

**MINUTES**

**1. Call to order**

A. 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. Vice Chairman Linda Parrish called the meeting to order at 6:37 p.m.

**2. Roll/Quorum**

A. The following trustees were present: Chairman Mark McMillan, Vice Chairman Linda Parrish, Treasurer Tom Petrucci, and Trustees Huggins, Cottrell, and Tyrie, a quorum of six. Trustees absent: Newton, Chandler and Futch. Staff present: District Attorney Wayne Flowers, District Engineer Mike Kelter, and Secretary Melody Pickens. Staff absent: Accountant Tom Hallquest.

**3. Administrative Announcement:**

A. Chairman McMillan gave the Administrative announcements.

**4. Approval of Minutes**

A. A motion was made to approve the February 6, 2017 Regular Board Meeting minutes by Vice Chairman Parrish and seconded by Trustee Tyrie. Carried 6-0.

**5. Treasurer's Report**

A. Vice Chairman Parrish moved to approve the Treasurer's Report, seconded by Trustee Tyrie. Carried 6-0.

**6. Approval of Checks**

A. After explanation of checks, Vice Chairman Parrish made a motion to approve checks 3271 – 3276. Seconded by Trustee Cottrell. Carried 6-0.

**7. Staff Reports**

**A. Accountant Tom Hallquest**

1. Absent.

**B. Attorney Wayne Flowers**

1. Mr. Flowers gave a presentation on the Florida Sunshine Law to new board members and also as a refresher to all board members.

**C. District Engineer Mike Kelter**

1. Mr. Kelter discussed comments from the St Johns River Water Management District (SJRWMD) about land ownership downstream of the dam. Six or seven properties downstream of the Lake Ryan dam are not platted (were not platted during the development of the community). He has been doing research to define property owners. His research so far indicates that downstream property is not privately owned. Mr. Flowers talked about developers sometimes leave property behind, undefined.

2. Mr. Kelter discussed comments from the St Johns River Water Management District (SJRWMD) about the Lake Ryan spillway specifications.

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SJRWMD Supervising Professional Engineer, Chou Fang, would like us to change specifications to the standards specified in the Florida Administrative Code - to make the spillway meet requirements to enable it to withstand a 25 year, 24 hour storm (approximately 8.5 inches of rain in a 24 hour period) with a 19" overflow. Mr. Kelter was able to persuade SJRWMD to relax those requirements for the South Lake Asbury spillway by arguing that the requirements were impossible to meet. He warned that some day in the future, all of the dams would have to meet new regulations or risk being decommissioned. He also warned that increasing the flow from the other dams could cause a flow that could overwhelm the Lake Asbury dam spillway, set at 16". We will have to eventually add another spillway to meet the new requirements. We do own the property where a new spillway may go, but not all of the property along the dam. Mr. Kelter is working with Mr. Fang to help him understand our unique situation.

3. Treasurer Petrucci asked how many inches to breach the Lake Ryan dam. Mr. Kelter answered 13-14 inches. Treasurer Petrucci wonders why SJRWMD is asking to make the flows higher on one dam, endangering the dams downstream.

4. Mr. Kelter reported that the south dam stage gauge is missing from beside its kettle. Trustee Huggins made a motion to get a new gauge. Seconded by Trustee Cottrell. Carried 6-0.

5. Mr. Kelter noticed boards coming loose on headwall of bulkhead. Lots of trash coming in through the county pipe.

6. He installed the designated parking signs on the Lake Asbury dam.

D. **Secretary**

1. Asked about agenda item, Clarification of Request by Vice Chair Parrish. She said to save it for another time.

8. **Trustee Reports**

A. **Chairman**

1. Chairman McMillan admonished Mr. Kelter to follow through with his promises in a timely manner. Mr. Kelter replied "Yes Sir". The Chairman's primary concern was submission of the spillway permit documents to SJRWMD. The board hadn't known the documents hadn't been received until our permit check was returned. This delayed the project by months. Once the problem was discovered, Mr. Kelter explained that he believed the documents had been stuck in a queue. Treasurer Petrucci argued that the documents were not submitted properly.

2. Chairman McMillan attended the last Lake Asbury Lake Lot Owners (LALLOA) meeting. They brought up the issue of bulkhead boards coming loose on the dams. There's no good way to tack them down because of the way they were installed. There was a general discussion amongst LAMSBD board members about the poor quality of work and how to resolve the current issue, repair or replace. We are out of contract warranty. Trustee

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Huggins offered to meet with Hayward Construction (who built the bulkhead according to the specifications we provided) to analyze the problem.

Chairman McMillan said we need to get other quotes for repair.

3. Chairman McMillan and LALLOA board members also discussed the ongoing problem of people fishing from the dam. The top cap of pavers on the South Lake Dam are have been knocked off and are in the spillway. He spoke to both the LOLLOA and Community Association boards and urged them to confront trespassers and tell them to get off the dam and to get their kids off the dam. Gates have also been damaged by people climbing over them. Chairman McMillan spoke to Wanda Green and told her that he would ask Secretary Pickens to include a note in the next Lakelighter submission to encourage residents to confront and keep people off the dam because it causes erosion. They can also call 264-6512, the non-emergency number to the Clay County Sherriff's Department. They should advise the police to get out of their cars and look for trespassers who may be hiding in the spillway. The trespassers also cause damage climbing up and down the side of the dam.

4. Chairman McMillan spoke to Commissioner Gayward Hendry about requesting a Grade-All from the county to use to clean up trash washed into the lake by the Fire Station (SE corner of South dam). They discussed getting millings on Waller Way where much of the dirt comes from. They talked about the holes on Arthur Moore by log cabin. Commissioner Hendry said that he'd get the county engineer to look at the problems.

5. Chairman McMillan requested a map of smart boxes and drainage for the county engineer.

6. Chairman McMillan said that the shad have not yet been released into the lakes.

7. Trustee Huggins asked why grass had been cut away from the roads. Mr. Kelter said it was for pavement management inspection and Trustee Huggins said that the county would clean up the dirt clods.

8. Raingod brush removal of the adjacent to the Lake Asbury dam hasn't happened yet. According to Trustee Huggins, Raingod is waiting for a die back.

9. Unfinished item, brush clearing Arthur Moore. Secretary reminded us that Vice Chairman Parrish said at the last meeting that doing so set a precedent and Trustee Cottrell is going to get with others to fix it as 'good neighbors'. Remove from unfinished business.

10. Chairman McMillan addressed a question from Debbie Barrett, 254 Wesley Road, district resident and LALLOA Chairman. She is concerned about illegal parking and that the road over the dam needs to be repaved. She suggested adding guardrails to help prevent illegal parking. Chairman McMillan will ask county if they will install if we buy - he will talk to Commissioner Hendry. He noted that the trenches we added to help with runoff from the road are no longer working, holding water and causing

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potholes. Chairman McMillan recalled we were up to number three on the list to get the dam repaved, then dropped.

11. Mr. Carl Kocher, district resident, 256 Lake Asbury Drive, asked whether this board's planning is good enough to survive unexpected legal challenges down the road. Mr. Kelter said that our plans are good enough to prevent the dams from being decommissioned and that we have plenty of time to fix our dams so it won't come to that. He said that decommissioning a dam is much more expensive than fixing it. We have liability insurance and sovereign immunity. Mr. Kelter says we are doing all we can within our power as a board. Chairman McMillan stated that we can do needed upgrades as we go.

12. Chairman McMillan received a letter from the Commission of Ethics, Tallahassee. We need to log onto their website and update. Can the Secretary use the provided password. Mr. Flowers thinks so.

B. **Vice Chairman**

1. Asked if everyone get the article she sent. Everyone is on septic. Mr. Kelter told her that our watershed area is under 10 square miles and dumps into Lake Asbury. She wondered about our water quality.

C. **Trustees**

9. **Adjournment:** There being no further business Chairman McMillan adjourned the meeting at 8:23 p.m.

Melody Pickens  
District Secretary

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Mark McMillan, Chairman