

Anastasia Mosquito Control District of St. Johns County

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BOARD OF COMMISSIONERS

Gary Howell, Chairperson
Vivian Browning, Vice-Chairperson
Catherine Brandhorst, Secretary/Treasurer
Janice Bequette, Commissioner
Jeanne Moeller, Commissioner



DISTRICT DIRECTOR

Dr. Rui-de Xue



Thursday, August 11, 2016

Next Meeting(s):
First Public Hearing, Thursday, Sept. 8, 2016 – 5:30 PM
Regular Mtg., Thursday, Sept. 8, 2016, *immediately following the First Public Hearing*
Final Public Hearing, Thursday, Sept. 22, 2016 – 5:30 PM

MINUTES

The regular Board meeting for the Anastasia Mosquito Control District of St. Johns County was held on Thursday, August 11, 2016 at 6:00 P.M.

Board members in attendance:

Mr. Gary Howell, Chairperson
Ms. Vivian Browning, Vice-Chairperson
Mrs. Catherine Brandhorst, Secretary/Treasurer
Ms. Janice Bequette, Commissioner
Mrs. Jeanne Moeller, Commissioner

Also in attendance:

Dr. Rui-De Xue, Director
Mr. Wayne E. Flowers, Attorney
Mr. Bill Youker, Vice-President Harrell Construction Company
Mr. Glen Harrell, President, Harrell Construction Company
Commissioner Undine George, Vice-Mayor, City of St. Augustine Beach
Mr. Max Royle, City Manager, City of St. Augustine Beach
Mr. Joe Howell, Public Works Director, City of St. Augustine Beach

Chairperson Howell called the meeting to order, led the invocation and Pledge of Allegiance to the flag, and then turned the meeting over to Commissioner Browning, Vice-Chair, to lead, due to his vision issue.

Roll Call: Commissioner Browning noted ~ All were present.

CITIZEN PARTICIPATION: For Items not on the Agenda ~

- Mr. Ed Slavin, P.O. Box 3084, St. Augustine, FL: It is disconcerting having a monitor at the podium where I can see my picture and I've covered it; you need to have a public policy of AMCD against "no arbitration required" in any government contract; thanked the Board for rejecting the purchase of a helicopter many years ago; he told Commissioner Howell that he needed to explain on record why he plead the 5th Amendment when interviewed by the Sheriff's Department during the investigation on Deputy William Jones and asked why they didn't interview Mrs. Howell also.

- Mr. Peter Royal, 345 Hefferon Drive, St. Augustine, FL; concerning the restricted deed for 500 Old Beach Road, there are possibly things that can be done for mosquito control and the community, we can retain the use of the property, revenue, and turn it into a money maker for the county.

APPROVAL OF AGENDA: Commissioner Browning called for approval of the Agenda.

A. A motion was made to approve the Agenda as presented.

- Motioned by: Commissioner Moeller
- Seconded by: Commissioner Brandhorst
- VOTE accepted unanimously by all commissioners
- **MOTION PASSED UNANIMOUSLY**

APPROVAL OF CONSENT AGENDA: Commissioner Browning called for approval of the Consent Agenda.

A. A motion was made to approve the Consent Agenda as presented.

- Motioned by: Commissioner Moeller
- Seconded by: Commissioner Brandhorst
- VOTE: Accepted unanimously by all commissioners
- **MOTION PASSED UNANIMOUSLY**

Consent Items ~ APPROVAL OF:

1. Treasurer's Report
2. Vouchers (*Cancelled Checks*)
3. Chemical Inventory
4. Minutes: Regular Board Meeting of July 14, 2016 at 6:00 P.M.
5. Quarterly Budget Analysis
6. Auditor Contract Renewal
7. \$250 per month increase for District Attorney Monthly Fee (*Effective October 1, 2016*)
8. Vehicle Use Policy Amendment
9. Signing AMCD Contracts Policy Amendment
10. 2015/2016 Surplus Property
11. Budget Amendments ~ Local - \$200 Travel & Per Diem, \$1500 Publications and Dues;
State I - \$12 Operating Expense chemicals

UNFINISHED BUSINESS:

Item 1: 500 OLD BEACH ROAD PROPERTY DISPOSAL UPDATE and AMENDMENT of RFP for GOVERNMENT USE ~ Mr. Wayne Flowers/Dr. Rui-De Xue (10 min)

- Mr. Wayne Flowers: spoke with the City of St. Augustine's City Manager and City's Attorney, they are still working on the issue as it has been discussed but they have no answer or vote yet, they believed public use of the property was preferred; their staff ordered title work on the property; also contacted St. Johns County but hasn't received an answer from them about interest in the property.
- Dr. Xue: April 2016, the Board approved an RFP for sale of the property for public or private use but with the finding of the Reverter Clause from the City of St. Augustine in the deed, would like to recommend an amendment to the RFP, 'for government use only'. There were concerns that there may be something else on the title that we don't know about, the attorney assured the Board that if anyone buys the property there would normally be a title search and they could accept one or reject all; the preferred use of the property was for a park rather than condo's, possibly for an education facility with many entities involved; the property is a liability to us and there was mention of getting fair market value and a question of leasing the property.

PUBLIC COMMENT:

- Commissioner Undine George, Vice-Mayor, City of St. Augustine Beach, 9 C Street, St. Augustine, FL; The City of St. Augustine Beach has an interest in acquiring the property, possibly as a park in conjunction with Ron Parker Park, they would like to keep the restriction for “Public Use” rather than have the City of St. Augustine get it back and sell it for development; there is not a marketable title with a restriction on it, would like AMCD to prioritize the City of St. Augustine Beach’s interest in conveying the property to them.
- Mr. Peter Royal, 345 Hefferon Drive, St. Augustine, FL; wants to speak to our attorney and explore what other things can be done with the property.
- Mr. Ed Slavin, P.O. Box 3084, St. Augustine, FL: am not paying for the same property twice, agrees with the St. Augustine Record editorial on this issue, we can’t sell it for condo’s, can’t put anything on it other than a park, the appraisal didn’t consider the Reverter Clause and there is no city water or sewer, put out RFP tonight and combine it with an ITN (invitation to negotiate), don’t extort money from the City of St. Augustine Beach.

A. A Motion was made to give staff the authority to write the RFP, making it for government use only and bring it back to the September 8, 2016 Board meeting.

- Motioned by: Commissioner Moeller
- Seconded by: Commissioner Howell
- VOTE: Accepted unanimously by all commissioners
- **MOTION PASSED UNANIMOUSLY**

Item 2: APPROVAL OF HARRELL CONSTRUCTION COMPANY CONTRACT FOR DESIGN & DEVELOPMENT OF 8 ACRES RESEARCH PROPERTY ~ Mr. Richard Weaver (10 min)

- Mr. Richard Weaver: Mr. Flowers has reviewed the contract, changes have been made but the value was the original bid value; all have agreed on it.

PUBLIC COMMENT: Mr. Ed Slavin, P.O. Box 3084, St. Augustine, FL, Please Delete the Arbitration Clause in section 5.3 of the contract, it’s wrong.

At this point, Mr. Ed Slavin became loud and was gaveled out of order.

- When asked by the Board, our attorney stated there is no problem with the arbitration clause, it is common in contracts.

Again, Mr. Slavin became loud and was gaveled out of order by Commissioner Browning.

PUBLIC COMMENT: Mr. Glen Harrell, President, Harrell Construction, 4185 Sunbeam Road, Bldg. 200, Jacksonville, FL 32257: the Arbitration Clause is common in contracts and doesn’t have a problem with it in there, if it is taken out, they will reconsider the contract and delay until it’s brought back amended; they are happy with it the way it is written.

Mr. Slavin was making comments to Mr. Harrell as he walked up to the podium to speak.

A. A Motion was made to accept the Contract with Harrell Construction, as written with the attorney’s input.

- Motioned by: Commissioner Browning
- Seconded by: Commissioner Brandhorst
- VOTE: Accepted by Commissioners’ Browning, Howell, and Brandhorst
- VOTE: Opposed by Commissioners’ Moeller and Bequette
- **MOTION PASSED 3:2**

Item 3: APPROVAL of PAY RANGE for EACH JOB DESCRIPTION ~ Dr. Rui-De Xue (15 min)

- Dr. Xue: the pay ranges for each job description are based on the Susan Merris study, recommended approval of the pay ranges as presented and will bring the Pay Plan Policy to the October Board meeting for approval and then in November will implement the Board's decision and totally implement the full pay Plan December 1, 2016.
 - The Board asked for the total cost in implementing the plan and Dr. Xue answered approximately \$96,000 to \$97,000; the Board discussed the COLA portion of that and then stated it not be part of the pay ranges and that the COLA could be brought back in October.
- A. A motion was made to approve the Pay Ranges for each job descriptions as presented, without a COLA increase included.**
- Motioned by: Commissioner Moeller
 - Seconded by: Commissioner Browning
 - VOTE: Accepted unanimously by all commissioners
 - **MOTION PASSED UNANIMOUSLY**

NEW BUSINESS

Item 1: INTERN/VOLUNTEER POLICY APPROVAL ~ Dr. Rui-De Xue (5 min)

- Dr. Xue: we don't have a policy for interns driving AMCD vehicles or us doing background and driver's license checks on them. We have checked with the insurance company and they assured us the interns and volunteers are covered while driving our vehicles.
- **With the advice of the attorney, there was a consensus of the Board that since this is covered in the Vehicle Use Policy Amendment, this policy isn't needed but that we should look at and bring back a broader policy for volunteers, sometime in the future.**

Item 2: PLANNING COMMITTEE MEETING REPORT ~ Commissioner Vivian Browning (5 min)

- Commissioner Browning: the committee talked about the RFP and the Harrell Contract that was just approved; the USDA/CMAVE and East Flagler facility tours; the construction list and budget for the development of the eight acre research property; the north station merging where discussion was due to the Board of County Commissioners Agenda item where it was discussed that 3 sides of the North Station are being rezoned from Open Rural to Commercial; also need to look at the deed for the North Station to see if there are any title restrictions.

PUBLIC COMMENT: Mr. Ed Slavin, P.O. Box 3084, St. Augustine, FL: became loud again concerning wanting an answer from the attorney to an e-mail that was sent to the attorney this afternoon. Commissioner Browning gaveled him out of order again.

- **THERE WAS NO MOTION ON THIS ITEM**

Item 3: FINANCIAL AND AUDITOR COMMITTEE MEETING REPORT ~ Dr. Rui-De Xue (5 min)

- Commissioner Brandhorst: Couldn't make the Finance Committee meeting due to her husband's health issue. Dr. Xue: the committee reviewed the laws and recommended the auditor contract renewal (Consent item #6); reviewed the construction costs, the current budget and the new budget in addition to the 8 acre parcel for research; update on the pay plan cost and development and stated there are seven weeks left in the current budget.
- **THERE WAS NO MOTION ON THIS ITEM**

PUBLIC COMMENT: Mr. Ed Slavin, P.O. Box 3084, St. Augustine, FL; wants an outside auditor and demanded an answer from the Board.

Mr. Slavin again became very loud and disrespectful to the Board and the attorney and refused to leave the podium even after being gaveled out of order by Commissioner Browning.

REPORTS:

1. **Director ~ Dr. Xue:** 3 imported Zika Cases, 26 suspected Zika cases, we quickly take action each time we have a suspected case; Governor Rick Scott attended the St. Johns County Department of Health meeting, along with Dr. Xue, Mr. Bibbs, Commissioner Howell, the School Board Superintendent, among others; Governor Scott wanted to see what we needed and how he could help; we have a visiting scientist with us, Dr. Shen Yuan, Director of the Department of Vector Control and Anti-infection diseases, from Wuxi, China.
2. **Attorney ~ Mr. Flowers:** Nothing new to report.

During the attorney's report, Mr. Slavin again became very loud and disrespectful to the attorney and again refused to leave the podium even after being gaveled by Commissioner Browning, standing at the podium through all of the reports, to the end of the meeting.

COMMISSIONER COMMENTS:

Commissioner Browning ~ thanked the audience for being here.

Commissioner Bequette ~ it's very hot outside and appreciates all the employees efforts in keeping us mosquito-borne illness free.

Commissioner Moeller ~ thanked the staff and noted that the St. Augustine Record didn't stay for the whole meeting or they would have heard the important information on how diligently the staff is working and at a cost of several hundreds of thousands of dollars, but at no cost to the county or the city.

Commissioner Howell ~ He was with Dr. Xue and Mr. Bibbs at the DOH meeting with Governor Rick Scott where Governor Scott stated he was glad to hear we were all working together and that we were pro-active and supports us one hundred percent in eradicating Zika.

Commissioner Brandhorst ~ no comment

ATTACHMENTS: ~

1. Director's Performance Evaluation Form and Process Policy
2. Election Update

ADJOURNMENT:

Commissioner Browning adjourned the meeting at 7:44 P.M.

ATTEST


Chairperson, Commissioner Gary Howell


Secretary/Treasurer, Comm. Catherine Brandhorst

These minutes are not intended to be a verbatim transcript of this meeting and could easily be misinterpreted by a reader who was not present. To obtain a full and accurate record of the meeting, an individual should view/listen to the entire proceedings via the District's DVD visual/recording system.