

**Minutes: MPCA BOARD MEETING**  
**Monday, August 3<sup>rd</sup>, 2009**  
**7:30 PM**

The Board of Directors of the MPCA met on Monday, August 3<sup>rd</sup>, at Jim Fitzpatrick's home. Present were: Lorelei Chernyshov (representing Lubberand), Cari Moorhead, Dick Ormrod, Don MacKinnon, Peter Roy, Russ Simon and Jim Fitzpatrick, presiding. Guests included John Badger, newly appointed Waterfront MPCA Board representative, who will replace Russ Simon after the MPCA Annual Meeting, Tod Rodger and Wendy Chase from Great North.

The meeting was called to order at 7:30 PM.

**1. Minutes of the July 13<sup>th</sup>, 2009 MPCA Board meeting:**

- Motion to approve the minutes was made by Peter Roy and seconded by Dick Ormrod - approved unanimously.

**2. Environmental Committee Report**

- Presented by Trish Simon
- The next scheduled EC meeting is on August 17th (Monday) at 7pm at Debby Grubbs house.
- The bridge by the Fire Pond has been repaired, power washed and sealed as approved by the Board.
- A landscaping plan is being developed for the area around the new lift station road, at the request of the Board and working with the Smith's, whose home abuts the new road entrance. The replacement landscaping work should be implemented in September.
- Protective staining of the dock and Screenhouse deck and painting of the Screenhouse and Lift Station are approved by the Board and will be done between now and fall, as appropriate.
- The Board requested that EC, as part of their Annual Report to the membership, detail the work and expenses saved on the many projects done by Moody Point volunteers.

**3. Treasurer's Report:**

- Presented by Don MacKinnon
- The Board reviewed the 2008/2009 fiscal year end financials. As part of this review and the fact that our projected year end Operating Reserves are around \$40,000 (about \$10,000 higher than our \$30,000 target) the Board authorized that the Waterfront be reimbursed the \$3,000 previously approved for drainage repair work done on MPCA property. In addition, a motion was made by Russ Simon and seconded by Peter Roy, to transfer \$4,500 from Operating Reserves to our Capital Reserves, to continue to reduce our Capital Reserve Shortfall. The motion was passed unanimously.
- The Board reviewed the 2009/2010 Operating Budget and the proposed Capital Budget, including a list of Capital Projects to be considered for implementation in the 2009/2010 fiscal year and beyond. The potential Capital Projects list was requested from the Board and each MPCA Committee and was developed from requests provided by the Water Systems and Environmental Committees.
- As part of the Operating Budget and Capital Project review and the Environmental Committee's request for critical maintenance and repairs work to be done to the current drainage culverts and swales leading to the Fire Pond, a motion was made by Don MacKinnon, seconded by Cari Moorhead to budget for \$7,000 of drainage maintenance and repair work in the 2009/2010 Operating Budget. This would be funded by a \$3,000 increase in the proposed Operating Budget previously approved (from \$124,400 to \$127,400) and a reallocation of \$4,000 in existing miscellaneous expenses. The motion was passed unanimously.

- As part of the Capital Budget and Potential Capital Project review, a motion was made by Dick Ormrod, seconded by Russ Simon to maintain our annual member contribution to Capital Reserves at \$40,000 and to approve the three highest priority Capital projects for implementation (all Water System's related) at a total cost of \$19,000 for fiscal year 2009/2010.
- Overall, the Board approved a combined proposed Operating Budget and Capital Budget Contribution for fiscal year 2009/2010 of \$167,400, which is \$950 lower than the 2008/2009 budget approved by the membership.

#### **4. Other Committee Reports:**

##### **Water Systems Committee**

- Presented by Jim Fitzpatrick.
- Mandated State Water Quality Testing continues. Though the water quality is fine for consumption, the WSC will continue to temporarily use a chlorinator in the tanks to meet water quality. Additional sampling will continue until we meet all State standards.
- The well pump and much of the wiring and casing has been replaced in Well #1. Due to the irregular size of the casing a stint was fashioned to reduce water inflow, which may be the cause of our water quality issue. The actual cost of the replacement and repair was about \$8,000, significantly less than the \$15,000 approved by the Board. Further testing will be required to determine whether these necessary fixes have resolved the water quality.
- With the help of Gordy Rehnborg we have reviewed our liability insurance and coverage as it relates to the sewer back-up issue we experienced. As required, we have notified the insurer of the event and notified the homeowner to refer any questions or concerns to our insurer.

##### **Community Life Committee:**

- Summer BYO's at the Screenhouse will continue through the early fall, weather permitting.
- There will be a "Special BYO" to recognize our retiring MPCA Board members to be held at Gisela von Hanstein's home (141 Cushing) on Friday, 9/11/09 from 5 to 7 PM.
- The next Quarterly MPCA Community Get Together in early fall is being planned with a Halloween theme – dates and particulars will be announced as soon as they are firmed up.

##### **Drainage Issue Report and Update**

- Presented by Russ Simon.
- We are waiting for the rescheduling of our pre-hearing conference with the Water Council as the next step towards moving the ball forward on resolving our drainage issues and having DES's Administrative Order enforced.
- Though DES has denied building permits to Cheney on his Wetlands-Classified Building Lots located in the Meadow Association, Cheney has now requested DES to review his plans to build on these lots in only the non-wetlands portions of the these lots, presumably without impacting the existing wetlands. Stay tuned.
- As always, we will continue to monitor the situation closely and keep you informed.

#### **5. Property Manager's Report**

- Presented by Wendy Chase
- Annual Meeting Notices will be sent to all members shortly.
- Billing of the 2009/2010 annual membership fees should be sent to members shortly after the Annual Meeting.

## 6. Other Business

- **Other Moody Point Associations' announcements affecting the MPCA:**
  - Lorelei Chernyshov, Lubberland President announced that Paul Pensiero has been appointed as the new Lubberland representative to the MPCA Board, replacing Dave Contarino.
  - Cari Moorhead, the Ridge's MPCA representative, announced that Bruce Johnson was elected as the new President of the Ridge Association.
  - Russ Simon announced that John Badger has been appointed as the new Waterfront Association representative to the MPCA Board, replacing the retiring Russ Simon and that Bruce Gardner had been elected as the new President of the Waterfront Association.
  - Jim Fitzpatrick reaffirmed that he was retiring from the MPCA Board at the end of his MPCA Member-at-Large term and that a new Member-at-Large would need to be elected at this year's Annual Meeting.
  
- **Lot #13 Issues and Update:**
  - The Court has ruled that Cheney's lawsuit against the Newmarket Planning Board, denying his request to subdivide Lot #13, has effectively been "put on hold" until the resolution of our lawsuit, seeking a declaratory judgment from the Court on our claim that the MPCA is rightful owner of Lot #13.
  - We will continue to monitor the situation closely and keep you informed.
  
- **MPCA Annual Meeting Date:**
  - **Please mark your calendars - The MPCA Annual Meeting will be held on Saturday, September 12<sup>th</sup>, 2009, starting at 9 AM in the basement level of Newmarket's Town Hall.** Coffee will be available starting at 8:30 AM. More info to follow.
  - **FYI – Newmarket has recently instituted a rental fee (\$30) and Cleanup refundable deposit fee (\$100) for using Town space for meetings.**

The Board Meeting was adjourned at 10:05 PM.

The next regular MPCA Board Meeting should normally be scheduled for the first Monday in October. The new MPCA Board will have an administrative meeting just after the close of our Annual Meeting on 9/12/09 to elect Officers and set their first meeting date. A notice will be sent to the membership by the new MPCA Board notifying them of the decisions made at the 9/12/09 administrative meeting.

Respectfully submitted,

Russ Simon  
Secretary