

**Cedar Meadow Lake Watershed District
Annual Meeting
May 20, 2020**

The 2020 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 20, 2020. Due to COVID-19 restrictions, the 2020 Annual Meeting was held as a Zoom Virtual Meeting (Join Zoom Meeting: <https://us04web.zoom.us/j/765013465?pwd=azdUeXhKcVhnTGZERi9UNE1pdTkvQT09>, Meeting ID: 765 013 465, Password: 040461). The Proprietors of the District were notified of the virtual meeting by First Class mail more than 14 days in advance of the meeting. Information and documents for the meeting were posted to the District website, www.cedarmeadow.org.

Meeting Minutes

The District Clerk, Michele Cosper of 45 Fairview Drive, Leicester, registered Proprietors, also referred to as members. Members were pointed to the website to obtain materials 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 \$27,719,200 assessed valuation of property within the District, currently \$8,995,856, was required to establish a quorum. Owners of property within the District totaling 14,653,900 (54.4%) 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 eight 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 2019-2020 Action Plan Status Report" as a guide.

This winter was a relatively drier resulting in less snowfall. Due to above average temperatures in late January to early February, an early ice out occurred in late February. The upper channel flash boards were installed on March 17th when the lake elevation was at -30" with approximately 6" of water flowing thru the upper channel. Due to the spring rainfall, the lake filled in approximately 12-15 days. The lake has remained at or slightly above normal levels. As of June 20, 2020, the lake level is at approximately 4"-6" above spillway elevation.

In late March 2020, the District conducted a large dam cleanup effort. At the time of the clean-up, the water level was at winter elevation, and we were able to remove debris and trash from the lake bottom, dam and

surrounding areas. We were also able to clean out the gatehouse and disposed of the old siphon pipes and valves. This was all brought to the curb on Charles Street for proper disposal by Saunders Trucking. The District also re-installed the no trespassing signs on the dam, however, one of the signposts bases was destroyed by vandals and must be repaired. This will be completed in the coming weeks. If any proprietors see suspicious activity or trespassers on the dam, please feel free to contact the Leicester Police department.

During our annual draw down in Fall 2019, it was discovered that our lower gate valve would not open properly. R.H. White was engaged to review the condition, and they believe a sheer pin may have broken off preventing the valve from mechanism from engaging the lever. We are in active discussions with R.H. White for repairs. This valve is only used to reduce water levels greater than 36", if required, and the current situation poses no risk to any of our planned activities.

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 removed. The district "cut back" the trees to the limit of our property in Spring 2019, and the gate house masonry was repaired and painted. The District has engaged with Lenard Engineering to conduct our State mandated dam inspection that will be completed on or before June 10, 2020. We will share and post the inspection report as it becomes available.

The Management Committee is actively engaged in various discussions about acquiring the land behind the Dam and possibly the land under the body of water on the Burncoat side of the Rawson Street bridge. Currently both parcels are owned by Mr. Shea's estate or Central Water District. The discussions and options are within our prior plans and budgeted allotments for such acquisitions. We believe in the next 6- 12 months; the Management Committee will be able to put a detailed plan of acquisitions in front of the proprietors for discussion and path forward.

Last year in late September, we began to observe what appeared to be clusters of Algae. We sent pictures to ESS Group and discussed this observation with them. With the summer season over and the colder weather in play there were no immediate actions to be taken. We will keep an eye out as this summer season unfolds and take any actions accordingly if deemed necessary under the guidance of ESS Group.

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 Facebook page was selected by the Town to be used on the Towns annual report! Michele Cosper has done an excellent job with our "electronic mailing" list and significantly reduced our hard copy mailings over the last several years.

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 seventh annual USDA payment in June 2020.

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 incomplete. 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 sixth payment to the USDA was made. The sixth payment is scheduled for June 2020.
- Goal 7 - 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 was posted to the District website prior to the start of the meeting. The documents showed that \$1,500 was transferred from the Reserve Account to the Legal Account. He discussed each of six accounts. There was no need to fund the Stabilization Account. Of the \$2000 in the legal account, \$3,500 was spent in the Legal Account. Of the \$31,859.39 in the Repair and Maintenance Account, \$11,350.00 was spent on the Emergency Action Plan preparation & submittal, filing fee for the Draw Down NOI, dam inspection, and mowing of the dam crest. Of the \$9,375.00 in the Administrative Account, \$9,046.39 had been spent. Nothing was spent in the Debt Repayment Account because nothing was borrowed from the line-of-credit. The seventh USDA loan payment would be made from the Betterment Loan USDA Account in June 2020. Lastly, \$1,500 of the \$10,000 in the Reserve Account was 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. Richard Carr of 2 Lake Shore Dr. There were no other nominations. The Moderator explained the virtual voting procedure would be done by a simple raising of your hand. The voting then proceeded as described and Mr. Carr was voted as a member of the Management Committee to hold office for three years.

Article 7

The Moderator read the Article. Mr. Waterman moved that the District votes to accept the Cedar Meadow Lake 2020-2021 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 2012-2021 Action Plan (attached) that had been posted to the website prior to the start of the meeting.

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 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 (Cabomda) 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.

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 8

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 FY20, and it is not expected that it will be used in FY21 either. The motion was voted unanimously.

Article 9

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 \$5,500.00 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 \$5,500.00 in new tax revenue in the Fiscal Year 2021 budget. \$5,500.00 was appropriated to Dam Repair and Maintenance in FY2021. The motion was voted unanimously.

Article 10

The Moderator read the Article. Mr. Lee moved that the District votes to approve the Fiscal 2021 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, 2012 - June 30, 2021 (FY2021)" 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 \$166,377.02. The next column showed the \$5,500.00 voted on the last article as being carried forward from FY2020. The next column, entitled "From FY2021 Tax Revenues" represented the amount, \$27,970.00, to be raised through taxation. The next column to the right represented the amount, \$22,000.00, 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 \$91,197.63; of that amount, \$76,306.38 represents the expected eighth payment on the USDA loan, \$2,978.25 represents administrative cost, and \$11,913.00 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. \$7,500 was budgeted for legal expenses. The Repair and Maintenance Account totaled \$32,884.39, including \$675 for grass mowing on the dam, \$10,000 for dam repair and maintenance, \$19,709.39 for purchase of land behind the dam, and \$2,500 for water sample testing. The Administrative Account totaled \$9,795 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, \$450 for the website domain and hosting, and \$200 for the annual meeting. \$10,000 was included in the Reserve Account to cover unexpected expenses. The \$79,284.63 shown in the USDA Loan Payment-Long Term Debt Account is the same amount to be collected from betterments and contains \$76,306.38, the eighth annual loan payment, and \$2,0978.25 for loan administration expenses. The USDA Loan Payment Reserve Account totaled \$11,913.00. 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 11

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.

Mr. Jon Moisan of 63 Fairview Drive did comment upon the installation of a temporary slalom ski course. The course was placed along the eastern shore of the lake to prevent tangling of the temporary course with the permanent course. The permanent course needs to be repaired, but the work cannot be completed due to the COVID-19 restrictions. Several proprietors were concerned with the location of the temporary course because of its proximity to the sunken island and how it would affect traffic flow around the lake. It was agreed that the best place for the installation of the temporary course would be parallel to the permanent course. Mr. Moisan agreed and will reinstall the temporary course in that location until the permanent course can be repaired.

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 9:10 P.M.

A True Copy Attest:

Michele M. Cospers
District Clerk