

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

**BOARD APPOINTMENT SUMMARY**

**Meeting Date:** April 21, 2015  
**Department:** Florida Department of Health in Palm Beach County  
**Submitted by:** Office of County Attorney  
**Advisory Board Name:** Environmental Control Hearing Board

**I. EXECUTIVE BRIEF**

**Motion/Title: Staff recommends motion to approve:** Appointment of the following individual to the Environmental Control Hearing Board for a term of three (3) years beginning on April 21, 2015 and ending on April 20, 2018.

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
David Shulan, M.D.	2	Medical Doctor	PBC Medical Society

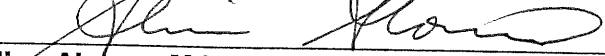
**Summary:** The Board is composed of five members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association, **one (1) medical doctor recommended by the Palm Beach County Medical Society**, one (1) engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two (2) citizens-at-large not holding elective office. Countywide (H.H.)

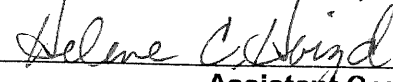
**Background and Justification:** Chapter 77-616, as amended, provides for the organization of the Environmental Control Hearing Board (ECHB). This Special Act states that the composition of this Board shall consist of an attorney, a doctor, an engineer, and two citizens. The ECHB conducts hearings into the merits of alleged violations to Sections promulgated under Chapter 77-616, Special Acts, Laws of Florida, and PBC Ord. 78-5, as amended. The Palm Beach County Medical Society recommended David Shulan, M.D.

This Board consists of five (5) members: currently, three (3) white males, one (1) black female, and one vacant seat.

**Attachments:**

1. Recommendation letter from PBC Medical Society
2. Boards/Committees Application
3. Curriculum Vitae
4. Current List of Board Members
5. Pages 10 and 11 of Chapter 77-616, Laws of Florida
6. Article 2, Chapter G, Section 3E, Unified Land Development Code

Recommended by:  4/3/15  
**Alina Alonso, M.D., Director, Florida Department of Health in PBC** /Date

Legal Sufficiency:  4-6-15  
**Assistant County Attorney** /Date



Looking out for physicians

Looking out for their patients

**Executive Committee**

- Stephen Babic, MD  
**President**
- James Goldenberg, MD  
**President-Elect**
- Shawn Baca, MD  
**First Vice-President**
- Brandon Luskin, MD  
**Secretary**
- Marc Hirsh, MD  
**Treasurer**
- Ronald Zelnick, MD  
**Immediate Past President**
- Tenna Wiles  
**Chief Executive Officer**

March 23, 2015

Barbara L. Sullivan  
 Palm Beach County Health Department  
 Legal Office/Environmental Control Office  
 PO Box 29 800 Clematis Street  
 West Palm Beach, FL 33402

RE: Re-appointment of David Shulan, MD  
Environmental Control Hearing Board



**Executive Committee**

- Michael Dennis, MD  
**President**
- Ivy Faske, MD  
**Vice President**
- Matt Gracey  
**Secretary**
- Don Chester  
**Treasurer**

Dear Ms. Sullivan:

The Palm Beach County Medical Society's Board of Directors is pleased to appoint David Shulan, MD to serve on the Environmental Control Hearing Board. David Shulan, MD has expressed the desire to serve on this Board.

Sincerely,

Tenna Wiles  
Executive Director



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used in considering your nomination. Please COMPLETE SECTION II IN FULL. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.*

**Section I (Department):** (Please Print)

Board Name: ENVIRONMENTAL CONTROL HEARING BOARD Advisory  Not Advisory

At Large Appointment or  District Appointment /District #: \_\_\_\_\_

Term of Appointment: 3 Years. From: \_\_\_\_\_ To: \_\_\_\_\_

Seat Requirement: Medical Doctor recommended by PBC Medical Society Seat #: 2

\*Reappointment or  New Appointment

or  to complete the term of \_\_\_\_\_ Due to:  resignation  other

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

**\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: \_\_\_\_\_**

**Section II (Applicant):** (Please Print)

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

Name: Shulan David  
Last First Middle

Occupation/Affiliation: Retired physician

Owner  Employee  Officer

**Business Name:** \_\_\_\_\_

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

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

**Residence Address:** 12264 Bear River Road

City & State Boynton Beach, FL Zip Code: 33473

Home Phone: (562) 374-9221 Business Phone: ( ) Ext. \_\_\_\_\_

Cell Phone: (518) 852-9387 Fax: ( )

Email Address: ragweed@msn.com

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

**Minority Identification Code:**  Male  Female  
 Native-American  Hispanic-American  Asian-American  African-American  Caucasian

**Section II Continued:**

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)  
OR

NONE

NOT APPLICABLE/  
(Governmental Entity)

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment. **Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>.** Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

- By watching the training program on the Web, DVD or VHS on March 23, 2015
- By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*David Shulan*

\*Applicant's Signature: \_\_\_\_\_ Printed Name: David Shulan Date: March 23, 2015

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
{Insert Liaison Name Here}, {Insert Department/Division Here}  
{Insert Address Here}

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CURRICULUM VITAE**  
**David Shulan, M.D.**

Home:  
12264 Bear River Road.  
Boynton Beach, Florida 33473

**I. Personal Data**

- A. Birth date: June 16, 1951
- B. Birthplace: Akron, Ohio
- C. Citizenship: U.S.A.
- D. Marital Status: Married
- E. Children: Two

**II. Education**

Year	Degree	Institution
1969-73	B.A.	Northwestern University
1973-74	M.S.	Northwestern University
1977-80	M.D.	Medical College of Ohio

**III. Post-Graduate Education**

Year	Position	Institution
1980-81	Intern in Medicine	Evanston Hospital, Northwestern University, Evanston, Illinois
1981-83	Resident, Internal Medicine	Evanston Hospital, Northwestern University, Evanston, Illinois
1983-85	Fellow in Allergy-Immunology	University of Iowa, Iowa City, Iowa

**IV. Recent Employment**

- 1. Certified Allergy Consultants (1985 to August 2014)

**V. Other Employment Pertaining to Current Professional Appointments**

Year	Position
1974-77	Research Assistant, Northwestern University Medical School, Chicago, Illinois

**VI. Certification and Licensure**

**A. Certification:**

Board	Date	Number
National Board of Medical Examiners	7/1/81	245375
American Board of Internal Medicine	9/12/84	090232
American Board of Allergy and Immunology	10/14/85	2708

**B. Licensure**

State	Date	Perm./Temp	Number
New York	12/30/84	Permanent	161240

**VII. Professional Affiliations Organizations**

- American Medical Association
- Fellow American College of Physicians
  - Past Councilor at large for the Hudson Valley Region of the NYACP
  - Member Medical Informatics Committee
- Albany County Medical Society- Past President

Medical Society of the State of New York to 2014  
 Delegate to annual meeting (member of reference committees 2009, 2011) (Chair of reference committee Governmental Affairs "A" 2010)  
 Member Medical Informatics Committee  
 Fellow American Association of Certified Allergists  
 Fellow American Academy of Allergy and Immunology  
 Past chair Health informatics, Technology & Education Committee 2004, 2005  
 Fellow American College of Allergy and Immunology  
 Chair Medical Informatics Committee 2010-2013  
 Palm Beach County Medical Society  
 New England Allergy Society

VIII. Reviewer

1. AAAAI Annual Meeting Abstract reviewer 2011- present.
2. External Reviewer for American College of Physicians 2014: AAO-HNSF Allergic Rhinitis Clinical Practice Guideline

X. Bibliography

A. Papers Published

1. Pellis NR, Yamagishi H, Shulan DJ, Kahan BD: Use of Preparative Isoelectric Focusing in a Sephadex Gel Slab to Separate Immunizing and Growth Facilitating Moieties in Crude 3M KCL Extracts of a Murine Fibrosarcoma. *Cancer Immunol. Immunother.* 11:53-58, 1981
2. Pellis NR, Shulan DJ, and Kahan BD: Specific Tumor Immunity Induced with Soluble Materials: Purification of Antigens Inducing Tumor Resistance. *Biochem. Biophys. Res. Commun.* 71(4):1251-1258, 1976
3. Metzger WJ, Grem J, Halverson PC, Sharath MD, Shulan DJ, Lawton W, Weiler JM: C1 INH Deficiency and Angioedema: A Spectrum of Disease. *Ann Allergy* 52:269-271; 285-290, 1984
4. Weiler JM, Freiman P, Sharath MD, Metzger WJ, Smith JM, Richerson HB, Ballas ZK, Halverson PC, Shulan DJ, Matuso S, Wilson R: Serious Adverse Reactions to Protamine: Are Alternatives Needed? *J Allergy Clin Immunol* 75(2):297-303, 1985
5. Shulan DJ, Weiler JM, Koontz F, Richerson HB: Contamination of Intradermal Skin Test Syringes. *J Allerg Clin Immunol* 76 (2):226-227, 1985
6. Kwasselow A, McLean J, Busse W, Bush R, Reed C, Metzger W, Richerson H, Shulan D, Koshiver J, Chaplin M: A Comparison of Intranasal and Oral Flunisolide in the Therapy of Allergic Rhinitis- Evidence of a Topical Effect. *Allergy* 40(5):363-7, 1985
7. Boggs PB, Ellis CN, Grossman J, Washburne WF, Gupta AK, Ball R, Shulan D.: Double-blind, placebo-controlled study of terfenadine and hydroxyzine in patients with chronic idiopathic urticaria. *Annals of Allergy.* 63(6 Pt 2):616-20. 1989

B. Abstracts

8. Pellis NR, Shulan DJ, Wiseman FC, and Kahan BD: Immunoprotective and Tumor Potentiating Fractions in 3M KCL Extracts of Murine Fibrosarcomas. *AACR Abstracts*, March 1978, p.139,#553
9. Shulan DJ, etal: A Young Girl with Recurrent Sino-pulmonary Infections (IgG2 Deficiency). Presented at the North Central Allergy Meeting, April 28, 1984, Mayo Clinic
10. Shulan DJ, Weiler JM, Koontz F, Richerson HB: Contamination of Intradermal Skin Test Syringes. (American Academy Allergy and Immunology Meeting, March 1985 #364)
11. Shulan DJ, S. Wolf, M. Weinberger, and J. Kemp: Fluctuating IgG Subclass Levels in a Girl with Recurrent Sino-Pulmonary Infections. (American Academy of Allergy and Immunology Meeting, March 1986, #445)
12. Grossman J, Ball R, Shulan D, Porcella J : Treatment of Seasonal Allergic Rhinitis with Vapor Induced Hyperthermia (American Academy of Allergy and Clinical Immunology Meeting, March 1988)

13. Grossman J., Halverson P., Meltzer E., Van Bavel J., Woehler T., Ball R., Shulan D., et al. Comparison of Azelastine and Clemastine to Placebo in the Management of Perennial Allergic Rhinitis (American Academy of Allergy and Clinical Immunology Meeting, March 1990)
14. Shulan D., Reed KD, Anschuetz G, Cook C et al. Intranasal Fluticasone Propionate Compared with Loratadine in the 1995 Spring Tree Season (American College of Asthma, Allergy and Immunology Meeting, November 1995).
15. Katlan MG, Shulan DJ A Case of Local Anesthetic Allergy in a Community Setting (American College of Asthma, Allergy and Immunology Meeting, November 1999).

C: Letter to the editor:

1. David J. Shulan, MD; Michael Katlan, MD; Mollie Lavsky-Shulan, MD  
Use of  $\beta$ -Blockers in Patients with Reactive Airway Disease Ann Intern Med. 2003; 139(4):304-304

D: Talks at Meetings:

2005

1. ACAAI: Voice recognition: Is it ready for the Allergist's Office? (with Roger M. Katz, MD)
2. Albany County Medical Society: Wealth of Medical Information on the Internet
3. AAAAI: Creating Effective Medical Presentations: Making your Ideas Come Alive to Others (moderator).
4. AAAAI: Voice Recognition Software: Is it ready for Prime Time? (with Richard Wasserman, MD, PhD).
5. AAAAI: Electronic Medical Records, Are they ready for your practice (With Richard Wasserman, MD, PhD).
6. AAAAI: The wealth of medical information on the internet.

2006

1. AAAAI: Practical Use of Handheld Computers in Clinical Practice with Linda Green, MD
2. AAAAI: EMR: Promise and Reality

2007:

1. AAAAI: Moderator for workshop: Medical Information Management- Think Globally, Act Locally
2. AAAAI: Practical Use of Handheld Computers in Clinical Practice with Linda Green, MD

2008.

1. ACAAI: Preparing for and Choosing an Electronic Medical Record (with Thomas Derrico)
2. Handheld Computing in Clinical Practice with Linda Green, MD.

2009

1. ACAAI: What you should look for in an Electronic Medical Record (with Thomas Derrico).
2. AAAAI: Strategies for a successful (EMR) implementation. (part of a workshop Choosing and Implementing an EMR).

2010

1. ACAAI: Implementing an EHR and Should You be on the Cloud

2. AAAAI: EMR: How to Pick, Prepare and Implement with Richard Wasserman, MD, PhD.
3. Using EMR and ASTHMA IQ to Enhance Outcomes and Reimbursement

2011

1. ACAAI: Implementing EHR Successfully with Dr. Russel Leftwich
2. ACAAI: Smart Phones, Tablets, Gadgets and Apps in Medical Practice
3. AAAAI: AAAAI: Technology in the Clinical Practice Made Ridiculously Easy (part of a seminar)
4. AAAI: EMR: Selection, Cost and Implementation (with Melinda Rathkopf, MD)
5. Using EMR and ASTHMA IQ to Enhance Outcomes and Reimbursement (moderator)

2012

1. ACAAI: Implementing EHR Successfully
2. ACAAI: EHR Roundtable with Panel
3. AAAAI: Technology in the Clinical Practice Made Ridiculously Easy (part of a seminar).
4. AAAAI: Marketing Your Practice on the Web with Vesselin Dimov, MD

2013

1. ACAAI: Implementing and Optimizing EMR Successfully
2. ACAAI: Smart Phones, Tablets, Gadgets and Apps in Medical Practice
3. AAAAI: Technology in the Clinical Practice Made Ridiculously Easy (part of a seminar)
4. AAAAI: Selection and Implementation of an Electronic Medical Record

2014

1. AAAAI: Technology in the Clinical Practice Made Ridiculously Easy (part of a seminar)
2. AAAAI: Selection and Implementation of an Electronic Medical Record
3. ACAAI: W-30 EMRs: Digitizing Your Practice for the Long Haul



# 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	<b>Alicia M. Phidd, Esq.</b> 9605 Capendon Ave., #305 P.B.Gardens, FL 33418	Phone: 561-900-6893 Work: 561-282-1242 Email :phidda@yahoo.com info@aliciaphidd.com	Attorney-Recommended by PBC Bar (Filling this seat requires contacting the PBC Bar at least 4 months prior to end of this term)	1-15-14	1-15-14 to 1-14-17	X	
2	<b>Lewis E. Green, M.D.</b> 6613 Sand City Way Delray Beach, FL 33446	561-637-1802 home 561-374-1700 cell Email:lewgreen10@gmail.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	4-7-012 to 4-06-15		X
3	<b>Edwin Sherman (VICE CHAIR)</b> 4740 South Ocean Boulevard Apt. 1105 Highland Beach FL 33487	561-392-5115 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	12-18-01	2-01-14 to 1-31-17		X
4	<b>David L. Freudenberg (CHAIR)</b> 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> Email <a href="mailto:muskie13@gmail.com">muskie13@gmail.com</a> Email <a href="mailto:bpodave@gmail.com">bpodave@gmail.com</a>	Citizen Recommended by BCC	12-18-07	2-01-14 to 1-31-17		X
5	<b>Terrence R. Horan</b> ECS Florida, LLC 2000 Avenue P, Suite 3 West Palm Beach, FL 33404	Cell: (561) 371-8785 Office: (561) 840-3670 FAX: (561) 840-3668  E-Mail: THoran@ecslimited.com	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)	2/4/14	2-04-14 to 2-03-17	X	

Updated as of 6/10/14

\*\*NOTE: Effective 2013- Resolution 2013-0193–NewTerms-beginning 2013 each member can serve a maximum of 3 – 3yr terms

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.	1.15/176
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	<u>Section 9. Hearing board; organization.--The Board</u>	1.15/193
31	shall appoint a five (5) member Hearing Board, the members of	

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) <u>One (1) member shall be an engineer, recommended</u>	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

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

**b. Staff**

The PBCHD shall be the professional staff of the EAB.

**5. Meetings**

**a. 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.

**A E. Environmental Control Hearing Board**

**1. Establishment**

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

**2. Powers and Duties**

The ECHB has the following powers and duties:

- a. 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
- b. 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:
  - 1) to refrain from committing, creating, maintaining, or permitting the violations;
  - 2) to take such affirmative action as the ECHB deems necessary and reasonable under the circumstances to correct such violation;
  - 3) to issue orders imposing civil penalties of up to \$500 dollars for each day of violation;
  - 4) 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
  - 5) to administer oaths to any or all persons who are to testify before the ECHB.

**A 3. 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.

**4. Officers**

**a. Secretary**

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

**b. Staff**

The PBCHD shall be the professional staff of the ECHB.

**5. 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.

**6. Term Limits**

Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms. [Ord. 2014-001]

**F. Groundwater and Natural Resources Protection Board**

**1. Establishment**

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

**2. Powers and Duties**

The GNRPB shall have the following powers and duties:

- a. 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, Natural Areas, Ord. 1994-014 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