Agenda Item #: <u>6</u>C-2

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date:

February 27, 2007

Department:

Environmental Resources Management

Advisory Board:

Groundwater and Natural Resources Protection Board

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the re-appointment of one at-large member to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning February 27, 2007 through February 24, 2010.

Reappoint

Nominee Frank Deering Representing

Citizen

Seat No.

Nominated By

Commissioner Karen T. Marcus

Commissioner John F. Koons Commissioner Mary McCarty

Commissioner Addie L. Greene

Summary: Ordinance 92-20 and Article 17.C.7. of the Unified Land Development Code (ULDC) provide for a seven (7) member GNRPB. The membership consists of one (1) professional engineer, one (1) attorney, one (1) hydrologist, one (1) business person, one (1) biologist or chemist, one (1) citizen of PBC and one (1) member of an environmental organization. A memorandum was sent to the Board of County Commissioners on January 5, 2007 advising that the term of Seat No. 5 would expire on February 25, 2007. Ordinance 92-20 and Article 17.C.7. of the ULDC require Seat No. 5 to be filled by a citizen of Palm Beach County. No other nominations were received. Countywide (SF)

Background and Justification: The GNRPB has the powers and duties to hold hearings as necessary to enforce ULDC Article 14, Environmental Standards, and to issue any orders necessary to achieve compliance. Mr. Deering as a citizen of PBC meets this requirement. The new term will expire on February 24, 2010.

Attachments:

- 1. Article 17.C.7, ULDC
- 2. Current GNRPB membership and attendance listing
- 3. Board Appointment Information Forms

Recommended by:

Department Director

Date

Legal Sufficiency:

Assistant County Attorney

Date

Groundwater and Natural Resources Protection Board Section 7

A. Establishment

There is hereby established a Groundwater and Natural Resource Protection Board (GNRPB).

B. Powers and Duties

The GNRPB shall have the following powers and duties:

- to hold hearings as necessary to enforce Art. 14, Environmental Standards, if there has been a failure to correct a violation within the time specified by the Code Inspector, if the violation has been repeated, or is of such a nature that it cannot be corrected;
- to adopt rules of procedure for the conduct of hearings;
- to issue subpoenas compelling the presence of persons at Board hearings. Subpoenas may be served by the PBC Sheriff's Department, or other authorized persons consistent with Florida Law;
- to issue subpoenas compelling the provision of evidence at GNRPB hearings;
- to take testimony under oath;
- 6. to issue orders having the force of law commanding whatever steps are necessary to achieve compliance with the violation of Art. 14, Environmental Standards;
- to lien property; and
- to assess administrative fines and costs pursuant to Art. 14, Environmental Standards.

C. Board Membership

1. Qualifications

The GNRPB shall be composed of seven members appointed by the BCC. The membership of the Board shall consist of a professional engineer registered by the State of Florida, an attorney licensed to practice in Florida, a hydrologist, a citizen possessing expertise and experience in managing a business, a biologist or a chemist, concerned citizen and a member of an environmental organization.

All members shall serve a term of three years. All members serving on the GNRPB on the effective date of this Code shall complete their terms according to their prior appointments.

D. Secretary and Staff

The Director of ERM shall serve as Secretary of the GNRPB. ERM shall be the professional staff of the GNRPB.

E. Meetings

General

General meetings of the GNRPB shall be held no more frequently than once every month. Special meetings may be called by the Chair of the GNRPB, or in writing by a majority of the members of the Board. Staff shall provide 24-hour written notice to each Board member prior to a special meeting.

| SEAT | CURRENT MEMBER | RACE CODE | BUSINESS/ HOME PHONE | REQUIREMENT | APPOINT DATE | EXPIRE DATE |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------|------------------------|-----------------|----------------|
| APPOI | NTED BY: At Large | | | | | |
| 1 | Robert W. Higgins, P.E. Higgins Engineering, Inc. 4623 Forest Hill Blvd., #114 West Palm Beach, FL 33415 | WM | () - (561) 439-7807 | Professional Engineer | 04/05/2005 | 04/04/2008 |
| 2 | John F. Flanigan, Esquire Moyle, Flanigan, Katz, Fitzgerald & Sheehan, P.A. 625 North Flagler Dr., 9th Fl West Palm Beach, FL 33401 | WM | (561) 659-7500 () - | Attorney | 08/01/2006 | 07/31/2009 |
| 3 | Leah Schad 3701 No. Flagler Drive West Palm Beach, FL 33407 | WF | () (561) 848-9984 | Environmentalist Group | 04/05/2005 | 04/04/2008 |
| 4 | Cynthia M. Barlow, CWB MILLER LEGG 2005 Vista Parkway, Ste. 100 West Palm Beach, FL 33411 | WF . | (561) 689-1138 () - | Chemist | 12/06/2005 | 07/30/2007 |
| 5 | Frank A. Deering 921 Spanish Circle, Apt. E437 Delray Beach, FL 33483 | WM | (561) 355-4996 (561) 265-0631 | Citizen of PBC | 02/25/2004 | 02/25/2007 |
| 6 | Jonathan E. Shaw, P.G. Golder Associates, Inc. 6420 Congress Ave., Ste. 2000 Boca Raton, FL 33487 | WM | (561) 994-9910 () - | Hydrogeologist | 08/01/2005 | 07/31/2008 |
| 7 . | Beth R. Kigel Adlan Enterprises, Inc. 2200 Via Royale, Ste. 2206 Jupiter, FL 33458 | WF | (561) 743-6143 | Business Person | 08/01/2005 | 07/31/2008 |

GROUNDWATER & NATURAL RESOURCES PROTECTION

ADVISORY BOARD MEMBERS

GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD - BOARD MEMBER ATTENDANCE INFORMATION

| MEMBER | Seat No. 5 FRANK | Seat No. 2 JOHN | Seat No. 1 ROBERT | Seat No. 4 JOEL | Seat No. 7 | Seat No. 3 LEAH | Seat No. 6 | COUNTY | 1 | | MEETING TIME | | |
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| NAME | DEERING | FLANIGAN | HIGGINS | KAPLOVSKY | WARREN RESEN | SCHAD | JONATHAN SHAW | ATTORNEY MINUTES | MINUTES | Start | End | | |
| Member Since | 02/26/1992 | 08/23/1988 | 08/23/1988 | | 09/01/1993 | 02/02/1990 | 08/23/1988 | | | | | | |
| Term Starts | 08/18/1995 | 07/31/1997 | 04/06/199 9 | | 09/21/1996 | | 07/31/1990 | | | | | | |
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| 12/09/1997 | Ø | ⊠E | ⊠E | ⊠ E | , <u>N</u> | ☑ | Ø | Dawn Wynn | Schad | 9:03 AM | 9:58 AM | | |
| MEMBER | Seat No. 5 | Seat No. 2 | Seat No. 1 | Seat No. 4 | Seat No. 7 | Seat No. 3 | Seat No. 6 | COUNTY | SIGNED | MEETI | NG TIME | | |
| NAME | FRANK DEERING | JOHN FLANIGAN | ROBERT HIGGINS | ALEX MARSH | WARREN RESEN | LEAH SCHAD | JONATHAN SHAW | ATTORNEY | MINUTES | Start | End | | |
| Member Since | 02/26/1992 | 08/23/1988 | 08/23/1988 | 08/18/1998 | 09/01/1993 | 02/02/1990 | 08/23/1988 | | | | | | |
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| MEMBER NAME | Seat No. 5 FRANK DEERING | Seat No. 2 JOHN FLANIGAN | Seat No. 1- ROBERT HIGGINS | Seat No. 4 ALEX MARSH | Seat No. 7 GENE SCHRINER | Seat No. 3 LEAH SCHAD | Seat No. 6 JONATHAN SHAW | COUNTY ATTORNEY | SIGNED MINUTES | MEETIN START | G TIME END |
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| MEMBER | Seat No. 5 | Seat No. 2 | Seat No. 1 | Seat No. 4 | Seat No. 7 | Seat No. 3 | Seat No. 6 | COUNTY | SIGNED | MEETIN | G TIME |
| NAME | FRANK | JOHN | ROBERT | ALEX | GENE | LEAH | JONATHAN | ATTORNEY MINUTES | | START | END |
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| MEMBER NAME | Seat No. 5 FRANK DEERING | Seat No. 2 JOHN FLANIGAN | Seat No. 1 ROBERT HIGGINS | Seat No. 4 TED. SENTGEORGE | Seat No. 7 GENE SCHRINER | Seat No. 3 LEAH SCHAD | Seat No. 6 JONATHAN SHAW | COUNTY ATTORNEY | SIGNED MINUTES | MEETIN START | G TIME END |
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| MEMBER SINCE | 02/26/1992 | 08/23/1988 | 08/23/1988 | 07/31/2004 | 08/01/2002 | 02/02/1990 | 08/23/1988 | | | | |
| TERM STARTS | 02/25/2004 | 08/01/2003 | 04/06/1999 | 07/31/2004 | 08/01/2002 | 04/05/2005 | 08/01/1999 | | | | |
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| MEMBER NAME | Seat No. 5 FRANK | Seat No. 2 JOHN | Seat No. 1 ROBERT | Seat No. 4 TED | Seat No. 7 BETH | Seat No. 3 LEAH | Seat No. 6 JONATHAN | COUNTY ATTORNEY | SIGNED MINUTES | MEETING TIME | |
| | DEERING | FLANIGAN | HIGGINS | SENTGEORGE | TUSA | SCHAD | SHAW | | | START | END |
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| NAME | CYNTHIA | FRANK DEERING | JOHN FLANIGAN | ROBERT HIGGINS | LEAH SCHAD | JON SHAW" | BETH TUSA | ATTORNEY | MINUTES | START | END |
| MEMBER SINCE | 12/06/2005 | 02/26/1992 | 08/23/1988 | 08/23/1988 | 02/02/1990 | 08/23/1988 | 09/27/2005 | | Carlo Marko Kara | BIAKI | |
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| MEMBER | Seat No. 4 | Seat No. 5 | Seat No. 2 | Seat No. 1 | Seat No. 7 | Seat No. 3 | Seat No. 6 | COUNTY | SIGNED | MEETING TIME | |
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| NAME | CYNTHIA BARLOW | FRANK DEERING | JOHN FLANIGAN | ROBERT HIGGINS | BETH KIGEL | LEAH SCHAD | JON SHAW | ATTORNEY MINUTES | | START | END |
| MEMBER SINCE | 12/06/2005 | 02/26/1992 | 08/23/1988 | 08/23/1988 | 09/27/2005 | 02/02/1990 | 08/23/1988 | | | | |
| TERM STARTS | 12/06/2005 | 02/25/2004 | 08/01/2006 | 04/05/2005 | 09/27/2005 | 04/05/2005 | 07/31/2005 | | | | |
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| 09/21/2006 | | Ø | Ø | Ø | Ø | Ø | | Dawn Wynn | Shaw | 1:35 PM | 3:29 P |
| 11/30/2006 | | Ø | · 🗹 | Ø | Ø | Ø | Ø | Shannon Fox Dawn Wynn | Shaw | 1:38 PM | 3:15 PI |

| Board Name: Groundwater and Natural Resources Protection Board |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appointment: At Large [X] Town [] or Industry [] |
| Seat #5 Special Requirements of the Seat: Citizen of Palm Beach County |
| *Reappointment [X] or New Appointment [] |
| or [] to complete the term of |
| due to: [] resignation [] other |
| |
| Completion of term to expire on: February 25, 2007 |
| Term of Appointment: 3 years. From February 25, 2007 To February 24, 2010 |
| Part II: APPLICANT; UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT |
| Name: Frank A. Deering |
| Occupation/Affiliation: |
| Business Name: |
| Business Address: |
| City & State: Zip Code: |
| Residence Address: 921 Spanish Circle, Apt. E-437 |
| City & State: Delray Beach, FL Zip Code: 33483 |
| Home Phone: (561) 265-0631 Business Phone: (561) 355-4996 |
| Mailing Address preference: [] Business Address [X] Residence Address or [] Other: |
| |
| Minority Identification Code: |
| [] IF (American Indian Female) [] AF (Asian Female) [] BF (Black Female) [] HF (Hispanic Female) [] WF (White Female) [] WF (White Female) [] WM (White Male) |
| Part III: COMMISSIONER COMMENTS: |
| Appointment to be made at BCC Meeting on: |
| **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: Cardy & De Felippo For Date: 1/18/06 Comm. Karen T. Mancus |

| Board Name: Groundwater and Natural Reso | urces Protection Board |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appointment: At Large [X] Town [] or Indus | stry [] |
| Seat # _ 5 Special Requirements of the Seat:_ | Citizen of Palm Beach County |
| *Reappointment [X] or New Appointment [] | |
| or [] to complete the term of | |
| due to: [] resignation [] other | |
| | |
| Completion of term to expire on: February 25 | , 2007 |
| Term of Appointment: years. From | <u>February 25, 2007</u> To <u>February 24, 2010</u> |
| Part II: APPLICANT, UNLESS EXEMP | TED, MUST BE A COUNTY RESIDENT |
| Name: Frank A. Deering | |
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| Business Address: | |
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| City & State: Delray Beach, FL | Zip Code: 33483 |
| Home Phone: (561) 265-0631 | Business Phone: (561) 355-4996 |
| Mailing Address preference: [] Business Addre | ss [X] 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) [X] WM (White Male) |
| Part III: COMMISSIONER COMMENTS | : |
| Appointment to be made at BCC Meeting on: | |
| **When a person is being considered for re previously disclosed voting conflicts shall b Commissioners. | appointment, the number and nature of e considered by the Board of County |
| Number of previously disclosed voting conflictions of the second | cts. Date: (- 4 - 0) |

| Board Name: Groundwater and Natural Resources Protection Board |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appointment: At Large [X] Town [] or Industry [] |
| Seat # _ 5 Special Requirements of the Seat: Citizen of Palm Beach County |
| *Reappointment [X] or New Appointment [] |
| or [] to complete the term of |
| due to: [] resignation [] other |
| Completion of term to expire on: February 25, 2007 |
| Term of Appointment: 3 years. From February 25, 2007 To February 24, 2010 |
| Part II: APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT |
| Name: Frank A. Deering |
| Occupation/Affiliation: |
| Business Name: |
| Business Address: |
| City & State: Zip Code: |
| Residence Address: 921 Spanish Circle, Apt. E-437 |
| City & State: Delray Beach, FL Zip Code: 33483 |
| Home Phone: (561) 265-0631 Business Phone: (561) 355-4996 |
| Mailing Address preference: [] Business Address [X] Residence Address or [] Other: |
| Minority Identification Code: |
| [] IF (American Indian Female) [] AF (Asian Female) [] BF (Black Female) [] HF (Hispanic Female) [] WF (White Female) [] WM (White Male) |
| Part III: COMMISSIONER COMMENTS: |
| Appointment to be made at BCC Meeting on: |
| **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: |

| Board Name: Groundwater and Natural Resources Protection Board |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appointment: At Large [X] Town [] or Industry [] |
| Seat #5 Special Requirements of the Seat: Citizen of Palm Beach County |
| *Reappointment [X] or New Appointment [] |
| or [] to complete the term of |
| due to: [] resignation [] other |
| Completion of term to expire on: February 25, 2007 |
| Term of Appointment:3 years. From _February 25, 2007 To _February 24, 2010 |
| Part II: APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT |
| Name: Frank A. Deering |
| Occupation/Affiliation: |
| Business Name: |
| Business Address: |
| City & State: Zip Code: |
| Residence Address: 921 Spanish Circle, Apt. E-437 |
| City & State: Delray Beach, FL Zip Code: 33483 |
| Home Phone: (561) 265-0631 Business Phone: (561) 355-4996 |
| Mailing Address preference: [] Business Address [X] Residence Address or [] Other: |
| Minority Identification Code: |
| [] IF (American Indian Female)[] IM (American Indian Male)[] AF (Asian Female)[] AM (Asian Male)[] BF (Black Female)[] BM (Black Male)[] HF (Hispanic Female)[] HM (Hispanic Male)[] WF (White Female)[X] WM (White Male) |
| Part III: COMMISSIONER COMMENTS: |
| Appointment to be made at BCC Meeting on: |
| **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: 01/53/07 |