

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., April 9, 2012. Smith requested the roll be recorded, and noted that all commissioners were present:

Present:	Commissioner:	John Smith, Chairman
	Commissioner:	Larry Couch, Secretary
	Commissioner:	Tom Easter, Treasurer
	Director:	James Clauson
	Attorney:	Amy Myers
	District Secretary:	Joyce Dean

Guest: None

Approval of Minutes

Secretary Couch confirmed that everyone received and reviewed the minutes of the March 13, 2012 meeting, and asked if there were any corrections. Hearing none, he moved the minutes be approved as submitted. Easter seconded, and the motion carried unanimously.

Financial Reports

Treasurer Easter referenced the financial reports, asked if there were any questions or comments, and noted the district received \$28,388.81 in tax distributions since the last board meeting. Smith stated that fiscal assistant Sherry Bennett had added a line to the reports to reflect other receipts, and expressed his thanks to her for adding this information. The \$7,943.10 received year-to-date is comprised of income from the navy base contract, calibration services rendered to other districts and entities, as well as interest earned from the district's banking accounts. Easter questioned the budgeted figure of \$20,000 for the Audit-C.P.A. Firm, and said it was his understanding that the firm would be paid only \$10,000 for audit services. Attorney Myers confirmed the contract for audit services was for \$10,000, and stated there was some cross over between the term of service and the billing. Adjustments to the category Operating Expenses moved \$10,000 from funds budgeted for Property Appraiser to Audit-C.P.A. Firm to provide funds for the carry-over in billing from the audit firm. The total budget for Operating Expenses was not affected, therefore no budget amendment was required, and the total percentage used from this category year-to-date is 47.5%. Easter stated the budgeted figure should not be changed. Myers again explained that sometimes it was necessary to pay for items or services that took place during the fiscal year but were not billed until after the fiscal year. Clauson added that this is a consistent practice and could not be avoided; therefore, the budget may sometimes reflect a higher dollar amount than what would be paid on a contract. He emphasized that the C.P.A. firm would only be paid the \$10,000 for the contract year. Discussion continued, and Clauson volunteered to provide a specific break-down of amounts paid to the firm, the dates paid and for what audit year, and the balance due the firm, if any, for this fiscal year.

Easter then questioned if the expenditure of \$1370.85 in Unemployment Compensation was in payment to the same employee the district has paid in the past. He asked if this employee had filed again for payment. Clauson confirmed that the payment was for the same employee, but it was not a current payment, and after this last payment was made in 2012, he did not anticipate the district being required to pay any more. This amount has been reflected on the financial reports since November of 2011.

Easter pointed out that the line item for Gasoline was 80.2% of budget and asked if this expenditure was all from gasoline for the trucks. He expressed concern that this line item budgeted \$12,000; \$9,622.97 had already been spent. Smith commented that fuel prices have increased. Clauson pointed out that although the particular line item budget for Gasoline was going to be close, Gasoline is a part of the overall #52.1 Gasoline/Oil/Lube category of the budget, which is currently only 45.8% of budget, and if necessary, budget funds could be moved from another line item in this category to cover Gasoline. He estimated there would be an approximate excess of \$4000 left in the Helicopter Fuel budget at fiscal year-end.

Easter concluded saying that he had nothing more, and asked if there were other questions or comments. Hearing none, he recommended the financial report be filed for audit.

Old Business

Chairman Smith then apprised the board of the current status of the PHEREC property and possible lease. He stated things are still moving in that direction. The university is trying to make arrangements for the district to visit the site for an inspection of the property and the remaining equipment, but progress has been delayed due to the university performing inventory at this time. He related a meeting would be set, possibly this week, with the dean and the property coordinator at FAMU, and was hopeful that the board could be there; however, he recognized that such a meeting would require proper public notification two weeks prior to the meeting to comply with the Sunshine Law, which would delay the meeting even longer. Easter inquired if a notice on the web site would suffice, and Myers stated it would be a special meeting and the notice had to be published in the paper. However, the time frame required would not be two weeks. Seven days would be the outside, and may just be reasonable notice. Smith suggested that he and Clauson visit the site to make an assessment of the remaining equipment and buildings, as well as the condition of the property, and Clauson could report back to Easter and Couch individually. Smith continued that Joseph Bakker, FAMU Associate Vice President of Construction and Facilities Management is working on the financial aspects, and he seems optimistic that FAMU will give the money to the district as the district has required before accepting the lease. Couch suggested that Jim Hull accompany Clauson and Smith to videotape the site and equipment. Clauson added that the video could be placed on memory sticks for Couch and Easter to review individually. Smith related that Clauson would be preparing a list of pros and cons regarding the leasing of the property, and Couch added that could coincide with the video. Easter stated that, in all due respect, sometimes the Sunshine Law was a real detriment to the public. He felt that the board should be able to meet at the PHEREC property and make decisions that would benefit the public, while not trying to do anything underhanded, just trying to do a job. Instead, he feels the board can't do their job because they are handcuffed. Myers added that she recognized compliance with the Sunshine Law may be inconvenient at times, but it is what it is. Easter said he recalled several instances, not just with the district board but

with other entities as well, when more could have been accomplished without the constraints of the Sunshine Law.

Chairman Smith next addressed the State Mosquito Control Appropriations. He informed the board of his understanding that the Tax Watch group would be publishing their "turkey list" by April 20, which will be reviewed by the governor. The governor will then make his decision to accept or veto any line in the budget. Since the governor cannot modify the appropriation, a veto would result in no funding. He cannot increase or reduce the budget line. For instance, if funding for mosquito control research or state aid to local mosquito control is vetoed it would be eliminated entirely.

Attorney Report

Myers reminded the commissioners they had requested at the last board meeting that she research how long employees have to use their comp time, if it was limited to within the 26 pay periods. She summarized that the employer has the duty to pay comp time upon separation, and the employee has the right to use the comp time within a reasonable period. She found no documentation that limited the payment of comp time to within a 26 pay period or a one year pay period. Smith shared information he obtained from the U.S. Office of Personnel Management web site, which states non-exempt FLSA employees must use accrued comp time by the end of the 26 pay period after the pay period during which it was earned. Myers agreed that it may be a good policy, but she found no requirement for such. She focused her research on the part that was limited to government employees, specifically local government employees. It was a very narrow focus for a short period of time, in order to limit the legal expense to the district. Clauson shared that he has spoken to other entities nearby and other independent districts, and there are various ways comp time is being handled. Several simply pay the overtime; others have the same policy as our district with some allowing more carryover comp hours; another district requires comp time to be used prior to annual time being used. Clauson would like to see the district establish a policy that comp time must be used before annual time. He informed the board that comp time cannot be taken away from an employee if they have more than 160 hours comp time accumulated and not used by the end of the calendar year. The employee must be paid for the time or it must be carried over. He felt that a policy requiring the use of comp time before annual leave time would help reduce comp time to a manageable level. Smith said that according to the district employee manual regarding comp time, it is the responsibility of the manager, basically you (addressing Clauson) to manage the people's work schedule so that they don't get into an overtime situation. Smith felt that if an employee is required to work on a Saturday, for example, Clauson should adjust their work schedule the rest of that week to prevent any overtime or comp time. Clauson replied that it becomes a little problematic when he asks someone to work a weekend and take off a Tuesday, for instance. If forced to do so, it would become an employee morale issue. Couch stated the board discussed this when the manual was being revised. Clauson reiterated that if the policy was established requiring the use of comp time prior to annual leave, he felt comp time would be minimized. In response to Smith's inquiry, Clauson informed the board that if a person has accumulated 160 hours of comp time, it represents the total hours earned including the time and a half. Easter stated he has a problem telling an employee to work a Saturday and take off a weekday to compensate. An exception would be if the weekend work was necessary for the public safety, but he had a problem with it if the employee was

expected to work a parade on a weekend, and then take off a week day. Smith stated he was concerned about the debt load for the district if several employees carry over large amounts of comp time. He continued that currently, employees are trying to reach the 160 comp time maximum carry-over, and only try to use anything up to that amount, so they can continue to accumulate carry-over comp time, which results in the district incurring a large pay out when they leave employment. Easter asked if the district required annual leave be taken prior to comp time, would the employee manual need to be changed, and if so would a motion be required? Clauson stated yes to both, and Myers confirmed. Couch moved that the employee manual be amended to state that employees are required to use accumulated comp time prior to using annual leave. Easter seconded. There was no further discussion and the motion passed unanimously.

Smith then asked if the board should be concerned about the 26 week pay period question. Myers responded that there is conflicting information between the web site Smith referenced earlier and the research she obtained, which caused her to question the category of employees the OPM site addressed. Her research applies to state and local government employees. Smith asked if the Fair Labor Standards Act applies to all employees and Myers responded that the act has different provisions for different types of employees, and for local government employees, there is actually another complete subset of regulations. She continued that they were similar in a lot of ways but they are not identical. She stated she would further research the matter and let the board know if the question is a possible concern.

Clauson related that there is an eight-county human resource association, a group that meets monthly under the Emerald Coast Human Resource Association, and they discuss the kind of questions the board is addressing. He stated he would like to attend one of the meetings in Bay County with the board's approval.

Director Report

Clauson reviewed the upcoming April and May calendar events: the Municipal Super Tuesday Election, including Panama City Beach, will be Tuesday, April 17; Administrative Professionals Day is April 25; Jim Hull's birthday is April 27; Vander Vinson's retirement party will be held April 28 from 2 PM until 4 PM at the Golden Corral Restaurant on April 28. His last day will be April 30. The district has purchased his retirement watch as well as a plaque, and the employees will be contributing money to purchase a retirement gift for him as well. Cindy Mulla will attend a Public Speaking Seminar/Luncheon at FSU on April 25, a program sponsored by the Chamber of Commerce and will involve only a \$15.00 lunch fee; Mulla will be teaching at Beach Elementary the weeks of May 1 and May 7. Clauson informed the board that Cindy's surgery went well; she is recovering at home and will probably return to work within the next week or two. Clauson noted that it wasn't on the calendar, but a staff meeting would be held April 18, during which he will review the board meeting with the employees. He requested the board's approval for Sherry Bennett and Joyce Dean to attend the 2012 Florida Public Records Management Seminar to be held in Pensacola on April 25, at a cost of \$75.00 each. He related it is a one-day seminar and there would be no overnight expenses. The board agreed. Clauson continued that Washington Days are shown on the calendar for April 29 through May 8; however, no one from the district would be attending. Mother's Day is May 13; the next board meeting will be May 14; Tom Easter's birthday is May 20; and Memorial Day, a holiday for the district, is May 28. The Florida League of Cities has invited

new members to attend a meeting to discuss new policies and procedures, a risk management seminar. The League will pay all expenses, and with the board's approval, Clauson plans to attend.

During the operations update, Clauson referenced the new graph formulated by Dale Martin which reflects the dominate mosquitoes in updraft traps for March 2012 by trap site. He explained the updraft traps are instrumental in determining spraying needs. Easter asked if the city of Panama City Beach was aware of the large number of mosquitoes trapped in Conservation Park. Clauson stated the Conservation Park trap is located north of any populated areas, so he instructed Martin to set an additional trap farther south, closer to residents, to determine if the mosquitoes are affecting the neighbors closest to the park. He continued that there have been a few service requests from the closest populated area, and none from people who have been in the park and encountered a mosquito problem. Easter questioned why we weren't spraying the Conservation Park and Clauson explained that Al Shortt, Panama City Beach City Engineer, was emphatic that the district does not treat the park, due to the DEP guidelines the city has to adhere to in water quality at the park. Shortt did agree for the district to place traps in the area, and Clauson will meet with Shortt again to let him know the trapping results for the park. Easter asked why we couldn't put briquets in the water at the park and Clauson explained he would be following up with Shortt as well as DEP to make a determination of what can be done. Easter asked why we couldn't spray the area with the helicopter, and Clauson responded that since there are no people permanently at the park, and no complaints have been received from people visiting the park, placement of another light trap closer to the populated area south of the park will help the district decide the correct approach. Smith commented that he received quite a few mosquito bites when he visited the area; Myers stated she also had been in the area and had not experienced a problem. Smith stated he knew the traps on Martin's report were updraft traps, and asked if they were run once a week. Clauson responded that they are set and collected twice a week.

Clauson referenced the trapping monthly summary, which shows results in all types of traps as well as resting box, landing rate, rainfall and temperature. He reminded the board that this report is posted on the district web site. Easter asked what a resting box is and Clauson stated that it is another type of trap and explained to Easter what the trap looks like and how it functions. Easter then asked what the Landing Rate meant, and Clauson explained it to him. Clauson continued by explaining the Gravid Trap, the Canopy Trap, the Exit Trap and the Updraft Trap to Easter.

The board then reviewed the service request log since the last board meeting, which reflected a total of 30 requests. Clauson discussed the Arbovirus Surveillance Report and the Sentinel Flock Arthropod-Borne Virus Surveillance Summary, and noted no district chickens showed any signs of seroconverting. He added that state-wide, things were relatively quiet with the exception of a case of SLE in Lee County last week. Clauson related that the district has been partnering with DACS as part of a federal grant DACS received, to monitor the H1N1 bird flu virus. Dale Martin takes a swab of the chickens throats with a q-tip, send the samples to Tallahassee for analysis, which in turn sends the district a report. All supplies and expenses are paid by DACS. Easter asked if this was why the district's FedEx bill had increased, and Clauson reiterated that the district incurs no expense for these procedures. Easter continued that the FedEx bill was higher last month. Clauson explained that the FedEx bill was primarily

the routine shipment of the sentinel chicken blood that's collected and sent for analysis. A discussion ensued regarding the possibility of sending the collected blood by priority mail as opposed to FedEx. Clauson stated he would compare the costs and report to the board.

The next item for discussion was a proposal to increase the district's exposure to and education of the public through a public relations program handled by LocalEdge. The district accepted the company's free initial Reputation Management program, and was recently offered a package wherein LocalEdge would increase the district's exposure on the internet and increase the public's ability to communicate with the district. The board reviewed the seven digital solutions offered by the company for the price of \$113.00 per month, which is within the budget for public relations. During discussion, Smith recommended the board accept this program for a year, in lieu of some of the other programs the district has participated in previously, such as football programs, sponsorship and banners at local events. Easter expressed his opposition, and stated he found it hard to believe that anyone would go online to try to find out information about Beach Mosquito Control. He continued that the district is already online, and Clauson explained this program would further increase and enhance the current web site. Easter also expressed his opposition to the district advertising in the local chamber of commerce publication, and stated that people already know we kill mosquitoes. Clauson explained that there are a lot of people who do not know, and continued that this program would reach and educate a lot of people who use the internet and need mosquito services. Easter asked if our technicians leave anything with those who call for service requests, to let them know about the district and the address of our web site. Clauson confirmed that our web address is included in all material that's left with the public after service calls, as well as on all public relation items and all vehicles. Clauson shared that the district frequently receives inquiries from the public who did not know of the district's existence, what the district does or how it is funded. Callers often ask if the request for service will cost them anything. Smith reiterated that he was familiar with the services LocalEdge was offering, and he would like the district to accept their proposal for one year to see how well it does for the district, and forego community sponsorships during the time period as they come up. Easter asked how it would be measured, and Clauson explained the reports that would be provided. He shared a test he had made of the system and how it worked, and that he planned to optimize every aspect of the program. Easter asked if the district would give up some of the other public relations requests on an individual basis as they come through, and Smith said he would probably be against any other public relations requests if the board goes with LocalEdge. Easter continued that the problem is that some of the items don't come before the board. Clauson stated that if the commission directs him not to approve other public relations requests, such as Cops 'N Kids, Marlin Football Program and other donations to support community events, he would certainly adhere to their wishes. Couch added that the budget allows for these expenditures. Easter moved that the contract be accepted for one year, and any other requests relating to public relations be scrutinized before approved. Couch seconded, and the motion passed unanimously.

New Business

Clauson advised the board he received 27 applications for the Mosquito Technician I position, and has narrowed the prospects down to five. He plans to interview at least three of the applicants, and hopefully make a decision by the next week.

Smith requested the board address the Educational Incentive Program, and Sherry Bennett had prepared a spread sheet for the board's review. Clauson informed the board that four employees have Ornamental and Turf certifications. Three of the four took the course and passed the test in Limited Certification for Governmental Pesticide Applicator Lawn & Ornamental during the recent FSU workshop. Sheila Dunning, Okaloosa County Extension Agent and the administrator of the course, informed them that their Ornamental and Turf certifications were the wrong category for the work they were performing for the district; that they needed the Limited Lawn & Ornamental instead. They should receive the appropriate license soon. Easter asked why Lee Duke needed the certifications he has, since he's a mechanic and doesn't spray for mosquitoes. Clauson explained Duke's job requirements and his involvement with all aspects of spraying, including the helicopter. Clauson stated that the employees were given an incentive to increase their pay by obtaining certifications, pursuant to a program that was put in place by the board prior to Clauson becoming director. Smith agreed that the board wanted the incentive program in place; however, the certifications received should benefit the district in terms of what they are being certified for. Smith said four employees are listed who have the Ornamental and Turf, three of which took the course and passed the test at the FSU workshop for the Limited Certification. He assumed the fourth would also be getting the Limited Certification. Clauson confirmed that Eddie Summers, who already has the Ornamental and Turf, would be testing for the Limited Certification. Smith asked if all four of these employees actually perform the work covered under this certification and Clauson replied yes. Smith asked if these four employees would receive additional compensation in the form of pay increases for the additional Limited Certification and Clauson responded no. Clauson continued that he would suggest if the employees wanted to retain their certification in Ornamental and Turf that they do so on their own time and at their own expense, since that certification does not apply to work they perform at the district. He continued that it will be easier for employees to keep the Limited Certification since it requires fewer CEUs for renewals. Easter asked who would be running the back hoe and when Clauson responded, Phillip Harvey, Easter asked if Harvey has a CDL. Clauson explained that he does not need a CDL to run the back hoe. Easter commented that the district currently has only two employees with a CDL. Clauson stated it is a possibility that the new hire may have a CDL. Easter questioned the need for more CDL employees rather than more employees having the Limited Lawn and Ornamental. Smith explained that the Limited L & O allowed the employees to work on the district property only. Smith continued his concern that it appeared employees were taking classes for certifications purely to increase their pay. Couch suggested that since the current four employees already have their Ornamental and Turf certifications, the board close out this category at a maximum of four. Smith stated that there should be an on-going review for possible changes in certification requirements, based on the work they are actually doing, personnel changes and work re-assignments. Smith recommended that Clauson bring all certification requests before the board, so the commissioners can be involved in the discussion. Easter added, so the board can determine the need. Myers advised the board to be careful to avoid the appearance of discrimination in

pay. She continued that the board would be allowing some employee(s) to get a raise or incentive pay added to their income, and the commissioners would be giving themselves the discretion to deny someone a salary supplement. Myers stated that Clauson somewhat insulates the board when he specifies that certain certifications are required for the job duty. Certifications should be a function of the position, not the person. Smith said that is what the board would be looking at, and Myers added that the board would be discussing it in a public forum, on public record. Easter cited an example of the office girls, if they decided to obtain certifications that have nothing to do with their positions. Couch remarked that the director would make that decision, that it was not the job of the board. He continued that from the beginning, the board never intended for any certification to be open to all employees, that it was an incentive for the employees, but at the bottom line, it had to benefit the district. Couch stated that if Clauson chose to limit certain certifications to a specific number, then the maximum would have been reached for that classification. Myers said that capping certifications could be dangerous; that the certification is either appropriate for the job description or it is not, and the safest approach for the board to take is to look at each position and determine which certifications apply to each job description. Couch questioned if those who have certifications would be grandfathered in, and Myers replied that the pay certifications should not be taken from the employee, but as the certifications expire, the employee would not be eligible to have the district pay for the CEU's necessary to renew the certification, if the certification is not appropriate to the job description. Discussion continued regarding the structure of the incentive system. The board asked Clauson to review the job descriptions and indicate which certifications were applicable to which positions. Clauson explained that the Advanced Public Health Certificate is a measurement of the employee's knowledge in mosquito control. He was hesitant to limit this, since he considered this certificate as professional development in mosquito control, and would be a benefit to the district which would be evident to the public during service requests or other duties. The board discussed the discrepancies in the incentive program, and Myers advised them to correct those discrepancies. Couch reminded the board that employees were told, specifically when the board declined to approve raises, to get certificates if they wanted pay increases. He did, however, agree that the discrepancies need to be corrected. Smith summarized by stating that the job descriptions need to be reviewed and modified to reflect the certificate categories each position allows. Myers added that there may be professional development classes or certificates that may not be listed in connection with the job descriptions, but on a case-by-case basis, may be appropriate. Smith reminded the commissioners they previously addressed the lack of incentive opportunities for the administrative staff. Easter stated that, if Lee Duke should leave employment, Easter would have a problem allowing a district mechanic to have the certifications that Duke now holds. Couch questioned if a particular certification was required for the job, such as a Public Health License, was the district not going to provide the incentive pay? Clauson explained the District currently does not provide incentive funds for basic public health certification. Employees are required to obtain this certification for their job. Smith asked if there were other educational incentives the District is currently paying for that are required for the the job. Clauson confirmed a bachelor degree is required for the director position. Smith agreed that, although the employees are not currently paid for the required license, it is a part of the discrepancy that needs to be addressed and if necessary, corrected. Smith continued that the board would need to determine whether or not the employee will be paid the extra incentive pay for certifications that are required for the job description. Myers commented that it is a good policy for the

employee to be eligible for incentive pay if a particular certificate or license is required for that position; however, if a bachelor's degree is required for a position, that should come into play when the salary is initially set. She continued that the board may decide that the bachelor's degree is not eligible for incentive pay, but it should certainly come into play when the salary is determined.

Smith concluded by referencing again revision of the job descriptions with permissible certifications included, and asked that it be placed on the agenda for the following meeting for further review. Clauson requested approval to move forward with the Limited Certification for Lawn and Ornamental for the four employees. Smith agreed, particularly since the employees will not receive incentive pay increase for both categories.

The board reviewed the list of benefits, as requested by Chairman Smith. Smith stated the list did not include all benefits, such as flex-time and uniforms, but the list was a good start, to be able to provide something to the employees when they don't get a COLA. Easter asked what deceased family members were included under time off for bereavement, and Clauson replied it's the standard, and is specified in the employee manual. Smith suggested listing the insurance coverage provided, family or individual, in the different insurance categories. Easter questioned if the Accidental Death and Dismemberment benefit was something the district paid or if it was workman's comp. Clauson responded that it is part of the life insurance and has nothing to do with Workers' Comp. Disability is available for employees to purchase, if desired, through AFLAC. Easter asked if the district furnished vehicles for employees to drive home, and Clauson answered that he, the director, was the only one. Smith asked if there were more questions or discussion regarding the listing of benefits. Clauson asked if Smith wanted the list for information purposes only, and Smith replied yes, but he would be looking at it more. He primarily wanted a full list of benefits for the employees to see. Clauson said he will go over the benefits list with the employees at the upcoming staff meeting. Smith added that another benefit is the generous vacation accrual rate the district provides.


Announcements

Smith related that Sherry Bennett provided the insurance information contained in the board booklets, because he had been for vision care and discovered the facility he had been using was no longer covered under the district's vision insurance. He was able to obtain an appointment with Wal-Mart eye facility the same day, and was very pleased with the doctor there. He wanted everyone to know that the Eye Center is no longer a participating provider under the current vision insurance company.

There being no further business to come before the board at this time, Chairman Smith adjourned the meeting at 6:50 P.M.



John Smith, Chairman



Larry Couch, Secretary



Tom Easter, Treasurer