

**Cedar Meadow Lake Watershed District
Annual Meeting
May 16, 2019**

The 2019 Annual Meeting of the District was scheduled to be held at the Knights of Columbus Hall in Leicester at 7:30 P.M. on May 16, 2019. The Proprietors of the District were notified of the meeting by First Class mail more than 14 days in advance of the meeting. Further, a copy of the same Warrant sent to the Proprietors (attached) was posted on the Leicester Town Clerk's bulletin board more than 14 days in advance of the meeting.

Meeting Minutes

The District Clerk, Michele Cosper of 45 Fairview Drive, Leicester, registered Proprietors, also referred to as members, and offered hand-out material prior to the start of the meeting. After being assured that a quorum existed, the meeting was convened at 7:41 P.M. by District Management Committee Chairman, Mr. Tommy Lee of 61 Fairview Drive, Leicester.

Representation constituting one-third of the \$26,239,100 assessed valuation of property within the District, currently \$8,650,233, was required to establish a quorum. Owners of property within the District totaling \$8,809,700 (34.0%) in assessed valuation were represented at the meeting in-person or by proxy.

Article 1

Mr. Lee of 61 Fairview Drive read the Article and moved that the District votes to elect a moderator to preside for the duration of the meeting. The motion was seconded. Mr. Lee asked for nominations.

Mr. Lee nominated Richard Johnston to moderate the Annual Meeting of the District and noted that Mr. Johnston served as Cedar Meadow Lake Watershed District Clerk for many years. There were no other nominations. Mr. Lee asked for a vote on the nomination. Richard Johnston was voted as Moderator unanimously.

Article 2

The Moderator read the Article. Mr. Waterman of 29 Lake View Drive moved that the District votes to hear a report from the Management Committee summarizing their activities since the last Annual Meeting of the District.

The motion was seconded. The Moderator read the motion and asked for a vote. The motion was voted unanimously. Management Committee President Tommy Lee stated that the Management Committee met nine during the year. He then took the members through a summary of the Management Committee's activities since the last Annual Meeting and used the attached document entitled "Cedar Meadow Lake 2018-2019 Action Plan Status Report" as a guide.

With respect to

- Goal 1 - Dam Maintenance was completed. Mr. Lee stated that the routine maintenance on the dam was completed including the cutting of the grass on the dam crest.
- Goal 2 - Engineering Services was complete. The District did continue the good working relationship with Lenard Engineering.
- Goal 3 - Tree Removal was partially complete. The District cut all bush & limbs to the vertical property line. The trees near the dam put the dam at risk if one was to fall upon it. No further progress has been made towards purchasing the land behind the dam.
- Goal 4 - Weed Control Draw Down was completed. Mr. Lee stated that a successful draw down had been completed as specified by the Order of Conditions (OOC).
- Goal 5 - Weed Control - The District did continue the good working relationship with ESS Group.

- Goal 6 - Financing was completed. Betterment collections have gone very well and the fifth payment to the USDA was made. The sixth payment is scheduled for June 2019.
- Goal 7 - Conduct Water Quality Monitoring Program was incomplete. The water testing was not performed in 2018 - 2019.
- Goal 8 - Communications was complete with newsletters being sent to members and the District's website being updated by Mr. O'Coin. The District has made a move to electronic distribution of newsletters to half the Proprietors. The District also continues to use its Facebook and Twitter accounts.

Article 3

The Moderator read the Article. Mr Lee moved that the District votes to hear a report from the Treasurer.

The motion was seconded. The Moderator read the motion and asked for a vote. The motion was voted unanimously.

Mr. Terence O'Coin of 6 Lake Shore Drive, the District Treasurer, referred the members to table (attached) comparing budgeted versus actual expenses that had been distributed prior to the start of the meeting. The documents showed that it was not necessary to transfer any funds from the Reserve Account this year. He discussed each of six accounts. There was no need to fund the Stabilization Account. Nothing was spent of the \$2,500.00 in the Legal Account. Of the \$68,200 in the Repair and Maintenance Account, \$10,560.00 was spent on the weed survey, dam fencing, gate house repairs, tree brach trimming and mowing of the dam crest. Of the \$8,965.00 in the Administrative Account, \$8,539.21 had been spent. Nothing was spent in the Debt Repayment Account because nothing was borrowed from the line-of-credit. The sixth USDA loan payment would be made from the Betterment Loan USDA Account in June 2019. Lastly, nothing of the \$10,000 in the Reserve Account had been spent. The pie charts on separate handout illustrate the percentage differences between budgeted and actual spending.

Article 4

The Moderator read the Article. Mr. Waterman moved that the District votes to elect a District Clerk to hold office for a term of one year or until the next Annual Meeting.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. Waterman nominated Michele Cosper of 45 Fairview Drive, Leicester. There were no other nominations. In the interest of saving time, the Moderator asked the Management Committee Chairman to cast one vote for Mrs. Cosper. Mrs. Cosper was, thus, voted District Clerk unanimously.

Article 5

The Moderator read the Article. Mr. Lee moved that the District votes to elect a District Treasurer to hold office for a term of one year or until the next Annual Meeting.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. Lee nominated Terence O'Coin. There were no other nominations. In the interest of saving time, the Moderator asked the Management Committee Chairman to cast one vote for Mr. O'Coin . Mr. O'Coin was, thus, voted District Treasurer unanimously.

Article 6

The Moderator read the Article. Mr. O'Coin moved that the District votes by ballot to elect a member to the Management Committee for a term of three (3) years.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. O'Coin nominated Mr. Tommy Lee. There were no other nominations. The Moderator explained the voting procedure. The

Proprietors would enter the name of the person they wished to vote for on the ballots they received from the Meeting Clerk. The Meeting Clerk will collect and tally these votes. The voting then proceeded as described and Mr. Lee was voted as a member of the Management Committee to hold office for three years. There were 27 votes for Mr. Waterman.

Article 7

The Moderator read the Article. Mr. O'Coin moved that the District votes by ballot to elect a member to the Management Committee for a term of three (1) year to fill the opening on the District Management Committee.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. O'Coin nominated Mr. Edward Rose of 61 Lake View Drive, Leicester. There were no other nominations. The Moderator explained the voting procedure. The Proprietors would enter the name of the person they wished to vote for on the ballots they received from the Meeting Clerk. The Meeting Clerk will collect and tally these votes. The voting then proceeded as described and Mr. Rose was voted as a member of the Management Committee to hold office for one year. There were 27 votes for Mr. Rose.

Article 8

The Moderator read the Article. Mr. Waterman moved that the District votes to accept the Cedar Meadow Lake 2019-2020 Action Plan in the hands of the Proprietors.

The motion was seconded. The Moderator read the motion and asked for discussion. Mr. Lee referred the Proprietors to the Cedar Meadow Lake 2018-2019 Action Plan (attached) that had been distributed prior to the start of the meeting.

This winter was a relatively "normal" winter however in the late fall and early spring we experienced unseasonable rainfall which resulted in the lake not drawing down to the desired elevation over the entire draw down period. By our records, we do not record that the lake ever drew down below -30" during the entire draw down period with the lowest period taking place in mid-February. Total ice out was observed in mid-March. The upper channel flash boards were installed on March 30th when the lake elevation was at -24" with approximately 12" of water flowing thru the upper channel. Due to the unseasonable rainfall, the lake filled in approximately 12 days. The lake has remained at a normal level since and as of today we are running approximately 6-8" above spillway elevation. We are aware that some folks were unable to remove their docks in the late fall due to the water levels and some were unable to install their docks this spring due to the water levels however mother nature was in charge and did not offer much relief on either end.

The District purchased new no trespassing signs in the spring of 2018 and had them "permanently" installed on the dam crest, fences and gates. We also had the chain link fences repaired and replaced the fencing with commercial chain link to help prevent cutting. If any proprietors see suspicious activity or trespassers on the dam please feel free to contact the Leicester Police department.

The dam is considered to be in fair condition by the Massachusetts Office of Dam Safety, primarily due to the presence of large diameter trees within 15 feet of the downstream toe of the dam. The Office of Dam Safety is concerned that the integrity of the dam could be damaged if these trees were uprooted during heavy rain and wind conditions, and they suggest these trees be removed. The district "cut back" the trees to the limit of our property this past spring and we also had the gate house masonry repaired and painted.

The Rawson Street bridge replacement project was completed in late October of 2018. In recent weeks we have heard from Mr. Stiles that there has been an uptick of fishing and illegal parking from the area of the new bridge along with speeding. Mr. Stiles is working with Town Officials to curb these activities and some measures have taken place including additional signage, speed enforcement and parking barriers.

As a reminder from last year, thanks to our treasurer, Terry O'Coin, you can now connect with our District via Twitter & Facebook. On a routine basis, Terry posts monthly meeting minutes, newsletters and other important

messages. Also of note, the photo used on our webpage was selected by the Town to be used on the Town's annual report! Michele Cospes has done an excellent job with our "electronic mailing" list and significantly reduced our hard copy mailings over the last several years.

Last summer ESS Group performed a lake mapping of aquatic growth. The results of this mapping were positive with no new areas of concern. Details of the mapping are available on our website or we can send you a copy via email if you wish. The management committee has elected to not take any action with herbicidal treatment at this time.

Members of the District are continuing to pay off the USDA loan taken to pay the \$1,714,000 judgment against the District via betterments. The District will make the sixth annual USDA payment in June 2018.

With respect to

- Goal 1, Dam Maintenance, Mr. Lee stated that this goal dealt with routine maintenance including mowing the dam surface.
- Goal 2, Engineering Services, calls for maintaining a professional relationship with an engineering firm to provide expertise and guidance with respect to maintaining and repairing the dam. This relationship already exists with Lenard Engineering.
- Goal 3, Tree Removal, calls for acquiring the land below the dam and cutting large trees within 15 feet of the downstream side of the dam.
- Goal 4, Weed Control - Draw Down, will continue through the annual draw down program according to the OOC.
- Goal 5, Weed Control - Herbicides, calls for the maintaining and retaining the services of a lake management organization to continue to monitor and manage the proliferation of Fanwort (Cabomba) and other weeds.
- Goal 6, Financing, calls for collecting betterments and repaying the USDA loan, and maintaining betterment pre-payments in safe investment vehicles to realize a rate of return.
- Goal 7, Communications, the Management Committee will continue to communicate with the members via newsletters and the District's website.

Mr. Wayne Ridley of 39 Lake View Drive offered to take-on the Goal of Conduct Water Quality Monitoring Program, and this goal will be added.

- Goal 8, Conduct Water Quality Monitoring Program, calls for measuring total phosphorus content and clarity through collection and analysis of lake water samples. Informally, bacteria counts will be monitored.

The District's Emergency Action Plan needs to be renewed. Lenard Engineering and Mr. Richard Johnston will be assisting the District to renew the plan. The District also needs to apply for a new Order of Conditions for the annual draw down. Mr. Johnston will also be kindly assisting the District with the renewal process.

The Moderator read the motion and asked if there was any further discussion. There being none, the Moderator read the Article and asked for a vote. The motion was voted unanimously.

Article 9

The Moderator read the Article. Mr. Lee moved that the District votes to authorize the Management Committee to maintain a line-of-credit loan in an amount not to exceed \$30,000 to pay District operating expenses pending receipt of annual tax revenue.

The motion was seconded. The Moderator asked for discussion. Mr. O'Coin explained that he had been working with Steve Quink at the Spencer Savings Bank and that repayment of line-of-credit loans would be guaranteed by the District's own betterment prepayment funds on deposit at the bank. The line of credit was not used in FY19, and it is not expected that it will be used in FY20 either. The motion was voted unanimously.

Article 10

The Moderator read the Article. Mr. Waterman moved that the District votes to carry forward and/or transfer funds as described in a document in the hands of the Proprietors.

The motion was seconded. The Moderator read the motion and asked for discussion. Mr. O'Coin stated that the budget that he would discuss in the next article called for carrying \$3,000.00 forward in the Repair and Maintenance Account. This was good news for the members because it represented unspent money in the current budget that could be carried forward to avoid the need to collect \$3,000.00 in new tax revenue in the Fiscal Year 2020 budget. \$3,000.00 was appropriated to Dam Repair and Maintenance in FY2020. The funds in the Dam Stabilization account could be moved to a different account if voted upon. The motion was voted unanimously.

Article 11

The Moderator read the Article. Mr. Lee moved that the District votes to approve the Fiscal 2020 budget in the hands of the Proprietors, the appropriation of monies to be raised by assessment upon the Proprietors in support thereof.

The motion was seconded. The Moderator read the motion and asked for discussion. Mr. O'Coin referred to a hand out entitled "Proposed Budget and Appropriation of Monies Fiscal Year July 1, 2019 - June 30, 2020 (FY2020)" that had been distributed prior to the start of the meeting and described each item. He explained that the left hand column showed the annual Budget Amounts totaling \$161,101.64. The next column showed the \$3,000.00 voted on the last article as being carried forward from FY2019. The next column, entitled "From FY2019 Tax Revenues" represented the amount, \$28,525.00, to be raised through taxation. The next column to the right represented the amount, \$15,000.00, to be taken from Free Cash. He explained the process of the MA DOR DLS certifying the amount of available free cash, following the annual audit by the District auditor and submission of financial reports. The next column on the right entitled "From Issuance of Debt" showed \$0.00, showing that no funds will be borrowed from the line-of-credit. The next column to the right entitled "From Betterments" totaled \$92,867.25; of that amount, \$77,524.75 represents the expected seventh payment on the USDA loan, \$3,068.50 represents administrative cost, and \$12,274.00 represents USDA Loan reserves. The next column to the right entitled "From Stabilization Account" did not include any activity. The last column entitled "From USDA Loan to Betterment" totaled \$19,709.39 represents money borrowed and reserved for the purchase of the land behind the dam.

He discussed the current budget in detail. \$2,000 was budgeted for legal expenses. The Repair and Maintenance Account totaled \$31,859.39, including \$650 for grass mowing on the dam, \$5,000 for dam repair and maintenance, \$19,709.39 for purchase of land behind the dam, \$6,000 for emergency action plan engineering, and \$500 for water sample testing. The Administrative Account totaled \$9,375 including \$500 for communications, and \$2,500 for auditing, \$525 for the Treasurer's Bond, \$5,500 for the liability insurance premium, \$50 for the COLAP dues, \$100 for Treasurer's Expenses and \$200 for the annual meeting. \$10,000 was included in the Reserve Account to cover unexpected expenses. The \$80,593.25 shown in the USDA Loan Payment-Long Term Debt Account is the same amount to be collected from betterments and contains \$77,524.75, the seventh annual loan payment, and \$3,068.50 for loan administration expenses. The USDA Loan Payment Reserve Account totaled \$12,274.00. The Dam Stabilization account totaled \$15,000.00. The Moderator asked if there were any questions or if there was any other discussion. There being none, the Moderator asked for a vote on the motion. The motion was approved unanimously.

Article 12

The Moderator read the Article. Mr. Lee moved that the District votes to discuss any other business that may properly come before this meeting.

The motion was seconded. The Moderator read the motion and asked for discussion. There was no discussion. The Moderator asked for a vote and the motion was approved unanimously. Mr. Lee explained to the audience that this was their opportunity to bring up questions not previously answered during the meeting.

or to raise new subject for discussion. No business was brought forth. Proprietors did ask to whom they should report any boating incidences to such as driving at high speeds at night. Mr. Lee stated that the police should be called & also reminded Proprietors that trespassers on the dam should be reported to the Leicester Police.

Adjournment

The Moderator stated that he would entertain a motion for adjournment. This motion was made and seconded and approved unanimously. The meeting adjourned at 8:54 P.M.

A True Copy Attest:

Michele M. Cospers
District Clerk