

**MINUTES**  
**ENGINEERING REVIEW COMMITTEE MEETING**  
**NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT**  
**December 14, 2009**

---

The Engineering Review Committee was called to order at 8:00 a.m. on December 14, 2009 in the Northern Administrative Complex, 359 Hiatt Drive, Palm Beach Gardens, Florida.

**1. ROLL CALL**

The full membership of the Committee, comprised of Chairperson Adrian M. Salee. and Board Supervisor Ronald M. Ash, P.E, was present.

Also present were: Executive Director O'Neal Bardin, Jr.; Deputy Director C. Danvers Beatty; Executive Assistant, Susan Scheff; Director of Operations, Kenneth Roundtree; Construction Coordinator Tim Helms; Administrative Assistant JoAnn Osborne; District Engineer Kimberly Leser; General Counsel Kenneth W. Edwards of Caldwell Pacetti, et al.; Fred Roth of Michael B. Schorah & Associates, Inc.; Tad Rowe of Simmons & White; David Shaw of Haile Shaw, Butch Beechler and Ira Fentor of The Bear's Club (Unit 44).

**2. ESTABLISH A QUORUM**

Mr. Salee announced that a quorum was present and that it was in order to consider any business to come before the Committee.

**3. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the Agenda.

**4. APPROVAL OF MINUTES – September 15, 2009**

A **motion** was made by Mr. Ash, seconded by Mr. Salee and unanimously passed approving the September 15, 2009 Committee meeting minutes as presented.

**5. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**6. REGULAR AGENDA**

• **Unit No. 44 - The Bear's Club**

**Discuss Proposed Land Exchange Agreement**

Mr. Bardin explained that at the request of the developer for The Bear's Club, this item was first discussed at the November 4, 2009 Board Meeting. As a result, the Board directed the Developer and Staff to prepare an agreement which would establish the conditions required to be satisfied in order for Northern to return an approximate five (5) acre tract to the Developer. He stated that such Agreement was drafted, provided to District Counsel for comment and, based on District Counsel's revisions, now provided to the Committee for review. Mr. Bardin asked Mr. Edwards to explain the Agreement.

Mr. Edwards reviewed some of the specific conditions of the Agreement and stated that he and Mr. Beatty reviewed the Agreement and made a number of changes. The Agreement sets forth the conditions which must be satisfied in order for the District to proceed with returning the land and provides confirmation for the Developer that if the conditions are met, the District will return the land.

There was a general discussion with regard to which agencies need to provide their approval and the mitigation lands to be provided by the Developer.

After general discussion and information provided by the Developer, the Committee requested that the Agreement be modified to include Palm Beach County as one of the specific agencies to be contacted as a condition for approval. The Committee also requested that the Developer provide a signed and sealed letter from its engineer indicating that there will be no

adverse on-site or off-site drainage impacts as a result of the elimination of this parcel as a wetland and future development of said parcel.

A **motion** was made by Mr. Ash, seconded by Mr. Salee and unanimously passed recommending that, based on the inclusion of aforementioned conditions; the Board consider approving the Agreement at its next regular meeting on December 16, 2009.

**7. RECEIVE AND FILE**

Mr. Bardin presented the following items to be received and filed:

- ERC meeting notification sent via email; and
- Proof of Publication of Meeting Notice copies of which are contained in Northern's files.

**8. COMMENTS FROM THE COMMITTEE**

There were no comments from the Committee.

**9. ADJOURN**

There being no further business to come before the Engineering Review Committee, the meeting adjourned.