



Municipal Service Benefit District
P.O. Box 30252 • Doctors Inlet, FL 32030

November 17, 2010

Mr. Ronnie Robinson
Board of Clay County Commissioners
P. O. Box 1366
Green Cove Springs, FL 32043

Re: LAMSBD Board

Dear Ronnie:

We are all aware of the current issue that faces the LAMSBD Board. It is interesting that prior to the BCC Meeting that Ms. Hendricks attended and questioned the reappointment of the LAMSBD Board, the BCC had no problem reappointing the Board since 1986. Or at least, this is my understanding of LAMSBD history.

As a result of the discussion during that BCC meeting, it was agreed (between the LAMSBD Attorney and the County Attorney) that the County Attorney should approach the Florida Attorney General for a decision on the matter of reappointment or special election.

It is too bad that the BCC did not step up during that meeting and reappoint LAMSBD one more time and then move on following new protocol in the future. This was what I thought was going to occur based on the tentative agreement reached prior to the BCC meeting.

Only one LAMSBD Board member figured out what the new CDD Election procedure entailed prior to the Clay County Election Office deadlines. I have been informed this same problem has occurred with several Florida Special Districts.

Let's forget what should have or could have happened. The only LAMSBD Board member who recognized the issue and qualified has since resigned from the LAMSBD Board. This leaves four LAMSBD Board members. Quorum of five is required by the Florida Legislature.

We requested that BCC temporarily approve two new Board members to fill vacant spots in order to conduct business. One lake lot owner has already completed an application and an additional was to be in process. The County Attorney has declined to recommend temporary appointment to the BCC until the Florida Attorney General makes a decision.

Page 2, Robinson Request Letter

In a discussion with our Attorney, I wondered what if the current Attorney General does not review since he is leaving office shortly, and what if the new Attorney General takes awhile to get her feet on the ground.

This process could be very short or it could take some time.

The board last month did approve all routine bills in advance but later I realized what if a valve stuck in a closed position just before a low pressure storm system arrived. **The dams could fail.** We cannot hold a Board meeting and vote to repair because we cannot meet quorum.

Matter of fact, the LAMSBD Board cannot vote to make any emergency repair.

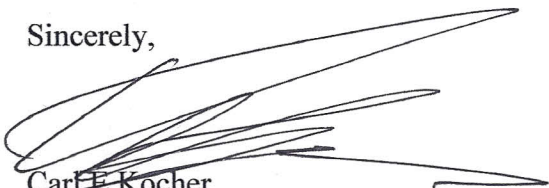
The County Attorney's recommendation not to appoint temporary Board Members has the effect of shutting us down and not allowing us to conduct business. LAMSBD is required by the Florida Legislature via Chapter 86-392 to maintain the lakes and dams of Lake Asbury, South Lake Asbury and Lake Ryan.

We respectfully request the BCC temporarily appoint at least two Board members so we can properly conduct business. Two temporary members would allow one Board member to be ill or to be out of town but District business could be handled.

In order to avoid blame being cast on all concerned here should a failure occur due to the inability to make a repair, the BCC needs to assist by appointing temporary replacements.

We would appreciate a positive vote from the BCC to aid the Lake Asbury Municipal Service Benefit District in its time of need.

Sincerely,



Carl E Kocher
LAMSBD Chairman
904-864-7709

CC: Wayne Flowers, Lewis, Longman & Walker, P A, LAMSBD District Attorney &
LAMSBD Board