

Lake Auburn Watershed Protection Commission

Special Meeting

Wednesday, September 13, 2023

Location: Androscoggin Valley Council of Governments (AVCOG), Auburn, Maine

Time: Meeting began at 3:00 PM

Recording: The meeting was video recorded. A link to the video is on the Commission website.

Commissioners Present: Alan Holbrook, Amy Landry, Heather Hunter, Marry Ann Brenchick, Evan Cyr, Rick LaChapelle, Glen Holmes and Camille Parrish

Commissioners Absent: Dan Bilodeau

Others Present: Michael Broadbent Commission Secretary, Erica Kidd Watershed Manager, Tracy Roy Commission Treasurer, Dylan Hertzberg Education and Outreach Coordinator.

Dylan Hertzberg was hired as the new Education and Outreach Coordinator. He started with the Commission in July.

Agenda Item 1. Minutes

Vote 1 **On a motion by Commissioner LaChapelle and seconded by Commissioner Landry to accept the minutes of the Regular Commission Meeting of June 14, 2023 as presented.**

Passed **8-0**

Vote 2 **On a motion by Commissioner LaChapelle and seconded by Commissioner Brenchick to accept the minutes of the Special Commission Meeting of July 12, 2023 as presented.**

Passed **8-0**

Agenda Item 2. Consent Agenda, Financial Report

Commissioner Hunter requested that the financial report be moved out of consent agenda for discussion.

Commissioner Hunter then pointed out that there were considerable overages on staff time that was billed to the Commission. In the past the Commission would fund deficits from retained earnings or a budget transfer. Watershed Manager Kidd explained that there was unforeseen labor to repair storm damage. There was also a boundary dispute that resulted in the Commission needing to survey a parcel of property. This experience was initially placed in forestry but it was agreed to charge that to the sinking fund. There was a discussion to

determine how to fund this at the November meeting and how to prevent overages in the future.

Vote 3 On a motion by Commissioner Hunter and seconded by Commissioner LaChapelle to accept the financial report as presented.

Passed 8-0

Agenda Item 3. Public Comment

Stephen Beale, 575 Johnson Road, Auburn Maine. Mr. Beale spoke about the Planning Board reviewing the watershed boundary as approved by the Drinking Water Program. He urged the Commissioners to approve this boundary and to notify the City as appropriate. Mr. Beale also pointed out a couple of clerical errors with the final CDM Smith report. Page 8 indicates a culvert drains away from the lake which is in-correct.

Agenda Item 4. Water Quality & Watershed Report

Watershed Manager Kidd reported that biomass, temperature and clarity are down from this time last year. There has been consistent precipitation that has raised concerns with the nutrient levels in the lake. Staff continues to work with Ken Wagner to understand the levels of phosphorus in the lake and watershed and to best determine a long-range mitigation plan. The Watershed Management plan is complete and Mrs. Kidd will work on a presentation for the Commissioners. Tighe & Bond is working on a mitigation plan for Blanchard Pond. They will develop plans for 2024.

Agenda Item 5. Staff Report

Mr. Broadbent reported that the Auburn Water District was hosting its annual event, Measuring of the Lake. This event has been canceled the last couple of years because of Covid but it is back on for 2023. Mike also reported that the Auburn Water District is discussing how best to adopt a new watershed boundary and what language in the by-laws will need adjustment to accommodate a new boundary.

Mrs. Kidd wanted to clarify appointment terms of the Commissioners; it would appear that Auburn representative Evan Cyr's term has expired. Mike will bring this up to the AWD board at the next meeting.

Agenda Item 6. Old Business

Ad-Hoc Committee Trails- Commissioner Holbrook reported that the Committee has not met in the last month. There are some hurdles that we will have to overcome with deed restrictions on Commission properties. Commissioner Bilodeau had texted proper signage is essential along with the funding for the trail.

Agenda Item 7. New Business

- A) Watershed Manager Kidd reported on the correspondence received most recently from the Maine Drinking Water Program. The DWP has accepted and agreed to the CDM Smith findings that allow for adoption of a new watershed boundary within the Gracelawn Pit.

Vote 4 On a motion by Commissioner Parrish and seconded by Commissioner LaChapelle to affirm the previous actions of the Commission and to recommend that the Auburn Water District approve the watershed boundary as agreed upon by the Maine Drinking Water Program.

Passed 8-0

Commissioner Cyr left the meeting at 3:55pm

- B) Commission Treasurer Tracy Roy provided the Commissioners with correspondence from Key Bank regarding fraudulent action on Commission accounts. On July 10, 2023 we were notified of attempts to withdraw Commission funds from our accounts. Mrs. Roy met with bank representatives and confirmed that no money had been taken and they froze the accounts. A week later we were notified that money had been taken and that around \$29,000 was withdrawn and the bank has not yet been able to recover the funds. Mrs. Roy has been in touch with the insurance company and has been trying to get in touch with Key Bank executives regarding this matter. Consideration will be given to filing complaints with other State agencies regarding the theft.
- C) Draft Purchase Policy, Mrs. Roy presented the Commissioners with a draft Purchasing Policy. The Commissioners discussed the policy and suggested a few small edits.

Vote 5 On a motion by Commissioner Hunter and seconded by Commissioner LaChapelle to approve the policy as presented.

Passed 7-0

- D) New legal representation- Secretary Broadbent reported that the Commission had received correspondence that the Commission's attorney Jim Pross was leaving Skelton Taintor and Abbott. Skelton is recommending transferring legal business to Grady Burns, a new attorney who has been training under Jim for the last couple of months.

Vote 6 On a motion by Commissioner LaChapelle and seconded by Commissioner Brenchick to authorize the secretary to respond to Skelton Taintor and Abbott and confirm the Commissions commitment to transfer files to Mr. Burns.

Passed 7-0

- E) Water Quality Ad-Hoc Committee, Mr. Broadbent reported that the Committee has been meeting regularly and that progress has been made.

F) Town of Turner update, Commissioner Holbrook reported that the monitoring of Mud Pond and Little Wilson are going well with no concerns. He also reported that there were several issues found with the retention pond at Wilson Bluffs. Erica has been working with the owners, the contractor and the Town of Turner to address the issues.

Vote 7 On a motion by Commissioner Brenchick and seconded by Commissioner Hunter to go into executive session in accordance with 1 M.R.S.A. 405 6 C to discuss a potential land transaction.

Passed 7-0

Executive Session ended at 5:06pm

Vote 8 On a motion by Commissioner Brenchick and seconded by Commissioner LaChapelle to adjourn the meeting.

Passed 7-0

A true record, attest;



Michael Broadbent
LAWPC Secretary