

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

BOARD APPOINTMENT SUMMARY

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Meeting Date: **November 16, 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: reappointment of one (1) member to the **Environmental Control Hearing Board** to fill the position of Medical Doctor for a third term of three (3) years beginning November 19, 2021 to November 18, 2024.

<u>Nominee:</u>	<u>Seat #:</u>	<u>Requirement:</u>	<u>Recommended By:</u>
David Shulan, M.D.	2	Medical Doctor	Palm Beach County Medical Society

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 applicant for reappointment to Seat 2, David Shulan, M.D., expressed a desire to remain on the Hearing Board. He has served two terms on the Hearing Board since April 2015 and is recommended for a third term by the Palm Beach County Medical Society.


The Board currently consists of 5 members. The current diversity count is: Caucasian: 5 (100%); African-American: 0; and Hispanic: 0. The current gender ratio (female: male) is 1:4. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of the Board's diversity. Countywide (HH).

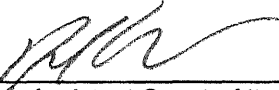
Background and Justification: Chapter 77-616, as amended, provides for the organization of the Environmental Control Hearing Board. This Special Act states that the composition of this Board shall consist of an attorney, a doctor, an engineer, and two citizens. Palm Beach County Resolution 92-123 establishes the terms for the members of the Environmental Control Hearing Board. Resolution 2013-0193-members can serve a maximum of three – 3yr terms.

Attachments:

1. ECHB Board Composition and ECHB Member List
2. Board/Committee Application – for Dr. Shulan
3. Curriculum Vitae for Dr. Shulan
4. Recommendation from the PBC Medical Society
5. Attendance Record
6. ULDC- Article 2, Section E

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Recommended by:  10/18/2021
Department Director Date

Legal Sufficiency:  10/18/2021
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 :

LIAISON DEPARTMENT

CONTACT PERSON

ADDRESS

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	A Vivian Demille vivian_demille@yahoo.com 2753 Hampton Cir S Delray Beach FL 33444	Member	CA	F	561-762-9622	Resident of Palm Beach County	08/17/2021		01/31/2023
	NOMINATED BY :								
4	Douglas H. MacLaughlin dougasmaclaughlin@aol.com 319 Greenwood Dr West Palm Beach FL 33405	Member	CA	M	561-329-4403	Resident of Palm Beach County	01/14/2020		01/31/2023
	NOMINATED BY :								

* indicates a member having an action pending

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

5	Terrence R. Horan terryf01@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: 3 Years. From: 11/19/21 To: 11/18/24

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: -0-

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Shulan David Jay
Last First Middle

Occupation/Affiliation: retired physician

Owner retired Employee Officer

Business Name: _____

Business Address: _____

City & State _____ Zip Code: _____

Residence Address: 12264 Bear River Road

City & State Boynton Beach Zip Code: 33473

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

Cell Phone: (561) 852-9387 Fax: (561) 772-4740

Email Address: _____

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>
<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):

By watching the training program on the Web, DVD or VHS on 10/5 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: [Signature] Printed Name: David Skolan MD Date: 10/5/2021

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: _____ Date: _____

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

Revised 02/01/2016

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 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

IX. 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. Kwaselow 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, et al: 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 β -Blockers in Patients with Reactive Airway Disease Ann Intern Med. 2003; 139(4):304-304

X: 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 the 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. AAAL: 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



October 5, 2021

Liliana Rietwyk
Florida Department of Health Palm Beach County
P.O. Box 29, 800 Clematis Street
West Palm Beach, FL 33401

Dear Ms. Rietwyk:

On behalf of the Palm Beach County Medical Society Board of Directors, please accept the recommendation to reappoint David Shulan, MD to the Palm Beach County Environmental Control Hearing Board.

Dr. Shulan is an active and respected member of the Palm Beach County Medical Society and looks forward to continuing his service to Florida Health.

Please do not hesitate to contact me should you have any questions.

All the best,

Kelly Skidmore, CEO

3540 Forest Hill Blvd., Ste. 101, West Palm Beach, FL 33406 | Phone 561-433-3940 | Fax 561-433-2385
www.pbcms.org

Roger Duncan, MD
PBCMS President

Kelly Skidmore
PBCMS CEO

**Environmental Control Hearing Board
2018**

Board Member	Hearing Date 2/8	Hearing Date 3/22	Hearing Date 4/26	Hearing Date 6/14	Hearing Date 7/26	Hearing Date 9/6	Hearing Date 10/18	Hearing Date 12/6
<i>T. Horan</i>	X	√	√	√	√	√	√	√
<i>T. Rosecrans</i>	√	√	√	X	√	√	√	√
<i>D. Shulan</i>	√	√	X	√	√	√	√	√
<i>D. MacLaughlin</i>	√	√	√	√	√	√	√	X
<i>C. Erskine</i>	√	√	√	√	√	X	√	X

**Environmental Control Hearing Board
2019**

Board Member	Hearing Date 1/17	Hearing Date 2/28	Hearing Date 4/11	Hearing Date 5/23	Hearing Date 6/27	Hearing Date 8/8	Hearing Date 9/19	Hearing Date 10/31	Hearing Date 12/12
<i>T. Horan</i>	√	√	√	√	√	√	√	√	√
<i>T. Rosecrans</i>	X	√	√	X	√	X	√	√	√
<i>D. Shulan</i>	√	√	√	√	√	√	√	√	√
<i>D. MacLaughlin</i>	√	X	√	√	√	X	√	√	√
<i>C. Erskine</i>	√	√	√	√	√	√	√	X	√

**Environmental Control Hearing Board
2020**

Board Member	Hearing Date 1/30	Hearing Date 3/12	Hearing Date 4/23	Hearing Date 6/4	Hearing Date 7/9	Hearing Date 8/20	Hearing Date 10/1	Hearing Date 11/12	Hearing Date 12/17
<i>T. Horan</i>	X	√	**	**	√	X	√	√	√C
<i>T. Rosecrans</i>	√	√	**	**	√	X	X	X	X
<i>D. Shulan</i>	√	√	**	**	√C	√C	√C	√C	√C
<i>D. MacLaughlin</i>	√	X	**	**	√	√	√	√	√
<i>C. Erskine *</i>	√	N/A	**	**	N/A	N/A	N/A	N/A	N/A
<i>G. Betensky *</i>		√	**	**	X	√C	√C	√C	√C

**Environmental Control Hearing Board
2021**

Board Member	Hearing Date 1/28	Hearing Date 3/11	Hearing Date 4/22	Hearing Date 6/3	Hearing Date 7/15	Hearing Date 8/26	Hearing Date 10/7	Hearing Date 11/18	Hearing Date 12/16
<i>T. Horan</i>	X	√	√	√	X	√	√		
<i>T. Rosecrans**</i>	X	X	N/A	N/A	N/A	N/A	N/A	** N/A	N/A
<i>D. Shulan</i>	√T	√T	√T	√T	√T	√T	√T		
<i>D. MacLaughlin</i>	√	√	X	√T	√	√T	√T		
<i>G. Betensky *</i>	√	X	√T	√T	√T	√T	√T		
<i>V. Demille</i>	N/A	N/A	N/A	N/A	N/A	N/A	√		

X = not present

√ = present

√C = present via TeleConference

√T = via Teams

** No hearing due to COVID

N/A - Resigned from Board or Not yet on Board

Due to Covid safety precautions- Board Members appeared via Teams.

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 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 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;

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 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 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;