

The Regularly Scheduled Meeting of the Board of Commissioners for Beach Mosquito Control District was called to order by Chairman Smith at 5:00 P.M., January 9, 2012. Smith requested that the roll be recorded, and noted that all commissioners were present as well as Director Clauson and Attorney Myers. Smith commended former Chairman Couch for his leadership during the past year.

Present:	Commissioner:	John Smith, Chairman
	Commissioner:	Larry Couch, Secretary
	Commissioner:	Tom Easter, Treasurer
	Director:	James Clauson
	Attorney:	Amy Myers
	District Secretary:	Joyce Dean
Guests:	None	

Approval of Minutes

Board Secretary Couch confirmed that everyone received and reviewed the minutes from the December 12, 2011 Board Meeting, and asked if there were any corrections. There being none, he moved the minutes be approved as submitted. Easter seconded, and the motion carried.

Financial Report

Treasurer Easter discussed the financial reports, and questioned line items that had high percentages of budget. He noted that line item 52.5 Small Tools was already at 42.75%; 52.5 Surveillance Supplies at 47.7%; and 52.1 Gasoline at 48.7%. Clauson stated he would check into the Small Tools expenses, and confirmed that surveillance supplies are purchased early in the fiscal year for the remaining time period. Clauson clarified that tanks are filled with gasoline only when a hurricane is in the gulf, as part of the district's hurricane preparedness procedures, and the high gasoline percentage is a result of billing and payment for gasoline used in the previous fiscal year. Easter still felt the percentage was too high, and asked Clauson to verify the reasons and respond at the next board meeting. Smith pointed out that line item 32 Audit-CPA Firm reflects 151.6% of budget, and Clauson explained that the CPA firm billed the district this fiscal year for services performed during the prior fiscal year. A brief discussion ensued regarding payment for CPA audit services, and the apparent irregularities of the CPA billing practices. Easter requested a break-down of payments made to the CPA firm, with notations made as to the service period covered by the payments. Couch suggested that fiscal assistant Sherry Bennett attach explanations to the budget when she notices unusually high budget percentages. Easter asked why item 40.1 Per Diem in Lieu of Meals was at 82%. Clauson explained that this line item was specifically for the last day of travel reimbursements, and the high percentage was primarily due to reimbursements made for FMCA travel. Couch noted that 40.1 also included Meals, which has \$3897.00 of the budget amount remaining. Easter questioned why these two items were not combined, and Clauson replied that Bennett separates them for clarification purposes. Clauson added that the total 40.2 Travel Expense had currently used only 22.1% of budget. Smith questioned line item 44 Miscellaneous Rentals, at 72.2% of budget, and Clauson explained the district is now leasing the Co2 tanks instead of renting them, and the lease requires a one-time annual lease payment, which will extend into the next fiscal year. Clauson added that the current supplier has agreed to reduce the per tank price from \$22.00 to \$13.00. Smith

added that the lease rate could probably be negotiated as well. Clauson will verify the per tank lease price currently being charged. After hearing no more questions or discussion regarding the financial reports, Easter recommended they be filed for audit.

Old Business

Smith updated the board on the status of the PHEREC lease. He has requested that Mr. Duncan of the DEP keep the district informed regarding the placement of the property, so the district might be able to establish contact for possible attainment of the buildings still remaining there. He related that the district's option on the lease has been extended until January 31, 2012, based on the conference call he received from Joseph Bakker, FAMU Associate Vice President for Construction and Facilities Management, and Duncan. During the conference call, Bakker related that although he was responsible for this, he had no prior knowledge of events that had transpired to date, and requested an update. Smith related prior actions taken by the district, and that FAMU had made no response. Bakker stated he would look into the situation and respond to Smith as soon as possible. Smith emphasized to Bakker that unless FAMU was willing to release the money that was previously requested, he felt that the district would not proceed with the lease. He continued to apprise the board of the conversation, and suggested the board may need a special meeting to discuss any concessions FAMU may be willing to make before the board decides to decline the lease option. Myers stressed that the board should consider environmental clean-up and liability, and stated that the district may still have the opportunity to bid on and purchase any remaining equipment and buildings from the airport board or a subsequent purchaser. Smith related a conversation he had with an interested purchaser of the property, in which it was suggested that if Beach attains the lease, the investor will work with the district to relocate the facilities from the PHEREC land to another property, and allow the investor to purchase the property for development. Smith added that the board will need to make a decision whether to accept the lease under the assumption that FAMU will not release the previously requested funds. He reiterated that the district's interest was to contact whoever assumes the property to obtain the remaining items that would be useful to the district. Smith related that if the district assumes the lease and the plans of the investor do not transpire, the district could possibly return the lease to DEP. Attorney Myers confirmed that although there is usually an escape clause, she felt it would be in bad faith to accept the lease and then return it, since the district has had seven months to consider whether or not to accept the lease for the full term. Clauson added that once the district accepts the lease, it also accepts liability for any environmental issues that would have to be resolved. Myers continued that if the district accepts the property, as the last in time and in right, Beach Mosquito Control would be the party responsible for any clean-up. Smith commented that previously, DEP required extensive monitoring of the various wells on the property for several years and no problems were found, which could be indicative of few if any environmental problems. Discussion continued regarding the cost of moving items from the land and the monthly cost to maintain the property, the benefits of working with the investor as well as the lack of guarantee of the desired end result. Smith concluded the discussion by suggesting that he contact FAMU for a final determination of their response. If FAMU is not willing to release the funds for the operation of the site, he recommended that the board call a special meeting to make the final decision regarding the property.

Attorney Myers advised that any offers from the potential investor should not be relied upon until received by the board in writing. She added that if the district chooses to decline the lease option, the property will revert to the airport authority, which will probably want to remove any remaining buildings and equipment on the property, and the district will probably be the first choice to receive anything remaining. The district should be prepared to pay for the remaining items in good faith, whether these items are acquired as the lessee of the property or as the closest recipient. She felt that the airport board would give the district the right of first refusal, or the items may require bidding. She emphasized that she was very uncomfortable with the proposition that the board might choose to accept the lease simply to have the rights to the buildings and equipment, with the intention of terminating the lease immediately after the transfer of everything the district wants that remains on the property. She further advised that, if the commissioners choose to accept the lease, they require something in writing from DEP or FAMU confirming they have inspected the property and it is free of any environmental hazards and requires no additional cleaning, to prevent a potential problem being assumed as the last possessor for future clean-up requirements. This statement should give the property a clean bill-of-health and/or include an indemnification up to a certain amount to limit the district's exposure. Smith added that this specification had been included in the letter to FAMU. Smith will contact Clauson if he feels a special meeting is needed.

Easter commented that Commissioner Couch had to leave early, and asked Couch if he wanted to move for a change in the district's position on reimbursement for driving rather than flying. He brought up for discussion the position the board had taken previously regarding cost and methods of travel and reimbursement for same. Couch stated that the commissioners had decided travel would be paid at the lowest cost, whether by airline or vehicle. Couch continued that the cost of driving to the 2012 AMCA meeting in Austin, Texas was going to be much higher than the cost of an airline flight. Couch and Easter both were considering driving. Easter suggested the board change their position on the reimbursement, allow the commissioners the option of flying or driving, with actual cost reimbursement at .51 per mile to the commissioners who wanted to drive, rather than the lower, less expensive price for flying. Smith clarified that the board had chosen to provide the commissioners with the option of flying or driving, but reimbursement would be the lower of the two costs. Easter commented that because flying has become so cheap, that those who don't want to fly would have to pay the difference themselves, rather than the district paying it for them. He added that one cannot drive to Austin, Texas and back again for the \$320 that the flight would cost. Smith asked Easter for clarification in what he was asking, and Easter responded that the commissioners change their position and reimburse the commissioners for whatever method of travel they chose, regardless of the higher cost to the district. Smith reminded the board that Easter had brought it up at a prior meeting that the district should not be paying a higher cost to those who choose the more expensive method of travel. Smith continued by saying that driving could be considerably more expensive to the district, and asked Easter if he wanted to be reimbursed for the higher cost of traveling by car. Easter responded yes. Couch reiterated Myers' earlier comment that this concerned public money, and the board should probably be handling it in the most efficient way. Myers added that reimbursement should be capped at the lower-cost method of travel; that she felt this was a good use of the public money and did not have the appearance of abuse. She continued

that driving certainly should be an option, but emphasized that a commissioner should not choose the more expensive method with the expectation of being reimbursed for the full amount. Easter commented that this was the way the district was currently handling travel, but he didn't realize at the time he brought this up for discussion at an earlier meeting that air travel would be so inexpensive. Couch stated that in the past, driving costs were only marginally higher than flying, but with the cheaper airline travel, the reimbursement cost for driving would be considerably higher. Smith interjected that this question should be decided by Couch and Easter, since it didn't really matter what his position would be if the two of them wanted the change. Couch stated that he no longer felt comfortable changing the district's position, that the standard had been set, and the reimbursement procedure should remain at the lower cost. Smith and Couch agreed that a reversal of the position could cause some problems in the future. Easter agreed.

New Business

Clauson requested that the board move to the New Business portion of the Agenda, and asked if the board wanted to pay the FMCA sustaining dues of \$1688, payable in January for this year. Clauson explained the board had previously declined to pay the sustaining dues because the funds were being used in lobbying efforts to close the PHEREC lab. Clauson stated the regular dues per person are \$35.00. Smith stated the funds would now be used for lobbying to retain state aid for mosquito control districts, as well as for research. With that in mind, Smith felt the district should support their efforts by paying the sustaining dues. A brief discussion followed, and Easter moved that the sustaining dues be paid. Couch seconded, and the motion passed unanimously.

Skip Valdez' retirement party was discussed, and Clauson related that the event would probably take place the weekend of February 17 or 18, but the date and place has not yet been secured. He will inform the commissioners as soon as he has more information.

Clauson asked for board approval to attend a three-day conference in Anastasia, to be held in March. He had been asked by Ruide Xue to make a presentation, and had tentatively agreed to do so. Smith stated he was a little concerned with the amount of travel planned; that normally he would not have a problem, but Clauson would be attending the FMCA Fly-In and the Tallahassee Days. Clauson asked if the board would consider approval if he only attended one day of the conference to enable him to make the presentation. Clauson emphasized that it would not be a problem to cancel the presentation, but he was continuing in his efforts to make presentations, as the board had charged him to do. Smith said he appreciated that, but Clauson has been to the Anastasia meetings and had given presentations there before, and that there are several upcoming opportunities at other meetings to make presentations. Easter agreed that the board should limit the travel. Couch added that the district was loaded with meetings the first part of this year.

Clauson related that he had registered all three commissioners for the full three-day session of the FSU Mosquito Control Workshop, but that could be scaled down if they could not attend the full three days. Smith asked for all commissioners to attend the Commissioner/County Manager Caucus if at all possible.

Easter asked if Clauson was going to attend all three days, and Clauson responded that he planned to do so if possible.

Couch then apologized for having to leave early, and left the meeting. Easter asked that the record reflect a quorum remaining, so the meeting could continue.

Attorney Report

Myers stated that the legislative session would begin tomorrow, January 10, and gave the board an update on pending legislation that could have an impact on mosquito control. She shared possible revisions to Chapter 388: extension of approval of the annual budget to September 30 from September 15; repealing all provisions relating to the PHEREC lab; repeal of districts' authority to take property by eminent domain. She informed the board that Gary Aubuchon, State Representative for parts of Charlotte and Lee Counties, requested copies of mosquito control budgets, and that although he had not yet sponsored or co-sponsored bills relating to changes in the mosquito control districts, she would continue to monitor his actions. Smith added Paige Kreegel, House Representative for DeSoto and parts of Charlotte and Lee Counties, is sponsoring a bill to hold a referendum to approve the mosquito control district there being absorbed by the county. Smith asked Myers to send him the specific bill numbers, especially those affecting 388. She stated that House bill 4029, with the identical Senate bill 1724, will repeal the districts' powers of eminent domain; House bill 7021, Senate bill 1254, contains general revisions to Chapter 388. Discussion followed including pending legislation related to specific special control districts and the impact on districts state-wide if the bills are successful. Smith reviewed the possible changes in the proviso language in the appropriations for State aid, so research funds would be available to all universities.

Director Report

Clauson reviewed the events scheduled in January, including Lee Duke's birthday on January 15; staff meeting with pesticide handling training January 26; the FMCA Fly-In January 17 through 19, to be attended by Brad Gunn, Skip Valdez and Clauson; Tallahassee Days January 24 through 25; Dodd Short Courses January 30 through February 3. He added that hotel reservations at the Hilton Ocala have been made for Monday, January 30 for all three commissioners and himself, to attend the Dodd Short Courses commissioners' caucus, directors' caucus as well as a luncheon, during which Craig Stoops will speak on The President's Malaria Initiative. He noted that the four of them would drive in the district car to the meeting. The February calendar reflects the board meeting on the 13th, Amy Myers birthday on the 19th, and the Mardi Gras Parade on the 18th. Clauson explained that current plans are to have the helicopter in the parade, and he will send more information to the commissioners as soon as it is available. He noted that the AMCA meeting will be February 26 through March 1.

Clauson informed the board the traps have been scaled back to three during the winter months, co-located with the chickens, and there has been very little mosquito activity. The district continues to bleed the chickens, and no conversions have been found. There have been no service requests since the last board meeting. Clauson noted that the State shows seven chickens testing positive in the

Hillsborough/Tampa Bay area, and observed that was high considering the time of year. Smith added that he received notice of two EEE horse cases in Marion County, Ocala area, also unusual for this time of the year.

Clauson informed the commissioners that he would be starting on the annual report, with a goal for completion by the February board meeting.

Smith asked when Clauson's appraisal would be done; Clauson and Myers responded that it would be reviewed during the summer months.

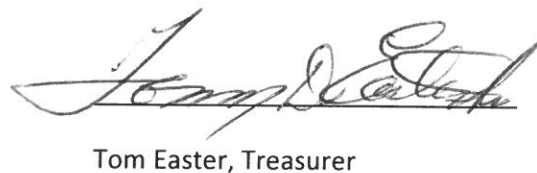
Announcements

There were no announcements.

There being no further discussion or announcements Chairman Smith adjourned the meeting at 6:10 P.M.



John Smith, Chairman



Tom Easter, Treasurer



Larry Couch, Secretary