

**LAKE ASBURY MUNICIPAL SERVICE BENEFIT DISTRICT
MINUTES FOR MEETING OF
MONDAY, OCTOBER 3, 2011**

1. Call to Order

The Trustees of 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 6:30 p.m.

2. Roll/Quorum

The following Trustees were present: Vice Chairman Linda Parrish, Trustee Carl Kocher, Trustee Bill Futch, Trustee Lige Walden, Trustee Janet Lankes, Trustee Tom Petrucci, and Trustee Butch Huggins. Trustee absent: Chairman Mark McMillan, Trustee Bob Schiefer, and District Engineer Mike Kelter. Staff present: Attorney Wayne Flowers and Secretary Diane Walker. Others in attendance are listed on the sign in sheet.

3. Administrative Announcements

Vice Chairman Linda Parrish read the Administrative Announcements.

4. Presentation: Mike Kelter, District Engineer – Analysis and Review of Spillway Projects. Motion & Approve

No presentation due to absence of District Engineer Mike Kelter

5. Approval of Minutes September 7, 2011 Regular Meeting and Public Hearing; Motion & Approve

Motion by Trustee Futch, seconded by Trustee Walden and **carried 7-0 to approve the minutes of the September 7, 2011 Regular Meeting.**

Motion by Trustee Huggins, seconded by Trustee Petrucci and **carried 7-0 to approve the minutes of the September 7, 2011 Public Hearing.**

6. Election of Treasurer

Vice Chairman Linda Parrish announced that Trustee Bob Schiefer resigned as Treasurer. Secretary Diane Walker opened the floor for nominations of Treasurer. Trustee Futch nominated Trustee Petrucci. With no more nominations the floor was closed to nominations. Trustee Futch moved, seconded by Trustee Huggins and **carried 7-0 to approve Trustee Tom Petrucci as Trustee Board Treasurer until January 2012.**

7. **Treasurer:** Treasurer's Report for October 2011; Motion & Approve
Trustee Carl Kocher gave the Treasurer's Report. He advised that \$10,000 needs to be transferred from the Money Market Account to the checking account. Motion by Trustee Kocher, seconded by Trustee Futch and **carried 7-0 to transfer \$10,000 from the Money Market account to the checking account.**

He stated that the fiscal year ended on September 30 and the new fiscal year began October 1st. The new Treasurer needs to deliver the Secretary's binder to CPA Tom Hallquest by September 15th. The deadline for vendors and contractors to have statements/invoices to the CPA and Treasurer is the 25th of the month. This deadline has been pushed back so that at times checks are being issued an hour before the meeting. This needs to quit. He further stated that he will email vendors that statements need to be to the Treasurer and CPA by the deadline of 25th. The CPA and Treasurer will deliver all required items to the auditor, by October 15. The auditor has until December 15 to send an electronic copy to the County and a written copy to the State of Florida. He further stated that the current price for the audit may be increased based on new regulations by the state and federal government. Also, the current auditor has advised that they may get out of the business. The Board will have to find a new auditor if that occurs. After further discussion, motion by Trustee Huggins, seconded by Trustee Futch and **carried 7-0 to approve the Treasurer's Report and the Checks for October 2011.**

8. **Approval of Checks:** Checks for October 2011; Motion & Approve – Approved as part of the Treasurer's Report. See motion on #8.

9. **District Issues:**

a. **Repair of boat ramp (this was deferred from the 9/7/11 meeting)**

District member Steve Lankes, 717 Arthur Moore Drive, requested that this be tabled until the next meeting to allow additional time to get bids for making the repairs without having to lower the lakes. He stated that the request may be withdrawn all together.

b. **Dam Tree Removal - Fallen tree on Lake Asbury dam across from Bishop property; Rain God has quoted \$150.00 to remove**

Trustee Huggins stated that the tree acts as a deterrent and requested that the tree be left and that the matter be tabled. Trustee Kocher stated that his concern is the close proximity to the street. He agreed to delay the matter. This will be placed on the next agenda.

- c. **Mowing contract** – The contract has three additional mowings approved with no change in cost. Motion & Approve to give Trustee Huggins authority to request additional mows without Board approval based on the rainy weather.

Motion by Trustee Kocher, seconded by Trustee Lankes and **carried 7-0 to give Trustee Huggins the authority to request additional mows without Board approval.**

10. **Trustee Reports:**

Vice Chairman:

Vice Chairman Linda Parrish gave information on Florida Lake Watch to Rick Dotseth to give to Tom Chandler and a copy to Steve Lankes. They will fill out the application and return it to Trustee Parrish to be emailed to Florida Lake Watch. She stated that she will call and see if the refrigerator that was purchased to store the samples that are collected by Florida Lake Watch from the Extension Service is still there.

Trustees:

Janet Lankes

Trustee Janet Lankes read a letter identifying the people who will be receiving mail and those individuals authorized to pick up mail. She will take the letter to the post office. After discussion, motion by Trustee Lankes, seconded by Trustee Kocher and **carried 7-0 to approve the letter.**

Trustee Kocher reported that he is still looking for the second key to the post office box and has sent an email to former Chairman Larry Pitts asking if he has it. He is waiting for his reply and will report back at the next meeting. Trustee Lankes stated that it would cost \$15 to rekey the box and \$6 to replace the key. After discussion, she stated that she will continue to pick up the mail since she goes that way twice a week. She reported that a notice for a certified letter was put in the box, but she unable to retrieve it at the front because her name was not on the approved list they had. Attorney Wayne Flowers advised that he also received the same letter. Vice Chairman Parrish stated that a decision will be made at the next meeting on whether to re-key or not.

Carl Kocher

Insurance and Grants & EAP (Emergency Action Plan)

Trustee Kocher submitted and reviewed his report (attached) on Insurance, Grants, the Emergency Action Plan and the Preliminary USDA application.

After discussion regarding LAMSBD taking over all the facets on the lake in order to obtain grants favorable to the residents, motion by Trustee Kocher, seconded by Trustee Huggins and **carried 6-1 with Trustee Lankes dissenting to allow Attorney Wayne Flowers to review the pros and cons of sole ownership by LAMSBD of the dams, lakes, lake bottoms, boat ramps and the gates as it pertains to liability, and to report back at the December meeting.**

After discussion regarding a preliminary USDA loan, motion by Trustee Huggins, seconded by Trustee Futch, and **carried 7-0 to start the grant application process for a USDA loan at an initial cost of \$100.** Trustee Kocher advised that this will be discussed further at the next meeting.

Trustee Kocher requested Wayne Flowers to comment on any new developments in Terry Lewis (Lewis, Longman & Walker) review with another Special District search to determine if they could become a Water Utility. Mr. Flowers reported that Mr. Lewis is engaged to amend the charter for Lake Worth Drainage District that has a drainage system not unlike the one in Lake Asbury to enable them to become a water utility. This could be a source of revenue by LAMSBD having the authority to sell water to the CCUA.

Trustee Kocher advised that completion of an Emergency Action Plan is needed. This was discussed three years ago and is in the process again. Motion by Trustee Huggins, seconded by Trustee Petrucci **and carried 7-0 that Trustee Kocher and Mike Kelter produce an Emergency Action Plan for approval by the Board.**

Butch Huggins

Trustee Huggins reported that after the rainfall two Sundays ago, the North Lake rose four inches and the South Lake rose three inches. On Monday night, the South Lake was putting water into the North Lake faster than the North was getting rid of it. The South Lake dropped consistently on Tuesday and Wednesday. On Wednesday night, North Lake was still rising and South Lake was still dropping so he opened the west valve of North Lake for 24 hours. The North Lake dropped a little below normal level to 24.1; normal is 24.2. The valve was shut off Thursday night.

Trustee Huggins requested that Trustee Kocher be the contact person with the new owners of the church property. He advised that he has requested Rain God to give him a quote to clean up the Lake LARC property. He further stated that once the bid is received he asked if Trustee Futch would take the quote to the owner and speak to them and have them pay the bill. Mr. Futch should also tell the church property owners about the kettle and the potential problem that with no screen over it, a child could fall in. Trustee Kocher advised that he sent a certified letter from him as Chairman advising of the problem and they also received a copy of the email from Mike Kelter with his comments to the County about the problems. He has also had other discussions with them. After further discussion, motion by Trustee Huggins, seconded by Trustee Lankes and **carried 7-0 that Trustee Futch take over the Lake LARC dam issue, contact the new owners and report back at the next meeting.**

South Lake dam has heavy undergrowth. A quote of \$1,600 was received from Rain God to hand cut back the growth to the ground except the cattails. This will be discussed further at the next meeting.

On the north side of the south dam there are two trees that need to be removed. He will ask Rain God to give bid and will forward to Trustee's emails. Trustee Kocher stated that Rain God needs to be reminded that there are three pipes that need to be looked at. Trustee Huggins stated that he will call Ray Avery at the Utility Authority to see if they are active and if not, he will unscrew them. This will be discussed further at the next meeting.

11. **New Business**

a. **Publishing of legal ad for meeting dates for 2012; Approve & Motion**

Motion by Trustee Kocher, seconded by Trustee Huggins and carried 8-0 to approve the publishing of a legal ad for LAMSBD meeting dates for calendar year 2012. Trustee Kocher stated that notice of a public hearing for the purpose of reviewing a UDSA loan/grant to be held immediately following the November 14 meeting also be included in the ad. Trustee Huggins amended the motion, which was seconded by Trustee Lankes and **carried 8-0 to advertise all regular monthly meetings for 2012, and to include a notice of public hearing for the purpose of review/approval of grants/loans to occur at each meeting, and also include a notice of public hearing for the purpose of reviewing a UDSA loan/grant to be held immediately following the November 14 meeting.**

12. **Adjournment**

There being no further business, the meeting adjourned at 8:03 p.m.

Diane Walker
Secretary



Mark McMillan, Chairman

MONEY MARKET CHECKING ACCOUNT

Balance as of September 1, 2011		\$ 199,432.98
Prior Month Interest	\$ 223.70	
Prior Month Transfer to Checking	\$ (10,000.00)	
Current Month Interest	\$ 211.58	

Current Money Market Checking Account Balance **\$ 189,868.26**

Current Total Funds Balance **\$ 187,434.69**

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

Submitted by: _____