

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

**BOARD APPOINTMENT SUMMARY**

Meeting Date: December 18, 2007  
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:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Jane West	1	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 Beach 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:**

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

Recommended by:

Department Director

Date

Legal Sufficiency:

Assistant County Attorney

Date

1	Section 8. Exemptions.--The provisions of this act do	1.15/17
2	not apply to:	1.15/179
3	(a) Agricultural operations in the growing, harvesting	1.15/179
4	or processing of crops and the raising of fowls or animals.	1.15/179
5	(b) Use of equipment in the performance of such	1.15/179
6	agricultural operations.	
7	(c) Barbecue equipment or outdoor fireplaces used for	1.15/179
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; organization.--The Board	1.15/193
31	shall appoint a five (5) member Hearing Board, the members of	

which shall have the following qualifications and terms of office:

(a) Members of the Hearing Board shall be residents of the County. Members of the Hearing Board, while serving, shall not become candidates for the election to any public office, nor hold any other appointive office or position under federal, state, county or municipal government, except for an office or position on a governmental board having advisory powers only. Appointments shall be made by the Board on the basis of experience of interest in the field of environmental control. The composition and representative membership of the Hearing Board shall be as follows:

(1) One (1) member shall be a lawyer, recommended to the Board by a representative of the County Bar Association.

(2) One (1) member shall be a medical doctor, recommended to the Board by the County Medical Society.

(3) One (1) member shall be an engineer, recommended to the Board by the local chapter of the Florida Engineering Society.

(4) Two (2) members shall be citizens not holding elective office.

(b) Members appointed to the Palm Beach County Environmental Control Hearing Board under Chapter 70-862, as amended, shall continue to serve on the Hearing Board but all Hearing Board members shall serve at the pleasure of the Board.

(c) The members of the Hearing Board shall elect a chairman. The presence of three (3) or more shall constitute a quorum of the Hearing Board. Members shall serve without compensation, but may be reimbursed for such travel expenses, mileage expenses, and/or per diem expenses as may be

1 The following resolution is hereby approved and adopted:

2 Section 1. Terms and Length of Service.

3  
4 A. Members of the Environmental Control Hearing  
5 Board shall be subject to the following terms  
6 and length of service:

7  
8 (1) The lawyer, engineer, and two citizens  
9 shall serve for one (1) year.

10  
11 (2) The medical doctor shall serve for two  
12 (2) years.

13  
14 (3) Thereafter, all appointments shall be  
15 made for a term of three (3) years.  
16 Appointments to fill any vacancy on the  
17 Hearing Board shall be for the remainder  
18 of the unexpired term of office.

19  
20 (4) Members of the Hearing Board shall be  
21 automatically removed for lack of  
22 attendance. Lack of attendance is  
23 defined as failure to attend three (3)  
24 consecutive meetings or failure to attend  
25 more than one-half of the meetings  
26 scheduled during a calendar year.  
27 Participation for less than three-fourths  
28 of a meeting shall constitute lack of  
29 attendance. Excused absences due to  
30 illness, absence from the County, or  
31 personal hardship shall not constitute  
32 lack of attendance.  
33  
34

R-92 123

2  
BOOK 1139 PAGE 222

## Part I:

## Part I:

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM**

**Part I:**

Board Name: ENVIROMENTAL CONTROL HEARING BOARD.

☒ At Large Appointment

or

☐ District Appointment

Term of Appointment: 3 Years.

From:

01/13/2008

To:

01/12/2011

Seat Requirement: CITIZEN AT LARGE

Seat #: 3

☒ \*Reappointment

or

☐ New Appointment

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

Due  
to:

☐ resignation

☐ other

Completion of term to  
expire on: \_\_\_\_\_

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

Name: SHERMAN

EDWIN

Last

First

Middle

Occupation/Affiliation: CITIZEN AT LARGE

Business Name: N/A

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

City & State \_\_\_\_\_

Zip Code: \_\_\_\_\_

Residence Address: 4740 S. OCEAN BLVD., #1105

City & State \_\_\_\_\_

HIGHLAND BEACH, FL

Zip Code:

33487

Home Phone: (561) 392-5115

Business Phone:

( ) N/A

ext.

Cell Phone: (561) 654-5115

Fax:

(561) 750-1535

Email Address: AABIRDER@AOL.COM

Mailing Address preference: ☐ Business Address ☒ Residence

**Minority Identification Code:**

☐ IF (Native-American Female)

☐ IM (Native-American Indian Male)

☐ AF (Asian-American Female)

☐ AM (Asian-American Male)

☐ BF (African-American Female)

☐ BM (African-American Male)

☐ HF (Hispanic-American Female)

☐ HM (Hispanic-American Male)

☐ WF (Caucasian Female)

☒ WM (Caucasian Male)

**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.**

0 Number of previously disclosed voting conflicts during the previous term

Signature: Cindy L DeStefano for  
Comm. Karen T. Marcus

Date: 11/6/07

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM**

**Part I:**

Board Name: ENVIROMENTAL CONTROL HEARING BOARD

☒ At Large Appointment

or

☐ District Appointment

Term of Appointment: 3 Years.

From:

01/13/08  
01/12/2008

To:

01/12/08  
01/11/2011

Seat Requirement: CITIZEN AT LARGE

Seat #: 3

☒ \*Reappointment

or

☐ New Appointment

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

Due  
to:

☐ resignation

☐ other

Completion of term to  
expire on: \_\_\_\_\_

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

Name: SHERMAN

EDWIN

Last

First

Middle

Occupation/Affiliation: CITIZEN AT LARGE

Business Name: N/A

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

City & State \_\_\_\_\_

Zip Code: \_\_\_\_\_

Residence Address: 4740 S. OCEAN BLVD., #1105

City & State

HIGHLAND BEACH, FL

Zip Code:

33487

Home Phone: (561) 392-5115

Business Phone:

( ) N/A

ext.

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(561) 750-1535

Email Address: AABIRDER@AOL.COM

Mailing Address preference: ☐ Business Address ☒ Residence

**Minority Identification Code:**

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☐ IM (Native-American Indian Male)

☐ AF (Asian-American Female)

☐ AM (Asian-American Male)

☐ BF (African-American Female)

☐ BM (African-American Male)

☐ HF (Hispanic-American Female)

☐ HM (Hispanic-American Male)

☐ WF (Caucasian Female)

☒ WM (Caucasian Male)

**Part III: COMMISSIONER COMMENTS**

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**\*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.**

2 Number of previously disclosed voting conflicts during the previous term

Signature: [Signature]

Date:

11/02/07



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM**

**Part I:**

Board Name: ENVIROMENTAL CONTROL HEARING BOARD

☒ At Large Appointment

or

☐ District Appointment

Term of Appointment: 3 Years.

From: 01/13/2008

To: 01/12/2011

Seat Requirement: CITIZEN AT LARGE

Seat #: 3

☒ \*Reappointment

or

☐ New Appointment

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

Due  
to:

☐

resignation

☐

other

Completion of term to  
expire on: \_\_\_\_\_

**Part II:**

***APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT***

Name: SHERMAN

EDWIN

Last

First

Middle

Occupation/Affiliation: CITIZEN AT LARGE

Business Name: N/A

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

City & State \_\_\_\_\_

Zip Code: \_\_\_\_\_

Residence Address: 4740 S. OCEAN BLVD., #1105

City & State \_\_\_\_\_

HIGHLAND BEACH, FL

Zip Code: \_\_\_\_\_

33487

Home Phone: (561) 392-5115

Business Phone: ( ) N/A

ext. \_\_\_\_\_

Cell Phone: (561) 654-5115

Fax: \_\_\_\_\_

(561) 750-1535

Email Address: AABIRDER@AOL.COM

Mailing Address preference: ☐ Business Address ☒ Residence

**Minority Identification Code:**

☐ IF (Native-American Female)

☐ IM (Native-American Indian Male)

☐ AF (Asian-American Female)

☐ AM (Asian-American Male)

☐ BF (African-American Female)

☐ BM (African-American Male)

☐ HF (Hispanic-American Female)

☐ HM (Hispanic-American Male)

☐ WF (Caucasian Female)

☒ WM (Caucasian Male)

**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.**

2 Number of previously disclosed voting conflicts during the previous term

Signature: Mary McCarthy

Date: 11/14/07

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

Revised 6/2007

✓ no. Sherman T. ... Environmental Control

## Part I:

Revised 6/2007

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM**

**Part I:**

Board Name: ENVIROMENTAL CONTROL HEARING BOARD

☒ At Large Appointment

or

☐ District Appointment

Term of Appointment: 3 Years.

From: 01/13/2008

To: 01/13/2011

Seat Requirement: CITIZEN AT LARGE

Seat #: 4

☒ \*Reappointment

or

☐ New Appointment

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

Due  
to: \_\_\_\_\_

☐ resignation ☐ other

Completion of term to  
expire on: \_\_\_\_\_

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

Name: FREUDENBERG

DAVID

L.

Last

First

Middle

Occupation/Affiliation: REALTOR / MORTGAGE BROKER

Business Name: N/A

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

City & State \_\_\_\_\_

Zip Code: \_\_\_\_\_

Residence Address: 3735 VICTORIA WAY

City & State BOCA RATON, FL

Zip Code: 33434

Home Phone: (561) 482-5436

Business Phone: ( ) N/A

ext. \_\_\_\_\_

Cell Phone: ( )

Fax: (561) 883-9709

Email Address: DFREUD@USA.NET

Mailing Address preference: ☐ Business Address ☒ Residence

**Minority Identification Code:**

☐ IF (Native-American Female)

☐ IM (Native-American Indian Male)

☐ AF (Asian-American Female)

☐ AM (Asian-American Male)

☐ BF (African-American Female)

☐ BM (African-American Male)

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☐ HM (Hispanic-American Male)

☐ WF (Caucasian Female)

☒ WM (Caucasian Male)

**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.**

0 Number of previously disclosed voting conflicts during the previous term

Signature: Cindy L DeFilippo for  
Comm. Karen T. Marcus

Date: 11/6/07

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and photocopied by members of the public.

Revised 6/2007

## Part I:

☒ At Large Appointment

or

☐ District Appointment

Seat Requirement: CITIZEN AT LARGE

☒ \*Reappointment

or

☐ New Appointment

or ☐ to complete the term of

Due ☐ resignation ☐ other  
to:

Completion of term to  
expire on:

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

Name: FREUDENBERG DAVID L.  
Last First Middle

Occupation/Affiliation: REALTOR / MORTGAGE BROKER

Business Name: N/A

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

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

Residence Address: 3735 VICTORIA WAY

City &amp; State BOCA RATON, FL Zip Code: 33434

Home Phone: (561) 482-5436 Business Phone: ( ) N/A ext.

Cell Phone: ( ) \_\_\_\_\_ Fax: (561) 883-9709

Email Address: DFREUD@USA.NET

**Mailing Address preference:** ☐ Business Address ☒ Residence

**Minority Identification Code:**

☐ IF (Native-American Female)

☐ AF (Asian-American Female)

☐ BF (African-American Female)

☐ HF (Hispanic-American Female)

☐ WF (Caucasian Female)

☐ IM (Native-American Indian Male)

☐ AM (Asian-American Male)

☐ BM (African-American Male)

☐ HM (Hispanic-American Male)

☒ WM (Caucasian Male)

### **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: Mary McCarroll

Date: 11/6/07



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,

A handwritten signature in black ink, appearing to read 'T. Bailey'.

Terrence N. Bailey, P.E.  
President  
Palm Beach Chapter  
Florida Engineering Society

President Terrence Bailey, PE 561-655-1151	President Elect Jim Kunard, PE 561-434-8194	Secretary Alex Chatham, PE 561-688-9008	Treasurer Mike Schwartz, PE 561-689-1138	Past President Karen Brandon, PE 561-684-7534	State Director Larry Smith, PE 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](mailto:info@palmbeachbar.org)

MEENU SASSER  
PRESIDENT  
RICHARD D. SCHULER  
PRESIDENT ELECT  
C. WADE BOWDEN  
JOHN M. HOWE  
MICHAEL J. NAPOLEONE  
BRYAN POULTON  
ADAM T. RABIN  
MICHELLE R. SUSKAUER  
DIRECTORS

PATIENCE A. BURNS, CAE  
EXECUTIVE DIRECTOR

REPLY TO:

JASON J. GUARI  
YOUNG LAWYERS SECTION PRESIDENT  
ADAM S. DONER  
NORTH COUNTY SECTION PRESIDENT  
MANUEL FARACH  
IMMEDIATE PAST PRESIDENT  
GREGORY W. COLEMAN  
SCOTT G. HAWKINS  
DAVID C. PRATHER  
LISA S. SMALL  
EX OFFICIO MEMBERS - FL BAR BOARD  
OF GOVERNORS MEMBERS  
HOWARD S. GROSSMAN  
EX OFFICIO MEMBER - SOUTH COUNTY  
BAR ASSOCIATION PRESIDENT

November 15, 2007

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

Dear Sherry,

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:ish

# ENVIRONMENTAL CONTROL HEARING BOARD DIRECTORY

<b>Authority:</b> Chapter 77-616, Special Laws of Florida	<b>Terms:</b> 3 Years for All (See Resolution 92-123)
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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 <a href="mailto:jwest@collins-west.com">jwest@collins-west.com</a> (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	X	
2	Lewis E. Green, M.D. 6613 Sand City Way Delray Beach, FL 33416	561/637-1802 home 561/542-0493 cell <a href="mailto:lewq10@aol.com">lewq10@aol.com</a>	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 <a href="mailto:aabirder@aol.com">aabirder@aol.com</a> Away Address: 111 S. 16 <sup>th</sup> 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 <a href="mailto:dfreud@usa.net">dfreud@usa.net</a>	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 <a href="mailto:cmgruber@bellsouth.net">cmgruber@bellsouth.net</a> 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