

14. Perform other office duties as requested.

QUALIFICATIONS:

1. High school diploma or equivalent is required.
 2. Minimum of one (1) year of office experience in a clerical or customer service position is required.
 3. Able to comprehend, speak and write the English language.
 4. Exhibit good organizational, interpersonal and communication skills
 5. Must possess and demonstrate a proficiency in a variety of computer software systems including word and excel spreadsheet applications.
 6. Must be able to interact with the public in a professional and courteous manner.
 7. Must have a valid Florida driver's license and acceptable driving record.
 8. Must pass a National Background Check.
-

WORK ENVIRONMENT/PHYSICAL REQUIREMENTS:

The physical demands and work environment characteristics described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

Physical Requirements: Light physical activity is required on a regular basis including reaching with arms and hands, using hands and fingers to type, standing, sitting and walking and may occasionally be required to lift up to twenty pounds and climb stairs. Adequate vision to see computer screens and written documents is required on a regular basis.

Work Environment: The work environment normally is an office, but could occasionally include warehouses, and vehicles. Working around chemicals, which are stored, handled, applied/used and disposed of according to exact labeling instructions, is required occasionally. Occasional local travel may be required.

I HAVE READ AND UNDERSTAND THIS JOB DESCRIPTION.

Signature

Date

Printed Name





Florida Department of Agriculture and Consumer Services
Division of Agricultural Environmental Services

ARTHROPOD CONTROL BUDGET AMENDMENT

Submit to:
Mosquito Control
3125 Conner Blvd, Suite E
Tallahassee, FL 32399-1650

NICOLE "NIKKI" FRIED
COMMISSIONER

Section 388.361, F.S. and 5E-13.027, F.A.C.
Telephone (850) 617-7911 Fax (850) 617-7939

STATEMENT EXPLAINING AND JUSTIFYING THE PROPOSED CHANGES SHOULD ACCOMPANY EACH APPLICATION FOR BUDGET AMENDMENT. USE PAGE TWO FOR THIS PURPOSE.

Amendment No. 2021-02

Fiscal Year: 2020-2021

Date: 1/14/2021

Amending: Local Funds State Funds (Check appropriate fund account to be amended. Use a separate form for each fund). The

Board of Commissioners for Anastasia Mosquito Control District hereby submits to the Department of Agriculture and Consumer Services, for its consideration and approval, the following amendment for the current fiscal year as follows:

ESTIMATED RECEIPTS

NOTE: The budget cannot be amended to show an increase in receipts over the amount budgeted unless authorized.

Total Available Cash and Receipts	Reserves	Present Budget	Increase Request	Decrease Request	Revised Budget
\$ 14,382,177.72	\$ 7,057,820.72	\$ 14,382,177.72	\$ 190,000.00	\$ 190,000.00	\$ 14,382,177.72

NAME SOURCE OF INCREASE: (Explain Decrease)

BUDGETED RECEIPTS

ACCT NO	Description	Present Budget	Increase Request	Decrease Request	Revised Budget
311	Ad Valorem (Current/Delinquent)	\$ 6,189,053.00	\$ -	\$ -	\$ 6,189,053.00
334.1	State Grant	\$ -	\$ -	\$ -	\$ -
362	Equipment Rentals	\$ -	\$ -	\$ -	\$ -
337	Grants and Donations	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00
361	Interest Earnings	\$ 55,000.00	\$ -	\$ -	\$ 55,000.00
364	Equipment and/or Other Sales	\$ -	\$ -	\$ -	\$ -
369	Misc./Refunds (prior yr expenditures)	\$ 35,000.00	\$ -	\$ -	\$ 35,000.00
380	Other Sources	\$ -	\$ -	\$ -	\$ -
389	Loans	\$ -	\$ -	\$ -	\$ -
TOTAL RECEIPTS		\$ 6,429,053.00	\$ -	\$ -	\$ 6,429,053.00
Beginning Fund Balance		\$ 7,953,124.72	\$ -	\$ -	\$ 7,953,124.72
Total Budgetary Receipts & Balances		\$ 14,382,177.72	\$ -	\$ -	\$ 14,382,177.72

BUDGETED EXPENDITURES

NOTE: Total increase must equal total decrease, unless the total "Present Budget" is revised.

ACCT NO	Uniform Accounting System Transaction	Present Budget	Increase Request	Decrease Request	Revised Budget
10	Personal Services	\$ 1,870,919.00	\$ -	\$ -	\$ 1,870,919.00
0	Personal Services Benefits	\$ 942,808.00	\$ -	\$ -	\$ 942,808.00
30	Operating Expense	\$ 507,620.00	\$ -	\$ -	\$ 507,620.00
40	Travel & Per Diem	\$ 22,182.00	\$ -	\$ -	\$ 22,182.00
41	Communication Services	\$ 25,904.00	\$ -	\$ -	\$ 25,904.00
42	Freight Services	\$ 2,500.00	\$ -	\$ -	\$ 2,500.00
43	Utility Service	\$ 39,000.00	\$ -	\$ -	\$ 39,000.00
44	Rentals & Leases	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
45	Insurance	\$ 129,000.00	\$ -	\$ -	\$ 129,000.00
46	Repairs & Maintenance	\$ 108,750.00	\$ -	\$ -	\$ 108,750.00
47	Printing and Binding	\$ 500.00	\$ -	\$ -	\$ 500.00
48	Promotional Activities	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00
49	Other Charges	\$ 6,325.00	\$ -	\$ -	\$ 6,325.00
51	Office Supplies	\$ 22,000.00	\$ -	\$ -	\$ 22,000.00
52.1	Gasoline/Oil/Lube	\$ 91,750.00	\$ -	\$ -	\$ 91,750.00
52.2	Chemicals	\$ 636,829.00	\$ -	\$ -	\$ 636,829.00
52.3	Protective Clothing	\$ 1,500.00	\$ -	\$ -	\$ 1,500.00
52.4	Misc. Supplies	\$ 73,568.00	\$ -	\$ -	\$ 73,568.00
52.5	Tools & Implements	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
54	Publications & Dues	\$ 17,740.00	\$ -	\$ -	\$ 17,740.00
55	Training	\$ 43,825.00	\$ -	\$ -	\$ 43,825.00
60	Capital Outlay	\$ 2,029,800.00	\$ 190,000.00	\$ -	\$ 2,219,800.00
71	Principal	\$ -	\$ -	\$ -	\$ -
72	Interest	\$ -	\$ -	\$ -	\$ -
81	Aids to Government Agencies	\$ -	\$ -	\$ -	\$ -
83	Other Grants and Aids	\$ -	\$ -	\$ -	\$ -
89	Contingency (Current Year)	\$ 725,837.00	\$ -	\$ 190,000.00	\$ 535,837.00
99	Payment of Prior Year Accounts	\$ -	\$ -	\$ -	\$ -
TOTAL BUDGET AND CHARGES		\$ 7,324,357.00	\$ 190,000.00	\$ 190,000.00	\$ 7,324,357.00
0.001	Reserves - Future Capital Outlay	\$ 5,608,116.72	\$ -	\$ -	\$ 5,608,116.72
0.002	Reserves - Self-Insurance	\$ -	\$ -	\$ -	\$ -
0.003	Reserves - Cash Balance to be Carried Forward	\$ 1,319,704.00	\$ -	\$ -	\$ 1,319,704.00
0.004	Reserves - Sick and Annual Leave	\$ 130,000.00	\$ -	\$ -	\$ 130,000.00
TOTAL RESERVES		\$ 7,057,820.72	\$ -	\$ -	\$ 7,057,820.72
TOTAL BUDGETARY EXPENDITURES and BALANCES		\$ 14,382,177.72	\$ 190,000.00	\$ 190,000.00	\$ 14,382,177.72
ENDING FUND BALANCE		\$ -	\$ (190,000.00)	\$ (190,000.00)	\$ -

APPROVED: _____
Chairman of the Board, or Clerk of Circuit Court

DATE _____

APPROVED: _____
FDACS Mosquito Control Program Designee

DATE _____

ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS COUNTY
FISCAL YEAR ENDING SEPTEMBER 30, 2021

BUDGET AMENDMENT NUMBER 2021-02

PAGE 1 OF 1

COMPUTATIONS

LOCAL FUND:

BUDGET AMENDMENT

COMPUTATIONS

Capital Outlay- Helicopter Spray Equipment, Parts, and Components

\$ 190,000.00

TOTAL BUDGET AMENDMENTS

\$190,000.00

ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS COUNTY
FISCAL YEAR ENDING SEPTEMBER 30, 2021

LOCAL BUDGET AMENDMENT NUMBER 2021-02

PAGE 1 OF 1

BUDGET ADJUSTMENT ENTRIES:

Dr) Capital Outlay
 Cr) Contingency

\$ 190,000.00

\$ 190,000.00

PAGE 1 OF 1

UNFINISHED BUSINESS

#1

Anastasia Mosquito Control District of St. Johns County

120 EOC Drive, St. Augustine, Florida 32092

PH: (904) 471-3107 • Fax (904) 471-3189 • Web Address: www.amcdsjc.org

MEMO

DISTRICT DIRECTOR

Dr. Rui-De Xue



BOARD OF COMMISSIONERS:

Jeanne Moeller, Chairperson
Trish Becker, Vice-Chairperson
Don Girvan, Secretary/Treasurer
Gary Howell, Commissioner
Gina LeBlanc, Commissioner

TO: Board of Commissioners

FROM: Dr. Rui-De Xue, Director

CC: Charolette M. Hall, Administrative Assistant

DATE: January 14, 2021

RE: New Commissioners Statement

Commissioners' Gardner and Brandhorst, who officially took office on January 5, 2021, will give a statement each.

Thank you.

**UNFINISHED
BUSINESS**

#2

Anastasia Mosquito Control District of St. Johns County

120 EOC Drive, St. Augustine, Florida 32092

PH: (904) 471-3107 • Fax (904) 471-3189 • Web Address: www.amcdsjc.org

2020 MEMO

DISTRICT DIRECTOR

Dr. Rui-De Xue



BOARD OF COMMISSIONERS:

Jeanne Moeller, Chairperson
Trish Becker, Vice-Chairperson
Don Girvan, Secretary/Treasurer
Gary Howell, Commissioner
Gina LeBlanc, Commissioner

TO: Board of Commissioners

FROM: Dr. Rui-De Xue, Director, Richard Weaver Business Manager

DATE: January 14, 2021

RE: Update on the EDU Center bid process and status of ongoing projects

AMCD EDU Center Building Design: The design has been completed and electronic blueprints have been delivered to AMCD, these blueprints are part of the bid package for the EDU Center. The blueprints consist of 155 pages of detail to include Architectural drawings (interior space and exhibits), Civil drawings (outdoor space), Electrical drawings, Fire Suppression drawings, Mechanical drawings, Building drawings, Plumbing drawings, Structural drawings. Final total cost was \$170,379.98.

AMCD EDU Site Design and Build: The site plan (design) was completed early on and the build was finished in November. The County required the addition of a fire hydrant to the plan and build. Final total cost was \$288,877.45

Bid Request for the Permitting and Construction of the AMCD Disease Vector Education Center: The bid package consists of the bid solicitation document and score sheet, the written detail document (233 pages), blue prints (8 documents, 155 pages) and is a very detailed bid solicitation package. The important milestones and dates are:

- Bid solicitation start date: 8 A.M. January 04, 2021
- Mandatory pre-bid conference: January 20, 2021 9 AM
- No questions will be accepted after: January 21, 2021
- Response addendums will be provided no than: January 28, 2021.
- AMCD advertised for this project: January 01, 2021 through January 03, 2021.
- Bid solicitation end date: 4 P.M. February 01, 2021
- Bid opening by staff date: 9 A.M. February 02, 2021
- Bid consideration Board of Commissioners: February 11, 2021

The Board will have a recommendation from staff and a spreadsheet of bids submitted at the February 11, 2021 Board of Commissioner meeting.

**NEW
BUSINESS
#1**

Anastasia Mosquito Control District of St. Johns County

120 EOC Drive, St. Augustine, Florida 32092

PH: (904) 471-3107 • Fax (904) 471-3189 • Web Address: www.amcdsjc.org

MEMO

DISTRICT DIRECTOR

Dr. Rui-De Xue

BOARD OF COMMISSIONERS:

Jeanne Moeller, Chairperson
Trish Becker, Vice-Chairperson
Don Girvan, Secretary/Treasurer
Gary Howell, Commissioner
Gina LeBlanc, Commissioner



TO: Board of Commissioners

FROM: Dr. Rui-De Xue, Director

CC: Charolette M. Hall, Administrative Assistant

DATE: January 14, 2021

RE: Review of the Government-in-the-Sunshine Law & Ethics 2021

Our attorney, Mr. Wayne Flowers will give a review of the Government in the Sunshine Laws and Ethics.

Thank you.


**SUNSHINE LAW, PUBLIC RECORDS
AND ETHICS REQUIREMENTS FOR
ANASTASIA MOSQUITO CONTROL
DISTRICT COMMISSIONERS**

JANUARY 14, 2021

Wayne E. Flowers


Section 286.011, Florida Statutes

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings, open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of such meetings.




Section 286.011, Florida Statutes, cont'd.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.




Sunshine Law – Essential Requirements

- Meetings of public boards must be open to the public
- Reasonable notice of such meetings must be given
- Minutes of the meeting must be taken and promptly recorded







Meetings of Public Boards

- Meeting – any gathering of two or more members of same board discuss some matter which will foreseeably come before that board in the future
- Excluded – personal conversations




Meetings

	<u>Yes</u>	<u>No</u>
Telephone Conversations	<input checked="" type="checkbox"/>	
Email messages	<input checked="" type="checkbox"/>	
Text messages	<input checked="" type="checkbox"/>	
Facebook Page	<input checked="" type="checkbox"/>	



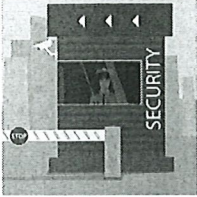

Conduits / Liaisons

- Communication through third party, non-board member who acts as conduit or liaison between two or more board members is a meeting if it involves foreseeable board business.




Meeting is Open to the Public

- Can't hold meetings at location not easily accessible to the public
 - e.g., private club or private dining room
- No places that discriminate
- No places that restrict access
 - e.g. no access for handicapped
- No out-of-town; out-of-County meetings


Caution

- Conversations held at properly noticed meeting can violate Sunshine Law
- Inaudible discussions between Board members at a public meeting
- Private discussions at a public meeting





Can meeting involving one Board member or no Board member be subject to Sunshine Law requirements?

- Single Board Member – yes when single Board member delegated decision making authority by full Board
- Staff meetings – ordinarily no – but yes if staff committee delegated decision making authority by Board




Reasonable Notice Attorney General Suggested Guidelines

- Notice should contain time and place with agenda or summary of subject matter
- Notice should be prominently displayed in area of agency's office set aside for such purposes and on agency's website
- In case of emergency – the most effective notice under circumstances should have no less than 24 hours and preferably 72 hours notice to public
- Use of press releases, faxes, emails and/or phone calls to media is effective


Written Communications – One Way

- Board member can provide written information/report to other Board members on matter to be discussed at public meeting
- Cannot circulate information or memorandum seeking comments or responses from other Board members
- Avoid sending communications that invite comment or response from others




Other Points on Sunshine Law

- Law to be liberally construed
- Exemptions
 - Few – e.g. shade meetings strictly construed
 - Chapter 119, Fla. Stat. – Florida’s Public Records Law (all state, county and municipal records are open for personal inspection and copying by any person)




Violations

- Any action taken at meeting not open to public is void *ab initio*
- Can be cured at subsequent open, properly noticed meeting




Violations / Penalties

- Knowing violation
 - 2nd Degree Misdemeanor
 - \$500 fine
 - 6 months in county jail
- All other violations are noncriminal and subject to \$500 fine
- Attorney’s fees
 - Will be awarded against the Board
 - May be awarded against individual members unless the Board acted on advice of legal counsel





When in doubt, cut it out!

The principle to be followed is: when in doubt, the members of any board, agency, authority or commission should follow the open meeting policy of the state.” Town of Palm Beach Gardens v. Grandison, 296 So.2d 477 (Fla.1974)




“Public Record”

- §119.011(12) “Public records” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.
- Florida courts have interpreted the above to include *all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge.*





What is a “Public Record” under Chapter 119, Florida Statutes?

- a) Any vinyl, non-digital recording by the Beatles?
- b) All photographs on a Board Member’s cell phone?
- c) Any document or other item, regardless of physical form, that is received in connection with transaction of official business by you or the City?
- d) Social media (text, instagram, blogs, twitter)?




Public Records Law




Chapter 119, Florida Statutes

- (1) It is the policy of this state that all state, county and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.





What must be done with a public record when received?

- Delete it immediately?
- Run it through a shredder?
- Send it to the Library of Congress?
- Make sure it is retained and is available for viewing by the public upon request?



Retention Requirements

All public records must be retained in accordance with a retention schedule adopted by the agency, which must be consistent with the schedules established by the Division of Library and Information Services.

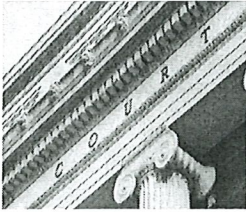



Violations of Public Records Law


Knowing Violation
 First Degree misdemeanor
 Up to one year in jail
 Up to \$1,000 fine

Other Violation (non-knowing)
 Up to \$500 non-criminal fine

Payment of Attorneys' Fees




22




Ethics for Public Officers

Art. III, Sec. 8, Fla. Constitution
"A public office is a public trust. The people have the right to secure and sustain that trust against abuse."




Sec. 112.311(1), Fla. Stat.

(1) It is essential to proper conduct and operation of government that **public officials be independent and impartial** and that **public office not be used for private gain** other than the remuneration provided by law. The public interest, therefore, requires that the law **protect against any conflict of interest** and establish standards for the conduct of elected officials and government employees in situations where conflicts may exist.



Conduct Covered in Part III of Chapter 112, Fla. Stat.


- Solicitation or acceptance of gifts (bribes)
- Unauthorized compensation
- Misuse of public position
- Disclosure or use of certain information
- Doing business with one's own agency
- Conflicting employment or contractual relationship
- Voting conflicts
- Nepotism
- Financial disclosure (Form 6)



Sec. 112.313(2) Solicitation of Acceptance of Gifts


Prohibits public officer, employee of agency, local government attorney, or candidates for nomination of election from:

- Soliciting or accepting anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, **based upon any understanding, that the vote, official action, or judgment of the public official, employee, etc., would be influenced thereby**
- Concept of quid pro quo – essentially bribery

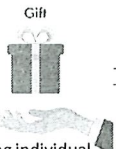


Sec. 112.313(4), Fla. Stat. Unauthorized Compensation

- Prohibits public officer, employee of an agency or local government attorney or his or her spouse or minor children from:
- Accepting any **compensation, payment, thing of value**, when such public officer, etc., knows or with the exercise of reasonable care, **should have known**, that it was given to **influence a vote or other action** in which the public officer, etc., was expected to participate in his or her official capacity
- Examples – free trips provided by a vendor or lobbyist; a “to be forgiven” loan from a vendor or lobbyist




Gifts




- What is a gift?
 - Anything of value received by a reporting individual that the individual doesn't have to pay for or reimburse the giver for within 90 days of receipt
- Prohibited Gifts – some gifts are prohibited
- Legal-Reportable Gifts – some gifts are legal, can be received and don't require reporting; others can be received by must be reported


REMEMBER – IF A GIFT IS PROHIBITED, REPORTING IT WON'T KEEP IT FROM BEING ILLEGAL!




Illegal Gifts




- Gifts either solicited by public official or accepted by public official based on understanding gift was intended to influence official's judgment or actions
- Gifts (compensation) received by public official (or spouse or minor child) where he/she knows it was given for purpose of influencing his/her judgment or actions
- Gifts solicited by Reporting Individual from a lobbyist who lobbies individual's agency if it is for personal benefit of individual, or parent, spouse or sibling of individual
- Unsolicited gifts, if given by lobbyist, lobbyist's agency, employer, etc., if gift is worth \$100 or less



Legal/Reportable Gifts




- Gifts from relatives
- Unsolicited gift from lobbyist or agency vendor worth less than \$100
- Gifts greater than \$25 but less than \$100 must be reported by giver
- Unsolicited gifts from non-lobbyist can exceed \$100 in value as long as recipient reports the gift



Doing Business with One's Agency

Two prohibitions in this section:


1. Prohibits public officer, employee or purchasing agent from directly or indirectly "purchasing, renting, or leasing realty, goods or services for his/her own agency, from business entity which person, or person's spouse or child is officer, partner, director, proprietor or owner of a material interest."



Doing Business with One's Agency, cont'd

2. Prohibits public officer or employee, acting in private capacity from renting, leasing, or selling any realty, goods or services to the person's agency, or to the political subdivisions served by them, or any agency of the political subdivision.


Exception – sealed competitive bidding where official plays no part in developing specifications for bid.



Conflicting Employment or Contractual Relationship Sec. 112.313(7), Fla. Stat.


Prohibits public officers from –

- Having contractual relationship of employment with an agency or a business entity that is either subject to regulation of, or doing business with, the officer's agency.
- Having contractual relationship or employment that will create a continuing or frequently recurring conflict of interest, or that would impede the full and faithful discharge of public duties.



Misuse of Public Position

- Public officers may not use or attempt to use their official position or any property or resource within their trust, or perform their official duties, to secure a special privilege, benefit, or exemption for themselves or another.
- "Corruptly" means done with wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.




Voting Conflicts of Interest

A voting conflict of interest arises when public official is called upon to vote on:


...any measure which would inure to the officer's special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principle by which the officer is retained; or which the officer know would inure to the special private gain or loss of a relative or business associate of the public officer...

Relative—father, mother, son, daughter, husband, wife, brother, sister, father-in-law, son-in-law and daughter-in-law.



Voting Conflicts of Interest, cont'd

Special Private Gain—whether a measure inures to the special private gain of an officer or his principal turns in part on the size of the class of persons who stand to benefit from the measure. Where the class of persons is large, a special private gain will result only if there are circumstances unique to the officer or principal under which he stands to gain more than the other members of the class. Where the class of persons benefiting from the measure is extremely small, the possibility of special gain is much more likely.



Voting Conflicts of Interest, cont'd

Requirements to be followed when Board member has Voting Conflict—

1. Abstain from voting on the matter.
2. Before the vote, publicly state to the nature of the conflict or interest in the matter.
3. Within 15 days of the vote, file a memorandum of the voting conflict (specified form) with the Bd. Secretary to be included with the minutes of the meeting.



OVERVIEW OF SUNSHINE AND PUBLIC RECORDS LAWS

I. GOVERNMENT IN THE SUNSHINE LAW

A. WHAT DOES THE LAW PROVIDE?

Section 286.011, Florida Statutes

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings, open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

In addition, Article I, Sec. 24 of the Florida Constitution includes language almost identical to that quoted above from Sec. 286,011, Florida Statutes, which covers not only its open meetings provision but also incorporates a right of access to public records. Thus, there are both statutory and constitutional requirements for public access to meetings of public bodies.

B. WHAT IS THE SCOPE OF THE LAW?

Florida's Government in the Sunshine Law, usually referred to as the Sunshine Law, provides a right of access to governmental proceedings of public boards at both the state and local levels. The law is applicable to both appointed and elected boards and has been applied to any gathering of two or more members of the same board to discuss some matter *which will foreseeably come before that board* in the future. There are three basic requirements of the law:

1. meetings of public boards must be open to the public;
2. reasonable notice of such meetings must be given; and
3. minutes of the meetings must be taken and promptly recorded.

Virtually all public bodies are covered by the open meetings requirements set out in the Constitution. In addition, a recent legislative act requires that citizens be given a reasonable opportunity to be heard at public meetings (See Sec. 286.0114, Florida Statutes).

C. WHAT AGENCIES OR BOARDS ARE COVERED BY THE LAW?

The Sunshine Law applies to "any board or commission of any agency or authority of any county, municipal corporation, or political subdivision." It applies to both elected and appointed governmental bodies. It applies to committees of a covered board where two or more board members are participants. It can apply to an advisory board appointed by a board (even without members of the governing body being present), if the advisory board is delegated decision making functions or authorities. If the advisory board is given only fact-finding (as opposed to decision-making) authority (e.g., authority to make recommendations on an issue, but with decision making authority retained by the board) then the Sunshine Law does not apply. Note—meetings involving an individual board member can be subject to the Sunshine Law, if the individual board member is delegated decision making authority by the board the individual sits on (e.g., a board member is delegated the authority to meet with a vendor and make a decision on entering into a contract with vendor without the need for further approval of the board).

D. COMMON SUNSHINE LAW QUESTIONS AND ANSWERS

Does Sunshine Law apply to any and all discussions between two or more Board members?

Discussions/conversations that are covered by Sunshine Law are those between two or more Board members on matters on which foreseeable action will be taken by the Board. Thus, you can talk about the weather, your kids or your grandkids, restaurants, movies, etc., with another board member, just not about things that are currently the subject of Board business or may foreseeably be the subject of Board action in the future.

Phone conversations, e-mail communications, text messaging are all covered, just as are face to face meetings.

What about written communications between Board members?

The distribution/communication of written reports by one Bd. member to inform other Bd. members regarding a subject which will be discussed at a public meeting is not a violation of the law if prior to the meeting there is no interaction related to the report among the Bd. members. *A School Bd. member may prepare and circulate informational memorandum or position paper to other board members; however, the use of a memorandum to solicit comments from other board members or the circulation of responsive memoranda by other board members would violate Sunshine Law.*

What about conversations through intermediaries?

The Sunshine Law applies to meetings between a board member and an individual who is not a member of the board when that individual is being used as a liaison between or to conduct, de

facto, meeting of Bd. members. *City Manager is not a Council member and thus may meet with individual Council members; however, the manager may not act as a liaison for board members by circulating information and thoughts of individual council members.* Staff members cannot be used to poll a board's members to feel out positions or be used to communicate messages from one board member to another.

Inspection Trips

The Sunshine Law does not apply to inspection trips (e.g. for purposes of fact finding) where two or more Bd. members are involved, but, no discussion of matters which may come before the Bd. may occur during the inspection trip. The same logic applies to conferences or other public meetings being attended by two or more board members—as long as there is no conversation or other dialog about board business, the Sunshine Law does not apply.

What about "inaudible" discussions before during or after public meeting?

Such discussions are covered. Just because two board members are in a room where a noticed meeting is occurring doesn't mean they can conduct a private discussion about board business which cannot otherwise be heard by others in the room.

E. WHAT ARE THE PENALTIES FOR VIOLATING THE LAW?

A covered official who knowingly violates the law can be charged with and found guilty of a second degree misdemeanor (max penalty—60 days in County Jail and/or \$500 fine). All other violations are considered non-criminal infractions punishable by fine not exceeding \$500.

Any action taken at a meeting that does not comply with the Sunshine Law is void.

If in doubt—don't do it!

The Florida Attorney General and the Florida Courts have repeatedly emphasized the following admonition:

"The principal to be followed is: When in doubt, the members of any board, agency, authority or commission should follow the open meeting policy of the state."

Town of Palm Beach Gardens v. Grandison, 296 So. 2d 473, 477 (Fla. 1974).

II. PUBLIC RECORDS LAW

A. WHAT DOES THE LAW PROVIDE?

Section 119.01, Florida Statutes:

(1) It is the policy of this State that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.

Section 119.011, Florida Statutes:

(12) "Public records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Section 119.07, Florida Statutes:

(1)(a) Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.

Florida's courts have interpreted the definition of public records (in Sec. 119.011, Florida Statutes, quoted above) to include *all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge*. This includes draft documents and even personal notes, if made or kept in connection with official business and otherwise meet the definition of a public record. An exception with regard to personal notes is recognized if the notes were made simply for personal use maker to aid the maker in remembering certain things and are not otherwise circulated. Public records do include e-mails, letters, memos, photographs, etc. prepared, sent or received by a public official, if the document is connected to agency business. Entries posted on a social networking website by a public official are public records if they relate to agency business.

B. WHAT ARE THE RETENTION REQUIREMENTS FOR PUBLIC RECORDS?

All public records received or produced by an agency or an agency employee or governing board member must be retained in accordance with a retention schedule adopted by the agency, which must be consistent with the schedules established by the Division of Library and Information Services, which is a part of Florida's Department of State.

There are criminal penalties for knowingly destroying a public record, except in conformance with a retention schedule/plan that authorizes destruction of the record.

ETHICS REQUIREMENTS FOR PUBLIC OFFICIALS
PART III, CHAPTER 112 FLORIDA STATUTES

I. Who is Covered?

Provisions of Part III, Chapter 112, Florida Statutes, applies to "public officers." "Public officers" includes persons "elected or appointed to hold office in any agency, including any person serving on an advisory body." Sec. 112.313(1), and 212.3143(1), Fla. Stat. Thus, PVBMSD Board members are covered.

II. What Conduct is Regulated or Prohibited by Chapter 112?

A. Solicitation and Acceptance of Gifts

Public officers and candidates for nomination or election are prohibited from soliciting or accepting anything of value to the recipient based on any understanding that the vote, official action, or judgment of the official or candidate would be influenced thereby. Sec. 112.313(2), Fla. Stat.

Things of value under this provision include, but are not limited to, gifts, loans, rewards, promised or future employment, favors and services. Such conduct essentially amounts to bribery and requires a quid pro quo.

B. Unauthorized Compensation

Public officers, their spouses, and minor children (but not other relatives, e.g., son-in-law) are prohibited from accepting any compensation, payment, or thing of value when the official knows or, with the exercise of reasonable care, should know that it is given to influence a vote or other action in which the official was expected to participate in his/her official capacity. Sec. 112.313(4), Fla. Stat. Examples, free trips provided by vendor or lobbyist; a "to be forgiven" loan from a vendor or lobbyist.

C. Doing Business with One's Agency

Sec. 112.313(3) contains two prohibitions—the first prohibits a public officer acting in an official capacity, or public employee acting in an official capacity as a purchasing agent from directing or indirectly purchasing, renting, or leasing realty, goods, services for the person's own agency from a business entity of which the person or the person's spouse or child is an officer, partner, director, proprietor, or the owner of a "material interest." "Material interest" means owning more than 5% of the total assets or capital stock of a business entity.

The second prohibition is against a public officer or employee acting in a private capacity to rent, lease, or sell any realty, goods, or services to the person's agency, or to the political subdivisions served by the person, or any agency of the political subdivision.

Exception—when the business is to be transacted through a sealed, competitive bidding process, the official's business may submit a bid and be awarded the contract. However, the official must file a conflict of interest form and not participate in the discussion or voting on the award of the contract. Neither can the official participate in the formation of the specifications for the bid. Also, transactions not exceeding \$500 in the aggregate in a calendar year may be made between an agency and the official's business. Other exceptions are listed in Sec. 112.313(12), Fla. Stat.

D. Misuse of Public Position

Public officers may not corruptly use or attempt to use their official position or any property or resource within their trust, or perform their official duties, to secure a special privilege, benefit, or exemption for themselves or another. Sec. 112.313(6), Fla. Stat. "Corruptly" is defined in Sec. 112.312(9), Fla. Stat. to mean

...done with a wrongful intent and for the purpose of obtaining, or compensating, or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.

E. Conflicting Employment or Contractual Relationship

Section 112.313(7), Fla. Stat., prohibits a public officer (but not a candidate for office and not a relative of the public officer) from having a contractual relationship or employment with an agency or a business entity that is either subject to the regulation of, or doing business with, the officer's agency.

Examples: City Commissioner prohibited from being employed by brokerage firm if firm is selected as underwriter for one or more city bond issues; County Commissioner prohibited from employment with national brokerage firm contracting with county for underwriting services for proposed bond issue; City Commissioner employed by two city franchisees; and health authority's employee's law firm providing services to authority.

This provision also prohibits a public officer from having a contractual relationship or employment that will create a continuing or frequently recurring conflict of interest, or that would impede the full and faithful discharge of public duties.

Exception: When legislative act or local ordinance requires or allows certain public officers to engage in certain occupations or professions in order to be qualified to hold their public positions.

III. Reporting of Gifts

Sec. 112.3148, Fla. Stat., regarding reporting of receipt of gifts applies to "reporting individuals." "Reporting individuals ("RI") includes all persons required to file either full or limited financial disclosures pursuant to Art. II, Sec. 8, Fla. Constitution, or Sec. 112.3145, Fla. Stat. A RI is prohibited from soliciting any gift from a lobbyist who lobbies the RI's agency, from the partner, firm, employer, or principal of such a lobbyist, or from a political committee or committee of

continuous existence, if it is for the personal benefit of the reporting individual, another RI, or a parent, spouse or sibling of the RI. Prohibition has no dollar threshold and applies to food or beverages.

Further, when not solicited, a RI is prohibited from knowingly accepting, directly or indirectly, a gift from a vendor doing business with the RI's agency, a lobbyist who lobbies the RI's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100.00.

Exception—when gift is given for or accepted by the RI on behalf of a governmental entity or charitable organization. All such gifts (over \$100.00 from entity of government or charitable organization) must be reported quarterly and annually. Also, gifts from relatives of the RI excluded.

Donors of gifts to RIs that are greater than \$25.00 but less than \$100.00 must report such gifts quarterly and annually, naming the recipient, describing the gift and the value thereof

IV. Voting Conflicts of Interest

A voting conflict of interest arises when public official is called upon to vote on:

...any measure which would inure to the officer's special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principle by which the officer is retained; or which the officer know would inure to the special private gain or loss of a relative or business associate of the public officer...

Relative—father, mother, son, daughter, husband, wife, brother, sister, father-in-law, son-in-law and daughter-in-law.

Special Private Gain—whether a measure inures to the special private gain of an officer or his principal turns in part on the size of the class of persons who stand to benefit from the measure. Where the class of persons is large, a special private gain will result only if there are circumstances unique to the officer or principal under which he stands to gain more than the other members of the class. Where the class of persons benefiting from the measure is extremely small, the possibility of special gain is much more likely.

Requirements to be followed when Bd. Member has Voting Conflict—

1. Abstain from voting on the matter.
2. Before the vote, publicly state to the nature of the conflict or interest in the matter.

3. Within 15 days of the vote, file a memorandum of the voting conflict (specified form) with the Bd. Secretary to be included with the minutes of the meeting.

**NEW
BUSINESS
#2**

Anastasia Mosquito Control District of St. Johns County

120 EOC Drive, St. Augustine, Florida 32092

PH: (904) 471-3107 • Fax (904) 471-3189 • Web Address: www.amcdsjc.org

MEMO

DISTRICT DIRECTOR

Dr. Rui-De Xue



BOARD OF COMMISSIONERS:

Jeanne Moeller, Chairperson
Trish Becker, Vice-Chairperson
Don Girvan, Secretary/Treasurer
Gary Howell, Commissioner
Gina LeBlanc, Commissioner

TO: Board of Commissioners

FROM: Dr. Rui-De Xue, Director

CC: Charolette M. Hall, Administrative Assistant

DATE: January 14, 2021

RE: Election of Officers 2021

Election of the Chairperson, Vice-Chairperson, and Secretary/Treasurer will be done under New Business #2 at this meeting.

Thank you.

**NEW
BUSINESS**

#3

Anastasia Mosquito Control District of St. Johns County

120 EOC Drive, St. Augustine, Florida 32092

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MEMO

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BOARD OF COMMISSIONERS:

Jeanne Moeller, Chairperson
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Don Girvan, Secretary/Treasurer
Gary Howell, Commissioner
Gina LeBlanc, Commissioner

TO: Board of Commissioners

FROM: Dr. Rui-De Xue, Director

CC: Charolette M. Hall, Administrative Assistant

DATE: January 14, 2021

RE: Recognition of 2020 Chairperson's Service

Our newly elected Chairperson for 2021 (which will be done under New Business #2 at this meeting) will recognize Commissioner Jeanne Moeller for her service as Chairperson in 2020.

Thank you.



The **Board of Commissioners** of the
ANASTASIA MOSQUITO CONTROL DISTRICT
of **St. Johns County, Florida**

Presented
Thursday, January 14, 2021
to

Mrs. Jeanne Moeller

In recognition and appreciation of
your hard work, dedication, and
commitment to the Board, Employees
and the Mission and Goals of AMCD
in serving as a Chairperson in 2020,
January 1, 2020 - December 31, 2020

REPORTS

Director report (December 2020)

Program Management:

Customer & professional service and service request process: AMCD answered 13 for service requests in Dec. Dr. Xue and Dr. Qualls reviewed 5 manuscripts for different journals at the editors' requests. Dr. Xue as the Editor works on the new volume of the JFMCA manuscript process. Dr. Qualls as Co-Chair organized the FMCA's virtual Dodd short courses. Dr. Xue has been appointed as the FMCA's Research Advisory Committee Chair. Staff provided mosquito samples to UF for research. Dr. Qualls and Dr. Farooq gave presentations about calibration for UF/VDCI's aerial workshop.

Surveillance: Testing for arbovirus by sentinel chickens & mosquito pools in house confirmed with one for SLE, 1 for WN, and 3 for EEE. Sentinel chicken program was stopped in middle of December. CDC light trap collection was stopped in December. Continued 12 BG sentinel traps with BG lures and dry ice and ovitraps for *Aedes* mosquito surveillance once a week. BG traps collected 664 adult mosquitoes (majority was *Culex* and only 77 *Aedes albopictus*).

Operation & aerial program: AMCD MCTs did hand fogging for 4 times and barrier spraying for 1 time. Conducted 1 time ULV spraying and treated 204 acres. Positive larval dips were 25 and treated larvae for 11 times for 42 acres by ground application. Chief Pilot and A&P Mechanic brought the purchased military surplus helicopters back on December 23, 2020 and January 5, 2021.

Applied research: Collaborative with UF about CDC grant subcontract about SIT project has been extended to June, 2021. DoD grant's about question development has been sent out for the survey. One manuscript has been approved by DoD and submitted to the Wetland Ecology (Mosquito Control Special Issue) for consideration of publish. Central Life about candle project and ThermaCell repellent evaluation have been continued. Several intern student projects have been continued. One book chapter about IMM has been submitted and two manuscripts have been or will be revised for publishing in JAMCA and JFMCA.

Education: Ms. Hall provided the training for an intern student about administration tasks. Two interns gave their presentations for staff. Dr. Farooq and Dr. Qualls gave presentations about pesticide calibration at the virtual aerial workshop in early December. Face book & twitter have been updated frequently. Commissioner Becker and Dr. Qualls gave an interview with local radio station. Commissioner Mrs. Moeller gave a speech about SIT at local legislation meeting on Dec 18. Commissioner Becker visited South Walton MCD before Christmas.

Business Management:

Serve to the Board of Commissioners: Staff prepared for December 10's Board meeting. AMCD committee member list and Chairs have been updated.

Budget and Auditor: Auditor has started for FY 19/20 work.

Contract: The RFP for Disease Vector Education building has been published and released for soliciting and collection. Contract about repellent testing service was approved by the board.

Safety: Wind sock for helicopter has been discussed and arranged for a professional installation on the roof.

Insurance: Health insurance, dental, and life insurances have been renewed after the Board approval in December.

HR: One employee tested positive for COVID-19 and five other contact employees who were asked for COVID-19 testing and all testing reports with negative in middle of December. One intern student Miss Lea Bangonan has been promoted as Biological Technician for the CDC grant contract position and starts from January 4, 2021 for two years. Ms. Charolette Hall retired on December 18, 2020 after 13 year service. One intern student extended 1 month to assist the front office, one intern student ended her service on Dec 18, 2020, and one intern extended for other 6 months in 2021.

Meeting:

Dec. 1. 10am. Aerial group meeting about military surplus helicopter purchase and recommendation. Commissioner Mr. Gary Howell attended the group meeting.

Dec. 2. 10am. Met Commissioner Mrs. Becker about proposed agenda and education items.

Dec. 3. 11am. Attended SOVE board meeting by zoom. 1pm. Attended ESA's Vector Network's Zoom meeting.

Dec. 4. 10:30am. Attended UF seminar by Zoom.

Dec. 7. 11am. Met two intern students. 1pm. interviewed one intern for contract biotechnician position (2 year term). 2pm. Attended NACCA vector control zoom meeting.

Dec 8. Tele conversations with Board members about proposed agenda.

Dec. 9. 7:30am. Held management meeting. 2pm. Attended Thermcell mosquito repellent zoom meeting.

Dec. 10. 8am. Attended Intern student presentation. 5pm. Attended Board meeting.

Dec. 11. 10:30am. Attended UF seminar.

Dec. 14. Met Mrs. Dena Autry about Mrs. Gaines's family issue and COVID-19 positive employee and other prevention measures.

Dec. 15. 11am. Met Commissioner Mr. Don Girvan about helicopter issues. 2pm. Attended special district award for leadership by zoom.

Dec. 16. Am. Went to DOH to get COVID-19 testing with other 4 employees.

Dec. 17. Group meeting for preparation for District shut down for holidays. Met Mrs. Hall for farewell.

Dec. 18. Attended County local legislation meeting. Commissioner Mrs. Moeller gave a speech about SIT building proposal. Commissioner Trish Becker attended the meeting.

Dec. 23. 3pm. Worked at District and waited for new helicopter arrive (Mr. Smith and Mr. Bruner flew back).

Treatment Summary December 2020

From Date : 12-01-2020

To Date : 12-31-2020

Zone : All

Material : All

Task : All

Material	Amount	Area Treated	Application Rate	Times
Altosid XR	4 ea	0.01 acre	435.54 ea / acre	1 times
Altosid XRG	25 lb	4.17 acre	6 lb / acre	2 times
B.t.i. Briquets	23 ea	0.05 acre	435.54 ea / acre	2 times
Cocobear	128 fl oz	0.33 acre	384.02 fl oz / acre	1 times
Duet 50%	320 fl oz	203.82 acre	1.57 fl oz / acre	1 times
Sustain MBG	70 lb	9.33 acre	7.5 lb / acre	2 times
Talstar P	0.23 gal	0.69 acre	0.34 gal / acre	1 times
VectoBac 12AS	456 fl oz	28.5 acre	16 fl oz / acre	3 times

Task Time Summary December 2020

From Date : 12-01-2020

To Date : 12-31-2020

Zone : All

Employee Name : All

Task Time Summary			
Task	Total Time	Total Timesheets	Total Time
Administrative	711:15 hrs	142	
Admin Leave	460:00 hrs	61	
Aerial Ground Crew	06:05 hrs	3	
Aerial Maint	131:00 hrs	40	
Aerial Survey	56:35 hrs	25	
AM Briefing	20:21 hrs	47	
Annual Leave	363:15 hrs	78	
Assist	29:04 hrs	7	
Building & Grounds Work	530:57 hrs	143	
Chicken Program	97:48 hrs	53	
Computer Repair	97:15 hrs	14	
Daily Paperwork	32:18 hrs	60	
Field Experiment	143:00 hrs	41	
Fish Program	07:15 hrs	6	
Fog Mission Serv Req	00:04 hrs	4	
GLP Management	36:54 hrs	21	
Ground Adulticide	03:10 hrs	1	
Ground Larvicide	21:54 hrs	11	
Ground Site Inspection	49:12 hrs	25	
Hand Adulticide	02:29 hrs	4	
Holiday	1400:00 hrs	144	
Insectary	251:55 hrs	84	
Inventory	05:30 hrs	1	
Lab Experiment	154:55 hrs	55	5944:45 hrs
Landing Rate	00:09 hrs	9	
Mechanics Time	176:44 hrs	19	
Meeting	103:05 hrs	99	
Molecular Lab Work	142:30 hrs	36	
Mosquito Trap BG	39:55 hrs	75	
Mosquito Trap CDC Oc	24:54 hrs	24	
Mosquito Trap ID	29:02 hrs	14	
Mosquito Trap OV	00:29 hrs	29	
Mosquito Traps Misc	03:00 hrs	1	
Produce Papers & Programs	158:55 hrs	47	
Project Research	209:45 hrs	52	
Resupplying Trucks	01:35 hrs	4	
Sick Bereavement	50:00 hrs	5	
Sick Leave	73:00 hrs	11	
Sick/Personal Leave	56:00 hrs	7	
Source Reduction (tires)	197:37 hrs	32	
Supervisory	55:49 hrs	16	
Training Classroom	02:00 hrs	1	
Training Field	03:30 hrs	2	
Travel	01:30 hrs	2	
Vehicle Maintenance	03:05 hrs	5	

ATTACHMENTS