

**Lake Asbury Municipal Service Benefit District
Board Meeting March 5, 2012 Minutes
282 Branscomb Rd. (Lake Asbury Community Center)
Green Cove Springs, FL 32043**

1. Call to Order

The Trustees of the Lake Asbury Municipal Service Benefit District met in the Lake Asbury Community Center, 282 Branscomb Road on the above-stated date. Chairman Mark McMillan called the meeting to order at 6:35 p.m.

2. Roll/Quorum

The following Trustees were present: Chairman Mark McMillan, Vice Chairman Linda Parrish, Trustees Bob Schiefer, Bill Futch, Janet Lankes, Tom Petrucci, Lige Walden and Butch Huggins. Trustee absent: Carl Kocher; 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 read the Administrative Announcements

4. Approval of Minutes February 6, 2012 Regular Meeting; Motion & Approval

Motion by Trustee Futch, seconded by Trustee Walden and **carried 8-0 to approve the minutes of the regular meeting of February 6, 2012.**

Attorney Wayne Flowers clarified that the Chairman can make motions.

5. Treasurer: Treasurer Report for March 2012; Motion & Approval

Motion by Trustee Huggins, seconded by Trustee Huggins and **carried 8-0 to approve the Treasurer Report for March 2012 (attached).**

Trustee Petrucci reported that he received another bank offer BBVA Compass Bank. The interest rate is higher and does not have flexibility on making payments. The payments can only be made monthly. The closing cost was less because Ameris had a lower interest rate to compensate for the closing cost.

Attorney Wayne Flowers reported that he still has not heard back from the attorney Peter Dame regarding the \$100 pledge as was previously discussed.

Trustee Petrucci further reported that Ameris is willing to lend up to \$700,000.00. The Board will need to make a decision soon on how much to borrow.

He further reported that he transferred \$15,000 into the checking account to cover anticipated expenses.

6. **Approval of Checks: Checks for March 2012; Motion & Approval**

Motion by Trustee Huggins, seconded by Trustee Parrish and **carried 8-0 to approve the checks.**

Trustee Petrucci inquired about the services provided by Aquatic Services and stated that 30 days notice is required to cancel the contract. Chairman McMillan reported on the most recent services provided by Aquatic Systems. Discussion was held regarding cancelling the contract since there is no more hydrilla in the lakes and continuing on an as-needed basis. After discussion, motion by Trustee Lankes, seconded by Trustee Huggins and **carried 8-0 to authorize the Chairman to send a letter Certified, Return Receipt to Aquatic Systems giving 30 days notice as of the date of the letter to terminate the current contract and to continue on an as-needed basis.** Trustee Petrucci to contact Aquatic Systems and advise Secretary Diane Walker.

Trustee Petrucci reported that the records are currently being stored in his garage and that he has contacted five storage companies getting prices. Prices range from \$39 to \$49 per month. One does not allow flexibility in billing which was the problem encountered with Best Little Storehouse. Climatized Self Storage allows flexibility in billing and is the closest. Their cost is \$49 per month and will offer ½ off for two months and a 10% discount. After discussion, motion by Trustee McMillan, seconded by Trustee Huggins and carried **8-0 to use Climatized Self Storage for storage of records.** After further discussion, motion by Trustee Huggins, seconded by Trustee Lankes and carried 8-0 to **authorize Treasurer Trustee Petrucci to write a check for the annual rental to Climatized Self Storage.**

7. **Presentations:**

District Engineer Mike Kelter gave a PowerPoint briefing on the Preliminary Engineering Report for the South Dam Improvement project, Section 1-3, describing existing conditions in the basin and at the dam that should be considered in the design process, and answered questions from the Trustees. He requested that the Trustees review the material and call him if there are any questions. He offered to discuss the Report with Trustees individually or to do a workshop. Discussion was then held on the amount of

money to borrow. Attorney Wayne Flowers suggested that Trustee Petrucci secure the terms of the loan and have the Board vote on them at the next meeting. After discussion, motion by Trustee Huggins, seconded by Trustee Futch to authorize Trustee Tom Petrucci to request \$800,000 on a Line of Credit. After further discussion, Trustee Huggins amended his motion, seconded by Trustee Futch and **carried 8-0 to request \$700,000.**

8. **District issues: None**

9. **Trustee Reports:**

Chairman:

(a) Discussion on records.

Previously discussed. Trustee Petrucci is to get a key from Trustee Kocher for the filing cabinet. District Engineer Mike Kelter requested permission to go through the files to view, sort and record what engineering records are there before they are moved to storage. A copy of the list of files will be provided to the Board. Motion by Trustee Huggins, seconded by Trustee Futch and **carried 8-0 to grant Mike Kelter permission to go through the engineering records in Trustee Petrucci's garage.**

(b) Fish Shipment (not on agenda) – Chairman McMillan reported that one shipment of Shad was delivered. However, due to scheduling conflicts the second shipment was not delivered. It is expected to be delivered by next week. Mr. Langford will bring insurance papers as well. Trustee Petrucci requested that Chairman McMillan request a W-9 from Mr. Langford to be given to Tom Hallquest.

Trustees:

Butch Huggins:

(a) Motion & Approval for Wayne Flowers to write letter to FL Attorney General to decide whether or not LAMSBD can own the gates & ramps of the lakes. This is needed for the residents to make future decisions

Wayne Flowers reported that there will not be an additional charge to write the letter. Trustee Huggins explained that in 1985 legislation prohibited LAMSBD from owning the gates, keys, and boat ramps of the lakes. He further explained that due to law changes, a non-resident can now petition to become a member, pay a fee, and get a key to the boat ramp and use the lakes. He further explained that Lake Asbury is a public lake with private access. Trustee Schiefer expressed

his opinion that nothing should be done without first asking the homeowners if they want it. A heated discussion ensued between Trustee Schiefer and Trustee Huggins. Bill Futch stated that he wanted to make it very clear that he is not aware of anyone that is encouraging the gates to come down and he has not spoken to anyone in favor of it.

After further discussion, motion by Trustee Huggins, seconded by Trustee Futch and **carried 7-1 with Trustee Lankes dissenting to authorize Wayne Flowers to write a letter to the Florida Attorney General to decide whether or not LAMSBD can own the gates, and boat ramps of the lakes.**

Janet Lankes:

(a) Webmaster (not on agenda):

Trustee Lankes advised that she will look into what would be required for her to become the Webmaster.

10. New Business – No new business

Trustee Parrish left the meeting at 8:57 p.m.

11. Adjournment – There being no further business, the meeting adjourned at 9:00.

The next meeting will be March 5, 2012.

Diane Walker
Recording Secretary



Mark McMillan, Chairman

