisory Board Members as of June 20, 2006

SEAT ID	CURRENT MEMBER	RACE CODE	BUSINESS/ HOME PHONE	REQUIREMENT	ORIG. APPT. DATE	RE-APPT. DATE	EXPIRE DATE
APPOINTED BY: At Large							
1	Comm. Warren Newell District 3 301 N. Olive Avenue West Palm Beach, FL 33401	WM	(561) 355-2203 ( ) (561) 355-6344 - Fax <a href="mailto:wnewell@co.palm-beach.fl.us">wnewell@co.palm-beach.fl.us</a> - E-mail	County Commissioner	12-08-93	12-08-98	//
2	Gail Nelson 14972 Palmwood Road Palm Beach Gardens, FL 33410	WF	( ) (561) 626-5354 (561) 624-1747 - Fax <a href="mailto:gfnelson@bellsouth.net">gfnelson@bellsouth.net</a> - E-mail	Local Governmental Entity	1-21-86	3-30-04	10-15-06
3	VACANT			Local Government Entity			
4	Skip Commagere 6542 Contempo Lane Boca Raton, FL 33432	WM	(561) (561) (561) 702-8621 - Cell <a href="mailto:Skip@Force-E.com">Skip@Force-E.com</a> - E-mail	Commercial Scuba Diving Interests	11-01-05		11-01-08
5	Martin Murphy, Sr. Murphy Construction Co. 1615 Clare Avenue West Palm Beach, FL 33401	WM	(561) 655-3634 (561) 840-1220 <a href="mailto:memsenior@aol.com">memsenior@aol.com</a> - E-Mail	Commercial Marine Industry Interests	11-01-05		11-01-08
6	Ben Hartig 9277 SE Sharon Street Hobe Sound, FL 33455	WM	(772) 546-1541 <a href="mailto:patty21@bellsouth.net">patty21@bellsouth.net</a> - E-Mail	Commercial Fishing Interests	3-30-04		3-30-07
7	Tom Twyford, Jr., Assoc. Dir. West Palm Beach Fishing Club P.O. Box 468 West Palm Beach, FL 33402	WM	(561) 832-6780 ( ) (561) 832-2137 - Fax <a href="mailto:ttwyford@mindspring.com">ttwyford@mindspring.com</a> - E-mail	Recreational Fishing Club	9-6-88	3-30-04	10-15-06
8	John Hargis 1301 SW Third Street Boca Raton, FL 33486	WM	(561) 338-1473 (561) 392-5597 <a href="mailto:johnwhargis@yahoo.com">johnwhargis@yahoo.com</a> - E-mail	Recreational Scuba Diving Club	11-03-00	3-30-04	11-03-06
9	Leah Schad 3701 North Flagler West Palm Beach, FL 33407	WF	( ) (561) 848-9984 (561) 848-7204 - Fax <a href="mailto:lgswpb@aol.com">lgswpb@aol.com</a> - E-mail	Environmental Organization	8-17-93	5-6-03	11-01-08

ATTACHMENT # 2



# ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Attendance 2006

Seat No. - Name	Jan. 12	Mar. 9	May 11	July 13	Sept. 14	Nov. 9
1 - Comm. Warren Newell, Chair	C	P	P	C	P	P
2 - Gail Nelson	C	P	P	C	P	P
3 - VACANT	C	-	-	C	-	-
4 - Skip Commagere	C	P	P	C	A	A
5 - Martin Murphy, Sr.	C	A	P	C	P	A
6 - Ben Hartig	C	A	A	C	P	EA-MED.
7 - Tom Twyford, Jr.	C	P	P	C	P	P
8 - John Hargis	C	P	A	C	P	P
9 - Leah Schad, Vice Chair	C	P	P	C	P	P

A = Absent

C = Cancelled Meeting

EA= Excused Absence-Unavoidable Circumstances

P = Present

PBC Resolution No. R-2002-1606 states in part: "Members of boards shall be automatically removed for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or failure to attend at least two-thirds of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Members removed pursuant to this paragraph shall not continue to serve on the board and such removal shall create a vacancy."

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RESOLUTION NO. R-96-1489

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, CREATING THE PALM BEACH COUNTY ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE; PROVIDING FOR MEMBERSHIP; PROVIDING FOR STAGGERED TERMS; PROVIDING FOR MEETINGS AND ORGANIZATIONS; PROVIDING FOR DUTIES AND FUNCTIONS; PROVIDING FOR BOARD ACTION ADVISORY ONLY; PROVIDING FOR ASSISTANCE TO THE COMMITTEE; PROVIDING FOR RATIFICATION; PROVIDING FOR THE REPEAL OF RESOLUTION R-93-586;

WHEREAS, the Board of County Commissioners of Palm Beach County created the Artificial Reef and Estuarine Enhancement Committee (AREEC) by adoption of Resolution R-90-601, on April 3, 1990, to advise the Board on all matters relating to artificial reefs and enhancement of estuarine water bodies; and

WHEREAS, the AREEC desires to create staggered terms and remove the limitation on the number of consecutive terms a member may serve; and

WHEREAS, this reorganization will insure greater continuity and consistency of effort as AREEC membership changes over time and allow members with unique talents and abilities to continue to serve the Committee; and

WHEREAS, this reorganization will enable the Committee to more effectively advise the Board on the evolving challenges of artificial reef and estuarine enhancement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Creation. Upon adoption of this Resolution by the Board of County Commissioners, there is created and established a committee to be known as the Palm Beach County Artificial Reef and Estuarine Enhancement Committee, which committee shall replace, in its entirety, that certain Artificial Reef and Estuarine Enhancement Committee originally created by Resolution R-93-586.

Section 2. Membership:

- a. The Artificial Reef and Estuarine Enhancement Committee shall consist of nine (9) members

appointed at large by the Board of County Commissioners. Appointments shall be based upon nominations from the following:

1. One (1) representative of the County Commission of Palm Beach County, who, at the time of the appointment, shall be an elected member of the Commission. The selected member from the County Commission shall serve as the Chair of the Committee for the duration of the selected member's term of office as a County Commissioner;
2. Two (2) members representing other local governmental entities. One member shall be appointed for an initial term of four (4) years and one member shall be appointed for an initial term of three (3) years. All subsequent appointments and/or reappointments for both local governmental representatives shall be for terms of three (3) years;
3. One (1) member representing commercial scuba diving interests in Palm Beach County who shall be appointed for an initial term of two (2) years. All subsequent appointments and/or reappointments for the commercial scuba diving interests representative shall be for terms of three (3) years;
4. One (1) member representing commercial marine industry interests in Palm Beach County who shall be appointed for an initial term of two (2) years. All subsequent appointments and/or reappointments for the commercial marine industry interests representative shall be for terms of three (3) years;
5. One (1) member representing commercial fishing interests in Palm Beach County who shall be

appointed for an initial term of one (1) year. All subsequent appointments and/or reappointments for the commercial fishing interests representative shall be for terms of three (3) years;

6. One (1) member representing a recreational fishing club in Palm Beach County who shall be appointed for an initial term of four (4) years. All subsequent appointments and/or reappointments for the recreational fishing club representative shall be for terms of three (3) years;
  7. One (1) member representing a recreational scuba diving club in Palm Beach County who shall be appointed for an initial term of one (1) year. All subsequent appointments and/or reappointments for the recreational scuba diving club representative shall be for terms of three (3) years; and
  8. One (1) member representing an environmental organization in Palm Beach County who shall be appointed for an initial term of three (3) years. All subsequent appointments and/or reappointments for the environmental organization representative shall be for terms of three (3) years;
- b. Appointment of new members to fill vacancies and reappointment of members whose terms have expired shall be made at large by the Board of County Commissioners.

Section 3. Meetings and Organization. The Committee shall establish a time and place for holding meetings as may be necessary and shall adopt such rules of organization and procedure as may be required. The Committee may establish subcommittees for specific

subjects or tasks and may invite participation in said subcommittees by nonmembers in order to obtain input from other segments of the public interested in the artificial reef and estuarine enhancement program, provided however, that such members of the public shall not be considered members of the Artificial Reef and Estuarine Enhancement Committee and shall have no official voting powers or related rights and duties.

Section 4. Duties and Functions. The Committee shall have the following duties and functions.

- a. To make recommendations to the Board of County Commissioners regarding objectives and policies relative to the County's artificial reef and estuarine enhancement programs as they relate to management and coordination of such programs including, but not limited to, the review of existing and future artificial reef and estuarine enhancement locations, materials to be used in the construction of artificial reefs and estuarine enhancement projects, water quality, and other considerations relating to the management, implementation, and coordination of the artificial reef and estuarine enhancement programs.

Section 5. Committee Action Advisory Only. The actions, decisions, and recommendations of the Artificial Reef and Estuarine Enhancement Committee shall not be final or binding on the Board of County Commissioners but shall be advisory only.

Section 6. Assistance to the Committee. The Artificial Reef and Estuarine Enhancement Committee may call upon any department or other agency of the County, regional, state, federal, or local governments for information or advice in the performance of its work. Staff from the Department of Environmental Resources Management shall provide administrative support to the Committee.

The County Attorney's office shall act as legal counsel to the Artificial Reef and Estuarine Enhancement Committee at all its meetings and shall provide such legal advice and assistance as may be requested by the Artificial Reef and Estuarine Enhancement Committee. The Board of County Commissioners may, on behalf of the Artificial Reef and Estuarine Enhancement Committee, accept donations or other monetary or physical assistance from the general public to aid the Artificial Reef and Estuarine Enhancement Committee in fulfilling its duties as provided herein.

Section 7. Ratification. Notwithstanding anything contained herein, this resolution also hereby acknowledges, ratifies, and confirms all actions of the advisory committee known as the Artificial Reef and Estuarine Enhancement Committee, as was originally approved and initially organized by the Board of County Commissioners on April 3, 1990, prior to the formal adoption of this Resolution.

Section 8. Severability. If any section, sentence, clause, phrase, or word of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction then said holdings shall in no way affect the validity of the remaining portions of this resolution.

Section 9. Repeal of R-93-586. This resolution expressly repeals and supersedes Palm Beach County Resolution R-93-586.

The foregoing Resolution was offered by Commissioner Marcus who moved its adoption. The motion was seconded by Commissioner LEE and upon being put to a vote was as follows:

	ABSENT	AYE	NAY
COMM. KEN L. FOSTER, Chair	<u>      </u>	<u>  X  </u>	<u>      </u>
COMM. BURT AARONSON, Vice Chair	<u>  X  </u>	<u>      </u>	<u>      </u>
COMM. KAREN T. MARCUS	<u>      </u>	<u>  X  </u>	<u>      </u>
COMM. CAROL A. ROBERTS	<u>  X  </u>	<u>      </u>	<u>      </u>
COMM. WARREN H. NEWELL	<u>      </u>	<u>  X  </u>	<u>      </u>
COMM. MARY McCARTY	<u>      </u>	<u>  X  </u>	<u>      </u>
COMM. MAUDE FORD LEE	<u>      </u>	<u>  X  </u>	<u>      </u>

The Chair thereupon declared the resolution duly passed and adopted this 1st day of October, 1996.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*

(County Attorney)

BY: *[Signature]*

DOROTHY H. WILKEN, CLERK

D.C.

