

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

BOARD APPOINTMENT SUMMARY

Meeting Date: July 22, 2008

Department: Palm Beach County Health Department

Submitted by: Environmental Control Office – Palm Beach County Health Department

Advisory Board Name: Environmental Appeal Board

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Reappointment/appointment of the following members to the Environmental Appeal Board for a term of three (3) years:

A. Reappointment:

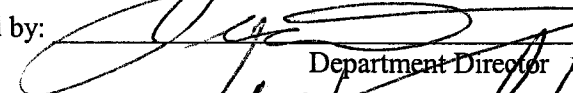
<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Brian LaMotte	1	Professional Engineer	American Society of Civil Engineers-PB Branch
Brian Joslyn	5	Attorney	PBC Bar Association

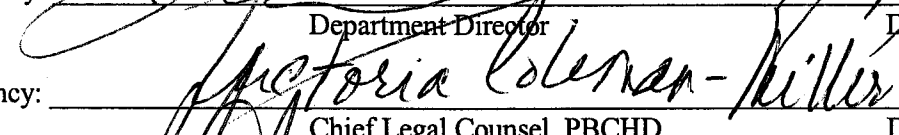
Summary: The Board is composed of five members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) person recommended by the Gold Coast Builders Association (formerly known as Home Builders and Contractors Association); one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers; one (1) water resource professional employed by the South Florida Water Management District; and one (1) drinking water engineer employed by the Department of Environmental Protection.

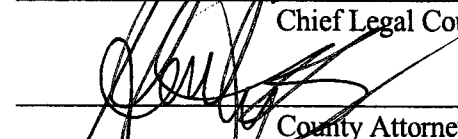
Background and Justification: Environmental Control Rules I and II provide for the organization of the Environmental Appeal Board. These rules state that composition and representative members of the Appeal Board shall consist of an attorney, an engineer, a water resource professional, a drinking water engineer, and a professional recommended by the Home Builders and Contractors Association. The Home Builders and Contractors Association has merged with another association and is now known as the Gold Coast Builders Association. Mr. LaMotte has expressed a desire to remain on this Board and a recommendation on his behalf was received from the American Society of Civil Engineers. Mr. Joslyn has expressed a desire to remain on this Board and a recommendation on his behalf from the PBC Bar Association.

Attachments:

1. Section 12 of Environmental Control Rule I
2. Chapter C, Section 4 of Article 17, Unified Land Development Code
3. Board Appointment Information Forms
4. Letters from the American Society of Civil Engineers, Gold Coast Builders Assoc. and the PBC Bar Association
5. Résumés of Brian LaMotte and Brian Joslyn
6. Current Membership Directory

Recommended by:  Department Director Date 7/7/08

Legal Sufficiency:  Chief Legal Counsel, PBCHD Date 7/7/08

 County Attorney Date _____

Section 12 Environmental Appeal Board (EAB)

The EAB was established by the ECB on May 26, 1987 to hear appeals from certain requirements, interpretations or determinations of this Article made by the Department or the ECO. Its membership is described in Art. 17, DECISION MAKING BODIES.

Section 13 Appeals

- A. Persons aggrieved by a requirement, interpretation or determination of this Article made by the Department or the ECO may appeal to the EAB by filing a written notice of appeal, with the ECO within 30 days from the determination to be appealed. The notice shall be accompanied by a certified check or money order, made payable to the Department to defray the cost of processing and administering the appeal. The fee for filing the appeal shall be non-refundable and in the following amounts:
 1. \$100.00 for a single family residence
 2. \$125.00 for all others, including, but not limited to, multiple family, commercial or subdivisions.
 3. However, no appeal shall be filed which requests relief from the construction standards required under Rule 64E-6, F.A.C.
- B. Each notice of appeal shall state the factual basis for the appeal and the relief requested. There shall be attached to each notice supportive materials and documents, including the information listed in Appendix C, ECR I - Information Required for an Appeal for an Individual Lot, or Appendix D, ECR II- Information for an Appeal for a Subdivision, if applicable to the appeal. The EAB may require such additional information, as it deems necessary. A separate notice of appeal must be filed for each site or system considered for an appeal. Required supporting documentation for the appeal must be filed with the Department of Environmental Control Office with the notice of appeal. The burden of presenting supportive facts in the notice of appeal shall be the responsibility of the person filing the appeal. The person filing the appeal shall have the burden of proving that he/she is entitled to relief. The Department shall defend all appeals before the EAB. [Ord. 2005 - 003]
- C. The person filing the appeal shall also submit to the ECO a list of the names and addresses of every property owner who may be affected by the granting of the appeal in the following cases:
 1. The proposed OSTDS fails to meet the minimum distance required between the system and a well, as provided by this Article; or
 2. The proposed OSTDS is within five feet of a neighboring lot; or
 3. The proposed OSTDS is within 50 feet of a water body on a neighboring lot.
- D. A hearing on the appeal shall be set within 60 days of receipt of the notice of appeal by the ECO. This provision does not mean that the applicant is entitled to a hearing on the first available agenda following receipt of the notice of appeal.
- E. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. All testimony shall be under oath. Irrelevant, immaterial or unduly repetitious evidence shall be excluded; but all other evidence of a type commonly relied upon by reasonably prudent persons shall be admissible, whether or not such evidence would be admissible in the trial courts of the State of Florida. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.
- F. The parties shall have the following rights: to be represented by counsel; to call and examine witnesses; to introduce exhibits; to cross-examine witnesses on any relevant matter, even though the matter was not covered in direct examination; and to rebut evidence.
- G. The EAB shall hear and consider all facts material to the appeal and shall issue findings of fact based upon the greater weight of the evidence and shall issue an order affording the proper relief consistent with the powers granted herein. The findings and order shall be by motion approved by a majority of those members present and voting.
- H. In order to grant an appeal authorizing an OSTDS on a single lot, the EAB must find that:
 1. Because of special factors, which may include economic factors, the applicant is unable to comply with this Article; and
 2. The OSTDS complies with current construction standards; and
 3. The granting of the appeal is the minimum alternative that will make possible the reasonable use of the land, structure or building; and
 4. The granting of the appeal is consistent with the general intent, purpose and requirements of PBC laws and ordinances; and

5. The grant of the appeal will not be injurious to the area involved or to the public health and general welfare.
- I. In order to grant an appeal authorizing OSTDS in subdivisions containing lots smaller than those required under this Article, the EAB must additionally find:
 1. That for a proposed subdivision to be served by individual private wells, each lot has at least one-half acre, with a minimum dimension of 100 feet and that said subdivision contains no more than 50 lots; or that for the proposed subdivision to be served by a public water system, each lot has at least one-third acre with a minimum dimension of 75 feet and that said subdivision contains no more than 100 lots; and
 2. That satisfactory ground water can be obtained if an individual private well is to be used; and
 3. That all distance and setbacks, soil conditions, water table elevations and other related requirements of this Article and Rule 64E-6, F.A.C., are met; and
 4. That the proposed subdivision does not represent sequential development of contiguous subdivisions, the purpose of which is to avoid the requirements of Article 15.A.13.I.1; and
 5. That a municipal, county or investor-owned public sewage system is not available contiguous to the proposed subdivision or within one-half mile thereof with public R-O-W accessibility; and
 6. That a municipal, county or investor-owned public sewage system is not available contiguous to the proposed subdivision or within one-half mile thereof with public R-O-W accessibility; and
 7. That the proposed density of the subdivision is consistent with the density recommended in the Land Use Plan of PBC or in the Land Use Plan of the appropriate municipality; and
 8. That the developer has made every reasonable effort to obtain public water and sewer; and
 9. That dry water and/or sewer lines are to be installed by the developer and that the developer will establish an escrow account to pay for the cost of connection when water and/or sewer becomes available, or that the installation of the same is not feasible from a technical or economic standpoint; and
 10. That onsite, water and/or sewage treatment facilities are not feasible from a technical or economic standpoint; and
 11. That the proposed development will consist of no more than one single family residence per lot; and
 12. That land uses surrounding and adjacent to the proposed subdivision and soil qualities of the area do not indicate that the area's health is endangered by an inordinate proliferation of septic tanks.
- J. Provided that the factual findings specified in Article 15.A.13.H and Article 15.A.13.I, the EAB may reverse, modify or affirm, wholly or partly, the requirement, interpretation or determination made by the Department or the ECO. In granting an appeal, the EAB may prescribe appropriate conditions and safeguards consistent with this Article. Violation of such conditions and safeguards, when made a part of the terms under which the appeal is granted, shall be deemed a violation of this Article. The EAB may also prescribe a reasonable time within which the action for which the appeal is granted shall be started or completed or both. Any decision of the EAB shall be in the form of written order.
- K. If there is a change in facts or circumstances supporting a request for relief after an order granting relief has been issued, then the applicant shall notify the Department. The Department may request the EAB to revoke or amend the order.
- L. Except where the relief granted is to exempt an applicant from the requirement to connect to a sanitary sewer under Article 15.A.8.A, any relief granted shall automatically terminate upon the availability of sewer service to the lot or parcel. Unless otherwise provided in an order issued pursuant to Article 15.A.13.J, relief granted under this Article shall automatically lapse if action for which the appeal was granted has not been initiated within one year from the date of granting such appeal by the EAB or, if order in such proceedings to review the EABs decision shall be instituted, from the date of entry of the final judicial proceedings, including all appeals.
- M. The decision of the EAB shall be final administrative action. Any party or interested person may appeal a decision of the EAB to the Circuit Court of PBC. Such appeal shall be filed within 30 days of the execution of the EABs order.

Section 14 Violations, Enforcement Penalties, Inspections

A. Violations, Enforcement and Penalties

It is unlawful for any person to violate any provisions of this Article or any duly constituted order of the ECHB enforcing this Article. Such violations shall be punished according to the provisions of Chapter 77-616, Special Acts, Laws of Florida, as amended from time to time and PBC Environmental Control Ordinance No. 94-26, 32 as amended.

Article 17
Chapter C Appointed Bodies Continued

The Code Enforcement Division shall be responsible for scheduling meetings of Special Master. In the case of an alleged violation as set forth in Article 10.B.1, Procedure, a hearing may be called as soon as practical.

2. Operating Procedures

All cases brought before Special Master shall be presented by either the Code Enforcement Division or an attorney representing the Division.

Section 3 Development Review Appeals Board

A. Establishment

There is hereby established a Development Review Appeals Board (DRAB).

B. Powers and Duties

The DRAB shall have the following powers and duties under the provisions of this Code:

1. to hear, consider, and decide appeals, decisions of the Zoning Director on applications for Certificates of Concurrency Reservation and Concurrency Exemption Extension;
2. to hear, consider and decide appeals from decisions of the Planning Director on applications for Entitlement Density, and VDB; and
3. to hear and decide appeals from, decisions of, and conditions imposed by the DRO with regard to action taken on an application for a final development permit.

C. Board Membership

The DRAB shall consist of the Executive Director of PZB, County Engineer, and County Attorney or Deputy County Attorney.

D. Officers; Staff

1. Chair and Vice-Chair

The Executive Director of PZB shall be the Chair of the DRAB.

2. Staff

PZB staff shall be the professional staff for the DRAB.

E. Meetings

1. General

General meetings of the DRAB shall be held as needed to dispose of matters properly before the DRAB. Special meetings may be called by the Chair or in writing by two members of the DRAB. Staff shall provide 24-hour written notice to all DRAB members.

Section 4 Environmental Appeals Board

A. Establishment

There is hereby established an Environmental Appeals Board (EAB).

B. Powers and Duties

The EAB has the following powers and duties:

1. to hear appeals from certain requirements, interpretations, or determinations of Article 15, HEALTH REGULATIONS, made by the PBCHD or the Environmental Control Officer.

C. Board Membership

1. Qualifications

The EAB shall be composed of five members. The membership of the EAB shall consist of one professional engineer registered by the State of Florida and nominated by the Palm Beach branch of the American Society of Civil Engineers, one water resource professional employed by SFWMD, one drinking water engineer employed by the FDEP, one member of the Gold Coast Builders Association, and one attorney nominated by the PBC Bar Association.

2. Terms of Office

All EAB members shall serve a term of three years.

D. Officers

1. Secretary

PBC Environmental Control Officer shall provide a staff person to the EAB and that staff member shall be designated as Secretary of the EAB.

2. Staff

The PBCHD shall be the professional staff of the EAB.

E. Meetings

1. General or Special Meetings

General meetings of the EAB shall be held no less frequently than once every 60 days. Special meetings may be called by the Chair of the EAB, or in writing by a majority of the members of the Board. Staff shall provide 24-hour written notice to each EAB member for a special meeting.

Section 5 Environmental Control Hearing Board

A. Establishment

There is hereby established an Environmental Control Hearing Board (ECHB).

B. Powers and Duties

The ECHB has the following powers and duties:

1. to conduct hearings into the merits of alleged violations to Sections promulgated under Chapter 77-616, Special Act, Laws of Florida, and PBC Ord. 78-5, as amended; and
2. after due public hearing, to reach a decision setting forth such findings of fact and conclusions of law as are required in view of the issues presented. The decision shall contain an order which may be framed in the manner of a writ of injunction requiring the violator to conform to either or both of the following requirements:
 - a. to refrain from committing, creating, maintaining, or permitting the violations;
 - b. to take such affirmative action as the ECHB deems necessary and reasonable under the circumstances to correct such violation;
 - c. to issue orders imposing civil penalties of up to \$500 dollars for each day of violation;
 - d. to issue subpoenas to command the appearance of any person before a hearing at a specified time and place to be examined as a witness. Such subpoenas may require such person to produce all books, papers and documents in that person's possession or under that person's control, material to such hearings; and
 - e. to administer oaths to any or all persons who are to testify before the ECHB.

C. Qualifications

The ECHB shall be composed of five members. The membership of the ECHB shall consist of one attorney recommended by the PBC Bar Association; one medical doctor recommended by the PBC Medical Society; one engineer recommended by the PBC chapter of the Florida Engineering Society; and two citizens at large.

D. Officers

1. Secretary

The Environmental Control Officer shall serve as Secretary of the ECHB.

2. Staff

The PBCHD shall be the professional staff of the ECHB.

E. General or Special Meetings

General meetings of the ECHB shall be held no less frequently than every 45 days. The ECHB may set the date of future meetings during any meeting. Special meetings may be called by the Chair of the ECHB, or in writing by a majority of the members of the Board. Staff shall provide 24-hour written notice to each ECHB member for a special meeting.

Section 6 Groundwater and Natural Resources Protection Board

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:

1. to hold hearings as necessary to enforce Article 14, ENVIRONMENTAL STANDARDS. ERM may refer alleged violations of Art. 14 Environmental Standards, and Art. 4.D, Excavation, Ord. 2003-020, Petroleum Storage Systems, Ord. 2003-021, Petroleum Contamination Clean-up criteria, Ord. 2004-050, Stormwater Pollution and Prevention, and Ord. 1993-003, Water and Irrigation Conservation as amended to the GNRPB, 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; [Ord. 2006-004]
2. to adopt rules of procedure for the conduct of hearings;
3. 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;
4. to issue subpoenas compelling the provision of evidence at GNRPB hearings;
5. to take testimony under oath;

Part I:



**PALM BEACH BRANCH
AMERICAN SOCIETY OF CIVIL ENGINEERS**

April 17, 2008

Ms. Barbara L. Sullivan
Palm Beach County Health Department
Legal Office
826 Evernia Street, Room 211
West Palm Beach, FL 33401

Re: Appointment to Environmental Appeal Board Seat #1

Dear Ms. Sullivan

Mr. Brian LaMotte has expressed interest in being re-appointed to the Environmental Appeal Board for the Palm Beach County Department of Health. Mr. LaMotte is currently a member in good standing with the Palm Beach Branch of the American Society of Civil Engineers and is recommended for re-appointment.

Please call if you have any further needs in this regard.

Sincerely,

Shawn Waldeck

Shawn Waldeck, P.E.
Branch President

Shawn Waldeck, P.E.
President

Ana Carmen V. DeMelo, P.E.
Vice President

Kyle Grandusky, E.I.
Secretary

Todd McLeod, E.I.
Treasurer

Michael Roach, P.E.
Past President





PALM BEACH COUNTY BAR ASSOCIATION

ESTABLISHED 1922

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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

RICHARD D. SCHULER
PRESIDENT
MICHELLE R. SUSKAUER
PRESIDENT ELECT
JASON J. GUARI
JOHN M. HOWE
MAUREEN MARTINEZ-SCHWAB
BRYAN POULTON
ADAM T. RABIN
JILL G. WEISS
DIRECTORS

PATIENCE A. BURNS, CAE
EXECUTIVE DIRECTOR

REPLY TO:

JOHN R. WHITTLES
YOUNG LAWYERS SECTION PRESIDENT
RYON M. MCCABE
NORTH COUNTY SECTION PRESIDENT
MEENU T. SASSER
IMMEDIATE PAST PRESIDENT
GREGORY W. COLEMAN
SCOTT G. HAWKINS
DAVID C. PRATHER
LISA S. SMALL
EX OFFICIO MEMBERS - FL BAR BOARD
OF GOVERNORS MEMBERS
MICHAEL D. MOPSICK
EX OFFICIO MEMBER - SOUTH COUNTY
BAR ASSOCIATION PRESIDENT

June 30, 2008

Ms. Barbara L. Sullivan
Environmental Control Office
826 Evernia Street
West Palm Beach, FL 33402

Dear Barbara:

This will confirm that Brian Joslyn is to be reappointed to the Environmental Appeal Board for a term that will expire on July 27, 2011.

Should you need any further information, please let me know.

Sincerely yours,

Patience A. Burns

Patience A. Burns, CAE
Executive Director

PAB:nrr

Brian LaMotte, PE



Registrations:

Professional Engineer
Florida PE #44074

Education:

Bachelor of Science
Civil Engineering
University of Florida
1982

Affiliations:

American Society
of Civil Engineers

Palm Beach County
Environmental Appeals
Board - Chairman

Total Years

Experience: 25

Mr. LaMotte's responsibilities include project management while assisting with design and plans preparation. Mr. LaMotte works closely with the project design team, including subconsultants, to ensure that final design plans meet industry criteria and client needs.

Northern Palm Beach County Improvement District, Palm Beach County, Florida District. As the District Engineer for the Northern Palm Beach County Improvement District, a 128 square mile special taxing district within Palm Beach County, Mr. LaMotte was responsible for all engineering related works of the District which included the oversight of infrastructure improvements, permitting and plat reviews and coordination, water control plans, as well as the administration of all these tasks. He was also responsible for the engineering services performed by the District's consulting and project engineers, contract documents, and the preparation of the District's various Plan of Improvements documents for residential, commercial, and industrial type developments. Underground maintenance and retrofitting of existing infrastructure were a major component of the improvements funded and constructed by the District. Typical projects included the design, permitting, and construction of water control structures, roadway, drainage canals, and pump stations. During the five years Mr. LaMotte served as the District Engineer he was responsible for approximately \$45 million of infrastructure improvements and annual contracts.

Terracina Community Development District (CDD), Palm Beach County, Florida, District Engineer. As the district engineer for both the Terracina CDD, a 480 unit residential development, and Cypress Lakes Community Development District, a 107 unit residential development, Mr. LaMotte was responsible for the "works of the district" as authorized by Chapter 190, Florida Statutes which included the preparation of reports, plan of Improvements, surveys of the lands within the district, assisting other professional consultants and presentations before the Board of Supervisors. Other duties included the review and coordination of all district infrastructure designs, permits, bids and construction administration as well as other assignments as directed by the Board of Supervisors.

Flagler Drive Bulkhead Replacement and Roadway Improvements, City of West Palm Beach, Florida, Project Design Engineer and Construction Manager. Mr. LaMotte was responsible for all aspects of the site related design and permitting of the bulkhead replacement and roadway and drainage improvements of approximately one mile in length. The bulkhead design incorporated both a "batter-pile" and "tie-back" design in order to accommodate the various existing underground utilities and infrastructure. Due to the scope and nature of the work and the project located adjacent to the Intracoastal Waterway and a heavily traveled 4-lane roadways the project presented many challenges. Permitting of the improvements required permits from both local and state agencies as well as federal agencies. With the presence of sea grasses adjacent to the project key components of the design had to be sited so to avoid or minimize the

impact. The design and scheduling had to accommodate both pedestrian and vehicular traffic flow throughout the construction of the project.

Phipps Park Site Improvements and Park Facility Design, City of West Palm Beach, Florida, Senior Design Engineer. The Phipps Park Improvement Project included the design and permitting of all site related civil improvements and park amenities. The civil site improvements included water distribution, wastewater collection, earthwork, drainage, and storm water management. Park amenities design services included the design and layout of baseball fields, jogging paths, skate-park, inline hockey rink and an official T-Ball field.

Regional Force Main and Lift Station Improvements, Indian Trail Improvement District, Palm Beach County, Florida, Senior Project Engineer. Mr. LaMotte was the design engineer for an eleven-mile force main and associated lift stations located in a rural portion of Palm Beach County. This project included the design, permitting and construction administration of an eleven mile force main ranging in diameter from 4" to 12" and three lift stations. Due to the extreme length of the force main, in a high-growth area of the County, the system presented a challenge in the design. The system was designed to accommodate the low initial flows to serve the present population as well as higher anticipated flows in the future.

Buckhead Ridge Boat Lock Study, South Florida Water Management District, Okeechobee, Florida, Project Manager. The South Florida Water Management District requested that a detailed study be performed which included an engineering and operational study, of the boat locks located in Buckhead Ridge and Lakeport, Florida, on the rim canal of Lake Okeechobee. Due to several accidents with boaters utilizing the locks the scope of the study was to review existing operations and make recommendations for a redesign of the locks and waterways to make the use of them safer. As the project manager, Mr. LaMotte was responsible for coordinating the efforts of several engineering disciplines involved in the study as well as prepares the preliminary and final reports, which were presented to the District.

Green Cay, PUD, Housing Trust Group, Inc., Palm Beach County, Florida, Lead Design Engineer. The Green Cay project is a 350 unit residential project located in Palm Beach County. Mr. LaMotte was involved in all aspects of the civil site related design and permitting of this project. The design services included an initial site-development due diligence report and assistance in the site plan process. Also included in the design was the surface water management, wastewater collection, re-use water and water distribution design. The waste water collection system included the design of a regional lift station to serve the 350 unit Green Cay PUD as well as future adjacent development and an 8 inch force main. Both the water distribution and re-use system were designed to accommodate this project and the re-use system was designed to utilize the surface water management system for the storage of the re-use water.

Due Diligence for School Sites, School District of Palm Beach County, Florida, Lead Project Engineer. Mr. LaMotte assisted the School District of Palm Beach County in the location of sites to construct educational facilities in the District. The services included constructability, permitability and the financial feasibility of various sites throughout Palm Beach County for elementary, middle and high schools. At the conclusion of the site investigations, Mr. LaMotte was responsible for preparing reports and presenting them before the School District staff.

BRIAN B. JOSLYN

515 North Flagler Drive, Suite 1800 • West Palm Beach, Florida 33401 • (561)820-0351
e-mail: bjoslyn@caseyciklin.com

EDUCATION:

- Undergraduate: University of Central Florida, B.S. Political Science 1978, Summa Cum Laude; minors in Economics and Russian Language; Cumulative GPA: 3.92; Graduated second in class of College of Social Sciences
- Law School: University of Florida, J.D. with Honors 1981; GPA: 3.01; Graduated in top 25% of class

ACTIVITIES AND HONORS:

- Undergraduate: Dean's Merit Scholarship Recipient 2 quarters; Debate Scholarship Recipient; Dean's List Every Quarter of Undergraduate School; 4.0 GPA in major and in Economics minor; President, Political Science Union; Student Senator, Senior Year; Debate Team, Freshman - Junior Year; member Omicron Delta Kappa Leadership Fraternity
- Law School: Dean's List 8 of 9 quarters; Chancellor of University of Florida Honor Court, Senior Year; Attorney General of the University Student Body, Junior Year; Florida Blue Key; Kappa Alpha Fraternity; Book Award, Income Taxation I

EMPLOYMENT:

- January 1987 - Associate, then Partner (since January 1989), Casey, Ciklin, Lubitz, Martens, & O'Connell, Present West Palm Beach, FL. Trial Lawyer, practice focus on: Real Estate Finance Law; Corporate and Partnership Dissolutions and Disputes; Land Use Litigation; Legal and Accounting Malpractice; Loan Workouts; Probate Litigation; Construction Litigation and Securities Litigation; Over 125 Trials, Arbitrations and Appeals. Argued successfully in Florida Supreme Court in Bitterman v. Bitterman, 714 So.2d 356 (Fla. 1998). Rated AV by Martindale Hubbell.
- Sept. 1981 -
Dec. 1986 Associate Attorney, DeSantis, Cook, Gaskill & Silverman, P.A., North Palm Beach, Florida - Employed as Commercial Trial Lawyer with a practice focusing on Real Estate Finance and Landlord-Tenant Litigation; Probate, Corporate and Partnership Litigation.
- Fall 1980 -
June 1981 Law Clerk to Professor Fletcher N. Baldwin, Jr., University of Florida; Senior Paper on Ineffective Assistance of Counsel on Appeal in Death Penalty Cases - became part of Appellate Brief argued by Professor Baldwin to Florida Supreme Court in Knight v. State, 395 So.2d 997 (Fla. 1981)
- Fall 1979 -
June 1981 Law Clerk to Honorable Benjamin M. Tench, Circuit Judge, Eighth Judicial Circuit Court of Florida; Gainesville, FL
-

PROFESSIONAL ASSOCIATIONS:

Florida Bar; American Bar Association; U.S. District Court, Southern District of Florida Bar Association; Southern District Trial Bar; Academy of Florida Trial Lawyers; Association of American Trial Lawyers; Palm Beach County Bar Association. Florida Bar Grievance Committee (Palm Beach County) 1993 - 1996; Vice Chair 1996; Palm Beach County Trial Lawyers Association

NON-LEGAL WORK EXPERIENCE:

1971 - 1974 U.S. Army; Paratrooper, Ranger and Special Forces Qualified; Airborne Ranger Fire Team Leader and Long Range Reconnaissance Team Member, Honorably discharged as Sp.4.

1975 - 1978 Worked at a variety of part-time jobs to finance my education.

HOBBIES:

Martial Arts - 3rd Degree Black Belt in Shaolin Kempo Karate, 1st Degree Black Belt in Kendo; Conflict Simulation Games; Travel; Photography; Modeler of Scale Ship Models; Mountaineering and Backpacking.

REFERENCES:

Furnished upon request.

ENVIRONMENTAL APPEAL BOARD DIRECTORY

Authority: Environmental Control Rules I and II

Terms Per Ord 96-28

Appointments are for three (3) years

Updated: June 24, 2008

Seat ID	Name/address	Telephone	Requirement	BCC Appt'd.	Term	Initial Appt.	Re-Appt.
1	Brian J. LaMotte, P.E. (Chair) 1907 Flower Drive P.B. Gardens, FL 33410	346-3239 Fax Cell – 346-3239 e-mail brian.lamotte@wantmangroup.com	Professional Engineer registered by State of Florida and nominated by Am. Society of Civil Engineers -PB Branch	7-12-05	7-28-05 to 7-27-08		X
2	David J. Colangelo South Florida Water Management District , M.S.C. 4350 3301 Gun Club Road West Palm Beach FL 33406	Ofc: 682-2843 Fax Cell: 352-5103 dcolang@sfwmd.gov	Water resource professional employed by SFWMD	4/1/08	4-1-08 to 3-31-11	X	
3	Frank M. Keiser, II (Vice Chair) 13498 Jonquil Place Wellington, FL 33414	Cell: 644-0442 Fax: 793-3068 Home: 795-0911 fmkeis@aol.com	Member of Gold Coast Builders Assoc. (formerly HCBA)	8-21-07	8-21-07 to 7-27-08	X	
4	Michael Bechtold, P.E. Department of Environ. Protection Southeast District 400 North Congress Avenue, #200 West Palm Beach FL 33401	Ofc 681-6682 Fax 681-6760 Cell 281-4898 mike.bechtold@dep.state.fl.us	Drinking Water Engineer employed by the DEP	3-15-05	3-17-08 to 3-16-11		X
5	Brian Joslyn, Esq. Casey Ciklin Lubitz, et al 515 N. Flagler Dr., 19 th Floor West Palm Beach FL 33401	Ofc 820-0351 Fax 820-0389 Email bjoslyn@caseyciklin.com Home 747-6131 Cell –	Attorney nominated by PBC Bar Association		12/18/07 to 7-27-08 (completing Ansay's term)	X	
Health Department Rep. – Antoine Devonshire – 355-3070 , 901 Evernia Avenue, WPB 33041							