

**FOVLAP ANNUAL MEETING
JULY 27, 2020
MINUTES**

(NOTE: this was a virtual meeting hosted on Teams)

Don Weaver (President) called the meeting to order at 9:13 a.m.

Welcome and Introductions: Don welcomed everyone and introduced Oliver Pierson, Lakes and Ponds Program Manager and the FOVLAP officers: Jackie Sprague (Vice-President), Bruce Tanner (Treasurer), Pat Suozzi (Secretary). Oliver introduced the DEC Lakes and Ponds staff who were in attendance: Laura Dlugolecki, Amy Picotte, Kim Jensen, and Heather Murphy.

Lakes & Ponds Division Plans: Oliver described the Lakes and Ponds strategic plan they have created to explain their current work, strategic plan, and challenges. Their strategic plan is available [here](#).

Action item: Don will put this on the FOVLAP website.

Review of minutes of Annual Meeting 2019: Motion to accept: Tracey; 2nd Jackie. No changes. Carried unanimously.

Financial Report (Bruce T): FOVLAP's fiscal year is the calendar year. Beginning on January 1, 2019, there was \$18,556.52 total in FOVLAP's two bank accounts with Peoples United Bank (a checking account and a money market savings account). The sources of this money carried over from 2018 included:

- General Fund, into which most of the income in 2019 was deposited.
- ERP 2014 grant, which went unused in 2018 and 2019.
- F&W 2015 grant, which was spent out in 2019 paying for publication of the updated "Landscape Design" booklet and covering a portion of FOVLAP's sponsorship of the 2019 annual NALMS conference, held in Burlington, VT.
- NEC-NALMS funds left over from FOVLAP's last hosting of the NEC-NALMS conference in 2015.

VT DEC's annual grant of \$2,500 is normally received in late fall or early winter each year, but was not received until 2019, thus no carry over from 2018. Each year the DEC funds are entirely spent covering portions of the Seminar and Annual Meeting costs and the entire VSAC scholarship of \$500 that FOVLAP sponsors.

On December 31 there was \$16,652.42 on hand, down \$1,904.10 from the beginning of the year. The loss is due primarily to liquidating the F&W grant funds and the atypically higher cost of holding the Lake Seminar at the Lake Morey Resort. You will note that registration income for the Seminar fell short of costs by \$880.30. Note also that the General Fund increased slightly by \$573.90, thus offsetting losses slightly. All in all, it was a fairly typical year and FOVLAP's financial outlook remains strong. Please feel free to submit any questions you may have at treasurer@vermontlakes.org.

Jack moved to accept the report as given. No objections.

Proposed Bylaws Changes (Roger): Roger presented all of these changes to the entire board on June 1 and got 100% approval. He thanked the board for the support they have shown and thanked the many people who helped who are noted in his report (attached). There are five substantive changes plus one that is strictly administrative. Roger reviewed each of the changes and the rationale.

Discussion:

Proposed Change 1: Suggestion of adding an element in the purpose section to facilitate information transfer among member associations. This seems to be part of the of education since there may be things that member associations could teach one another. Discussion of what belongs in the bylaws, noted that the bylaws are a framework that allows the organization to operate. Everything activity of the association does not necessarily need to be in the bylaws. Far ranging discussion included creating a blog that member associations could participate in.

Proposed Change 2: Concern about changing the date of the annual meeting to September because a lot of members leave at end of August. Having it earlier allows information from the annual meeting to be brought back to lake association meetings. Don noted that among the reasons for this change were to begin and end the season with a FOVLAP event and that DEC staff are often in the field or on vacation during the summer making it more difficult for them to help organize and attend the annual meeting. Jack noted that this change in the bylaws requires a minimum of 30 days' notice which would give lake associations time to consider the annual meeting information. Don also reminded all that this is a minimum and that every attempt should and will be made to get materials out even earlier than 30 days.

Proposed Change 3: Question if a bona fide lake association is not a member of FOVLAP, can an individual member from that lake vote? Noted that there is a category for Lake Representative for lakes without an association. However, question remains if an association does exist but doesn't join FOVLAP could a person from that lake join as a Lake Representative and vote? Some assumption that if an association is not a member and therefore not recognized by FOVLAP, would be the same as if no association existed.

After discussion the following motions were proposed:

Motion to amend bylaws proposed change #1 to add a third purpose: to encourage lake associations to share information with each other. Moved by Dave Johnson; 2nd Tracey. Roll call: carried unanimously.

Motion to amend bylaws proposed change #3 to add a 4th category to include lake representatives with voting rights for a lake that does not have an association that is a member of FOVLAP. Moved by Jamie Longtin; 2nd Jan Parsons. Roll call: carried unanimously.

Motion to accept bylaws changes as presented, with amendments: Moved by Jan Parsons; 2nd Jack. Roll call: Carried unanimously.

Remarks by Peter Walke, Commissioner of DEC: Oliver introduced Commissioner Walke who joined DEC in February. He previously served as deputy secretary of ANR since 2017 and before that had worked as chief of staff in the NY State Department of Environmental Conservation. Oliver noted that Peter has been instrumental in keeping lake monitoring efforts going through the COVID crisis.

Commissioner Walke:

- Special shout out to Oliver and his team. Noted their hard work and partnership with FOVLAP.
- During the COVID crisis, his first goal is ensuring the work of maintaining the Vermont environment continues.
- Expressed gratitude to all who help maintain and steward Vermont's lakes and ponds. Recognized the commitment of all who volunteer to do so much of this work. Thanked all of the lake and pond volunteers and associations. Noted how critical all of these volunteers and organizations are to the work of protecting our water resources.
- Noted the importance of Vermont's lakes and ponds as a basis for much of Vermont's economy and how much is at stake as wonderful resources, especially during this crisis, providing safe and healthy recreational opportunities.
- Blessed to have strong resources already here, less industrial pollution than elsewhere.
- Pointed out that our freshwater resources are going to increasingly become an asset and that we have (and must maintain) the structure to protect that resource for the future of a changing climate.
- Vermont's history of volunteerism is an asset in a small state in which the government does not have the resources to do it all.
- The greeter programs are opportunities to help educate the public about AIS issues and lake protection practices, especially as people from out of state come here,
- Impact of the economic downturn on the budget: DEC funds are from 3 sources: 1/3 federal, 1/3 permit and other fees, 1/3 state general funds. Anticipating \$1.5 million less in revenue from the budget put together last fall (before the pandemic) for remainder of FY21. And with ongoing crisis, difficult to predict what might happen in the rest of the fiscal year.
- Goal is to maintain priorities, but recognizes difficulty with 16 to 17 positions vacant in DEC. Knows that staffing of Lakes & Ponds division has been critical concern for FOVLAP. Currently open positions allow savings but hopes to not cut any and to eventually fill positions, though may take longer than usual given uncertain revenue streams.
- He smilingly noted that he sees that our (FOVLAP and all the volunteers) partnership with DEC is one where we do most of the work and they get most of the credit. He knows that this work couldn't be done without the army of volunteers we bring to the table.

The Commissioner then opened the floor to questions and comments:

Question: What is base budget compared to 1.5 million reduction?

Answer: DEC budget is about \$107 million but included in that are large quantities of dollars that go for infrastructure grants and loans, for example drinking water systems plus there is a significant amount of pass through grants that just flow through the department.

Question: Recognizing that there are serious challenges but hope that Lakes & Ponds staffing is being considered. In particular, with Angela's retirement, a person with deep knowledge of limnology and cyanobacteria is very important. Would that be a position that could be filled?

Answer: He shares a desire to maintain staffing levels and get them filled. Specifically, to Angela's position, he does not know at this point whether there will be a further hiring freeze after Oct. 1 but given her role and expertise, they could make a strong justification to move forward to fill that position. Certainly, that knowledge and skill set is needed.

Question: Regarding Senate bill 221 proposing that Fish & Wildlife take over AIS control. This is a huge issue for many of us. Can he share anything regarding this?

Answer: That bill is not going anywhere this session. This is typical of similar efforts in the past. It highlights the overlapping jurisdictions that are shared with the department. Current structure may not reflect most efficient use of resources on this but may also have something to do with funding sources.

Question: Regarding legislation proposing to have hearings on wake boats. This is of concern to many lake associations. Senator Rodgers had proposed this as topic for discussion but due to COVID there was not time for it. Our concerns are that these boats may cause considerable damage to our lakes. Erosion is one issue but also as boats become heavier, there is chance of spreading AIS, and the mechanical forces generated are also vertical that can go down 10 and 20 feet disrupting lake bottoms. Think that it is timely and important to look into this. Could he share his thoughts on this?

Answer: This legislation is not likely moving this year. He is also concerned about this from an erosion perspective. He would be happy to discuss this further. Expressed understanding where these concerns come from.

Question: Regarding lack of enforcement of shoreline protection law and permitting conditions.

Answer: More challenging due to the relative newness of these programs. Also, they have only 7 enforcement officers statewide. Shoreline enforcement can be difficult – when a question is raised, they can go out and look but sometimes what may look like a violation is only an intermediate step in a project. Individual participation and compliance in the process is important. Commented that we all share in compliance with our environmental laws and regulations. We don't get the benefit if we don't get the compliance on the ground.

Question: Regarding barges and fireworks on the lakes. Concern that the fireworks cause a lot of pollution. Has there ever been concerns expressed or interest in having laws concerning this?

Answer: Not sure if this has ever come up either here or in the legislature. Oliver noted that it has come up and asked Amy Picotte to respond. Amy: There are a variety of thoughts and opinions on this. It is something we should monitor and record. At this point these are allowed but appreciate concerns. Definitely helps to document and take photos. Oliver indicated that they are going to take a look at legislation and what other states are doing but they are stretched thin with some more immediate priorities

Closing remarks: Don thanked the Commissioner for taking the time to speak with us. Appreciated his comments and hope next year we will be back to face to face meetings.

Election of officers and directors (Jay White): Jay thanked everyone for their help. He acknowledged that this has been a challenging year. Jay has created a document that explains what a director of FOVLAP does. If anyone has someone who would like to be part of FOVLAP, Jay would be happy to discuss what is involved in being a board member and he can share this document.

Noted:

- Looking for 3 directors each for a three-year term and need 1 director to fill a 1-year term.
- Process for joining the board after the annual meeting: director would be appointed and then elected at the next annual meeting.
- Passage of bylaws automatically extended the terms of Bruce Tanner as treasurer and Don Weaver as president for another year.

Nomination from the floor:

Don Weaver nominated Chris Cano for the 1-year term. 2nd by Jackie. Vote: roll call. Carried unanimously.

Noted: Bruce T. recognized that Chris Cano wished to speak and raised her hand icon to be recognized to speak but her microphone was not working.

Action Item: Don will send a letter to all the associations to ask for additional names for director who could be appointed as director.

Overview of Advocacy Plan (Jack):

- This plan (attached) represents the work FOVLAP’s Legislative Committee has done in close collaboration with—and the unanimous support of—FOVLAP’s Executive Committee.
- The new Plan was developed to realize the full potential of FOVLAP’s new mission statement—that was just voted on today: “To preserve and protect Vermont’s lakes, ponds and their watersheds for the benefit of this and future generations.”
- FOVLAP will continue to advance educational activities while now having new wording to reinforce and strengthen FOVLAP’s advocacy efforts in impacting and incentivizing decision makers to vote to make improvements to enhance Vermont’s water quality.
- The new Advocacy and Action Plan will provide a sound basis for helping remind decision-makers of FOVLAP’s values and beliefs in preserving Vermont’s lakes, ponds and watersheds for the benefit and enjoyment of all—now and into the future.
- While much thought went into developing the new Advocacy and Action Plan, it should be viewed as a working document to be used in interacting with Vermont’s elected officials to promote FOVLAP’s Mission. As a working document, we anticipate that in the future the Advocacy and Action Plan will be broadened as greater advocacy experience is developed, and as important new issues arise.
- To help with this, the Legislative Committee foresees creating periodic membership surveys that will provide critical member input.
- You can find the new Advocacy and Action Plan by going to the FOVLAP Web page where you will see it under “Legislative News”:

- In soliciting input from our membership and the public, please note on that our FOVLAP website currently also includes a Contact Us link.
- In closing Jack recognized & thanked the Legislative Committee members for their hard work: Susan Martin, Jay White, Ann Bove, and Chris Cano.

Overview of Lake Reports (Jackie): Will leave the report form on the website for a few more weeks in case other lakes want to fill it out. Thanks to the associations that responded using the form and thanks to Laura Dlugolecki who helped Jackie set up the form. 8 responses had some common threads: enforcement of shoreline protection, grant monies available and supported, education, sharing information among associations especially what is working, encouragement of Lake Wise. Other concerns: sedimentation, increase of phosphorus levels, controversy over using herbicide in Lake Iroquois. The plan is to put this together in a format and put it on website. Will include additional reports submitted after this meeting but at a certain point will cut off the online report form and post a full report of all that respond.

Other Business

Oliver noted that Amy has put together a nice document summarizing the clean water funding opportunities which will be shared on the FOVLAP website.

Tracey asked about rubber tires in lakes. Why are they placed there? Are they toxic to lake water? Oliver indicated that they have seen tires in both rivers and lakes. They don't know that it's anything other than discard of scrap tires. They are trying to phase out use of these for moorings. There are leachates that come from tires, but they are limited compared to other sources. They are not a principal source of toxins but something to look at. If anyone is finding a large number, then they should alert the department and they will look at. Amy added that people should clean out the solid waste when see it.

Dave Johnson asked if COVID is affecting RFPs for clean water funding plans. Oliver responded that it is a safe bet that there will be an impact but there is no information currently. Rollout of Act 76 has clean water funding stream and water quality enhancement grants may be delayed. Amy noted that there have been delays and like everything else, it is moving slower. Everything is held up right now. Check the clean water investment website. There is a section on COVID 19 with latest guidance and updates, plus subscribe to the newsletter, especially if need information on timing. Also, Amy invites people to contact her, and she will help others with understanding grant opportunities.

Motion to adjourn business portion of meeting: Moved Jan Parsons; 2nd Susan Martin. Carried unanimously.

Submitted by P. Suozzi

Link to afternoon presentations, including remarks by Governor Scott:

<https://web.microsoftstream.com/video/5aaa88d1-7c82-4a59-94b5-fd1b8dbf8d8c>

