

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

BOARD APPOINTMENT SUMMARY

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Meeting Date: **January 6, 2026**

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: the reappointment of two (2) nominees to the Environmental Control Hearing Board (ECHB) for a term of three (3) years commencing January 6, 2026 through January 5, 2029.

| <u>NOMINEE:</u> | <u>SEAT #:</u> | <u>REQUIREMENT:</u> | <u>NOMINATED BY</u> |
|------------------------|-----------------------|----------------------------|-----------------------------------|
| Vivian Demille | 3 | Citizen | Vice Mayor Marci Woodward |
| Gary Betensky | 1 | Attorney | Palm Beach County Bar Association |

Summary: Chapter 77-616, Special Act, Laws of Florida, as amended, provides for the organization of the ECHB. The ECHB conducts hearings of alleged violations of sections promulgated under Chapter 77-616, and Palm Beach County (PBC) Ordinance No. 78-5, as amended. The ECHB enforces environmental statutes, administrative rules and the PBC Child Care Rules and Regulations. The ECHB 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. Countywide (JBR).

The applicants for re-appointment to Seat # 3, Vivian Demille and to Seat #1, Gary Betensky are citizens of Palm Beach County.

Background and Justification: Chapter 77-616, as amended, provides for the organization of the ECHB. This Special Act states that the composition of the ECHB shall consist of an attorney, a doctor, an engineer, and two (2) citizens of Palm Beach County. Palm Beach County Resolution 92-123 establishes the terms for the members of the ECHB.

Attachments:

1. Board/Committee Applications and Resumes
2. PBC Bar Association recommendation letter to reappoint Gary Betensky
3. Attendance Records- 3 year terms
4. Composition of ECHB Member List
5. Article 2, Unified Land Development Code

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Recommended by: Jay Gunt 12/05/2025
Department Director Date

Legal Sufficiency: Anne Delmont for Jessica Montiel 12/31/25
Assistant County Attorney Date



PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION
301 N Olive Avenue, WPB, FL 33401
www.discover.pbcgov.org

BOARDS/COMMITTEES APPLICATION

*The information provided on this form will be used in considering your nomination.
(Answer "NONE" or "N/A" where appropriate.)*

APPLICANT TO COMPLETE/SUBMIT THE FOLLOWING:

- SECTION II
- CONTRACTUAL RELATIONSHIPS
- CODE OF ETHICS TRAINING
- RESUME or BIOGRAPHY

| | | | |
|-----------------------|---|-------------------------------------|--|
| SECTION I | (OFFICE USE ONLY) | <input type="checkbox"/> Advisory | <input checked="" type="checkbox"/> Not Advisory |
| BOARD/COMMITTEE NAME: | ENVIRONMENTAL CONTROL HEARING BOARD | | |
| TYPE OF APPOINTMENT: | <input checked="" type="checkbox"/> AT-LARGE | <input type="checkbox"/> DISTRICT # | |
| | <input checked="" type="checkbox"/> REAPPOINTMENT | NEW APPOINTMENT | |
| TERM: | <u>1/6/26</u> | START DATE | <u>1/5/29</u> |
| LENGTH OF TERM: | <u>3</u> | YEARS | END DATE |
| SEAT #: | <u>3</u> | | |
| SEAT REQUIREMENT: | Citizen of PBC | | |

COMPLETING AN UNEXPIRED TERM? YES NO

IF YES: DUE TO: RESIGNATION OTHER

COMPLETING TERM FOR: _____

ORIGINAL TERM EXPIRES: _____

**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 (to be completed by applicant) *MUST BE A PALM BEACH COUNTY RESIDENT

NAME: (First/Middle Initial/Last) Anuska Vivian Demille
ADDRESS: 2753 Hampton Cir S
CITY: Delray Beach STATE: FL ZIP: 33445
PHONE #: 954-801-3303
EMAIL: vdemille@hendersonbh.org

BUSINESS/EMPLOYER NAME: Henderson Behavioral Health

OCCUPATION: Chief Operating Officer and Legal Counsel

ADDRESS: 4740 N State Road 7, Suite 201

CITY: Lauderdale Lakes STATE: FL ZIP: 33319

MAILING PREFERENCE: RESIDENCE BUSINESS

HAVE YOU EVER BEEN CONVICTED OF A FELONY:

(conviction of a felony is not an automatic disqualifier from appointment)

YES NO

IF YES - STATE THE COURT, NATURE OF OFFENSE, DISPOSITION OF CASE AND DATE:

SECTION II - continued (to be completed by applicant)**CONTRACTUAL RELATIONSHIPS:** X NONE NOT APPLICABLE/(Governmental Entity)

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 the 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 exemption or waiver pursuant to the code.

| <u>Contract/Transaction No.</u> | <u>Department/Division</u> | <u>Description of Service</u> | <u>Term</u> |
|---------------------------------|----------------------------|-------------------------------|-----------------------|
| Example: (RAXX-XX/PO XX) | Parks & Rec | General Maintenance | 10/01/00 - 09/30/2100 |
| | | | |
| | | | |

SERVING ON OTHER ADVISORY BOARDS / COMMITTEES:

Are you currently serving on any other Advisory Boards or Committees within Palm Beach County?

If YES, please list: Career Source of Palm Beach County X YES NO

CODE OF ETHICS TRAINING: Yes COMPLETED **DATE:** 11/4/2025

All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Ethics training is ongoing, and pursuant to PPM DW-P-79 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics, (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

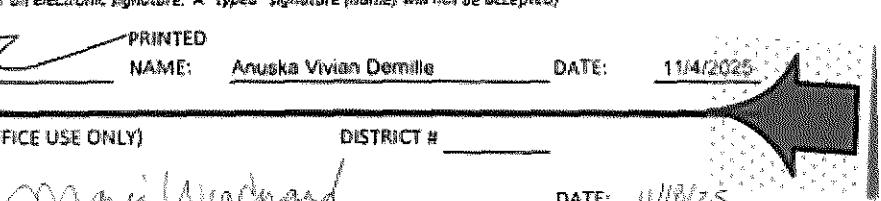
Training on the Palm Beach County Code of Ethics can be found on the web at:
<http://www.palmbeachcountyethics.com/training.htm>

Any questions and/or concerns regarding Article XIII of 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) 233-0224.

APPLICANT'S SIGNATURE: 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 Code of Ethics Training. By signing below, I acknowledge that I will be subject to the State of Florida and Palm Beach County Code of Ethics and the Florida Sunshine Law (Chapter 286, Florida Statutes).

(NOTE: Signature must be an actual signature or an electronic signature. A "typed" signature (name) will not be accepted.)

Anuska Vivian Demille **PRINTED** **NAME:** Anuska Vivian Demille **DATE:** 11/4/2025

SECTION III - COMMISSIONER (OFFICE USE ONLY) **DISTRICT #** 

COMMISSIONER'S SIGNATURE: Monica Wachard **DATE:** 11/18/25

SECTION IV - (OFFICE USE ONLY)

APPOINTMENT MADE: YES NO
BCC MEETING: DATE

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

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.

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| | | | |

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YES NO

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CODE OF ETHICS TRAINING: ✓ COMPLETED **DATE:** 11/17/25

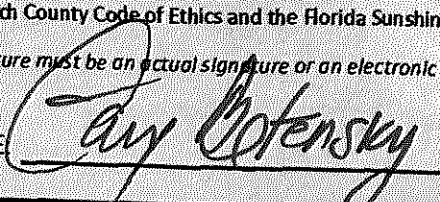
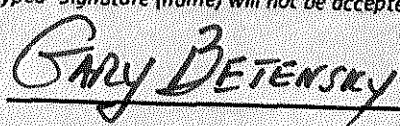
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(NOTE: Signature must be an actual signature or an electronic signature. A "typed" signature (name) will not be accepted)

SIGNATURE:**PRINTED NAME:****DATE:** 11/17/2025**SECTION III - COMMISSIONER (OFFICE USE ONLY)****DISTRICT #****COMMISSIONER'S SIGNATURE:****DATE:****SECTION IV - (OFFICE USE ONLY)****APPOINTMENT MADE:** YES NO
BCC MEETING: DATE

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



GARY S. BETENSKY

PARTNER

One Clearlake Centre, Suite 1504
 250 Australian Avenue South
 West Palm Beach, Florida 33401
 T: (561) 803 3517
 F: (561) 803 5300
 gbetensky@daypitney.com

RELATED SERVICES

Complex Commercial
 Litigation
 Products Liability and Torts
 Litigation
 Mass Tort Litigation
 Employment Litigation

RELATED INDUSTRIES

Intellectual Property
 Litigation
 Real Estate Litigation

OVERVIEW

Gary Betensky, a seasoned litigator, represents clients in complex business disputes and dispute resolution in his civil trial practice. He is distinguished as a specialist and expert through his board certification by The Florida Bar in business litigation law, which recognizes special knowledge, skills and proficiency in business litigation law, professionalism and ethics.

Gary has more than 35 years of experience in the trial, litigation and resolution of complex matters that include representing clients in matters involving allegations of fraud and interference with business relationships, violations of non-compete agreements and theft of trade secrets, and defamation. He represents clients in officer and director liability and employment law matters, as well as company member disputes. He also represents clients in defense of SEC, Attorney General and state financial regulatory investigations and bar complaints. In addition, Gary has successfully handled numerous significant personal injury, nursing home negligence and product liability claims for both plaintiffs and defendants, as well as a civil rights class action case that resulted in a multi-million-dollar settlement.

EXPERIENCE

- Successfully prosecuted clients' claims against former employer for non-payment of earned commissions and successfully defended clients against former employer's claims that clients violated non-competition agreements and misappropriated trade secrets; obtained ruling from court that bifurcated the case to proceed to trial on clients' claims of non-payment of contractual commissions before continued litigation of former employer's claims, prevailing at trial on clients' contractual claims, nullifying the claims of the former employer and awarding client damages and attorney fees of \$1.2 million
- Successfully settled matter for prominent marketing firm against two former employees, both officers, in state court suit for injunctive relief for breach of a non-compete agreement and for misappropriation and theft of trade secrets, and against the successor employer, for conspiracy to misappropriate confidential information, as well as in arbitration against former employees commenced claiming close to \$5M in damages for an alleged unpaid equity position in the company
- Defended several clients in both state and federal court actions (8 cases in total) against product liability claims, including strict liability, negligence, fraud and negligent misrepresentation, where client was alleged to have manufactured, marketed and sold its popular, century old product used as a bowel prep for certain medical procedures such as colonoscopy, while purportedly knowing that the product was unreasonably dangerous and that its ingestion caused acute renal failure, and also violated FDA labeling and other regulations; cases were transferred or submitted to a

multi-district litigation in Ohio, where they were resolved as part of a global nationwide settlement process

- Prosecuted claim on behalf of client to settlement, where competitor inserted client's registered service mark into the hidden keyword "metatags" on its website in an effort to divert web traffic from client to competitor
- Successfully represented investors against two land development entities following their loss of a \$1.25 million investment to develop property where the defendants failed to repay the investment plus a contractually promised preferred return; despite defendants assertion of a number of defenses, including an allegation that the two individual investors had not signed the final version of the investment agreement which forced a reformation action, and following extensive investigation and discovery, the trial court entered a final summary judgment in favor of the investors on all claims for the full sum sought \$5.53 million against the defendants
- Negotiated an extensive and favorable settlement agreement ultimately approved by the federal court judge overseeing the receivership for two brothers being sued in state and federal court in Florida and California by the receiver in a widely-publicized Ponzi scheme case originally initiated by the Securities and Exchange Commission against a record label and its principals
- Successfully represented several successful prominent Haitian businessmen in defamation lawsuits in federal court against a widely-distributed Haitian newspaper and popular Florida-based Haitian news website, where the defendants made highly defamatory and false statements about the clients; secured judgments against the defendants for over \$10 million
- Successfully challenged the constitutionality of the Broward Sheriff's Office strip search policy, which mandated the strip search of all misdemeanor arrestees regardless of whether the arrests involved weapons, drugs or stolen property, under then-Sheriff Kenneth C. Jenne in a certified class action lawsuit that was upheld on appeal by Florida's Fourth District Court of Appeal; Arduous and complicated settlement negotiations that spanned over a year culminated in an \$11.5 million settlement

INSIGHTS

- Presenter, "Gary Betensky Presents American Jewish Committee Advocacy in Action Keynote Speech," American Jewish Committee (AJC) Advocacy in Action, Boca Raton, FL, December 12, 2019
- Co-author, "Telemarketing Cost-Effective But Can Spell Disaster," *Daily Business Review*, March 8, 2013

NEWS

- Mentioned, "11th Circ. Revives Haitian Businessman's Defamation Suit," *Law360*, June 21, 2019
- Featured, "Day Pitney LLP: Firm Expands to Better Serve South Florida Clients," *The Boca Raton Observer*, March 2019
- Featured, "Day Pitney and Richman Greer Complete Merger, Further Expanding Presence in Florida," *Day Pitney Press Release*, January 1, 2019
- Featured, "Gary Betensky Reappointed to Serve on The Florida Bar's Professional Ethics Committee," *Day Pitney Press Release*, September 26, 2018
- Featured, "Gary Betensky Reappointed to the Executive Committee of the Ambassadors Board of Nova Southeastern University," *Day Pitney Press Release*, September 26, 2018
- Featured, "Gary Betensky Recertified," *Day Pitney Press Release*, December 19, 2017
- Featured, "Gary Betensky Receives Special Commendation for His Pro Bono Work Representing Children," *Day Pitney Press Release*, June 20, 2017
- Featured, "Gary Betensky Reappointed to the Executive Committee of the Ambassadors Board of Nova Southeastern University," *Day Pitney Press Release*, June 20, 2017

- Mentioned, "Gag Order on Hologram USA Founder Alki David Rejected as Unconstitutional," *The Hollywood Reporter*, January 6, 2016
- Featured, "Gary S. Betensky Reappointed to Serve on The Florida Bar's Professional Ethics Committee," *Day Pitney Press Release*, May 6, 2015
- Featured, "Richman Greer Uses Winning Strategies to Obtain Substantial Personal Injury Settlement," *Day Pitney Press Release*, January 26, 2015
- Featured, "Richman Greer Attorneys Obtain \$1 Million in Damages for Prominent Businessman in Defamation Lawsuit," *Day Pitney Press Release*, August 6, 2014

EDUCATION AND CREDENTIALS

EDUCATION

- Nova Southeastern University Shepard Broad Law Center, J.D.; *The Law Review*, Notes and Comments Editor; Moot Court Board, Officer
- Boston University, B.S.

ADMISSIONS

- State of Florida
- U.S. District Court, Southern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. Court of Appeals for the Eleventh Circuit

AFFILIATIONS

- American Bar Association, Litigation Section, Business Torts and Unfair Competition Committee
- The Florida Bar, Professional Ethics and Grievance Committees, Former Chair
- Palm Beach Judicial Campaign Practices Commission, Appointed
- American Jewish Committee, Palm Beach Regional Office, Executive Committee and Board of Directors, Past President
- Anti-Defamation League, Florida Regional Board, Former Chairman; National Commissioner
- Leadership Broward County, Graduate

RECOGNITION AND COMMUNITY

RECOGNITION

- Board Certified by the Florida Bar in Business Litigation
- Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Commercial Litigation and Real Estate Litigation, 2010-2018
- Selected to the list of Florida *Super Lawyers* (Thomson Reuters), Business Litigation and Intellectual Property, 2006-2018
- Selected to the list of "Most Effective Lawyers" by *Daily Business Review*, 2008
- Commendation from the Florida Supreme Court and the Legal Aid Society of Palm Beach County for pro bono work
- AV Preeminent rated by Martindale-Hubbell (LexisNexis)

No aspect of these advertisements have been approved by the highest court of any state. See Awards Methodology.

COMMUNITY

- Nova Southeastern University, Ambassadors Board, Executive Committee



PALM BEACH COUNTY BAR ASSOCIATION

ESTABLISHED 1922

JEAN MARIE MIDDLETON
PRESIDENT
JACK RICE
PRESIDENT-ELECT
KELSEY BURKE ARRIETA
LAUREN JOHNSON
MICHAEL KRANZ
VICTORIA MESA-ESTRADA
SCOTT PERRY
KELLY SCHULZ
NICHOLE SEGAL
LAWONDA WARREN
DIRECTORS

P.O. BOX 17726
WEST PALM BEACH, FL 33416
TELEPHONE: (561) 687-2800
www.palmbeachbar.org
e-mail: info@palmbeachbar.org

CARLA THARP BROWN
EXECUTIVE DIRECTOR
e-mail: ctbrown@palmbeachbar.org

CANDICE MONTGOMERY
YOUNG LAWYERS SECTION PRESIDENT
TANIQUE LEE
NORTH COUNTY SECTION PRESIDENT
ANDREA LEWIS
IMMEDIATE PAST PRESIDENT
ROBIN BRESKY
MICHAEL GELFAND
MANUEL FARACH
GRASFORD SMITH
*EX OFFICIO MEMBERS – FL BAR BOARD OF
GOVERNORS MEMBERS*
SEAN LEBOWITZ
*EX OFFICIO MEMBER – SOUTH PALM BEACH
COUNTY BAR ASSOCIATION PRESIDENT*

November 20, 2025

Ms. Barbara L. Sullivan
Information & Security Privacy Coordinator
P.O. Box 29
800 Clematis Street
West Palm beach, FL 33401

Dear Ms. Sullivan:

This is to advise you that the Palm Beach County Bar Association Board of Directors has agreed to reappoint Mr. Gary S. Betensky to the Environmental Control Hearing Board.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

Carla Tharp Brown

Carla Tharp Brown
Executive Director

Cc: Mr. Gary S. Betensky

Environmental Control Hearing Board

2022 Attendance Log

| | 1/27 Hearing | 3/10 Hearing | 4/21 Hearing | 6/2 Hearing | 7/14 Hearing | 8/25 Hearing | 10/6 Hearing | 11/17 Hearing | 12/22 Hearing |
|-------------------------|-----------------|-----------------|-----------------|----------------|-----------------|-----------------|-----------------|------------------|------------------|
| Betensky, Gary | ✓T | ✓ | X | ✓ | X | ✓ | ✓ | ✓ | X |
| Demille, Vivian | ✓T | ✓T | ✓T | ✓T | ✓T | X | ✓ | ✓ | ✓T |
| Horan, Terrance | ✓T | ✓T | ✓T | X | ✓T | X | ✓T | ✓T | ✓T |
| MacLaughlin, Douglas | ✓T | ✓ | ✓ | X | ✓ | ✓ | ✓ | ✓ | ✓ |
| Shulan, David | ✓T | ✓T | ✓T | ✓T | ✓T | ✓T | ✓T | ✓T | ✓T |

| Key | | Notes |
|-----|--------------------------------|--|
| X | Not Present | * Note: Due to COVID-19 related safety precautions, Board members appeared via TEAMS. |
| ✓ | Present | |
| ✓T | Present via TEAMS | |
| *** | No Hearing due to No Quorum | |

Environmental Control Hearing Board

2023 Attendance Log

| | 2/2 Hearing | 3/16 Hearing | 4/27 Hearing | 6/8 Hearing | 7/20 Hearing | 8/31 Hearing | 10/12 Hearing | 11/30 Hearing |
|----------------------|----------------|-----------------|-----------------|----------------|-----------------|-----------------|------------------|------------------|
| Betensky, Gary | ✓T | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Demille, Vivian | ✓T | ✓ | X | ✓ | ✓ | ✓T | ✓ | ✓ |
| Hertzberg, Toral | | ✓ | ✓T | ✓ | ✓ | X | ✓ | ✓ |
| Horan, Terrance | ✓ | | | | | | | |
| MacLaughlin, Douglas | ✓ | X | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Shulan, David | ✓T | ✓T | ✓ | ✓ | ✓ | ✓ | ✓T | ✓T |

| Key | | Notes |
|-----|--------------------------------|---|
| X | Not Present | * Note: Horan's term expired on 2/10/23 and Hertzberg's term began on 2/11/23. |
| ✓ | Present | |
| ✓T | Present via TEAMS | |
| *** | No Hearing due to No Quorum | |

Environmental Control Hearing Board

2024 Attendance Log

| | 1/11 Hearing | 2/22 Hearing | 4/4 Hearing | 5/16 Hearing | 6/27 Hearing | 8/8 Hearing | 9/19 Hearing | 10/31 Hearing | 12/12 Hearing |
|-------------------------|-----------------|-----------------|----------------|-----------------|-----------------|----------------|-----------------|------------------|------------------|
| Betensky, Gary | ✓ | ✓ | ✓ | ✓ | ✓ | X | ✓ | X | ✓ |
| Demille, Vivian | X | ✓ | X | ✓ | ✓ | ✓ | ✓ | ✓ | X |
| Hertzberg, Toral | ✓ | X | ✓ | ✓ | X | ✓ | X | ✓ | ✓ |
| MacLaughlin, Douglas | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Shulan, David | ✓ | ✓ | ✓ | X | ✓ | ✓ | ✓ | ✓ | X |
| | | | | | | | | | |

| Key | | Notes |
|-----|--------------------------------|-------|
| X | Not Present | |
| ✓ | Present | |
| ✓T | Present via TEAMs | |
| *** | No Hearing due to No Quorum | |

Environmental Control Hearing Board

2025 Attendance Log

| | 1/23 Hearing | 3/6 Hearing | 4/17 Hearing | 5/8 Spec Set Hearing | 5/29 Hearing | 6/6 Spec Set Hearing | 7/10 Hearing | 8/21 Hearing | 9/25 Hearing | 11/6 Hearing | 12/18 Hearing |
|-------------------------|-----------------|----------------|-----------------|-------------------------------|-----------------|-------------------------------|-----------------|-----------------|-----------------|-----------------|------------------|
| Betensky, Gary | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Demille, Vivian | ✓ | X | ✓ | ✓ | ✓ | ✓ | ✓ | X | ✓ | ✓ | |
| Hertzberg, Toral | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | X | ✓ | |
| MacLaughlin, Douglas | ✓ | X | ✓ | ✓ | ✓ | ✓ | ✓ | X | ✓ | X | |
| Bush, Larry | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| | | | | | | | | | | | |

| Key | | Notes |
|-----|--------------------------------|--|
| X | Not Present | |
| ✓ | Present | |
| ✓ T | Present via TEAMS | *5/8/25 Board Special Set a Hearing -Solid Waste Auth. Case started on 4/17/25-needed to continue-heard on 5/8/25- needed to continue the hearing until 5/29/25. Another Spec Set Hearing was made for 6/6/25 to continue the hearing for this SWA case. |
| *** | No Hearing due to No Quorum | 9/25/25- Gary, Chair- appeared via TEAMS due to exceptional circumstances |



PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ENVIRONMENTAL CONTROL HEARING BOARD

I. AUTHORITY :

PBC Environmental Control Act, Chapter 77-616, 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 as amended by Ord. 90-432 and as amended by Ord. 91-407. Unified Land Development Code, Article 10, amended by Resolution No. R92-123, and Resolution R2013-0193

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 C | Barbara Sullivan | 800 Clematis St West Palm Beach FL 33401 Phone # 561-671-4115 |

* *indicates a member having an action pending*



ENVIRONMENTAL CONTROL HEARING BOARD

| SEAT ID | CURRENT MEMBER | ROLE TYPE | RACE CODE | GENDER | BUSINESS / HOME PHONE | SEAT REQUIREMENT | APPOINT DATE | REAPPOINT DATE | EXPIRE DATE | MEMBER TERM |
|--|--|-----------|-----------|--------|-----------------------|-------------------------------|--------------|----------------|-------------|-------------|
| 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 | 01/24/2023 | | 01/23/2026 | |
| NOMINATED BY :Palm Beach County Bar Association | | | | | | | | | | |
| 2 | Larry Bush drlarry561@aol.com 205 Avila Rd West Palm Beach FL 33405 | Member | CA | M | 561-762-1634 | Medical Doctor/ER Physician | 11/19/2024 | | 11/18/2027 | |
| NOMINATED BY :Palm Beach County Medical Society | | | | | | | | | | |
| 3 | Vivian A 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 | | 01/23/2026 | |
| 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 | 01/24/2023 | 01/23/2026 | |
| NOMINATED BY : | | | | | | | | | | |
| <i>* indicates a member having an action pending</i> | | | | | | | | | | |

** indicates a member having an action pending*

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

| | | | | | | | | |
|---|-----------------------------|--------|----|---|---------------|----------|------------|------------|
| 5 | Toral Hertzberg | Member | AS | F | 561-79-1-4148 | Engineer | 02/11/2023 | 02/10/2026 |
| | thertzberg@wellingtonfl.gov | | | | | | | |
| | Village of Wellington | | | | | | | |
| | 12300 Forest Hill Blvd | | | | | | | |
| | West Palm Beach FL 33414 | | | | | | | |

NOMINATED BY ;Florida Engineering Society - PBC Chapter

* indicates a member having an action pending

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 Ordinance 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 Resources Protection Board (GNRBP).

2. Powers and Duties

The GNRBP 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, Ordinance No. 2003-020, Petroleum Storage Systems, Ordinance No. 2003-021, Petroleum Contamination Cleanup Criteria, Ordinance No. 2004-050, Stormwater Pollution Prevention, Ordinance No. 94-13, Natural Areas, and Ordinance No. 93-3, Water and Irrigation Conservation as amended to the GNRBP, 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;
- c. to issue subpoenas compelling the presence of persons at Board hearings. Subpoenas may be served by the PBC Sheriff's Department, or other authorized persons consistent with Florida law;
- d. to issue subpoenas compelling the provision of evidence at GNRBP hearings;
- e. to take testimony under oath;
- f. to issue orders having the force of law commanding whatever steps are necessary to achieve compliance with the violation of Art. 14, Environmental Standards;
- g. to lien property; and,