

**Lake Asbury Municipal Service Benefit District  
Board Meeting January 5, 2015 Minutes  
282 Branscomb Rd. (Lake Asbury Community Center)  
Green Cove Springs, FL 32043**

**1. Call to Order**

The Trustees of Lake Asbury Municipal Service Benefit District (LAMSBD) met in the Lake Asbury Community Center, 282 Branscomb Road, on the above-stated date. Chairman Mark McMillan called the meeting to order at 6:42 p.m.

**2. Roll/Quorum**

The following trustees were present: Chairman Mark McMillan, Treasurer Tom Petrucci, Vice Chairman Linda Parrish, Trustees Billy Tyrie, Bob Schiefer, Bill Futch, and Butch Huggins. Trustees absent: Lige Walden and Tom Chandler. Staff present: District Attorney Wayne Flowers, District Engineer Mike Kelter, and Secretary Diane Walker. Others in attendance are listed on the sign-in sheet

**3. Swearing In of Newly Elected Trustees**

Attorney Wayne Flowers performed the swearing-in of Trustees Billy Tyree and Bob Schiefer.

**4. Election of Officers**

Trustee Bill Futch nominated Trustee Mark McMillan as Chairman. Trustee Linda Parrish seconded the nomination. **By unanimous vote, Mark McMillan was approved to be Chairman until January 2016.**

Trustee Bill Futch nominated Trustee Linda Parrish as Vice Chairman. Trustee Billy Tyree seconded the nomination. **By unanimous vote, Trustee Linda Parrish was approved to be Vice Chairman until January 2016.**

Trustee Bill Futch nominated Trustee Tom Petrucci as Treasurer. Trustee Linda Parrish seconded the nomination. **By unanimous vote, Trustee Tom Petrucci was approved to be Treasurer until January 2016.**

A motion was made by Trustee Bill Futch, seconded by Trustee Linda Parrish and **carried 7-0 to retain Diane Walker as Secretary until January 2016.**

**5. Administrative Announcements: Chairman McMillan gave the Administrative Announcements.**

6. **Approval of Minutes:** December 1, 2014 Regular Meeting  
Motion by Trustee Tyrie, second by Trustee Schiefer and **carried 7-0 to approve the minutes of December 1, 2014.**

7. **Treasurer's Report:** Treasurer's Report for January 5, 2015  
Trustee Huggins requested that all the boom material be picked up before issuing the check to Besch and Smith Civil Group.

Treasurer Trustee Petrucci requested approval to transfer \$15,000 to \$20,000 to cover any unexpected fees for next month. A motion was made by Trustee Butch Huggins, seconded by Trustee Parrish and **carried 7-0 to authorize the transfer of \$25,000.**

Trustee Futch advised that Compass Bank is paying more interest on Money Market accounts than what Ameris Bank is currently paying. Trustee Petrucci commented he will look into it and report back at the next meeting.

Trustee Parrish inquired about the amount Ameris is insured under FDIC. Trustee Petrucci advised he will bring more information on this to the next meeting.

Trustee Schiefer made a motion to have Tom Hallquest research the information regarding interest paid on Money Market accounts and FDIC. After discussion, the motion failed for lack of a second.

A motion was made by Trustee Huggins, seconded by Trustee Parrish and **carried 7-0 to approve the Treasurer's Report with the check number correction changing check #397 to read check #3097 (see approval of checks).**

A motion was made by Trustee Huggins, seconded by Trustee Futch and **carried 7-0 that District Secretary Diane Walker receive a 10% increase in her hourly wage.**

A motion was made by Trustee Huggins, seconded by Trustee Futch and **carried 7-0 that District Engineer Mike Kelter receive a 20% increase salary.**

8. **Approval of Checks:** Checks for January 5, 2015  
A motion was made by Trustee Huggins, seconded by Trustee Futch and **carried 7-0 to correct check #397 to read check #3097.**

Chairman McMillan inquired about mailing of the check to Freddy Langford. Discussion followed regarding removal of Carp.

A motion was made by Trustee Huggins, seconded by Trustee Petrucci and **carried 7-0 to approve checks 3093 through 3100 with the correction of changing check #397 to check #3097.**

9. **Staff Reports:**

a. District Engineer Mike Kelter

1. Lake Ryan Dredging Project

a. Discussion on Award of bid

District Engineer Mike Kelter reported that he and Trustee Petrucci opened bids on December 18, 2014. Three bids were received ranging from a low bid of \$87,370 to a high bid of \$246,340.00. Mr. Kelter expressed his opinion that all three bidders are responsible bidders, they can all be bonded, and all have backgrounds to do the work. There were deficiencies in the documents submitted by each of the three bidders. Each bidder failed to submit documents that were required as part of the bid instructions. Besch & Smith submitted an incorrect piping license and Merrell Brothers (low bidder) did not submit a current Florida Contractor's license. Gator Dredging did not include the Authority to Execute a contract.

He stated his opinion that all deficiencies are minor. In the state of Florida, lack of a contractor's license does not preclude a contractor from dredging because they are not constructing anything, but are providing a service.

Mr. Kelter recommended that all deficiencies be waived and the contract be awarded to the low bidder Merrell Brothers in the amount of \$87,370. He commented that a background check was done on Merrell Brothers and every reference spoke very highly of the company.

Attorney Wayne Flowers advised the Board of their rights regarding awarding the bid. He suggested that the Board follow the advice given by the District Engineer.

After discussion, a motion was made by Trustee Huggins, seconded by Trustee Parrish and **carried 7-0 to waive the non-material deficiencies and award the bid to the low bidder Merrell Brothers in the amount of \$87,370.**

Mr. Kelter advised that a 10% retainage will be kept as is normally done until the project is complete.

2. Lake Ryan Dam Improvements

Mike Kelter gave a PowerPoint presentation on Lake Ryan Dam Improvements.

- Permitting – 2 permits - DEP and Environmental Resources  
The DEP permit has been prepared and sent for approval.  
The Environmental Resources permit will be sent in the next 5-6 days to the Water Management District.
- Proposing a weir elevation going out of the culverts of 46.65 plus or minus .2 of a foot.
- Dam crest will be raised to 53 feet, which is about 2 feet higher so water does not go over the top of the dam during a large rain event.
- An 8 foot stabilized maintenance trail will go from one end of the property to another to provide access for vehicles from CCUA, tree trimmers, mowers and others that need access for maintenance work.
- Dry retention ponds will be placed as required by the Water Management District to control flows down the dam.
- The Water Management District has expressed concern with using articulating block and suggested using a concrete wall. Mr. Kelter commented he will continue with the articulating block.
- Slope Stability Improvements – Bulkheads and toe drains will be installed for erosion control.
- Mr. Steve Coley, 255 Bush Court, inquired if the lake will be lowered. Mr. Kelter advised the lake will have to be lowered 3-4 feet for 30-45

days to install the culverts. This will not be done until the dredging project is complete. Chairman McMillan reported that residents will be notified when the lake will be lowered.

- Mr. Len Nordgren inquired when the dredging project will start. Mr. Kelter commented that provided no protests are filed on the bid award, dredging will begin the first of February.

Trustee Futch left the meeting at 7:45.

- b. District Attorney Wayne Flowers – No Report

**10. Trustee Reports:**

- a. Chairman – The rest of the Shad was delivered.
- b. Vice Chairman – None
- c. Trustees
  - Trustee Petrucci requested help installing signs. Trustee Tyree volunteered to help. Chairman McMillan commented that Trustee Chandler had previously indicated he would help also. Mr. Kelter commented that he would provide the concrete and post hole digger.

**11. New Business:**

- a. Comments from District Members - None

**12. Adjournment** – There being no further business, the meeting adjourned at 8:07 PM. The next meeting will be February 2, 2015.

Diane Walker  
Secretary

  
\_\_\_\_\_  
Mark McMillan, Chairman

# LAKE ASBURY MUNICIPAL SERVICES BENEFIT DISTRICT

## TREASURER'S REPORT

REPORT DATE: January 5, 2015

### GENERAL CHECKING ACCOUNT

Balance as of December 1, 2014		\$	9,047.36
Prior Month Transfer from Savings	\$	15,000.00	
Prior Month Checks (Previously Approved)	\$	(10,294.80)	
Prior Month Checks Not on Prior List			
3090 Clay Today Newspaper (VOID)	\$	142.80	
3092 Clay Today Newspaper (VOID)	\$	(66.00)	
Total Prior Month Checks Not on Prior List	\$	76.80	
Balance as of December 31, 2014		\$	13,829.36

### Current Checks

3093 Diane Walker	\$	(125.45)	
3094 Florida UC Fund	\$	(2.72)	
3095 United States Treasury	\$	(70.38)	
3096 Besch & Smith Civil Group	\$	(10,051.00)	
397 Langford Aquatics, Inc.	\$	(2,000.00)	
3098 Legacy Civil Engineers	\$	(5,733.00)	
3099 Postmaster	\$	(62.00)	
3100 Thomas Hallquest CPA, P.A.	\$	(150.00)	
<b>Total Checks for Current Month</b>	\$	<b>(18,194.55)</b>	

**Current General Checking Account Balance** \$ (4,365.19)

### MONEY MARKET CHECKING ACCOUNT

Balance as of December 1, 2014		\$	461,112.49
Prior Month Deposits	\$	128,777.62	
Prior Month Transfer	\$	(15,000.00)	
Prior Month Interest	\$	80.08	

**Current Money Market Checking Account Balance** \$ 574,970.19

**Current Total Funds Balance** \$ 570,605.00

Motion to accept Treasurer's Report and approve the Current Month's Checks

Submitted by: \_\_\_\_\_