

1. **Call to order** – 8:35 a.m.

2. **Roll call**

Gerard Jalbert (absent), Curtis Bohlen (absent), Mary Costigan, David Thomes, Jim Hughes, John O'Hara, David Russell, Dan Bacon, Ed Palmer, Craig Gorris, Brian Goldberg (absent), Tom Raymond, John Branscom, Adam Pitcher

3. **Minutes** (*Attachment A*)

Mr. Raymond made the motion to accept the minutes as presented. Mr. Russell seconded the motion. The motion was approved unanimously.

4. **Treasurer's report** (*Attachment B*)

5. **Executive Director's report**

- Aging accounts – Notice of Default sent to 865 Spring Street 2/11/11 with 30 days to rectify. \$1000 has been received on the account since outreach was made regarding overdue payments.
- Tax exempt status received from the State of Maine (2/7/11)
- Analytical and Monitoring RFPs were released
- O&M Plans completed and mailed out.

6. **Payment Policy Recommendation.** Under its authority to adopt Rules and Regulations under Section 5.D. of the Interlocal Agreement and Art. II, Sec. 2.D. of the Bylaws of Long Creek Watershed Management District, the LCWMD Board of Directors can adopt Rules and Regulations. The Payment Policy (*Attachment B*) is provided for consideration and adoption by the LCWMD Board.

- Mr. O'Hara made the motion to accept the Payment Policy as provided. Mr. Bacon seconded the motion. The motion was approved unanimously.

7. **Late Policy Amendment.** To adopt the attached (*Attachment C*) Draft Amendment to Long Creek Watershed Management District Rules and Regulations Regarding Late Payments. The intent is to create an exception to the general rule to require proration of assessments where DEP adds a Parcel to the Long Creek Watershed Designated Discharge list after the date of issuance of the first General Permit. If, however, DEP had the Parcel listed at the time of the initial General Permit and was late in sending the 180-day notice (or the landowner/record owner did not receive the DEP 180-day notice), then the general rule applies and the landowner/record owner must pay the full amount of all assessments.

- Mr. Raymond made the motion to accept the Late Policy Amendment including the change in language to B.1., as provided by Jim (below). Mr. Bacon seconded the motion. The motion was approved unanimously.

- B.1. amended to read:

B.1. A Person who wishes to become a Participating Landowner under a PLA within 180 days after receiving notice of the General Permit from DEP may do so without additional financial penalty, even though the PLA is executed by the person after May 28, 2010, but that Person shall pay to LCWMD the full amount of the Initial Assessment and of any Annual Assessment(s), without proration, that would have been assessed against the Parcel Operator and/or Record Owner's Parcel(s) had the Person entered into the PLA by May 28, 2010; provided, however, that Persons who enter into a PLA as Operators or Record Owners of Parcels that are identified by DEP after Nov. 6, 2009 (the date of the initial General Permit) as being located within the Long Creek Watershed and as having a Designated Discharge shall pay the amount of the Initial Assessment and/or Annual Assessments that would have been assessed against the Operator

and/or Record Owner's Parcel(s) had the Person entered into the PLA by May 28, 2010, prorated to the date that is the earlier of 210 days following the issuance of notice by DEP that the Parcel that is the subject to the General Permit or 180 days after the Parcel Operator or Record Owner's receipt of such notice.

8. **Contract Services.** To contract sweeping services for the LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto. Entities that responded to the RFP will be posted at www.restorelongcreek.org by February 28, 2011. Recommendation for contract award will be provided at the meeting.
 - Mr. Hughes made the motion to award the sweeping services contract to BMP Maintenance, LLC. and authorize the Chair/President to execute documents thereto. Mr. O'Hara seconded the motion. The motion was approved unanimously.

9. **Discuss LCWMD Technical Committee recommendations for Asset Depreciation and Maintenance.** LCWMD now has over \$1.8 million in stormwater infrastructure assets. The board will need to adopt a policy on how LCWMD will depreciate its assets. As a first step in this process, the Technical Committee, at the request of the board, has been looking into this and will be prepared to make a recommendation.
 - Mr. Russell made the motion to set the depreciation schedule as a 50 year life and straight line depreciation. Mr. Bacon seconded the motion. The motion was approved unanimously.

10. **Appointments for the Technical Committee.** To appoint members to the Technical Committee that shall have a minimum of four members and maximum of eight, at least one of whom will be a board member. The Technical Committee will provide input to the Executive Director on the implementation of the Operation and Maintenance Plan and the prioritization of implementation of the Management Plan. Committee members will serve for a term of two years.
 - The Board appointed Jeff Dennis (DEP), Fred Dillon (South Portland), Zach Henderson (Woodard & Curran), Ryan Hodgman (DOT) and Robyn Saunders (GZA GeoEnvironmental, Inc.) at the June 23, 2010 meeting.
 - Lucille Benedict, Assistant Professor, Department of Chemistry, USM has submitted a request to be appointed to the Technical Committee (*Attachment D*).
 - Thomas Raymond has been serving as the board member on the Technical Committee.It is recommended that Luci and Tom be appointed to the Technical Committee.
 - Mr. Bacon made the motion to appoint Lucille Benedict and Tom Raymond to the Technical Committee. Mr. O'Hara seconded the motion. The motion was approved unanimously.

11. **Drainage Maintenance Agreement.** To approve the attached (*Attachment E*) Drainage Maintenance Agreement between B & D ME Realty LLC and LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto.
 - The Executive Director explained that B&D ME Realty was balking at the payment included as part of the agreement. B&D was requesting that LCWMD request payment from GMG since B&D was paying B&D for maintenance.
 - The board directed Jim to develop a letter to be signed by the Board Chair/President and send it through to all property owners who are not Participating Landowners who have impervious surface draining to the LCWMD's system across GMG property at 220 Maine Mall Road (Mall Plaza).

12. **Public Comments.** No public comments.

13. **Adjourn**

- Mr. Bacon made the motion to adjourn. Mr. Hughes seconded the motion. The motion was approved unanimously. Meeting adjourned at 9:48 a.m.