

**Lake Asbury Municipal Service Benefit District
Board Meeting March 3, 2014 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 6:37 p.m.

2. Roll/Quorum

The following trustees were present: Chairman Mark McMillan, Vice Chairman Linda Parrish, Trustees Tom Chandler, Billy Tyrie, Bob Schiefer, Lige Walden, Butch Huggins and Tom Petrucci. Trustee absent: Bill Futch. 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. Administrative Announcements

Chairman McMillan made the Administrative Announcements.

4. Presentation

Mike Kelter introduced Mr. Jeremy Johnston, Chief Operations Officer of the CCUA. Mr. Johnston gave a presentation for installation of a new pipe on North Dam and answered questions from the Board of Trustees.

Mr. Johnston commented that there are two issues.

The first has to do with the actual integrity of the water main going across the dam. There are two factors that are contributing to the four water main breaks that have occurred in the past two months. The first is the age of the cement asbestos pipe which has been in service for 40 years, so it's coming close to the end of its serviceable life. The second is that an interconnect was added that was along 739 coming into Lake Asbury which added some additional pressure.

CCUA is proposing to install a new PVC pipe from the west side to the east side with a new higher pressure rated pipe. There is currently a six inch pipe, which was typical for the time period when installation occurred. Thinking of longer term issues, CCUA would like to increase the pipe size up to an eight inch pipe. As the cement asbestos pipe throughout Lake Asbury comes to an end of its serviceable life, it will be replaced with the same PVC pipe.

Once approved by the Board, mobilization will begin within two weeks the work will begin two ½ weeks after that.

The second issue is the easement of right. The dam property is owned mutually by LAMSBD and LALLOA. The easement is dedicated to Clay County and there is no instrument which gave CCUA utility rights. CCUA would like an easement instrument to cover water mains on the dams. He distributed a copy of the Notice of Easement document for review.

Mr. Johnston requested the following:

1. Authorization to replace the water main with an eight inch upgraded pipe
2. Approval of an easement document for CCUA

A motion was made by Trustee Huggins, seconded by Trustee Chandler to accept the two proposals. Attorney Flowers advised that both he and Mike Kelter and LALLOA will have to review the easement document. Trustee Huggins amended his motion that **the two items be approved subject to review by District Attorney Flowers and District Engineer Kelter. The motion carried 8-0.**

Mr. Johnston and Mike Kelter answered questions from LALLOA members in the audience.

5. Approval of Minutes: February 3, 2014 Regular Meeting

Motion by Trustee Chandler, second by Trustee Parrish and **carried 8-0 to approve the minutes of February 3, 2014.**

6. Treasurer's Report: Treasurer's Report for March 3, 2014

Motion by Trustee Huggins, second by Trustee Chandler, and **carried 8-0 to approve the Treasurer's Report.**

7. Approval of Checks: Checks for March 3, 2014

Motion by Trustee Huggins, second by Trustee Chandler, and **carried 8-0 to approve checks 3014 through 3023.**

8. Staff Reports:

- a. District Engineer Mike Kelter

Mike Kelter gave a PowerPoint presentation on the following issues:

1. Septic Tanks

Mr. Kelter stated that he spoke to Phyllis Barnett of the Clay County Health Department regarding septic tank leakage into the lakes. She stated that they will look at anything the Board deems to be an issue that needs to be inspected if there is evidence of a leakage of septic material into the lake. The caveat is that there is not a lot of money to do tests. This means that the Board needs to do some field work to determine where there is possible drain field leakage. Chairman McMillan commented that there is only property in question now. After discussion, it was the **consensus to pursue having an inspection of the only property that is in question now.**

2. South Dam Piezometers Readings

The levels climbed during the rains in 2012 and the current rains. After the sheet piles were put in on the south dam, there was a 3-4' foot drop on the upper piezometer. There will not be a large drop on the lower piezometer. The middle one needs to be looked at closely as there was a five foot drop since the South dam was installed. The sheet piling on the dam had the desired effect on the piezometers.

3. Bush Court Dredging

There is approximately 330 C.Y. of sediment in Bush Court. The permits are valid pending submittal of a disposal plan. Three acres is needed to dispose of the sediment that is removed. Chairman McMillan commented that no dirt that is removed will be given to any homeowner. Mr. Wearne offered the use of his vacant lot to dry out the dirt. Costs are as follows:

- Mobilization, Insurance and Bonds - \$1.5% of costs
(The cost is below the threshold to require a bond)
- Dredging and Spoiling - \$7/CY (\$23,100)
- Hauling and Grading - \$2 - \$8/ CY (depending on location of disposal site)
- Seeding and Mulching - \$1.25/CY
- Cleanup & Demobilization Costs are unknown

It was the consensus of the Board to use Mr. Wearne's lot to dry out the dirt with the proper documentation.

After discussion, motion by Trustee Petrucci, second by Trustee Tyrie and **carried 8-0 to authorize Mike Kelter to draw up the plans and advertise for bids for the Bush Court dredging project.**

4. Options for North Lake Spillway

Mike Kelter reviewed the North Lake Spillway Options below:

1. Construct siphon spillway in center of dam
2. Construct siphon spillway in existing concrete spillway
3. Construct overflow spillway improvements in existing box culverts

He gave his opinion that Option 1 gives more bang for the buck.

Trustee Petrucci reported that there are two payments left of the previous dredging project.

Chairman McMillan expressed his concern that discussion is being held on a North Lake spillway when Lake Ryan has no spillway.

After discussion, a motion was made by Trustee Petrucci, seconded by Trustee Schiefer and **carried 8-0 to authorize Mike Kelter to begin the process for permitting and design for a spillway on Lake Ryan.**

b. District Attorney Wayne Flowers

1. Discussion on whether to allow a non-property owner on the lakes to speak at meetings.

Attorney Flowers reported that the legislature adopted a provision that says members of the public have a right to give comment at public meetings whether they are District residents or not.

2. Report on regulations regarding elected trustee attendance at meetings.

Attorney Flowers reported that only the Board of County Commissioners can make the decision to remove a Trustee for malfeasance, misfeasance or neglect of duty. The LAMSBD Board can only approach the Board of County Commissioners and request it.

9. **Trustee Reports:**

a. Chairman

1. Spoke to Shawn Thomas on the road paving project. Mr. Thomas told him that the BCC gives an allotment of money and they make a list of roads to be resurfaced. Mr. Thomas requested that the LAMSBD Board vote and approve whether the District wants the county to resurface the road so that when they ask for the money and the project comes up, they can report that the LAMSBD has approved that the county resurface the road. Motion by Trustee Chandler, second by Trustee Petrucci and **carried 7-1 with Trustee Huggins dissenting.**
2. When pulling up the LALLOA website, another website comes up. A LALLOA member reported that it is an issue with the IP address and is being worked on. People have reported that they did not get their boat ramp key in time and there is no contact phone number on the website. A LALLOA member commented that there are names to contact on the website.
3. Would like the Board to look into getting a private contractor or UF to get some native vegetation planted on the dams. He stated that he will speak to Freddy Langford and make other phone calls. Trustee Tyrie stated that he has been contacted by residents about testing the water quality. Linda Parrish reported that she will make some phone calls to see how far reaching Florida Lake Watch is.

b. Vice Chairman – No report

c. Trustees - None

10. **Old Business**

- a. Discussion regarding sending invoice to Carl Kocher for services rendered. Motion by Trustee Parrish, second by Trustee Walden **and carried 7-1 with Trustee Chandler dissenting that no bill be sent to Carl Kocher and that he not be charged for services rendered on this particular matter.**

11. New Business

a. Comments from District Members

- Tom Cowherd, 200 Circuit Rider, commented that the question he submitted has been answered. He inquired if there are any plans to do more anymore work on the ditch by the church. Chairman McMillan responded that the work by the county that has been done will slow down the siltation coming in.
- Richard Wearne, 184 Circuit Rider, commented that he is here because of comments made by the Board at the previous meeting his wife attended. Chairman McMillan commented that the work on Bush Court will be done in the next two months and requested that Mr. Wearne let his neighbors know that the dirt that is removed cannot be put in any resident's yard. Chairman McMillan also commented to Mr. Wearne that he will be contacted for the legal documentation to store the dirt on his lot.
- Rick Dotseth, 122 Wesley, commented that where the big tube goes into the lake needs to be cleaned out. Chairman McMillan commented that he will call the county and have them clean it out.
- Linda Richardson, 882 Arthur Moore and Ed Wingate, inquired if the South Lake can be lowered as the water is coming over the bulkhead and ruining it. Ms. Richardson stated that she has been here since the 60's and has never seen the water this high. Mike Kelter explained that the normal level of the South Lake is 44.4 and that the lake level has not been changed since the spillway was completed. Pictures were submitted showing the lake level at 44.4 year. Chairman McMillan suggested they have the bulkhead checked to see if something else is going on with the bulkhead.

12. Adjournment – There being no further business, the meeting adjourned at 8:55 p.m. The next meeting will be April 8, 2014.

Diane Walker
Secretary



Mark McMillan, Chairman

LAKE ASBURY MUNICIPAL SERVICES BENEFIT DISTRICT

TREASURER'S REPORT

REPORT DATE: March 3, 2014

GENERAL CHECKING ACCOUNT

Balance as of February 1, 2014		\$	65,884.98
Prior Month Transfer from Savings			
Prior Month Checks (Previously Approved)	\$	(45,381.63)	
Prior Month Checks Not on Prior List			
3014 Besch & Smith Civil Engineers	\$	(12,742.88)	
Total Prior Month Checks Not on Prior List	\$	<u>(12,742.88)</u>	
Balance as of January 31, 2014	\$		7,760.47

Current Checks

3015 Diane Walker	\$	(153.16)	
3016 Florida Municipal Insurance Trust	\$	(317.07)	
3017 Legacy Civil Engineers	\$	(733.00)	
3018 Lewis, Longman & Walker PA	\$	(1,000.00)	
3019 Magers & Associates, LLC	\$	(1,200.00)	
3020 Thomas Hallquest CPA, P.A.	\$	(150.00)	
3021 Florida UC Fund	\$	(2.21)	
3022 United States Treasury	\$	(57.28)	
3023 FASD	\$	<u>(562.50)</u>	
<u>Total Checks for Current Month</u>	\$	<u>(4,175.22)</u>	

Current General Checking Account Balance \$ 3,585.25

MONEY MARKET CHECKING ACCOUNT

Balance as of February 1, 2014	\$	566,802.17
Prior Month Deposits	\$	5,933.93
Prior Month Transfer		
Prior Month Interest	\$	<u>78.71</u>

Current Money Market Checking Account Balance \$ 572,814.81

Current Total Funds Balance \$ 576,400.06

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

Submitted by: _____