

Long Creek Watershed Management District Governing Board
Minutes – January 14, 2011 Meeting
Location: MTA Administration & Public Safety Building, 2360 Congress Street, Portland

1. **Call to order** – 8:38 a.m.

2. **Roll call**

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

3. **Minutes** (Attachment A)

Mr. Hughes made the motion to accept the minutes as presented. Mr. O'Hara seconded the motion. The motion was approved unanimously.

4. **Treasurer's report**

- \$50,013.69 = end of December bank balance.
- Invoices went out in January, money has started coming in.
- Auditor recommends that we merge CCSWCD books with LCWMD after the ARRA loan has been assumed by LCWMD. This will occur in January. Next audit of CCSWCD will double check the numbers.
- Finance Committee met January 5th. Focus of meeting was the FY2012 budget and how to account for credits. This is a bookkeeping issue in terms of how to book the credits in a way that shows we have resources for our work.

5. **Executive Director's report**

- RFPs will soon be released for sweeping services and water quality monitoring.
- DEP is following up with landowners who have not entered into PLAs and submitted NOIs. If necessary, they will issue Notices of Violation for the following owners: CPSP, LLC; Cornerbrook, LLC; V&E; Toys R Us; North Avenue Realty Trust and Peter Holmes.

6. **Accept transfer of loan from CCSWCD to LCWMD.** To authorize the acceptance of the transfer of the loan obligation of \$1,515,166 from CCSWCD to LCWMD and to authorize the Board Chair, Treasurer and Secretary to sign the appropriate documents, including but not limited to: Assignment and Assumption Agreement, Certificate of Secretary, Revenue Bond, General Certificate of Treasurer, Treasurer Certificate Regarding Debt Limit, Signature and No Litigation Certificate (Attachment B); and Loan Agreement (Attachment C).

- Comments: CCSWCD & LCWMD jointly hired Jim Saffian, Pierce Atwood, to serve as bond counsel.
- This will transfer the indebtedness from CCSWCD to LCWMD.
- Jim Katsiaticas had reviewed all paperwork.
- Mr. Russell made the motion to approve the resolution and authorize the board chair, treasurer and secretary to sign appropriate documents as defined. Mr. Raymond seconded the motion. The motion was approved unanimously.

7. **Fiscal Year 2012 Budget.** To review and approve draft budget for July 1, 2011 to June 30, 2012 Fiscal Year (Attachment D & E).

- New draft budget was circulated that listed the Pollution Prevention & Good Housekeeping total expense as \$380,516 and the PP&GH carry forward as \$91,866 (the previously circulated draft had not added in the \$152,048 opening balance for this category).

Attachment A

- It was pointed out that the carry forward under Administration should be \$59,487 (rather than \$61,149 in the previously circulated draft).
 - Mr. Hughes made the motion to approve the FY2012 budget with the proposed changes. Mr. Russell seconded the motion. The motion was approved unanimously.
- 8. Request for monthly payments.** S&S Realty Group, Ltd. requested that the board consider approving monthly payments as provided in Attachment F.
- Board recommended that this be referred to the Finance Committee to review and bring back to the board with a recommendation.
 - Finance Committee members Bohlen & Russell requested that additional board members participate in the discussion. Palmer, Gorris, O'Hara and Goldberg agreed to attend the Finance Committee meeting.
- 9. Discuss LCWMD Maintenance responsibilities (Fred Dillon, Chair of the Technical Committee).** The parcel evaluation work that was completed to establish the landowner initial assessments and the more recent work to develop site specific operation & maintenance plans has uncovered some BMPs and areas throughout the watershed that are in need of maintenance. This topic has been placed on the agenda to apprise the board of these needs and begin the discussion of prioritization of work for LCWMD and ultimate responsibility for maintenance work of existing systems.
- This was discussed as two components. 1 – cost effective fixes should be viewed as construction of retrofit and analyzed at in relation to other recommended retrofits and whether they would provide greater benefit to the stream than currently identified opportunities. 2 – those areas that have not been maintained, but provide no benefit to the stream – this is not the concern of LCWMD. It might be that the municipalities need to follow up on site law requirements.
- 10. Public Comments.**
- Board requested that the Technical Committee develop a 10 year depreciation plan and present it at the next board meeting.
- 11. Adjourn**
- Mr. Hughes made a motion to adjourn. Mr. Thomes seconded the motion. The motion was approved unanimously. Meeting adjourned at 10:04 a.m.