PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS** SITTING AS THE ENVIRONMENTAL CONTROL BOARD

BOARD APPOINTMENT SUMMARY

Meeting Date: <u>December 18, 2007</u>

Department:

Palm Beach County Health Department Submitted by: Palm Beach County Health Department

Advisory Board Name: Environmental Control Hearing Board

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Reappointment of the following members to the Environmental Control Hearing Board for a term of three (3) years beginning January 13, 2008:

Name Seat 1	No. Requirement	Recommended By
Jane West	Attorney	Palm Beach County Bar Association
Chad Gruber 5	Engineer	Palm Beach County Chapter of the Florida Engineering Society
Edwin Sherman 3	Citizen at Large	Commissioner Koons, Commissioner McCarty Commissioner Marcus
David Freudenberg 4	Citizen at Large	Commissioner Koons, Commissioner McCarty Commissioner Marcus

Summary: The Board is composed of five members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association, one (1) medical doctor recommended by the Palm Beach County Medical Society, one (1) engineer recommended by the Palm Bach County Chapter of the Florida Engineering Society, and two (2) citizens-at-large not holding elective office. This action will fill the above seats until January 12, 2011. Countywide (GB)

Background and Justification: Chapter 77-616, as amended, provides for the organization of the Environmental Control Hearing Board. This Special Act states that the composition of this Board shall consist of an attorney, a doctor, an engineer, and two citizens. Palm Beach County Resolution 92-123 establishes the terms for the members of the Environmental Control Hearing Board. Jane West expressed a desire to remain on the Hearing Board and was recommended by the Palm Beach County Bar Association, Chad Gruber expressed a desire to remain on the Hearing Board and was recommended by the Palm Beach County Chapter of the Florida Engineering Society, Edwin Sherman and David Freudenberg have expressed a desire to remain on the Hearing Board and were recommended for reappointment by various members of the Board of County Commissioners.

Attachments:

- Pages 10 and 11 of Chapter 77-616, Laws of Florida
- Page 2 of Resolution 92-123
- 0 **Board Appointment Information Forms**
- Recommendation letters from the Palm Beach County Bar Association and Palm Beach County 0 Chapter of the Florida Engineering Society
- Current Membership Directory o

Recommended by

Department Director

Legal Sufficiency:

Assistant County Attorney

1	Section 8. Exemptions The provisions of this act do	1.15/17
2	not apply to:	1.15/17:
3	(a) Agricultural operations in the growing, harvesting	1.15/175
4	or processing of crops and the raising of fowls or animals.	1.15/176
5	(b) Use of equipment in the performance of such	1.15/177
6	agricultural operations.	
7	(c) Barbecue equipment or outdoor fireplaces used for	1.15/178
8	noncommercial purpose.	
9	(d) Agricultural land clearing operations or	1.15/179
10	agricultural land grading.	
11	(e) Incinerators and heating equipment in or used in	1.15/180
12	connection with residences used exclusively as dwellings for	1.15/181
13	not more than four (4) families.	
14	(f) Fires set or permitted by any public officer,	1.15/182
15	board, council or commission when such fire is set or	1.15/183
16	permission given in the performance of such duty of the	
17	officer for the purpose of weed abatement, the prevention or	1.15/184
18	elimination of the fire hazard, or the instruction of	1.15/185
19	employees in the methods of fire fighting which is in the	1.15/186
20	opinion of such officer necessary, or from fires set pursuant	
21	to permit for purpose of instruction of employees of private	1.15/187
22	industrial concerns in methods of fire fighting, or for civil	1.15/188
23	defense instruction.	
24	(g) The use of an orchard or citrus grove heater which	1.15/189
25	does not produce unconsumed solid carbonaceous matter at a	1.15/190
26	rate in excess of one (1) gram per minute.	
27	(h) Odors emanating from agricultural operations in	1,15/191
28	the growing, harvesting or processing of crops or raising of	1,15/192
29	fowls or animals.	
[30	Section 9. Hearing board; organizationThe Board	1.15/193
31	shall appoint a five (5) member Hearing Board, the members of	i
	- 10 1179	• .

1	which shall have the following qualifications and terms of	1.15/194
2	office:	
3	(a) Members of the Hearing Board shall be residents of	1.15/195
4	the County. Members of the Hearing Board, while serving,	1.15/196
. 5	shall not become candidates for the election to any public	
6	office, nor hold any other appointive office or position under	1.15/197
7	federal, state, county or municipal government, except for an	1.15/198
8	office or position on a governmental board having advisory	1.15/199
9	powers only. Appointments shall be made by the Board on the	1.15/200
10	basis of experience of interest in the field of environmental	
11	control. The composition and representative membership of the	1.15/201
12	Hearing Board shall be as follows:	1.15/202
13	(1) One (1) member shall be a lawyer, recommended to	1.15/202
14	the Board by a representative of the County Bar Association.	1.15/203
15	(2) One (1) member shall be a medical doctor,	1.15/204
16	recommended to the Board by the County Medical Society.	1.15/205
17	(3) One (1) member shall be an engineer, recommended	1.15/205
·· 18	to the Board by the local chapter of the Florida Engineering	1.15/206
. 19	Society.	
20	(4) Two (2) members shall be citizens not holding	1.15/207
21	elective office.	·
. 22	(b) Members appointed to the Palm Beach County	1.15/208
23	Environmental Control Hearing Board under Chapter 70-862, as	1.15/209
24	amended, shall continue to serve on the Hearing Board but all	1.15/210
25	Hearing Board members shall serve at the pleasure of the	-
26	Board.	
27	(c) The members of the Hearing Board shall elect a	1.15/211
28	chairman. The presence of three (3) or more shall constitute	1.19/211
29	a quorum of the Hearing Board. Members shall serve without	1.15/211
30	compensation, but may be reimbursed for such travel expenses,	
31	mileage expenses, and/or per diem expenses as may be	1.15/21

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and length of service:

- 26 °

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(1) The lawyer, engineer, and two citizens shall serve for one (1) year.

Members of the Environmental Control Hearing Board shall be subject to the following terms

- (2) The medical doctor shall serve for two (2) years.
- (3) Thereafter, all appointments shall be made for a term of three (3) years.

 Appointments to fill any vacancy on the Hearing Board shall be for the remainder of the unexpired term of office.
- (4) Members of the Hearing Board shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall constitute lack of attendance. Excused absences due to illness, absence from the County, or personal hardship shall not constitute lack of attendance.

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Part I:

Board Name: Environ	mental Control H	earing Board		
[X] At Large Ap	ppointment	or	[] District Appo	intment
Term of Appointment:	Years.	From:	01/12/08 1/13/08	To: 07/11/11 1/12/08
Seat Requirement: Atto	rney			Seat #: _5
[X]*Reappointme	nt	or	[] New Appointr	nent
or [] to complete the term of Completion of term to expire on:	he 		Due []	resignation [] other
Part II: APPLICA	INT, UNLESS EX	EMPTED. M	UST BE A COUNT	"V RESIDENT
Name: WEST		JAN		1 RESIDENT
	Last	UPAIN	First	Middle
Occupation/Affiliation:	Attorney at Law			
Business Name:	Collins & West, 1	P.A.		
Business Address:	10152 W. Indiana	town Rd., #15	57	
City & State	Jupiter		Zip Code	33478
Residence Address:	15629 95 th Avenu	e North		
City & State	Jupiter		Zip Code:	33478
Home Phone: (561) 747-1742	Busin	ness Phone: (561)	748-8478 Ext.
Cell Phone: (561) 254-5026	Fax:	_(_)	
Email Address: jwest	@collins-west.con	1		_
Mailing Address prefere	nce: [X] Busines	s Address [] Residence	
Minority Identification ([] IF (Native-American F [] AF (Asian-American F [] BF (African-American [] HF (Hispanic-American [X] WF(Caucasian Female	Female) Female) a Female) an Female)	[] AM (Asia [] BM (Afri	ve-American Indian an-American Male) can-American Male anic-American Male casian Male)	,)
Part III: COMMISSIO	NER COMMENT	rs.		
Appointment to be made a	t BCC Meeting on	12/18/0	7	
*When a person is being conflicts shall be conside	considered for re- red by the Board	-appointment of County Co	t, the number of prommissioners.	evious disclosed voting
Number of previo	ously disclosed vot	ing conflicts	during the previous	term
Signature:			Date:	
	<u> </u>			

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 6/2007

Part I:

Board Name: Environmental Control Hearing Board
[X] At Large Appointment or [] District Appointment
Term of Appointment: 3 Years. From: 01/12/08 13/08 To: 01/11/11 12
Seat Requirement: Engineer Seat #: 5
[X]*Reappointment or [] New Appointment
or [] to complete the term of to: Completion of term to expire on:
Part II: APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT
Name: GRUBER CHAD
Last First Middle
Occupation/Affiliation: Engineer
Business Name: Doug Winter Companies
Business Address: 4047 Okeechobee Blvd., #222
City & State West Palm Beach Zip Code: 33409
Residence Address: 2587 James River Rd.
City & State West Palm Beach Zip Code: 33411
Home Phone: (561) 615-8164 Business Phone: (561) 471-9863 Ext.
Cell Phone: (561) 312-2041 Fax: (561) 471-5075
Email Address: cmgruber@bellsouth.net
Mailing Address preference: [X] Business Address [] Residence
Minority Identification Code: [] IF (Native-American Female)
Part III: COMMISSIONER COMMENTS
Appointment to be made at BCC Meeting on: 12/18/07
*When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.
Number of previously disclosed voting conflicts during the previous term
Signature: Date:

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 6/2007

Part I:

Board Name: ENVIRO	MENTAL CONTRO	OL HEARING	BOARD.		
At Large Ap	pointment	or	District A	Appointment	
Term of Appointment:	3 Years.	From:	01/13/2008	To:	01/12/2011
Seat Requirement: CITIZ	ZEN AT LARGE			Seat #:	3 .
✓*Reappointme	ent	or	☐ New App	ointment	
or to complete to term of Completion of term to expire on:	he		Due to:	resigna	tion other
Part II: APPLIC	CANT, UNLESS EX	KEMPTED, M	UST BE A CO	UNTY RESI	DENT
Name: SHERMAN			EDWIN		•
	Last	***************************************	First		Middle
Occupation/Affiliation:	CITIZEN AT LARC	GE			
Business Name:	N/A				
Business Address:					
City & State			Zip	Code:	
Residence Address:	4740 S. OCEAN BL	.VD., #1105			
City & State	HIGHLAND BEAC	CH, FL	Zip (Code: <u>33</u>	3487
Home Phone: (56	61) 392-5115	Busin	ness Phone:	() N/A	ext.
Cell Phone: (56	31) 654-5115	Fax:	_((561) 750-153	5
Email Address: AABI	RDER@AOL.COM	M		-ningano nimbanga	
Mailing Address prefe	rence: Busines	ss Address	Residence		
Minority Identification IF (Native-American AF (Asian-American BF (African-American HF (Hispanic-American WF (Caucasian Females)	in Female) n Female) an Female) ican Female)	AM (Asi BM (Afr HM (His	ve-American In an-American N ican-American panic-American Icasian Male)	Male) Male)	
Part III: COMMISSI	ONER COMMEN	NTS			
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*When a person is being conflicts shall be considered.	dered by the Board	d of County C	ommissioners.	•	disclosed voting
Number of pre	viously disclosed v	oting conflicts	during the prev	vious term	
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Part I:

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Term of Appointment:	3 Years.	From:	01/13/0	ලි <u>08</u> To	: 01/14/201	
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or to complete	the		Due	res	ignation	other
Completion of term to expire on:			to:			
Part II: APPLIC	CANT, UNLESS E	XEMPTED, M	UST BE A (COUNTY R	RESIDENT	
Name: SHERMAN			EDWIN			
	Last		First		Middle	
Occupation/Affiliation:	CITIZEN AT LAR	GE				
Business Name:	N/A				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Business Address:						
City & State			Zi	p Code:		
				•		
Residence Address:	4740 S. OCEAN BL	VD., #1105				
City & State	HIGHLAND BEAC	H. FI	7i	p Code:	33487	

Home Phone: (56	61) 392-5115		ess Phone:	_() N/A	ext.	
Cell Phone: (56	61) 392-5115	Busir		_() N/A		
Cell Phone: (56	61) 392-5115 61) 654-5115 RDER@AOL.COM	Busir Fax:		_() N/A		
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Part I:

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✓ At Large Ap	pointment	or	District A	Appointme	nt	
Term of Appointment:	3 Years.	From:	01/13/2008	B To:	<i>ادرا</i> /01	2011
Seat Requirement: CITIZ	ZEN AT LARGE			Seat	#: 3	
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Part II: APPLIC	CANT, UNLESS EXE	EMPTED, M	UST BE A CO	UNTY RE	SIDENT	
Name: SHERMAN			EDWIN			
	Last		First		Middle	**************************************
Occupation/Affiliation:	CITIZEN AT LARGE	<u> </u>				
Business Name:	N/A					
Business Address:						
City & State			Zip	Code:		
Residence Address:	4740 S. OCEAN BLVI	D., #1105				
City & State	HIGHLAND BEACH	, FL	Zip	Code:	33487	
Home Phone: (56	1) 392-5115	Busin	ess Phone:	() N/A		ext.
Cell Phone: (56	51) 654-5115	Fax:		561) 750-1	535	
Email Address: AABI	RDER@AOL.COM			**************************************	# 1	
Mailing Address prefer	ence: Business	Address 🔽	Residence			
Minority Identification IF (Native-American AF (Asian-American BF (African-American HF (Hispanic-American WF (Caucasian Fema	n Female) Female) an Female) can Female)	AM (Asia BM (Afri HM (Hisp	re-American Ir n-American M can-American anic-American casian Male)	fale) Male)		
Part III: COMMISSIO	ONER COMMENT	S				
Appointment to be made	at BCC Meeting on:	12/18/	07			
*When a person is bein conflicts shall be consid	g considered for re- ered by the Board o	appointment	, the number mmissioners.	of previou	ıs disclosed	l voting
Signature: Pursuant to Florida's Pub	Records Law, this do	ng conflicts o	luring the prev	11/14/0	2 evised 6/2007	
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Part I:

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Term of Appointment: _	3 Years.	From:	01/ <i>j3/</i> 20	08	To:	01/19	/2011	
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Completion of term to expire on:					,`			
Part II: APPLICA	ANT, UNLESS EXE	EMPTED, M	UST BE A C	OUNT	Y RESI	DENT		
Name: FREUDENBER	RG		DAVID			L.		
And the second state of th	Last		First			Middle	<u>, </u>	
•								
Occupation/Affiliation:	REALTOR / MORTO	BAGE BROK	ER					
Business Name:	N/A							
Business Address:				······		······································		
City & State			Zi	p Code	\$ \$ **********************************	·	·	······
Residence Address:	3735 VICTORIA WAY	,						
City & State	BOCA RATON, FL		Zi	p Code	: <u>33</u>	3434		
Home Phone: (56)	1) 482-5436	Busin	ness Phone:	(_)	N/A		ext.	
Cell Phone: ()	Fax:		(561)	883-970	9		
Email Address: DFRE	EUD@USA.NET							
Mailing Address prefer	ence: Business	Address	Residence					
Minority Identification IF (Native-American AF (Asian-American BF (African-American HF (Hispanic-American WF (Caucasian Fema	n Female) Female) an Female) can Female)	☐ AM (Asi☐ BM (Afr☐ HM (His]	ve-Americar an-American ican-America panic-America acasian Male	Male) an Male an Mal	e)			
Part III: COMMISSIO	ONER COMMENT	S						
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Part I:

Board Name: ENVIRO	MENTAL CONTRO	OL HEARING	BOARD	
✓ At Large App	pointment	or	District App	ointment
Term of Appointment:	3 Years.	From:	01/ j3 /2008	To:01/ _)/ 2011
Seat Requirement: CITIZ	'EN AT LARGE			_ Seat #: 4
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or to complete the term of Completion of term to	ne	·	Due to:	resignation other
expire on:		. t		
	ANT, UNLESS EX	XEMPTED, M	UST BE A COUN	TY RESIDENT
Name: FREUDENBE			DAVID	L.
	Last		First	Middle
Occupation/Affiliation:	REALTOR / MOR	TGAGE BROK	ER	
Business Name:	N/A			
Business Address:				
City & State			Zip Cod	le:
Residence Address:	3735 VICTORIA W	AY	***************************************	
City & State	BOCA RATON, FL	_	Zip Cod	le: <u>33434</u>
Home Phone: (56	1) 482-5436	Busin	ness Phone: () N/A ext.
Cell Phone: ()	Fax:	(561	883-9709
Email Address: DFRE	EUD@USA.NET			
Mailing Address prefer	ence: Busines	ss Address	Residence	
Minority Identification IF (Native-American AF (Asian-American BF (African-American HF (Hispanic-American WF (Caucasian Fema	n Female) n Female) an Female) can Female)	AM (Ass BM (Afr HM (His	ive-American India an-American Male ican-American Ma panic-American M icasian Male)	e) ile)
Part III: COMMISSIO	ONER COMMEN	NTS		
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*When a person is bein conflicts shall be consid	ng considered for 1	re-appointmend of County C	nt, the number of ommissioners.	previous disclosed voting
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and photocopied by members of the public.

Part I:

Board Name: ENVIRON	MENTAL CONTROL	_ HEARING	BOARD		
At Large App	oointment	or	District A	Appointment	
Term of Appointment:	3 Years.	From:	01/ /3/ 2008	To:	1//2/2011
Seat Requirement: CITIZ	EN AT LARGE			Seat #: 4	
 ▼ Reappointme	nt	or	☐ New App	ointment	
or to complete the	ne		Due	resignation	n other
term of Completion of term to expire on:			to:		
Part II: APPLIC	ANT, UNLESS EX	EMPTED , M	UST BE A CO	OUNTY RESIDI	ENT
Name: FREUDENBE	RG		DAVID	L	
	Last		First	M	iddle
•	b				5
Occupation/Affiliation:	REALTOR / MORT	GAGE BROK	ŒR		
Business Name:	N/A			and the second s	
Business Address:					
City & State			Zip	Code:	
Residence Address:	3735 VICTORIA WA	Υ			
City & State	BOCA RATON, FL		Zip	Code: <u>334</u>	34
Home Phone: (5	61) 482-5436	Bus	iness Phone:	() N/A	ext.
Cell Phone:)	Fax		(561) 883-9709	
Email Address: DFR	REUD@USA.NET			and the second district of the second distric	
Mailing Address prefe	erence: Busines	ss Address	Residence		
Minority Identificatio IF (Native-America AF (Asian-America BF (African-Ameri HF (Hispanic-Ameri WF (Caucasian Fem	an Female) in Female) can Female) rican Female)	☐ AM (A ☐ BM (A ☐ HM (Hi	ative-American sian-American frican-America spanic-Americ aucasian Male)	Male) n Male) an Male)	
Part III: COMMISS	IONER COMMEN			•	
Appointment to be made	le at BCC Meeting of	on: 12/1	8/0-7		
*When a person is be conflicts shall be cons	ing considered for a idered by the Boar reviously disclosed v	d of County	Commissioner	rs.	isclosed voting
Signature: Ma	y McCarb	16	,	e: 11/4/0	7
Pursuant to Florida's Pul and photocopied by men		document ma	y be reviewed	Revis	ed 6/2007

PALM BEACH CHAPTER FLORIDA ENGINEERING SOCIETY



www.fleng.org/palmbeach

November 19, 2007

Sherry Ingram, Paralegal Environmental Control Office County Attorney's Office Palm Beach County Government P.O. Box 1989 West Palm Beach, FL 33402-1989

Re: Recommendation for Environmental Control Hearing Board

Dear Ms. Ingram,

We are happy to advise you that, after some consideration, Mr. Chad M. Gruber, P.E., State of Florida Board of Professional Engineers License No. 57466 has now agreed to another term in this position.

Chad M. Gruber, P.E. Doug Winters Companies 4047 Okeechobee Blvd. Suite 222 West Palm Beach, FL 33409 561-471-9863

Should you have any questions or comments, please do not hesitate to call me at 561-655-1151.

Sincerely,

Terrence N. Bailey, P.E.

President

Palm Beach Chapter

Florida Engineering Society

President	President Elect	Secretary	Treasurer	Past President	State Director
Terrence Bailey, PE	Jim Kunard, PE	Alex Chatham, PE	Mike Schwartz, PE	Karen Brandon, PE	Larry Smith, PE
561-655-1151	561-434-8194	561-688-9008	561-689-1138	561-684-7534	561-616-3911



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PALM BEACH COUNTY BAR ASSOCIATION

ESTABLISHED 1922

SUITE 302 EAST
1601 BELVEDERE ROAD
WEST PALM BEACH, FL 33406-1554
TELEPHONE: (561) 687-2800 FAX: (561) 687-9007
www.palmbeachbar.org
e-mail: info@palmbeachbar.org

PATIENCE A. BURNS, CAE EXECUTIVE DIRECTOR

REPLY TO:

November 15, 2007

JASON J. GUARI
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EX OFFICIO MEMBER - SOUTH COUNTY
BAR ASSOCIATION PRESIDENT

Ms. Sherry C. Ingram, CP, CFLA
Office of County Attorney
Environmental Control Office
Post Office Box 1989
West Palm Beach, FL 33402-1989

Dear Shermy

This is to advise you that the Palm Beach County Bar Association has agreed to reappoint Jane West to the Environmental Control Hearing Board.

Should you have any further questions, please do not hesitate to contact me. Thank you.

Sincerely yours,

Patience A. Burns

Patience A. Burns, CAE Executive Director

PAB:lsh

ENVIRONMENTAL CONTROL HEARING BOARD DIRECTORY

Authority: Chapter 77-616, Special Laws of Florida Terms: 3 Years for All (See Resolution 92-123)

Seat ID	Name/address	Telephone	Requirement	BCC Appt'd.	Term	Initial Appt.	Re- Appt.
1	Jane West, Esq., (Chairperson) Collins & West, P.A. 10152 W. Indiantown Road, #157 Jupiter, FL 33478	748-8478 Email jwest@collins-west.com (home 747-1742)	Attorney-Recommended by PBC Bar (Filling this seat requires contacting the PBC Bar at least 4 months prior to end of this term)	09-12-06	09-12-06 to 1-12-08	×	
2	Lewis E. Green, M.D. 6613 Sand City Way Delray Beach, FL 33416	561/637-1802 home 561/542-0493 cell lewg10@aol.com	Medical Doctor-Recommended by PBC Medical Society (Filling this seat requires contacting the PBC Medical Society at least 4 months prior to end of this term)	09-11-07	09-11-07 to 1-23-09	X	
3	Edwin Sherman Vice Chairman 4740 South Ocean Boulevard Apt. 1105 Highland Beach FL 33487	392-5115 Home 609-823-9325 Home away Cell 561-654-5115 Fax FL 561-395-0986 Fax Away 609-823-7441 Email <u>aabirder@aol.com</u> Away Address: 111 S. 16 th Avenue, Apt. 718, Longport NJ 08403	Citizen Recommended by BCC	12-21-04	1-13-05 to 1-12-08		X
4	David L. Freudenberg 3735 Victoria Way Boca Raton FL 33434	*Cell 561-213-3524 *Use this # 561-482-5436 Home Fax 561-883-9709 Email dfreud@usa.net	Citizen Recommended by BCC	5-2-06	5-2-06 to 1-12-08	X	
5	Chad Gruber, P.E. Doug Winter Companies 4047 Okeechobee Boulevard, #222 West Palm Beach FL 33409	471-9863 Fax 471-5075 Email cmgruber@bellsouth.net Cell 312-2041	Engineer-Recommended by Florida Engineering Society, PBC Chapter (Filling this seat requires contacting the FL Engineering Society, PBC Chapter at least 4 months prior to expiration of this term)	9-13-05	9-13-05 to 1-12-08	X	

Updated as of 11/27/07