

**Southwest Mosquito Abatement and Control District  
Board of Trustees Special Meeting**

**July 21st, 2009**

A Southwest Mosquito Abatement and Control District Board of Trustees special meeting was held on July 21st, 2009, in the Commission Chambers of the Washington County Administration building. The meeting was convened at 2:00 pm by Chairman Mike Heaton.

**Present :**

Chairman Michael Heaton, Washington  
Vice-Chairman Bruce Anderson, Santa Clara  
Commissioner Denny Drake, Washington County  
William Johnson, Hildale  
Zacharey Beatty, LaVerkin  
Darrell Nelson, Leeds  
Linda Behling, Rockville  
Barbara Rusick, Ivins  
Luke Stevens, Virgin  
Dale Kingsley , Apple Valley  
Merrill Fisher, Enterprise  
Mayor Pat Cluff, Springdale  
Dr. Andrew Barnum, Ex-Officio, Dixie College  
Jerry Rasmussen, Washington County Clerk/Auditor Office  
Rachelle Ehlert, Washington County Attorney Office  
Mario Boisvert, SWMACD Manager

**Absent :**

City of Hurricane Representation  
Town of New Harmony Representation  
City of Toquerville Representation

**Excused :**

Mike Henry, St. George

**Item #1: Roll Call**

Board members present signed the sign-in form.

**Item #2:**

**Board Motion – District expenses for Mario’s green card filing**

Chairman Heaton changed the order of the items on the agenda and first brought up the Miscellaneous item at the end.

Chairman Heaton explained the reason why a special meeting was called. Mario has a temporary visa (TN visa) which is good for three years and can be renewed. This type of visa does not

allow Mario to file for a green card (permanent residency) and if his wife is moving down to St. George under a TN visa, she would not be allowed to work in the USA. Mario did not want to wait until his visa expired to file for the green card. Laws can change and for whatever the reasons, the renewal of his visa can be denied and under this type of visa his wife cannot work. He hired an attorney to help him file for his green card and did not want to have either the Board or the County involved in this long process and put any pressure on the Board when the time came to renew his visa. He was ready to pay all the legal fees and steps that lead to the green card. Unfortunately, it seemed that the reality was quite different.

To get his green card, here is Mario's new reality :

- 1) Mario needs to have a labor certification delivered by the US Department of Labor and must be sponsored by his employer before going further with the green card process;
- 2) Mario must change his TN visa to an H1B visa (that allows him to file for the green card), and his employer needs to be involved in that step;
- 3) Some legal fees and forms must ONLY be paid by the employer, and the law stipulates that it is illegal for the employer to ask for any reimbursement from the employee.

So, this special meeting is to determine if the Board supports Mario in the different steps leading to the green card (as a sponsor) and if it agrees to pay "mandatory" fees that can go up to \$6,000.00. Mario's contribution would be around \$10,000.00.

Considering many requirements by the laws, the type of visa and the time frame of the whole procedure, the most appropriate time for Mario to start the different steps is before October; otherwise, he can lose a whole year if he misses this year's window. This is another reason why this meeting was called and could not wait until the next Board Meeting in September.

The Board members were also concerned by the fact that Mario's position must be reopened. This is part of the labor certification and the employer must "clear" the position by demonstrating to the US Department of Labor that there are insufficient able, willing, qualified and available US workers to fill the position. Changes to the job description were done to fit the reality of the current job versus what was posted the first time, but these do not affect the title of the position (District Manager).

During that process, if anyone applies and meets the minimum requirements for the position, the District has no obligation to extend an offer. The Board can elect to keep Mario but this will end Mario's process to go further with the green card and he will have to keep his H1B visa.

Some had no problems supporting Mario in his steps while others seemed more concerned about extending "unconditional" support to Mario with the present struggling economy, high rate of unemployment and many US workers looking for jobs.

Finally, a motion was proposed by Merrill Fisher to allow the District to advertise for the position and expand the amount of funds to support Mario in the different steps where the District is involved. The District also agrees to pay the fees that must be mandatorily paid by it. Motion seconded by William Johnson and carried by a majority vote, with all members present voting "aye" with the exception of Luke Stevens , who voted "nay".

### **Item #3: Miscellaneous**

Mario said he had good news for the Board. At the last Board Meeting, a motion was passed to allow Mario to sell pesticides that were not used in the inventory. Mario was able to sell two different products for a total of \$5,461.92. The check for those products has already been received and deposited. Mario is working on the sale of other products and hopes to be as successful as the previous sale.

Because of the 2009 Pesticides Bid, we were still committed to purchase \$19,028.60 of pesticides (out of \$30,788.80). Those products are, by coincidence, all sold by the same distributor, Adapco. Mario called Adapco's representative and explained that he wanted to buy all those products at once and, because we did not really need or use those products, he would try to resell them with a discount to create an incentive to an eventual buyer. After discussion, the Adapco's representative mentioned that he understood the situation and that it was not the way that he envisioned doing business with us. He said that for this year we were no longer committed to buy those products from him and that he would be "more than happy" to be on our distributor list for next year's bid.

In a week, we "created" a surplus of \$24,490.52 in the pesticides budget.

We also purchased a new freezer for the Dixie College laboratory. It was discussed at the last Board Meeting and that expense was approved by the Board. The former freezer was more likely acting as a refrigerator and was not cold enough to kill the mosquitoes within 24 hours. It was not killing the other bugs or insects and that caused a problem when came the time to identify the mosquitoes. The new freezer is a commercial one with an extended guarantee of three years and can freeze down to - 25°F.

We also purchased a new RAMP test kit (100 cartridges) as discussed and approved at the last Board Meeting. Many pools of mosquitoes are shipped to the Utah Department of Health (UDOH) Laboratory in Salt Lake City but many pools are tested here. More cartridges were needed for the rest of the season. In 2008, we shipped 58 pools of mosquitoes to the UDOH laboratory for a total of 1,987 mosquitoes tested. In 2009, as of July 21<sup>st</sup>, we already shipped 110 pools of mosquitoes to the UDOH laboratory for a total of 7,236 mosquitoes tested. We also tested in-house 68 pools for a total of 2,986 mosquitoes. Currently, we have tested a combined total (UDOH + RAMP) of 178 pools which corresponds to 10,222 mosquitoes. Mosquitoes of more than 150 traps have been tested.

Compared to last year, we have triple the number of pools tested (and we are only in July) and have tested five times more mosquitoes than last year. The teams in the field and in the laboratory are doing a very good job by collecting, identifying, recording data, preparing samples and testing all those mosquitoes. It is a considerable effort to look for infected mosquitoes, taking actions to reduce adult populations and protect the people. Only one pool of mosquitoes (caught in April) has tested positive so far, and this most likely suggests that those infected females had overwintered and were caught early in the season.

Finally, Mario talked about the research project that the three students working as volunteers with Dr. Barnum have proposed and carried out. The project was to set up traps in two trees at different heights (5' and 25') and collect data every hour on a 24-hour period to determine the peak activity of the mosquitoes present (different species – different behaviors ?) and get useful

information for our fogging activities. The results of the experiment were very interesting and a second trial will be performed in August to compare data. Mario talked of our results with the manager of the Salt Lake City District, and he was so interested by our results that he proposed to work with us on a larger project that would include both Districts to compare results in different kinds of environment and weather conditions.

**Item #4: Next Meeting Date:**

The next meeting will be held on September 10<sup>th</sup>, 2009.

Merrill Fisher proposed to adjourn the meeting; seconded by Commissioner Denny Drake. The meeting was dismissed by Chairman Heaton at 2:50 pm.

---

**Mario Boisvert, Ph.D.**

**District Manager**