

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

BOARD APPOINTMENT SUMMARY

Meeting Date: January 13, 2009
 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: Appointment of the following individual to the Environmental Control Hearing Board, to complete the unexpired term of Jane West, Esq., who resigned as of November 5, 2008, and whose term expires January 12, 2011:

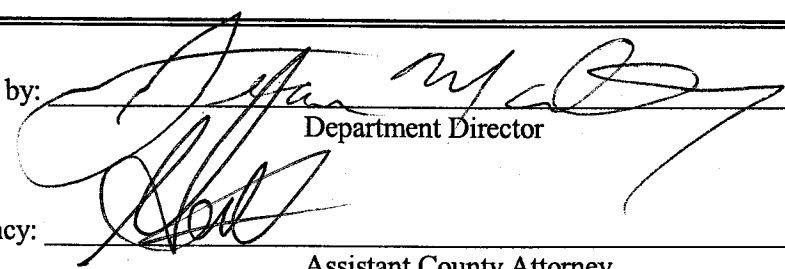

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Denise Bleau	1	Attorney	Palm Beach County Bar Association

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) 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 this seat until January 12, 2011.

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. The term of Jane West, who resigned as of November 5, 2008, is unexpired; said term expires on January 12, 2011. A recommendation to fill this unexpired position was sought from the Palm Beach County Bar Association.

Attachments:

1. Pages 10 and 11 of Chapter 77-616, Laws of Florida
2. Page 2 of Resolution 92-123
3. Board Appointment Information Form
4. Recommendation letter from the Palm Beach County Bar Association
5. Résumé of Denise Bleau
6. Current Membership Directory

Recommended by:		<u>12/22/08</u>
	Department Director	Date
Legal Sufficiency:		<u>12/24/08</u>
	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	1.15/178
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; organization.--The Board	1.15/193
31	shall appoint a five (5) member Hearing Board, the members of	

Attachment 1

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	1.15/211
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	1.15/211

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

The following resolution is hereby approved and adopted:

Section 1. Terms and Length of Service.

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

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

R-92 123

2
BOOK 1139 PAGE 222

Attachment 2



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

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:

December 16, 2008

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*

Barbara L Sullivan, Clerk
Environmental Control Hearing Board
Post Office Box 29
West Palm Beach, FL 33402

Dear Barbara:

This is to advise you that the Palm Beach County Bar Association has appointed Denise Bleau to the Environmental Control Hearing Board. I am enclosing her information with this letter.

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

Enclosure

Attachment 4



DENISE J. BLEAU, ESQUIRE

BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP
5355 Town Center Road, Suite 900
Boca Raton, Florida 33486

RESUME

EDUCATION

JURIS DOCTOR, UNIVERSITY OF FLORIDA, Gainesville, Florida. May, 1986.
With Honors

LOYOLA UNIVERSITY, New Orleans, Louisiana. August, 1983 to May, 1984.
Law Review Invitation, Top 10%

BACHELOR OF ARTS, UNIVERSITY OF SOUTH FLORIDA, Tampa, Florida. May, 1982.
With Honors

EMPLOYMENT HISTORY

Attorney – Partner
June, 2005 - present

Buckingham, Doolittle & Burroughs, LLP
5355 Town Center Road, Suite 900
Boca Raton, Florida 33486

Attorney - Partner
April, 2001 – June, 2005

Pheterson & Bleau
400 South Dixie Highway, Suite 420
Boca Raton, Florida 33432

Attorney - Sole Practitioner
March, 1997 - April, 2001

Denise J. Bleau, P.A.
400 South Dixie Highway
Suite 420
Boca Raton, Florida 33432

Assistant County Attorney
July, 1991 - March, 1997

Palm Beach County
County Attorney's Office
301 N. Olive Avenue
Suite 601
West Palm Beach, Florida 33414

Attorney - Partner
August, 1989 – July, 1991

Fernandez and Bleau, P.A.
1309 E. Robinson Street
Orlando, Florida 32801

Attorney - Associate
May, 1986 - August, 1989

Ford and Associates, P.A.
14550 East Highway 441
Tavares, Florida 32778

Attachment 5

PRACTICE AREA AND PROFESSIONAL FOCUS

Labor and employment law, business, executive contract work and negotiation, complex litigation, and administrative law.

Extensive experience in the areas of administrative and local government law, contract issues, real estate litigation, and complex civil litigation. Special counsel on many labor and employment matters.

GOVERNMENTAL AREAS OF PRACTICE

Lake County, Florida 1986-1991

Represented and advised the following entities in administrative and litigation matters: Lake County Board of County Commissioners, Planning Zoning and Building Board, Code Enforcement Board, Value Adjustment Board, Animal Care and Control Board, Property Appraiser, Clerk of Court, Supervisor of Elections, Tax Collector, and Sheriff, as well as Lake-Sumter Community College.

Palm Beach County, Florida 1991-1999

Advised twenty-six (26) County Departments on all personnel matters for over three years. Also advised the Board of County Commissioners on various governmental issues, handled all employment litigation for the County, as well as complex litigation cases. Currently represent the County in a federal court civil rights case.

Village of Royal Palm Beach, Palm Beach County, Florida 2000 - 2006

Served as Board Counsel for the Code Enforcement Board and also served as Special Master regarding code violations in the Village of Royal Palm Beach.

First Wellington, Inc., 1997-1999

Served as Board Counsel for this master homeowner association including approximately 10,000 members.

Delray Beach, Florida 1997

Served as Board Counsel for the Delray Beach Civil Service Board in a quasi-judicial proceeding involving a terminated civilian employee of the Delray Beach Police Department Communications Center.

COURTS & BAR ASSOCIATIONS

Florida Bar (1986)

United States District Court, Southern District of Florida, General and Trial Bar

United States District Court, Northern District of Florida, General and Trial Bar

United States District Court, Middle District of Florida, General and Trial Bar

United States Circuit Court of Appeal, Eleventh Circuit

United States Supreme Court

Member: American Bar Association

Member: Palm Beach County Bar Association

Member: South Palm Beach County Bar Association

PROFESSIONAL & CIVIC AFFILIATIONS

Co-Chair: South Palm Beach County Bar Association (Employment Committee)
Member: Palm Beach County Bar Employment CLE Committee
Member: Florida Association for Women Lawyers (FAWL)
Member: South Palm Beach County Chapter of the Florida Association for Women Lawyers
Corporate Sponsor: American Woman's Society of CPAs (AWSCPA)
Former Special Master: Village of Royal Palm Beach, Florida
Former Mayor and Council Member: Town of Lantana, Florida
Organizer: Centre D'Action Pour Le Developpement, Haitian Orphanage Fund
Volunteer: Florida's Children First, Inc.

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) Cell: 254-5026	Attorney-Recommended by PBC Bar (Filling this seat requires contacting the PBC Bar at least 4 months prior to end of this term)	12-18-07	1-13-08 to 1-12-11		X
2	Lewis E. Green, M.D. 6613 Sand City Way Delray Beach, FL 33416	561/637-1802 home 561/542-0493 cell lewq10@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 aabirder@aol.com Away Address: 111 S. 16 th Avenue, Apt. 718, Longport NJ 08403	Citizen Recommended by BCC	12-18-07	1-13-08 to 1-12-11		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	12-18-07	1-13-08 to 1-12-11		X
5	Chad Gruber, P.E. Gruber Consulting Engineers 2587 James River Road West Palm Beach FL 33411	Email gcei@bellsouth.net Cell: 312-2041 Fax: 537-7229	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)	12-18-07	1-13-08 to 1-12-11		X

Attachment 6

Updated as of 8/29/08