

DRAFT FOR APPROVAL BY MEMBERS

MINUTES OF ANNUAL MEETING ASSOCIATION OF OWNERS OF LOWLANDS AND MEADOWS AROUND CHILMARK POND 24 JULY 2005

Officers Present:

Judy Herman, President
Tom Bracken, Vice President
Tip Kenyon, Treasurer
Joan Malkin, Clerk
Mary Jane Pease, Vice-president for Community Relations
Clarissa Allen, Commissioner
Alan Dworsky, Commissioner
Russell Walton, Commissioner

Call to Order

Judy Herman called the meeting to order at 4:00pm.

Minutes

The minutes of the prior meeting held on 8 August 2004 were approved as circulated.

Treasurer's Report

Tip Kenyon noted that the Association's balance, as at the date of the Report, was \$50,611.94. In response to a query he advised that the cash balance was invested in certificates of deposit, to the extent practicable having regard to the anticipated outgoings. He also noted the recent tax increase (to \$150), which was implemented to accommodate higher anticipated outgoings and to maintain a modest reserve for emergency purposes.

The membership voted to authorize the Treasurer to rent money at the bank, up to \$20,000, if necessary, in anticipation of tax collections.

The Treasurer's Report was approved as circulated.

Nomination of Officers

Sue Miller, on behalf of the Nominating Committee, presented a slate of candidates for officers for 2005-6.

Judy Herman, President
Tom Bracken, Vice President
Tip Kenyon, Treasurer
Joan Malkin, Clerk
Russell Walton, Commissioner
Clarissa Allen, Commissioner
Alan Dworsky, Commissioner

The Committee decided not to present a candidate for the position of Vice President for Community Relations at this time, since it was an ad hoc position created when the responsibilities of the commissioners were less clearly defined and, therefore, was not considered necessary at this time. The Nominating Committee thanked Mary Jane Pease for having served in that position.

The floor was opened for additional nominations; none was made. The nominations were accepted and the nominated officers were elected with effect from the close of the meeting.

Commissioner's Report

Clarissa Allen reported on the pond openings during the last year, namely:

- 24 December 2004
- 24 March 2005 (the pond quickly closed but thereafter reopened by itself and stayed open for some time)
- 3 June 2005 (the pond remained open for several weeks and the ponds received a good flushing)

Alan Dworsky reported briefly on what is involved in a pond opening, specifically in relation to dredging. He explained the significance of dredging, noting that with each opening more sand enters the pond than leaves it. (In this regard, Russell Walton noted that it is preferable that any pond openings be closed prior to the commencement of the hurricane season.) Alan detailed the dredging effort undertaken last year incidental to the dredging necessary to close the pond after the July 2004 cut:

- the 'west channel' dredging (ie around Long Point to the upper part of lower Chilmark Pond), which remains successful
- the 'east channel' dredging (ie facilitating water flow in/out of Gilbert's Cove), which also is still relatively clear of sand
- the creation of a new channel in front of the opening through the shoals, which, although initially successful in removing a net volume of shoal sand, has reshooled over as a consequence of the 3 subsequent pond openings.

The Commissioners advised that they have not determined the optimal frequency of dredgings and associated costs. A member urged the Commissioners to take a longer-term, community-minded view of the pond and its health.

Photographs of the lower pond during the high water in May 2005 were provided to the Commissioners.

President's Report

Judy Herman reported that the Executive Committee had met following the distribution of the *phragmites* proposal sent to members in advance of the 2005 annual meeting and had reconsidered their earlier support for the proposal. She noted that the Executive Committee believes that the current situation in relation to *phragmites* does not require immediate emergency action, that the proposal would benefit from further detail (regarding scope and cost) and that alternative approaches to clearing Doctor's Creek should be simultaneously evaluated. She advised that the Executive Committee intends to now collect additional information with the objective of proposing a thoroughly considered longer-term plan for dealing with the invasion of *phragmites* along Doctor's Creek. Judy thanked Jane Wilkie for her dedication to this issue and the countless hours she had worked to prepare and develop the proposal.

Members expressed frustration that the Executive Committee was not prepared to make a recommendation at this time and asked if the process could be expedited. Judy advised that a proposal would be forwarded at least in time for members' full consideration prior to next year's annual meeting.

Jane Wilkie proposed the following resolution:

"Be it RESOLVED that the Chilmark Pond Association make a one year commitment to provide the required matching funds for 2 grant applications for the control of the *phragmites* invasion on Doctor's Creek.

The first grant application would commit \$20,000, representing the required 50% matching funds for a US Fish and Wildlife 'Pulling Together Initiative' grant application for \$40,000.

The second grant application would commit \$10,000, representing the required 25% matching funds for a Massachusetts Division of Fisheries & Wildlife 'Landowners Incentive Program' grant application for \$40,000.

The maximum financial commitment for the Pond Association would be \$30,000 if both grants were awarded. It would be less if only one grant is awarded, and nothing if neither grant is awarded. The grant proposal would focus on containing the invasion of *phragmites* on Doctor's Creek as described in the proposal sent to the membership."

An extended discussion followed. Rusty Walton noted his dissent from the majority view of the Executive Committee and stated his view that the Association should start now to deal with the *phragmites* issue. Dick Johnson, from Sheriff's Meadow Foundation, detailed recent experience in Eel Pond in Edgartown. Photos comparing views of Doctor's Creek taken in 1991 and 2003 were distributed to the meeting.

A number of members expressed their desire for more information on *phragmites*, both in relation to the pond and generally. Peter Bruce volunteered to establish a web site for the Association, post information on the site from time to time, and mail the membership to advise them of the site's existence.

Tip Kenyon noted that the Association's purpose as spelled out in the bylaws, enacted pursuant to the enabling Massachusetts legislation, is to ensure that the pond is drained, and that any proposal to deal with *phragmites* or other issues may only be adopted in pursuance of this objective.

The motion was read a second time, seconded and a vote was taken. The resolution was defeated 19 votes to 6 votes.

The meeting was adjourned at approximately 5:45pm.

Respectfully submitted,
Joan Malkin, Clerk