

The Board of Commissioners of the Lee County Mosquito Control District held its regular scheduled meeting November 8, 2012 at 9:00 a.m., in the Auditorium at District headquarters, 15191 Homestead Road, Lehigh Acres, Florida.

**PRESENT:** Chair Larsen, Commissioners William M. Ellis, Thomas B. Hart, Lawrence J. Murphy, George T. Mann, Jr., and Director T. Wayne Gale.

**PUBLIC COMMENTS:** Commissioner Elect Melissa Dortch introduced herself and thanked the Board and Commissioner Murphy for making her feel welcome and part of the team. She gave a statement to the Board regarding her thoughts as to her future service as Commissioner.

**MINUTES:** Chair Larsen requested approval of the minutes of the last regular meeting of the Board held on October 4, 2012. Commissioner Mann moved that the minutes be approved as read. Commissioner Murphy seconded the motion which carried with no dissenting votes.

**LEGISLATIVE REPORT** – Keith Arnold - Government Affairs Consultant with Fowler, White, Boggs Attorneys at Law, thanked Commissioner Murphy for his many years of service to this Board and congratulated Commissioner Elect Dortch. Keith provided an update on the activities of the State Legislature. The newly elected members were installed in office upon completion of the election. On November 20th there will be seated a large new Legislature. The Lee County Representatives, Ray Rodriguez who represents Southern Lee County, Representative Fitzenhagen who represents the Downtown core of Lee County, and Representative Dane Eagle who represents Cape Coral will be invited to visit the Districts. Commissioner Larsen, Director Gale and Keith Arnold have already spent time here at the District touring with Senator Benequisto and Representative Caldwell. Both Legislators have a very high opinion of this District. These two individuals after two years of service are now the senior members of the Lee County contingent.

The final written version of the Governor's task force report on the District was given to the District by Jeff Woodburn of the Governor's office. Jeff was fair and impartial as well as accessible and interested in this District. The report incorporated District views and observations as to the scope of work and need for what the District does which has historically built over time. Mr. Woodburn has recommended ways to incorporate changes that will improve efficiencies over time. Senator Don Gaetz has announced the schedule and committee meetings will begin in January with committee weeks the 14<sup>th</sup> and 21<sup>st</sup>. Session will begin in March. Keith believes that there will be at some point legislation regarding special taxing districts. Lee County Delegation meetings have not been announced yet.

**HEALTH INSURANCE** – Vivian Jones - District Chief Financial Officer advised an increase in Blue Cross/Blue Shield premiums for 2013 of 5% with no changes to coverage. Ms. Jones felt that this is a fair increase due to the amount of some of our large medical claims last year. The Board budgeted for a possible 7% increase so the District is well within budget. Motion was made by Commissioner Ellis to approve the 5% premium increase for 2013. Commissioner Murphy seconded the motion and the Board approved the motion unanimously.

**401A PLAN DOCUMENT APPROVAL** – Director Gale presented the plan for approval allowing a retiring employee to put their paid sick leave and vacation balance into a tax deferred account so that they don't have to count that money as income. This item is presented to the Board for approval each year. Keeping this plan in effect poses no cost to the District. It does allow the District to not pay Social Security on the amount deferred. Motion was made by Commissioner Murphy to approve the 401A Plan Document for 2013. Commissioner Hart seconded the motion and the Board unanimously approved.

FUEL & CHEMICAL BID APPROVAL – CFO Vivian Jones sent out bids and conducted the bid opening on October 31, 2012 at 2:00 pm. Most of the bid amounts remained close to the 2012 figures. There were no drastic changes overall. The Board was provided with a list of bidders and highlighted in red are the names of those who received the contract. A motion was made by Commissioner Mann to accept the fuel and chemical bids as presented. Commissioner Hart seconded the motion and the board agreed unanimously.

AERIAL ADULTICIDING ON STATE LANDS – Director Gale gave an update on where we stand with the State on our request to be able to adulticide State lands. Director gave his presentation speaking to the issue of why we have these problems on State managed lands. Once again stating for the Board the quantity of salt marsh habitat here and the uniquely Lee County problem it creates. Statewide the District does 1/3 of all the total aerial larviciding and one sixth of the statewide aerial adulticiding acres. The District does 100,000 acres out of the state's 300,000 acres for aerial larviciding. Tropical Storm Debby allowed the District to test our theory about whether treating the marshes prior to the mosquitoes getting away could achieve major control. The District did reduce the amount of spraying necessary overall by adulticiding State lands under the emergency declaration following Tropical Storm Debby. The District request to the Department of Environmental Protection (DEP) suggested that we be allowed to aerial adulticide State managed lands up to seven (7) times during a season when thresholds have been met. This is less than we normally would spray an area in a given season. DEP felt this was not low enough. They did not counter, but said they were expecting an extreme situation type of response similar to what we had just done and they are not going to approve a routine spraying plan on that basis. The District now has to go back and present a worst case scenario to them with scientific data to back it up. The Florida Coordinating Council on Mosquito Control really doesn't want to take this to the dispute level because it will then be handled at a much higher level than would be desirable. We will continue to work with DEP.

FLORIDA BONNETED BAT – Director Gale reported on a new issue which the District was unaware of until recently. The Florida Bonneted Bat has been recommended for listing as an endangered species. One of the things mentioned for the reason the bat is endangered may be mosquito control activities. It is stated that by limiting the food supply the bat feeds on and exposure to pesticides that mosquito control practices could be endangering the species. The Florida Coordinating Council on Mosquito Control has received a presentation on this issue. We believe there are large flaws in the science used to determine the numbers and range of this bat and the comments regarding mosquito control have no scientific basis or proof. Lee County has a population of these bats in areas that are regularly treated by mosquito control and they are doing well. The District has questions as to what this all means if the bat is listed as endangered. The District is going to provide comment during the comment period and suggest it doesn't meet the level of being listed as an endangered species. There has been an e-mail sent to all the other mosquito control districts in south Florida suggesting they do the same thing and comment. The timeline for comments ends in December.

REVIEW THE BILLS – Commissioner Murphy reviewed with the Board the monthly expenses for the Districts.

OTHER BUSINESS: - Carmen McKinney – Deputy Director Aviation, Fleet and Facilities, advised the Board that the Limited Development Order for the new hangar has been issued and the hangar could be started within the next 30 days.

Shelly Redovan – Deputy Director, Education and Communication, reported that the Teachers have maxed out their class load and there is a waiting list for the high school classes and a short list for 5<sup>th</sup> Grade classes for the mosquito course. The Florida Gulf Coast University student interns are doing a great job the Kindergarten classes.

Director Gale reported that the actuarial firm of Foster & Foster is working on the Other Post-Employment Benefits (OPEB) trust. Foster & Foster is going to help us set up the trust and recommended an East Coast attorney who has done this work for several other organizations. The District attorney, Henderson Franklin, here in Fort Myers does

not have anyone familiar with OPEB. Collier County Mosquito Control already has a trust in place created by an attorney from Chicago. Director Gale advised the Board that the District will use the firm recommended by our actuary.

Director Gale advised that a new Secretary Treasurer will need to be elected for the Board. Chair Larsen will take over reviewing the bills for the next meeting and the Board will make a decision at the December board meeting.

Chair Larsen would like the Board to consider placing the finalized Board minutes of the prior month's meeting on the District web site. This is another way for the District to be even more transparent. Motion to put the prior month's approved minutes on the web site was made by Commissioner Ellis. Commissioner Murphy seconded the motion. The motion carried unanimously.

There being no further business, the meeting was adjourned.

  
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Chairman

  
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Secretary