

Lake Asbury Municipal Service Benefit District

**May 1, 2017** Board Meeting

**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. Chairman McMillan called the meeting to order at 6:36 p.m.

B. Prior to calling the meeting to order, resident Amy Phillips, 529 Fells Court, expressed her concern about an increase in the number of alligators seen in South Lake Asbury. She believes that construction of the spillways has given them free access to the lake and requested that the board erect some kind of fencing across the spillway to keep them out. Discussion between Mrs. Phillips and the board included the practicality and legality of blocking spillways and the ability of alligators to breach almost any obstacle. Chairman McMillan promised Mrs. Phillips that he and Mr. Kelter would research options and report back to her.

**2. Roll/Quorum**

A. The following trustees were present: Chairman Mark McMillan, Treasurer Tom Petrucci, and Trustees Huggins, Cottrell, and Tyrie, a quorum of five. Trustees absent: Vice Chairman Linda Parrish, and trustees Newton, Seat 5 (vacant) 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 April 3, 2017 Regular Board Meeting minutes by Trustee Cottrell and seconded by Trustee Petrucci. Carried 5-0.

**5. Treasurer's Report**

A. Trustee Cottrell moved to approve the Treasurer's Report, seconded by Trustee Tyrie. Carried 5-0.

**6. Approval of Checks**

A. After explanation of checks, Trustee Cottrell made a motion to approve checks 3283– 3287. Seconded by Trustee Tyrie. Carried 5-0.

**7. Staff Reports**

**A. Accountant Tom Hallquest**

1. Absent.

**B. Attorney Wayne Flowers**

1. Mr. Flowers reminded the board that a tentative budget must be approved in June and finalized in July. Trustee Petrucci said that he would meet the Mr. Hallquest tomorrow. He will ask Mr. Hallquest to attend the next meeting.

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C. **District Engineer Mike Kelter**

1. Detailed maps of Lake Asbury. Mr. Kelter is waiting for data from the county to produce detailed maps.
2. Rain Gauges. Mr. Kelter has received a quote for new rain gauges, but he considered it too high so he is waiting for quotes from other surveyors.
3. Lake Ryan sediment trap. Mr. Kelter has prepared a request for quotes to stabilize the Lake Ryan Sediment Trap slope. This involves installing concrete rip-rap bags along the south bank of the southwest finer of Lake Ryan to stabilize the bank and prevent water bypassing the sediment trap. Mr. Kelter recommended that the board install additional rip-rap to the sediment trap on Lake Ryan vice using sheet pile. It should help stabilize the bank and cost less than five thousand dollars. Trustee Huggins noted that though you can hear the water in the pipe, it doesn't run out. Water is flowing under and around the existing sheet pile. Trustee Petrucci asks about running sheet pile all the way around. Mr. Kelter said that would be costly and there is a huge stump in the way that couldn't be removed. Mr. Kelter will seek quotes for alternative ideas. Chairman McMillan asked that we start as soon as possible. Mr. Kelter needs our authorization to do that. Mr. Flowers said that we should adhere to state requirements (chapter 287) when seeking quotes. He said that we need to seek bids for work over twenty-five thousand. As a special district we can use any process we choose for amounts under 25K. Mr. Kelter will get quotes from at least three contractors. He doesn't want the cost to jeopardize starting the Lake Ryan project. Chairman McMillan requested quotes including cleaning out the traps and beyond Len's finger (Leonard Nordgren -762 Lake Asbury Drive). Mr. Flowers suggested putting it on next month's agenda and approving it then.
4. South dam cutoff wall top caps. Mr. Kelter has prepared a request for quotes. This includes replacing the ceramic screws used. He recommends flipping the boards over and replacing the ceramic screws with hardened stainless steel screws. Estimated cost to repair is under five thousand dollars. The repair will include 80 boards with 6 being totally replaced. After the repair, they will be coated with timber oil. He estimates the cost to be five thousand dollars. Chairman McMillan wants to ensure the new boards are marine grade.
5. Emergency Action Plan. Mr. Kelter presented an emergency action plan. He said that state dam safety official recommends it and the emergency manager at Clay County would like to see it. It describes what happens when the dam breaks. It assumes that the dam will brake. That assumption allows that, in the worst-case scenario, we have a plan to get people out of the way, If it is needed, Everyone between ourselves and the county will know how to respond. You know what to look for, you know how to detect it, monitor it, you know when to call the Emergence Operations Center (EOC), the EOC knows when to make a decision on who and when to evacuate. This is the

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wet weather scenario. Dams can also leak, a dry scenario. Houses marked in blue are lowest lying and susceptible to flooding. It is our obligation to keep an eye on the lake. Trustee Petrucci discussed a meeting with John Ward (Director of Emergency Management) who said that all he wants from us is to let him know if anything is happening and let him know. He wants to know what we are going to do. He wants protocols for what we would normally do when lowering the lakes. Trustee Huggins said that even with a weeks notice, opening the valves will not lower Lake Asbury, the largest lake. The lakes draining into it keep it full and the lake itself drains very slowly. He believes that we don't need to do anything because the spillways will do their job. Chairman McMillan asked Mr. Kelter if his plan was all we needed to give the county. Mr. Kelter said that Chairman McMillan should present it to the county with him.

D. **Secretary**

8. **Trustee Reports**

A. **Chairman**

1. Seat 5 vacancy. Trustee Huggins nominated Mark Worley, 537 Arthur Moore Drive, to fill Seat 5. Seconded by Trustee Cottrell. Carried 5-0.
2. Chairman McMillan asked how high is the sheet pile going to come out of the water. Mr. Kelter said about 5 ½ feet – to match the existing grade. The McClellan's side will be lower.
3. Chairman McMillan asked Mr. Kelter to please get his Emergency Action Plan to John Ward asap.
4. We still have alligators. Chairman McMillan complained that the alligator trappers are hanging rotten meat as bait for the alligators and is concerned that it may actually be encouraging them to hang around or drawing them in.

B. **Vice Chairman**

1. Absent

C. **Trustees**

9. **Unfinished Business**

A. Lake Ryan spillway project update. Mr. Kelter provided the latest plan. He explained that it is currently a back-and-forth with the district where they ask questions and he answers. He believes we will be able to start construction in October. He offered to take board members on a walk around the dam. The spillway will be 85/100 of a foot above the normal water level (9 or 10 inches). The kettle will be redone. There was discussion about what to do with the existing slide valve that is sticking up out of the water. Moving it could close the valve with no way to open it. It's an old slide gate valve. The valve is 20 feet down. It needs to be removed. Chairman McMillan will look for a diver to examine it.

10. **New Business**

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- A. Questions from Debbie Barrett, 254 Wesley Road, Chairman, LALLOA. Will Lake Asbury need to be lowered during construction of the Lake Ryan spillway? Mr. Kelter told her that it would not be lowered more than a foot. If we lower it more than 3 inches, we will notify residents. Lowering the lakes exposes sprinkler pumps. Came to update the resident concerns about alligators. At her Lake Asbury Lake Lot Owners (LALLOA) meeting, she was unable to convince the residents who attended that alligators can't be kept out. One resident suggested warning signs like Disney put up. LALLOA put up three signs and two days later, two had been stolen. Her board is putting together a 'welcome package' for new residents containing pertinent documents such a covenants and restrictions and lake rules.
- B. Question from resident. I understand that the lakes were lowered in the past to allow people to maintain their bulkheads? Chairman McMillan explained that the water was lowered in an attempt to kill off hydrilla and is not lowered for residents to work on docks or bulheads.
- C. Trustee Huggins – illegal lake activity. Trustee Huggins complained that new residents are not following boating rules. Chairman McMillan said to call FWC or Game and Fish. Trustee Huggins says you can send them a video.
- D. Trustee Tyrie – paddle-boat. Trespassers are keeping a paddleboat tied up by the Lake Asbury dam to use as they please. They have been seen swimming to it. Can we confiscate the boat? Yes, it is an abandoned vessel. Trustee Cottrell will get it.

**11. Adjournment:** There being no further business Chairman McMillan adjourned the meeting at 8:03 p.m.

Melody Pickens  
District Secretary

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Mark McMillan, Chairman