

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

BOARD APPOINTMENT SUMMARY

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Meeting Date: **August 17, 2021**

Department: **Florida Department of Health in Palm Beach County**

Submitted by: **Legal Department**

Advisory Board Name: **Environmental Control Hearing Board**

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Appointment of one (1) member to the Environmental Control Hearing Board to complete the unexpired term of Trevor Rosecrans, who resigned and whose term expires January 31, 2023.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY</u>
Vivian Demille	3	Citizen-at-Large	Robert S. Weinroth, Vice Mayor

Summary: The Board is composed of five (5) 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. The Board currently consists of 4 members. The current diversity count is: Caucasian: 4 (100%); African-American: 0; and Hispanic: 0. The current gender ratio (female: male) is 0:4. Countywide (HH).

The applicant for appointment to Seat # 3, Vivian Demille is a citizen of Palm Beach County and recommended by Vice Mayor Robert S. Weinroth.


With this approval, the Board will consist of five members: Four Caucasian males and One Caucasian female. The gender ratio (female: male) is 1:4.


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 of Palm Beach County. Palm Beach County Resolution 92-123 establishes the terms for the members of the Environmental Control Hearing Board.

Attachments:

1. Memo including ECHB Member List
2. Board/Committee Application for Vivian Demille
3. Resume/Curriculum Vitae of Vivian Demille
4. Article 2, Unified Land Development Code

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Recommended by:  7/14/21
Department Director Date

Legal Sufficiency:  7/14/2021
Assistant County Attorney Date



**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ENVIRONMENTAL CONTROL HEARING BOARD**

I. AUTHORITY :

PBC Environmental Control Act, Chapter 77-616, Section 9, Laws of Florida, Ordinance No. 78-5; as amended by Ordinance No. 79-15; amended by Ordinance No. 85-25; as amended by Ordinance No. 87-22. Unified Land Development Code, Section 4.12, amended by Resolution No. R92-123.

II. APPOINTING BODY :

Board of County Commissioners

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

The Board shall be composed of five (5) members. Membership shall consist of one (1) lawyer, recommended by the PBC Bar Association; one (1) medical doctor, recommended by the PBC Medical Society; one (1) engineer, recommended by the PBC chapter of the Florida Engineering Society; and two (2) citizens at-large. The term of appointments shall be for three (3) years. Appointments to fill any vacancy on the Hearing Board shall be for the remainder of the unexpired term of office. Members shall receive no compensation for their services. Travel reimbursements are limited to expenses incurred only for travel outside PBC necessary to fulfill the responsibilities of membership of the Board.

EXTENDED COMPOSITION :

IV. MEETINGS :

Every forty-five (45) days at 8:30a.m., 800 Clematis, West Palm Beach, FL

V. FUNCTIONS :

To hear and conduct hearings into the merits of alleged violations to sections promulgated under Chapter 77-616, Special Act, Laws of Florida, and PBC Ordinance No. 78-5, as amended, and to issue injunctive and affirmative relief for violations; and after due public hearing upholding a violation, 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 with either or all 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 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.

* indicates a member having an action pending

VI. LIAISON INFORMATION :

<u>LIAISON DEPARTMENT</u>	<u>CONTACT PERSON</u>	<u>ADDRESS</u>
Florida Dept. of Health - Palm Beach Count	Liliana Rietwyk	
		Phone # --

* *indicates a member having an action pending*



ENVIRONMENTAL CONTROL HEARING BOARD

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME	SEAT REQUIREMENT	APPOINT DATE	REAPPOINT DATE	EXPIRE DATE
Appointed By : At-Large/Palm Beach County Board of County Commissioners									
1	Gary Betensky gbetensky@daypitney.com Day Pitney, LLP 250 Australian Ave S Ste 1504 West Palm Beach FL 33401	Member	CA	M	954-805-3087	Attorney	02/11/2020		02/10/2023
	NOMINATED BY : Palm Beach County Bar Association								
2	David Shulan ragweed@msn.com 12264 Bear River Rd Boynton Beach FL 33473	Member	CA	M	518-852-9387	Medical Doctor/ER Physician	11/20/2018		11/19/2021
	NOMINATED BY : Palm Beach County Medical Society								
3	Trevor Richard Rosecrans trevor@rcsengineers.com 703 SW 4th Ave Boynton Beach FL 33426	Member	CA	M	561-654-3863	Resident of Palm Beach County	02/01/2017	02/01/2020	01/31/2023
	<i>resigned 4/16/21</i>								
	NOMINATED BY :								
4	Douglas H. MacLaughlin douglasmaclaughlin@aol.com 319 Greenwood Dr West Palm Beach FL 33405	Member	CA	M	561-329-4403	Resident of Palm Beach County	01/14/2020		01/31/2021
	NOMINATED BY :								

* indicates a member having an action pending

Appointed By : At-Large/Palm Beach County Board of County Commissioners

5	Terrence R. Horan terryfl01@yahoo.com	Member	CA	M	561-246-7898	Engineer	02/04/2014	02/11/2020	02/10/2023
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7745 W Lake Dr
Lake Clarke Shores FL 33406 8741

NOMINATED BY : Florida Engineering Society - PBC Chapter

* indicates a member having an action pending

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: 8 1/2 yr, 5 mos Years. From: 8-17-21 To: 1-31-23

Seat Requirement: Citizen Seat #: 3

*Reappointment or New Appointment

or to complete the term of Trevor Rosecrans, P.E. Due to: resignation other

Completion of term to expire on: 1-31-23

*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: 1

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Demille A. Vivian
Last First Middle

Occupation/Affiliation: _____
Owner Employee Officer

Business Name: Casa Mannabliss

Business Address: 1405 N Federal Hwy

City & State Delray Beach, FL Zip Code: 33483

Residence Address: 2753 Hampton Cir S

City & State Delray Beach, FL Zip Code: 33444

Home Phone: () Business Phone: () Ext. _____

Cell Phone: (561) 762-9622 Fax: ()

Email Address: Vivian_demille@yahoo.com

Mailing Address Preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No X

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

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>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(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):

X By watching the training program on the Web, DVD or VHS on 7/12 2021
 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:

*Applicant's Signature:  Printed Name: A. Vivian Demille, Esq. Date: 07/12/21

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 or contact us via email at ethics@palmbeachcountyethics.com or (561) 355-1915.

Return this FORM to:
Liliana Rietwyk, Florida Department of Health Palm Beach County
800 Clematis Street, Rm 549, West Palm Beach, FL 33401

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: R. Warrick  Date: 7/12/21

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

Revised 02/01/2016

A. VIVIAN DEMILLE, ESQ.

Delray Beach, FL 33445 ♦ 561-762-9622 ♦ vivian_demille@yahoo.com

PROFESSIONAL SUMMARY

Visionary leader with a proven record of accomplishment in a 25+ year behavioral health and social service career. Forward-thinking with a solid understanding of all mental health and addiction treatment industry facets both for the uninsured/underinsured population and privately insured population. Known for strong leadership, excellent business acumen, innovation, driving top and bottom-line growth and, most importantly, for compassion and dedication to quality, mission, and to the communities and people served. Built numerous successful companies (with upwards of over 1,000 employees) from the ground up and consulted for and managed a wide range of non-profit and for-profit social service/mental health organizations and systems of care. Developed and maintains great relationships with the Florida behavioral health system of care, including other providers, insurance companies, managing entities, Department of Children and Families, Agency for Health Care Administration and our state trade organization, Florida Behavioral Health Association.

SKILLS

- Leadership of large organizations
- Innovation
- Extensive behavioral health industry knowledge
- Long term history of growing successful companies
- Financial oversight, budgeting, revenue development, reporting
- Business start-up & turn around
- Business strategy, development, and management
- Partnership/relationship development/mgmt.
- Policy development and optimization
- Oversight of regulatory and contract compliance
- Risk and quality management
- Contract negotiation/development/management
- Knowledge of risk based/fee-for-service contracts.
- Developing/using analytics to drive business.
- Grant writing

EDUCATION

J.D., Law 12/2002 **Nova Southeastern University, Shepard Broad Law** - Davie, FL

Bachelor of Arts, Psychology, 08/1996, **Florida Atlantic University** - Boca Raton, FL

AFFILIATIONS

- Broward Behavioral Health Coalition (Managing Entity for Broward County); Board Member, Past Executive Committee Member & Past Chair of Provider Advisory Committee, 2012 - 2021.
- Florida Behavioral Health Association; Executive Committee, Board Member, & Co-Chair of Business Committee through 2018
- Florida Alcohol and Drug Abuse Association; Board Member 2010-2018
- Florida Agency For Health Care Administration's Managed Care Behavioral Health Advisory Committee; Standing Committee Member through 2018
- Florida Community Mental Health Assoc.; Board Member & Co-Chair ABC Committee through 2018
- Delray Beach Chamber of Commerce; Board Member & current Chair Elect 2019-present

- Served on the Florida Certification Board's Committees that developed the standards for sober home administrators and the standards for case management.

WORK HISTORY

Business Strategy and Corporate Compliance Officer, Co-Founder, Board Member, 1999 to 2018

The Chrysalis Center, Inc d/b/a Chrysalis Health – Fort Lauderdale, Florida

- As a co-founder and executive team member of this behavioral health organization, built company from the ground up. Chrysalis Health is the largest outpatient behavioral health company in Florida with a budget of \$35,000,000+ and serving over 30,000 people annually. Although the majority of services are outpatient, we also offer partial hospitalization, intensive outpatient, psychosocial rehabilitation, psychiatric services, group home care, case management and residential treatment.
- Developed vision, mission, values, culture, and policies of the organization and ensured that organizational practices were aligned.
- Established and administered annual budget with effective controls to prevent overages, minimize burn rate and support sustainability objectives.
- Developed, implemented, and oversaw business strategy and all new market expansion. Increased company revenues year over year.
- Developed, implemented, and managed short term and strategic plans.
- Developed population health management strategies and systems and negotiated risk based and fee for service contracts with payers.
- Conducted research on emerging trends within industry and capitalized on finds to develop new products, services, and strategies.
- Participated in key leadership hiring and interviews.
- Hired, supervised, and oversaw marketing director and team and drove team performance.
- Interviewed, onboarded, mentored, and oversaw continuous quality assurance, licensing, risk management, contract management, accreditation, and compliance depts/directors/teams.
- Developed comprehensive reporting with analytics to measure performance and quality.
- Responsible for oversight of compliance with laws and contracts.
- Developed and supervised HR department and various clinical departments throughout the past 20 years.
- Obtained/negotiated contracts with insurance companies (risk based and fee for service), the child welfare system, the adult substance abuse/mental health system, the department of juvenile justice, counties, and school systems.
- Cultivated and strengthened lasting client relationships with vendors, state and local agencies, insurance companies, and other providers.
- Enhanced/redefined organizational structure to maintain company's competitive edge across territories.
- Oversaw our business management division, providing consulting and management to small/mid-size non-profit behavioral health organizations ranging in \$3-\$12 million in size. Within that role provided leadership coaching to executive directors and executive teams within in organizations I managed.

Board Member, Founder 06/2004 to Current - Court Options, Inc. – Miami Beach, Florida

As co-founder and board member, responsible for building this court diversion, court solution and probation company that spans the state of Florida.

Board Member, Founder, Business Strategy Officer 05/2017 to 10/2019 - Harmony Hills Addiction Treatment Ranch – Altoona, Florida; In response to a need and request from our payors for a low-cost/great outcome in-network residential treatment facility, I co-founded and built this 60-bed residential addiction treatment facility from ground up, hired staff, licensed, accredited, contracted in network with various insurance companies, etc. This facility is on a 60-acre horse ranch backing up to the Ocala forest. Building and hiring in a town of 72 people had its challenges, but we were able to build an amazing facility and program.

CEO, Board Member, Casa Mannabliss 2018 – present – Casa Mannabliss is a local Delray Beach yoga, meditation, and conscious living education center. I opened this center with a few local business owners as a labor of love and gift to my community. Casa Mannabliss is dedicated to teaching practices that improve wellness and help us to evolve individually, collectively and as a planet. It has been very well received by our community and continues to thrive despite COVID-19. Our classes are offered live and on-line (we moved to an online platform in March of 1999 in response to the pandemic and this continues to be a great way to connect with our students).

OTHER COMPANIES BUILT WITH CHRYSALIS HEALTH PARTNERS FROM 1999-present

Pals, A Chrysalis Health Company – This Ohio based company that specializes in services for people with developmental disabilities continues to blossom and provide quality care, education, and opportunities for this population. <https://www.palschrysalishealth.com/>

Clintex, a Florida Company - Clintex's mission is to bring down the cost of medicine and improve the speed to market for new medicines and they accomplish this mission by conducting clinical trials for new medications in trial for market- <https://clintex.io/>

Foundations, Broward County –Fifty-two 2-bed unit apartments, housing indigent residents of Broward County involved with the justice system and who have with mental health and substance abuse conditions.

PRIOR TO 1999

I began my career as a volunteer for the Mental Health Association of Palm Beach County not long after high school, while in college. In my early twenties, I was hired by Palm Beach County's 211 as a crisis line supervisor (then name The Center for Information and Crisis Services). Interestingly enough, my supervisor there is currently the CEO of a homeless organization in Broward County, and I still collaborate with her 30 years later! I left 211 after a few years, when I was hired as the weekend coordinator for National Recovery Institute's Adolescent treatment program. It was there that I met my lifelong mentor, Dr. Alan Goodwin, who was a consultant for various mental health and addiction treatment organization. I went to work for him assisting him with opening new programs from 1994-1998. In 1998, I was hired by Florida Medical Center, a hospital in Broward County where we had consulted and built an adolescent day treatment program. I left that position a year later to open my own company. Another interesting note is that my supervisors at Florida Medical Center left 6 months later to open their own community behavioral health center and we have collaborated with each other since that time.

Article 2, Chapter 6, Section 3 E

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.

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 Acts, Laws of Florida, and PBC Ord. No. 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.

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 PBC HD 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 Art. 14, Environmental Standards. ERM may refer alleged violations of Art. 14, Environmental Standards, and applicable Art. 4.B.10, Excavation Uses, Ord. No. 2003-020, Petroleum Storage Systems, Ord. No. 2003-021, Petroleum Contamination Cleanup Criteria, Ord. No. 2004-050, Stormwater Pollution Prevention, Ord. No. 94-13, Natural Areas, and Ord. No. 93-3, 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] [Ord. 2010-022] [Ord. 2017-007]
- b. to adopt rules of procedure for the conduct of hearings;