

**Cedar Meadow Lake Watershed District
Annual Meeting
May 24, 2018**

The 2018 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 24, 2018. 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 7:42 P.M. by District Management Committee Chairman, Mr. Tommy Lee of 61 Fairview Drive, Leicester.

Representation constituting one-third of the \$24,974,300 assessed valuation of property within the District, currently \$8,277,789, was required to establish a quorum. Owners of property within the District totaling \$11,263,100 (45.7%) in assessed valuation were represented at the meeting in-person or by proxy.

Article 1

Mr. Lee 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. Lee 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 2017-2018 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 incomplete.
- 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 fourth payment to the USDA was made. The fifth payment is scheduled for June 2018.
- Goal 7 - Conduct Water Quality Monitoring Program was incomplete. The water testing was not performed in 2017 - 2018.

- 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 \$5,000.00 in the Legal Account. Of the \$63,800 in the Dam Repair and Maintenance Account, only \$998.63 had been spent because the land behind the dam was not purchased. Of the \$9,265.00 in the Administrative Account, only \$8,888.36 had been spent. Nothing was spent in the Debt Repayment Account because nothing was borrowed from the line-of-credit. The fifth USDA loan payment would be made from the Betterment Loan USDA Account in June 2018. Lastly, nothing of the \$10,000 in the Reserve Account had been spent. The pie charts on the opposite side of the handout illustrate the percentage differences between budgeted and actual spending.

Article 4

The Moderator read the Article. Mr. O'Coin 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. Lee nominated Michele Cospers 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. Cospers. Mrs. Cospers was, thus, voted District Clerk unanimously.

Article 5

The Moderator read the Article. Mr. Thomas Forsberg of 21 Lake View Drive, Leicester 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. Lee 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. Lee nominated Mr. Brian Waterman of 29 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. Waterman was voted as a member of the Management Committee to hold office for three years. There were 37 votes for Mr. Waterman.

Article 7

The Moderator read the Article. Mr. Lee moved that the District votes to accept the Cedar Meadow Lake 2018-2019 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. Total ice out was observed in mid-March. The upper channel flash boards were installed on March 28 when the lake elevation was at -24”. The lake filled on its own while in draw down condition and the filling took place rapidly. We experienced a mild February and a cold and snowy March resulting in a rapid melting and filling process. We are unaware of any significant damage to district property as a result of the winter.

The use and installation of the additional “no trespassing/fishing” signs installed last summer on the east and west sides of the dam including one on the gate at Charles Street appear to have had a positive impact. Several were damaged and one removed during the course of the summer. The district removed them in the fall so as to avoid further damage. The District purchased new signs this year and will re-install these signs in the next several weeks. Our goal is to install these signs on a more permanent but removable manner by the end of this year. 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 is actively engaged with several local construction firms to engage a tree company that will “cut back” the trees to the limit of our property. In addition to vegetation and signage the district is also working with Morrison fence to repair our existing fences with a more durable fence material that will sustain cutting efforts. Lastly, our gate house will need some structural repairs in the next several years. We have these funds covered in our annual dam maintenance budget.

The Rawson Street bridge replacement project is well underway. On May 21, 2018 Tommy Lee noticed a significant sediment contamination in the lake in the entire area of the bridge project. We also received several other inquiries of concern from proprietors. There appears to be a significant wash out happening from the bridge construction project. The Management Committed notified the Town of Leicester Conservation Committee of our concerns and observations on May 24, 2018. The Conservation Commission will send a member to the site to investigate further, and we will follow up with the action to be taken.

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 Towns annual report! Michelle Cospers has done an excellent job with our “electronic mailing” list and significantly reduced our hard copy mailings over the last several years.

The management committee members participated in conflict of interest training. This was completed by the end of 2017.

Last summer the clarity of the lake was significantly improved over the last several summers. We firmly believe that the time since the last weed treatment and the relatively normal summer was the major factor. ESS Group will be performing a lake mapping of aquatic growth in June of 2018. This will give us an opportunity to see how the lake has held up since our last herbicidal treatment.

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 fifth 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 (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. Forsberg moved the District will vote to establish a Dam Repair Stabilization Fund for the purpose of funding capital projects and improvements to the Dam, in accordance with M.G.L. Chapter 40 § 5B, and to appropriate from available funds (Free Cash) the sum of \$15,000.00 to the fund.

The motion was seconded. The Moderator asked for discussion. Mr. O'Coin explained that the management committee is recommending the creation of a dam stabilization account to have funds available for any repairs that would be necessary. The creation of such an account would also serve to stabilize the tax rate. The motion was voted unanimously.

Article 9

The Moderator read the Article. Mr. Forsberg 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 FY18, and it is not expected that it will be used in FY19 either. The motion was voted unanimously.

Article 10

The Moderator read the Article. Mr. Forsberg 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 \$40,291.61 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 \$40,291.61 in new tax revenue in the Fiscal Year 2019 budget. \$40,291.61 was appropriated to Dam Repair and Maintenance in FY2019. The motion was voted unanimously.

Article 11

The Moderator read the Article. Mr. Forsberg moved that the District votes to approve the Fiscal 2019 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, 2018 - June 30, 2019 (FY2019)" 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 \$199,201.88. The next column showed the \$40,291.61 voted on the last article as being carried forward from FY2018. The next column, entitled "From FY2019 Tax Revenues" represented the amount, \$29,665.00, 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 \$94,536.88; of that amount, \$78,743.13 represents the expected sixth payment on the USDA loan, \$3,158.75 represents administrative cost, and \$12,635.00 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. \$2,500 was budgeted for legal expenses. The Repair and Maintenance Account totaled \$68,200, including \$700 for grass mowing on the dam, \$5,000 for dam repair and maintenance, \$40,000 for purchase of land behind the dam, \$5,000 for a potential weed treatment, \$500 for water sample testing, and \$17,000 for tree cutting behind the dam. The Administrative Account totaled \$8,965 including \$500 for communications, and \$2,500 for auditing, \$525 for the Treasurer's Bond, \$5,100 for the liability insurance premium, \$40 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 \$81,901.88 shown in the USDA Loan Payment-Long Term Debt Account is the same amount to be collected from betterments and contains \$78,743.13, the sixth annual loan payment, and \$3,158.75 for loan administration expenses. The USDA Loan Payment Reserve Account totaled \$12,635.00. 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. Forsberg 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 8:49 P.M.

A True Copy Attest:

Michele M. Cospes
District Clerk