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Avoid Hurricane Amnesia - Prepare For The 2012 Storm Season

By Andrew L. Zavodney Jr., President - Kustom US



In 1992, Hurricane Andrew slammed South Florida teaching us a devastating lesson about preparing for the hurricane season. In 2005, Hurricanes Wilma, Dennis, and Katrina delivered harsh reminders. Considering Florida is the hurricane capital of the US, you'd think everyone understands the importance of storm preparedness, by now. You'd be wrong. As we enter the 2012 storm season, the National Hurricane Center is highly concerned Floridians have lapsed into a false sense of security. With no major storms making landfall in Florida over the last six years, complacency has set in. It's a phenomenon known as Hurricane Amnesia.

Hurricane Amnesia is a common trend during the years between catastrophic storms. A time when people ignore storm warnings and fail to take the most basic precautions. In areas of the state which have dodged the proverbial bullet for a decade or more, apathy has set in. Worse, some Floridians believe media reports urging storm preparation are scare tactics used by industries poised to profit from pre-storm panic. Nothing is further from the truth.

For the 2012 Atlantic basin forecast, meteorologists at AccuWeather.com predict 12 named tropical storms, five named hurricanes, and two major hurricanes rated category-three or higher. Although this is considered within the historic average, don't be fooled by a forecast that seems mild compared to other years. In 1992, forecasts also predicted a low number of named storms at the start of the season. By August, Hurricane Andrew paid us a visit.

The best treatment for a case of Hurricane Amnesia is to look at the numbers. In 2011, a lower than average year for hurricanes, a category-one hurricane named Irene inflicted over \$13 billion dollars of damage to homes and businesses. As we enter the 2012 storm season the question is: Are you feeling lucky? Or, are you willing to take steps to protect your life and property?

One way to minimize storm damage to your home is to invest in structural reinforcements designed to withstand extreme wind pressure. These include commercial, professionally-installed upgrades such as storm shutters, protective devices for doors and skylights, and hurricane-resistant laminated glass. Keep in mind, many insurers reduce premiums for policyholders who make the effort to mitigate loss. As a result, these types of upgrades pay for themselves over the years to come.

Another option is taking the do-it-yourself route to mitigating damage. It may not lower your insurance premiums but it offers far more storm protection than doing nothing at all. Known as Hurricane Retrofits, they're easy to install yourself or with the help of a handyman. The National Hurricane Center offers an excellent, 36-page Hurricane Retrofit Guide online and free of charge. Some of the basics include:

- Pre-cut plywood, labeled and ready-to-mount over your windows, sliding doors, garage doors and outside vents.
- Reinforcement of roof structure by adding 2x4 cross pieces in the attic.
- Installing braces to secure gable end walls to trusses.
- Using adhesives to strengthen the attachment of roof sheathing to rafters or trusses.
- Installing brackets to secure porches and carports susceptible to wind uplift.

For exterior property, year-round maintenance and a good dose of common sense make a world of difference. Promptly repair loose roof shingles and keep storm gutters clean. Trim weak tree branches and remove dead trees entirely. If you see a tree limb touching a power line, report it to your power company for removal. Replace landscaping gravel or rock with shredded bark. As soon as the weather service reports a storm headed your way, check outside for anything susceptible to high-force winds and bring it inside. Lawn furniture, water hoses, potted plants, wind chimes, your happy garden gnome -- all of these things can become deadly missiles when a hurricane strikes.

Taking simple pre-storm measures will spare you unnecessary grief after a hurricane. Store vital documents in watertight containers. Use an online digital file storage service to back-up computers. Charge cell phones every day. Put an evacuation kit in your car trunk and keep the gas tank topped off. For insurance claim purposes, take pre-storm photos of your property and insured belongings.

When it comes to stocking up on supplies, avoid the last-minute shopping rush. It saves time better spent on battening down the hatches at home. It also eliminates the risk of finding store shelves stripped of things you'll need:

- Prescriptions, first-aid supplies and over-the-counter medications.
- A minimum of one gallon of bottled water per person, per day.
- Non-perishable food items and snack items (for family and pets) which don't require refrigeration or cooking; non-electric opener for canned goods.
- Candles, flashlights, a battery-operated radio or TV, plus extra batteries for all.
- Paper plates, plastic utensils, disposable cups plus barbeque supplies for cooking after the storm.

FEMA recommends a three-day supply of food and water because 72 hours is the average time it takes for emergency services to arrive. But we all know it can take longer for the cavalry to roll in. Play it safe. Plan on being without power and running water for at least seven days and stock up accordingly.

The moment the storm kicks in, turn off and unplug all electronics and appliances. Position everyone in the center room on the lowest floor in the home. Keep car keys, flashlights, snacks and other essentials at hand's reach. Close interior doors to help strengthen wall structures and protect against flying glass. These precautions also apply to tornadoes which often form in the wake of a hurricane. Always remember, when you're in the eye of a hurricane it may seem like the storm is over. It's not.

Once you're certain the storm has passed, you can venture outside to check on neighbors, assess damage, and start preliminary clean-up. Check for broken water mains and gas lines but stay clear of downed power lines. Report all of these utility issues to the appropriate agency. Set up your generator and use a charcoal grill to cook defrosting perishables. To keep stress to a minimum, kick back, relax and play board games with the family. Since you're likely to be without power for a stretch of time, you may as well make the best of it.

For businesses and organizations, there's an added set of challenges when a hurricane strikes. The loss of records, the disruption or cessation of business, the erosion of staff and customer confidence, these realities can be economically fatal. That's why many organizations choose to partner with disaster recovery companies to develop a pre-loss planning program. Although some of our competitors take a one-size-fits-all approach, our 40-plus years of restoration experience makes us uniquely qualified to customize a strategy specific to a client's mission-critical needs. We put the focus on identifying business-continuation priorities, mitigating property loss and minimizing downtime, before disaster strikes. When selecting a disaster recovery team to develop your organization's pre-loss plan, it's important to ask a few hard questions:

- Can they provide dedicated, 24/7 priority response in the event of a region-wide catastrophe?
- Do they have the resources and capabilities to meet the needs of a wide range of organizations?
- Do they have the experience necessary to restore your facilities to full productivity with minimal downtime?

Partnering with the right disaster recovery company is one facet of an overall pre-loss strategy. For organizations, pre-loss planning should also include insurance claim management. An effective claim management plan establishes communication channels and clearly defines roles and policies, before disaster strikes. As a result, the claims process is smoother and losses are settled quicker in the wake of a catastrophic event. Without a doubt, working with insurers to develop a solid pre-loss claim plan can help expedite disaster recovery and get people back to work as soon as possible.

For individuals and organizations alike, hurricane preparedness goes a long way toward saving lives and minimizing property loss. Today, advances in science and technology enable meteorologists to accurately predict storm patterns far in advance. Organizations like the National Hurricane Center (NHC) and the National Oceanic and Atmospheric Administration (NOAA) make it easy to access free online information to help keep us as safe as possible. The rest is up to us. As the old saying goes, an ounce of prevention is worth a pound of cure.

A native of Ohio, Andrew L. Zavodney Jr. attended the University of Akron and earned his B.S. degree in Business Administration, Marketing in 1990. In the same year, he joined Kustom US, a Property Disaster Recovery and Restoration Company founded in 1968. He started out as a tradesman in Kustom's industrial division and by 1995 he was elected the company's youngest Vice President. Five years later, he succeeded his father, Andrew L. Zavodney Sr., and became Kustom's third President and CEO. Under his dynamic leadership, Kustom has developed innovative services like INSTANT ASSIST® -- a full-scope, pre-loss disaster planning program supported by over five facilities and more than 100 trained professionals in Florida.

Preferred is dedicated to assisting its members should a natural catastrophic event occur...

Our partners are recognized as being some of the most renowned in providing comprehensive and cost effective on-site disaster response solutions and services to communities, governmental agencies, and private & public sector organizations across Florida.

A rapid response is key to ensuring that our members will achieve a quick and full recovery in order to return to normal business operations and continuity of services.

For more information, please visit our web-site at www.pgkit.org and access the Resources/Disaster Response Services section, or contact:

**Kenneth Picton, AIC, RMPE - Vice President
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Legislative Claims Bill Process is Evolving

By J. Steve Roddenberry, Pennington, Moore, Wilkinson, Bell & Dunbar



Years ago, it seems like everyone described any significant change in circumstances or situational dynamics, as a “paradigm shift”. To me, this was a phrase straight out of the comic strip Dilbert. What exactly is a “paradigm”? Is it some sort of a geographic shape like a parallelogram? Is it French for tablecloth? Since I could never figure out what a paradigm was, and was too embarrassed to ask anyone, I was relieved when changes in circumstances or dynamics began to be described as a “sea change”.

Now, I know what a sea change is – it’s when a large body of primarily salty water moves due to tidal shifts. The “sea change” metaphor aptly describes the situation where something fundamental to an established way of thinking or doing something is modified to the extent that the way of thinking or doing something, thereafter, is significantly different.

When it comes to processing claim bills, there may have been the beginning of a sea change during the 2012 Regular Session of the Florida Legislature.

The Legislative Claim Bill Manual describes a claim bill as the following:

A claim bill, sometimes called a relief act, is a bill that compensates a particular individual or entity for injuries or losses occasioned by the negligence or error of a public officer or agency. It is a means by which an injured party may recover damages even though the public officer or agency involved may be immune from suit. Majority approval in both chambers of the Legislature is required for passage.

Claim bills have never been particularly popular in the Florida Legislature. Since 1955, the percentage of claim bills that became law, relative to the number of claim bills filed, ranged from 0% in 1997 and 2006 to 78% in 1998. In all fairness, the 0% in 1997 was the result of a formal declaration of a moratorium on claims bills for that year by then Senate President Toni Jennings. In the vast majority of these years, the percentage of bills that became law is in the 30% – 60% range. For the 2012 Session, 37 claim bills were filed; eleven were passed by the Legislature; and ten were signed into law by the Governor.

Past legislative resistance to claims bills has been purportedly based, at least in part, on a philosophical opposition to the extent and degree of compensation paid lobbyists and lawyers advocating on behalf of a claimant. With respect to lawyers’ compensation, Section 768.28(8), F.S., restricts compensation paid an attorney to no more than 25% of any judgment or settlement. In *Gamble v. Wells*, 450 So.2d 850 (Fla. 1984), the Florida Supreme Court held that the Florida Legislature could limit attorney fees relative to a claims bill, irrespective of a contract for a higher amount.

These restrictions notwithstanding, Legislative Members’ (“Members”) opposition continued. Some of the opposition was passive-aggressive, some opposition was more open. Some Members subscribe to the belief that “sovereign immunity” is sacrosanct and should not be abridged or compromised under virtually any set of circumstances. Other Members attribute opposition to fiscal austerity. Still others, depending on the circumstances, harbor strong feelings about factors that may or may not have contributed to the death or injury. And it’s possible, that some Members do not support certain claim bills strictly for political reasons.

So, where is the “sea change”? Well, it may not have been an entire shifting of the sea, but there are indications that the tide is starting to turn. Rep. Bill Hager (R-87) introduced House Bill 1113 (“HB 1113”) on December 21, 2011. It was scheduled to be heard in three House committees. There was no Senate Companion.

LEGISLATIVE UPDATE

The HB 1113 requires that all relief acts (claim bills) be sponsored by the Member representing the county in which the claim arose. Language in the HB 1113 would also allow an administrative law judge within the Division of Administrative Hearings to determine if each finding of fact in the claim bill was supported by the evidence. Those findings of fact that were supported by the evidence could remain in the bill – those that were not supported would have to be removed. An alternative to the often times rigorous and lengthy claims bill adoption process (very, very few claim bills are passed in the first few years of their introduction), an arbitration panel appointed by the Legislative Budget Committee could hear a claims bill. Any award resulting from the arbitration panel would have to be confirmed and made final and binding by the Legislative Budget Office. If confirmed, no further claim for relief of the claimant arising out of the same occurrence could be submitted to the Legislature.

But perhaps the provision of HB 1113 that piqued a fair amount of interest and dialogue among Members was Section 5, wherein contingency fee compensation to lobbyists is expressly prohibited. This provision constitutes the point in the Session when the seawater started to move. Here, a Member had confronted, head on, what many Members claimed was their primary objection to claim bills – the compensation received by those advocating on behalf of the claimants. Members openly stated that the claim bill process was flawed in that payments were conceded, often times not because of the merits of the claim, but because of the lobbyists advocating on behalf of the claimant. In other words, this very serious consideration was too heavily influenced by external forces while the merits of the claim became secondary. In HB 1113, contingency fee compensation to lobbyists was unceremoniously rendered unlawful.

The truly interesting thing about HB 1113 is that it was never heard in any Committee. As noted previously, it had no Senate companion. In other words, its prospects were negligible from the very beginning. Despite this handicap, internal buzz around the Capitol was that Hager may be on to something. If there was an appetite to codify a prohibition or further cap on claims bill-associated compensation, then maybe the politics and rhetoric surrounding claim bills would melt away and those truly meritorious situations could be heard and decisions predicated on facts and circumstances rather than lobbyist-induced emotions.

There is a lot of speculation on what all of this means for the future of sovereign entities, those that insure them, and the claim bill process. If compensation to those advocating on behalf of a claimant is restricted by law, perhaps the number of claim bills filed will dwindle due to the lack of advocacy or effective lobbying. Likewise, if the compensation of those advocating on behalf of a claimant is more strictly governed by statute, the number of claims bills passed may rise due to the absence of one of the principal objections. All of these machinations in response, at least in part, to a bill that was never heard in any committee and had no companion. Interesting.

If the sea is really changing and the perception of the seawater starting to move proves to be a reality, entities operating under the sovereign immunity umbrella need to be particularly mindful of their public and private interactions when faced with a liability claim; particularly one where the claim is a function of a tragic accident or event. When municipal administrators learn of a situation that may constitute or evolve into a liability, it is critically important that all communications be coordinated with counsel and their insurer. While public acceptance of responsibility may clear the soul, such cleansing may come with a cost that exceeds one's own capacity to pay, as well as any insurance limits.

So, what can we expect in the 2013 Session? Well, if I knew that, I would have known what “paradigm” meant. But I think it's fair to say that the sea will continue to change and the process for claim bill consideration will be affected by the conversations surrounding House Bill 1113. There will be a difference – so we all need to be careful in the water.

Steve Roddenberry is a Special Consultant with the Pennington Law Firm with offices in Tallahassee and Tampa. His practice revolves around insurance regulatory and legislative matters. Steve formerly served as the Deputy Insurance Commissioner for the Office of Insurance Regulation; Director of Property and Casualty Forms and Rates; Deputy Receiver for the Division of Rehabilitation and Liquidation; and as a Bank Examiner.

Public Entities, Fee Shifting & Shark Infested Waters

By Richard S. Pevner, Esquire, RPLU - Summit Risk Services, Inc.



Decreasing revenue, necessitating layoffs and cancellation of services, combined with laws creating a bulls-eye on the back of our municipalities and their officers, make following the lead of our risk managers more important than ever! Public officials and employment practice litigation has proliferated as lawyers and plaintiff's, including a growing contingent of disgruntled municipal employees, are pursuing that big payoff.

Attorney fee shifting, a statute driven anomaly requiring the losing public entity defendant pay for the plaintiff's attorney's fees, often makes our public entity's and their employees a very attractive litigation target. Fee shifting is an anomaly, as the traditional "American Rule" is premised upon the fact that each party must bear the burden of paying their own attorney fees. Time and time again, a fee shifting statute is a driving force behind a protracted scored earth litigation approach by our adversaries. The more time spent litigating the claim the more exposure to the public entity defendants as set forth in the example below.

Municipal employee is demanding close to a \$1,000,000 for allegedly suffering post traumatic stress disorder as a result of the conduct of a supervisor. As you balk at the absurdity of the demand, plaintiff's counsel smirks as he and the mediator advise you that plaintiff's counsel was recently awarded more than \$400,000.00 by the court in recoverable attorney fees in a similar claim. "Wasn't the \$300,000.00 verdict ridiculous enough" you ponder. How could the court also require that the public entity pay more for the plaintiff's alleged reasonable attorney's fees", than the amount that was actually awarded in damages by the Jury? These fees were never intended to be charged to the plaintiff and were in fact never paid by the plaintiff. Welcome to the world of public entity public officials and employment practices liability.

The statute that provides the basis for fee shifting in our typical federal lawsuits is 42 USC § 1983, which includes:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

Section (b) of the Civil Rights Attorney's Fees Awards Act of 1976, 42 U.S.C. § 1988, provides that:

*(b) Attorney's fees In any action or proceeding to enforce a provision of sections 1981, 1981a, 1982, 1983, 1985, and 1986 of this title, title IX of Public Law 92-318 (20 U.S.C. 1681 et seq.), the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.), the Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. 2000cc et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), or section 13981 of this title, the court, in its discretion, **may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs**, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity such officer shall not be held liable for any costs, including attorney's fees, unless such action was clearly in excess of such officer's jurisdiction.*

The plaintiff in a public entity liability claim will often be able to prove that there was some type of constitutional violation under 42 USC 1983, but the damages may be relatively minimal. As set forth above, even when the damages are substantial, the plaintiff's attorney's fees and costs through trial and appeal will often significantly increase or exceed the amount of actual damages which the jury awards.

What can the public entity do to stop the ever increasing exposure to plaintiff's attorney's fees in these federal lawsuits? The most effective way to limit exposure in many 1983 cases is through a Rule 68 Offer of Judgment, or the state equivalent.

Federal Rule of Civil Procedure 68 provides:

*At any time more than 10 days before the trial begins, a party defending against a claim may serve upon the adverse party an offer to allow judgment to be taken against the defending party for the money or property or to the effect specified in the offer, with costs then accrued. If within 10 days after the service of the offer the adverse party serves written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with proof of service thereof and thereupon the clerk shall enter judgment. An offer not accepted shall be deemed withdrawn and evidence thereof is not admissible except in a proceeding to determine costs. **If the judgment finally obtained by the offeree is not more favorable than the offer, the offeree must pay the costs incurred after the making of the offer.** The fact that an offer is made but not accepted does not preclude a subsequent offer.*

In *Marek v. Chesney*¹, the US, Supreme Court held that a municipal defendant/employee is not liable for attorney's fees accrued after and offer of judgment, where the judgment finally obtained by the offeree is not more favorable than the offer of judgment.

Consideration must be given whether to include the plaintiff's costs and attorneys fees within the offer of judgment. If the plaintiff's fees are included in the offer of judgment, then in determining whether the judgment obtained by the offeree is better than the offer made, the court will add the reasonable attorney's fees and costs prior to the offer with the verdict amount. If the offer does not include the attorney's fees, then the plaintiff can accept the award and the offering party will additionally be responsible for the reasonable fees accrued to the date of the offer. One must make sure that they have structured the offer in such a manner that the plaintiff's attorney's fees have been addressed.

Additional fee shifting statutes we see in the public entity professional Liability world, but to a lesser extent than the 1983 constitutional violation claims include claims under the Individuals with Disabilities in Education Act; Whistleblower Protection Act (WPA) 5 U.S.C.A. § 1221(g)(1); Civil Service Reform Act (CSRA) 5 U.S.C.A. § 7701(g) (1), American with Disabilities Act, and the Family Medical Leave act.

In summary, many claims are driven by plaintiff's recoverable attorney's fees. Immediately determine whether or not the cause of action triggers recovery of plaintiff's attorney's fees and proactively address the fee shifting issue. One of the most effective ways to limit exposure in many of the federal constitutional claims that we face is through utilizing a Rule 68 Offer of Judgment. The offer of judgment should be used to offset plaintiff's claims for attorney's fees and thereby significantly decrease the settlement value of the case. Finally as protracted litigation provides a significant increase in exposure to plaintiff's attorney's fees, and defense fees while exacting a toll on the day to day operations it is more important than ever that we effectively utilize Rule 68 Offers of Judgment and that we are always guided by our end game. An end game which incorporates the potential use of an offer of judgment as a very powerful tool in both settlement negotiations and trial strategy.²

¹ *Marek v. Chesney*, 473 U.S. 1 (1985).

² Approximately 2% of Employment Claims, ADA Claims or other Civil Rights Claims(excluding prisoner claims), resolved in the 12 month period ending on September 30, 2011, were resolved through, during or after Trial.

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Supreme Court Expands Scope of Anti-Retaliation Law

By Brian L. Hayden, Associate - Rumberger, Kirk & Caldwell



If you're an employer, you likely already know that Title VII's anti-retaliation provision prohibits you from taking any action that might discourage a reasonable employee from making or supporting a charge of discrimination based on race, color, religion, sex, or national origin.

Beware, however – the Supreme Court has recently expanded the scope of this provision beyond what might seem obvious.

On January 24, 2011, in *Thompson v. North American Stainless, LP*, 131 S. Ct. 863 (2011), the Supreme Court unanimously held that Title VII's anti-retaliation provision protects not only employees who have made a discrimination claim, but also employees who have a romantic, personal, or familial connection with such employees.

In other words, as an employer, you now run the risk of a lawsuit any time you fire (or otherwise discipline) an employee who has a romantic, personal, or familial relationship with another employee who has made a discrimination claim.

In *Thompson*, employer North American Stainless terminated Eric Thompson three weeks after his co-worker and fiancée, Miriam Regalado, filed a charge of sex discrimination with the Equal Employment Opportunity Commission ("EEOC") against the company.

Thompson sued, claiming North American fired him in retaliation for Regalado's protected activity of filing an EEOC charge. Without addressing the merits of Thompson's claim, the court held that if his allegations were true, his firing was unlawful.

While acknowledging North American's argument that allowing retaliation claims against third parties would lead to difficult line-drawing problems related to the types of relationships entitled to protection, the court refused to adopt North American's position. Justices also refused to adopt a clear rule concerning what third parties are protected. Instead, they endorsed a case-by-case analysis.

Finally, the Court held that Thompson had standing to sue North American for its alleged violation of Title VII since he fell within the "zone of interests" sought to be protected by the statute.

Given the implications of *Thompson*, employers may want to consider seeking legal counsel before taking adverse employment action against any employee who has a close personal relationship with another who's made a discrimination claim.

Employers should also be sure they have specific, clear and well-documented reasons for taking such actions. Employers should ensure that all disciplinary decisions are based on lawful reasons and that disciplined employees are treated the same as similarly situated employees.

Brian Hayden represents clients in commercial litigation, employment and labor, and product liability matters. Prior to joining Rumberger, Kirk & Caldwell, Brian worked as an Honors Attorney and Assistant Attorney General for the State of Florida. He handled a broad range of general civil litigation matters including the defense of a class action lawsuit that sought institutional reform of Florida's Medicaid program. Brian received his Bachelor's Degree in Philosophy with honors from Yale University in 1998 and graduated cum laude from the University of Florida College of Law in 2008.

Preferred would like to welcome the following new members...

Academy at the Farm

Kathleen C. Wright Schools, Inc.

Caring & Sharing Learning School

Suncoast School for Innovative Studies, Inc.

Mater Academy, Inc.; Mater Brickell Preparatory Academy #5045



Would you like additional copies of the Preferred News..?

Additional copies of the Preferred newsletter may now be printed in PDF format by going to www.pg.it.org and accessing the Resources section of the website.

There you will find not only the most recent edition of the newsletter, but also previous editions as well, or if you like, you may also look up current and past articles of interest by utilizing the article index.

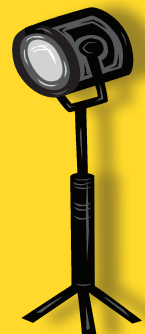
BE IN THE MEMBER SPOTLIGHT...

We would like to share your best practices, risk management expertise, success stories, and the accomplishments of your entity and employees with fellow members in our next news letter.

If interested, please contact:

Mike Stephens - Safety & Risk Management Consultant

Email: mstephens@publicrisk.com Phone: 321-832-1658



1 = E /Tallahassee, 2 = I /Leon, 3 = A /Arcadia, 4 = L /Clay, 5 = C /Daytona Beach, 6 = N /Flagler, 7 = G /Groveland, 8 = D /Okaloosa, 9 = K /Panama City, 10 = B /Santa Rosa
11 = M /Titusville, 12 = F /Walton, 13 = J /El Portal, 14 = H /Wakulla

If you would like to learn more on how some of Florida's Counties & Municipalities received their names, please visit www.flheritage.com...

Florida Keys Mosquito Control District Creates “Auto Loader” to Improve Safety

Submitted By Pubic Risk Underwriters of Florida, Inc. - Safety & Risk Management Department

The Florida Keys Mosquito Control District has recently designed and developed a piece of automated equipment taken from agricultural components that they refer to as an “Auto Loader.” The Auto Loader was designed for the purpose of improving productivity as well as safety of support ground crew members who are required to be in remote areas of the Keys during spray/disbursement operations.

Mr. Stephen Bradshaw, Director of Aerial Operations, indicated that the current ground crew requirements provide for five to seven crew members to support each helicopter assigned to an area during spray/disbursement operations. As a result of the development and implementation of the Auto Loader, Mr. Bradshaw stated that this activity can now be support by only one ground support crew member.



The Florida Keys Mosquito Control District's “Auto Loader” Equipment

Mr. Dane Dastugue, Safety Director, stated that this allows the pilot to have direct eye to eye contact with the ground crew member, which is critical in this materials loading scenario, (i.e. loading live helicopter). Ground crews are exposed to the potential of coming in direct contact with the tail rotor of the helicopter and with the Auto Loader, the pilot and ground crew member will be able to maintain direct eye to eye contact during the loading of materials in order to reduce/eliminate the potential for a serious injury or a fatality.

In addition, Mr. Dastugue indicated the Auto Loader has eliminated the requirement for excessive handling of the 40 lb. bags of dry granular material that was previously required to be loaded by hand from pallet to the helicopter's disbursement hopper. This provides for a tremendous advantage in that it has eliminated the potential for manual material handling injuries associated with this portion of the ground support crew's work activities/methods.

The District is very proud of their invention and would be happy to discuss the Auto Loader with any other members of the Trust that operate mosquito districts. Their website is www.keysmosquito.org

Town of Jupiter Earns Excellence Awards for Worker & Vehicle Safety

Submitted By Pubic Risk Underwriters of Florida, Inc. - Safety & Risk Management Department

Congratulations to The Town of Jupiter in being presented Excellence Awards for both Worker & Vehicle Safety, which were recently presented to the Town of Jupiter by the Safety Council of Palm Beach County.

The Town earned the awards by reducing their incident rate by 25% while working over 700,000 hours. They also reduced their lost workday cases by 40%. The Town of Jupiter has 250 vehicles on the road and drove almost 2.5 million miles with only two incidents.

Preferred Governmental Insurance Trust would like to congratulate the Town of Jupiter on a job well done in earning the awards through their demonstration and commitment in promoting a safe work environment through safe work practices.



Excepting the awards from the Safety Council of Palm Beach County are Darrell Remole, Risk Manager & Anne Lyons, Assistant Town Manager - Town of Jupiter

BREAKTIME FUN -N- GAMES

Florida County & Municipality Names Origination Trivia

Test your knowledge on the historical origins of some of Florida's Counties & Municipalities by matching each trivia question with it's correct answer...

1. ____ - This City's name is thought to have derived from a Muskogee Indian word meaning "old town", and begins with a "T".
2. ____ - This County was named after famous Spanish explorer who is said to have first discovered and explored Florida
3. ____ - This City received it's name from Rev. James Henry who named it in honor of Arcadia Albritton, a daughter of pioneer settlers who baked him a birthday cake.
4. ____ - This County was named after Henry Clay, U.S. Senator from Kentucky during the 1800's
5. ____ - This City was named after it's founder, Mathias Day, and is know for its yearly racing events.
6. ____ - This County was named after Henry M. Flagler, East Coast railroad builder during the early 1900's.
7. ____ - This City was originally called Taylorville, but was renamed later due to the large number of citrus groves within the same region it was located.
8. ____ - This County's name was thought to have derived from Choctaw Indian words "oka" meaning water, and "lusa" meaning black
9. ____ - This City's name originated from its approximate halfway point alignment with Chicago and Panama City, Panama - Central America
10. ____ - This County was named after Rosa de Viterbo, a Roman Catholic Saint during the 1200's
11. ____ - This City was named after a Civil War Col. by the name of Henry T. Titus. The original settlement prior to its name being changed to its present name was once known as Sand Point.
12. ____ - This County was named after George Walton, Secretary, Territorial Florida, 1821-1826
13. ____ - This Village was founded in 1937, and it's name derived from the Spanish word for "the gate" or "wooden gate".
14. ____ - This County's name is thought to have originated from Timucuan Indian words meaning "spring of water" and begins with a "W".



- A. Arcadia
- B. Santa Rosa
- C. Daytona Beach
- D. Okaloosa
- E. Tallahassee
- F. Walton
- G. Groveland
- H. Wakulla
- I. Leon
- J. El Portal
- K. Panama City
- L. Clay
- M. Titusville
- N. Flagler

Florida County & Municipality Names Origination Trivia answer key located at bottom of page 9

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