

The Clary Lake Clarion

Volume 5 Issue 1

The Newsletter of the Clary Lake Association

Summer 2014

Message from the President

2014 will be remembered as the year the DEP issued a Water Level Order for Clary Lake. It took more than two long years to get the order but the wait was worth it. Unfortunately we still have a long ways to go before the order is fully implemented and the lake level is restored, and maintained, as required by the order: Paul Kelley refuses to admit defeat but instead continues to fight the Order with everything he's got. As you are probably already aware, the water level order was issued January 27th and on March 4th he filed an appeal in Lincoln County Superior Court. Currently litigation is on hold pending the outcome of mediation. Whether anything meaningful comes out of mediation remains to be seen; I have my doubts. Regardless, I am confident that when the appeal process finally resumes, the Order will be upheld by the Court and Mr. Kelley will finally have to face reality. In the meantime, remember that the water level order remains in effect and he must comply with it even as he tries to pursue a resolution to his problems in court. In other words, the longer the court case is dragged out, the more pressure there is on him to comply with the order. During the petition process, time was on Mr. Kelley's side and stalling benefited him by giving him more opportunity to plan and maneuver. Now time is on our side and his attempts to stall, delay, and complicate the proceedings are only serving to make things more difficult on himself. You would think he would see this and recognize that the time has long since passed when he should have changed his tactics. He still thinks he can prevail in this battle; he is mistaken: Mr. Kelley's problems aren't going to go away, they're only going to get worse. He is however not without recourse: should he decide he doesn't want to own the dam with a water level order on it, he can always transfer it to the Association.

Now more than ever we need your continued support. I hope to see you all at this year's Annual meeting.

Respectfully, Ellis Percy, President

Annual Meeting Notice

This year's Annual Meeting of the Clary Lake Association will be held Saturday August 2nd at 2:00 PM at the home of Ellis Percy, 101 Old Madden Road. Jefferson. The Old Madden road is located 0.36 miles east of the Jefferson/Whitefield town line on Route 126. Refreshments will be provided and as usual, there will be a pot luck supper afterward. Bring your favorite salad, casserole, pie, dish, desert, or what have you. The rain date is the same time, same place, the next day, Sunday the 3rd. We should have plenty of chairs but it can't hurt to bring a folding chair if you have one handy, just in case.

In past years we've been a little lackadaisical about counting votes. Remember, our current bylaws provide for only 1 vote per property. At this year's meeting we're going to implement the "hold up a colored card" method of voting which is now standard practice at Town meetings: the parties associated with a given property will receive one colored card when they arrive and pay their dues (if they haven't already paid them). The card must be held up when voting for the vote to count. Additional information about the meeting and a copy... **continued on pg 2**



Sunset on Clary Lake

Water Quality Monitoring

David Hodsdon and Jack Holland, members of the Maine Volunteer Lake Monitor Program (VLMP), continue to monitor the water quality of Clary Lake on a regular basis. Roughly every 2 weeks during the open-water season they go out and collect various data including secchi disk readings (water transparency/clarity) and dissolved oxygen. George Fergusson has been assisting this spring to learn the procedures and he will be helping out with water quality monitoring this summer. George expects to become certified later this summer. One of the more important pieces of data collected is Total Phosphorus (TP). Unfortunately, it costs \$25 to get a sample analysed by the State and this has limited the number of TP tests we can afford to take to around 3 per year. We'd like to have more phosphorus data and to that end we are experimenting with a do-it-yourself Phosphorus test kit. It remains to be seen if the kit provides sufficiently accurate results to be usable. **continued on pg 2**

Bylaws Revisions

The Bylaws Committee has been very busy since the last Annual Meeting working on reviewing the Association Bylaws, which haven't been revised since 2001. We'll be sending around a separate mailing to all current Association Members in a few weeks with the proposed revised bylaws, along with a proxy ballot, a membership renewal form, and a self-addressed stamped envelope. Our current bylaws state: "The term of membership shall be from the start of one annual meeting to just prior to the start of the next annual meeting." Therefore, if you're going to vote by proxy ballot, in order for your vote to count we must have your membership dues in-hand by the start of the meeting! The Committee has pretty much revised everything except for the Membership and Voting Rights definitions. The Committee felt after considerable discussion (and some valuable feedback from our online poll) that more discussion is required before we try to bring those issues to a vote. Because we're not proposing to revise the membership or voting rights definition this time around, the proposed bylaws may be adopted with a simple majority... **continued on pg 3**

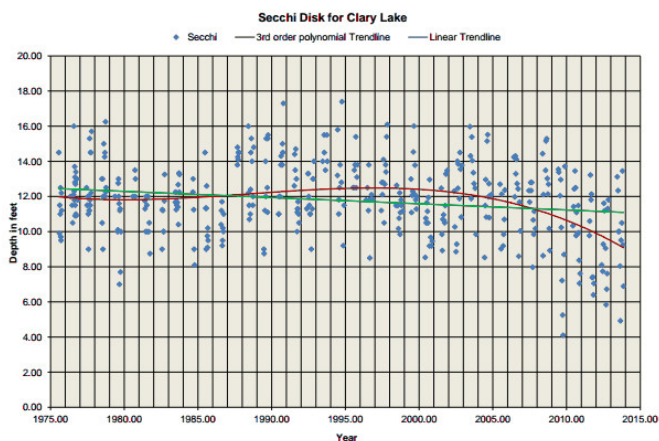
Annual meeting continued from pg 1: of the Meeting Agenda (and a map!) will be placed on the Association website on the "Meetings & Minutes" page located under the Membership menu heading.

This year we have several additions to our regular program. Garrison Beck, Senior Program Manager of the Damariscotta Lake Watershed Association will be speaking at our Annual Meeting about the DLWA's recently conducted watershed survey. The Clary Lake Association conducted a watershed survey back in 2001 and it is past time for that survey to get updated. Garrison will speak about the challenges and benefits of conducting a comprehensive watershed survey. After the meeting proper, there will be several showings of a short 8 minute video prepared by the Maine Volunteer Lake Monitor Program on invasive plants, much of it featuring underwater footage. It should be an exciting and action-packed meeting!

Annual Loon Count

The official Audubon Loon Count takes place for ½ hour only on the 3rd Saturday of July between the hours of 7:00 am and 7:30 am. This year's count takes place on July 19th. Mary Shaw will be leading the count and will present a report at the Annual Meeting. If you are interested in participating in the count you can contact Mary at mgingrowsh@roadrunner.com. Sadly, at the time of this writing there were no loons nesting on the lake. It has been several years since loons have even tried to nest no doubt because of the rapidly varying water level. The last time there were baby loons on the lake was in 2008. For more information about the Maine Loon Project visit the Audubon website: <http://maineaudubon.org/wildlife-habitat/the-maineloon-project/>

Water Quality continued from pg 1: For the past few years Clary Lake has experienced severely declining water quality as evidenced by serious algae blooms in late summer and early fall. The following chart shows the decline in water clarity starting around 2005 with the sharpest declines since about 2008:



Significantly lower water levels than normal for the past 4-5 years have resulted in a vastly reduced flushing rate and higher concentrations of nutrients that are responsible for algae blooms. Furthermore, lower water levels have exposed phosphorus-rich bottom sediments to wave action and weathering, contributing to phosphorus loading. These factors are largely responsible for the severity and frequency of recent algae blooms. A full sized copy of the above chart as well as data for the past 3 years is available on the Association website under the Charts & Data menu.

The Clary Lake Birding Challenge

Malcolm Burson and Eleanor Goldberg, who are active birders, are interested in compiling a checklist of all avian species that can be identified within the environs of Clary Lake. They are defining this as all lands and waters within the boundary of Rt. 126, South Clary Road, the Sennott Road, Rt. 17, and Rt. 218 (thus encircling the lake.) The official kick-off will be this year's Annual Meeting, and the initial count will run until the 2015 Annual Meeting so that we can survey at all seasons. Rules are simple: make a list of all birds you see by (a) species / common name; (b) location [simple descriptions like, 'woods behind Hornpout Lane' or the like, so we can approximate geography and habitat type]; (c) date, and (d) any additional notes, like "nesting in our apple tree." If you have reason to believe you're seeing something unusual, a picture is vital. And if you can make a good description of a bird but don't know what it is, Eleanor and Malcolm will be happy to work with you on identification. They estimate that including birds seen in migration, there's a good chance our local list might run to 150 or more species. Who knew? If there's interest, E & M will arrange at least one morning bird walk during this summer, and possibly another next spring during migration season. More details will be available at the Annual Meeting for those who are interested!!

An Appeal for Your Participation

Any association desirous of an enduring legacy is always concerned about membership, and ours is certainly no different. Strong and representative membership is indeed the life blood of any organization and its level of strength and common commitment shape its culture and the extent to which its goals can be realized. This year, Clary Lake Association members include only ½ of the eligible properties around Clary Lake. We can do better. As Membership Committee Chair, I want to take this opportunity to personally invite and strongly encourage all of you who have not joined to do so. Never in the history of our Association have there been events so threatening to our lake. It is true that water level issues have plagued us off and on over the years, but nothing in the past comes anywhere close to equaling the threat posed to our lake by the actions of the current dam owner. If Paul Kelley has his way, the dam will be removed. If ever you were to ask yourself, "why should I join", the answer is loud and clear. Your lake needs you! And more than your money, it needs your attention...it needs your voice. For those of you who are not members and who do not usually attend the Annual Meetings, the particulars and importance of the financial status of our Association may seem trivial and unimportant. "What do I get for my Membership dues of \$25?" "How is the money used?" Well, your dues help to support programs and efforts that are designed to educate and eradicate: education about environmental issues such as water quality and invasive aquatic species, and eradication of any elements or conditions that would harm the health and beauty of our Lake. Our mission and therefore our bottom line which includes both our human and our monetary capital, are dedicated to increasing awareness of the importance of working together and to ensure the ecological integrity of our Lake's habitat and the surrounding watershed are protected, not to mention also maintaining the value of our real estate. The Association is constantly working diligently to investigate, integrate and inform – members and the public alike -- about issues impacting the lake so that in the years to come, you, your families and... **continued on next pg.**

your friends can enjoy a natural treasure, pristine, beautiful, and free of natural and man-made devastation.

The Membership Committee has begun to kick into high gear with a campaign to raise funds to continue the important work of the Association and while we move forward with a Water Level Order issued by the Department of Environmental Protection, we can't simply rely on the State to do what's necessary. There is much we have to do and we still need your support. Beyond dues from property owners with voting rights, there are fund raising plans to contact other groups, particularly businesses in the surrounding communities who benefit from the ongoing activities around the Lake, to enlist their donations to the cause. All dues and donations to the Clary Lake Association are tax deductible, all money well-spent to support a worthy cause. Any and all feedback from you, your families and your friends is so very welcome. You are encouraged to visit our website clarylake.org where you will find a wealth of information about all the activities surrounding the lake. You'll see it's worth supporting. Hope to see you at the meeting!

Respectfully, Margaret Fergusson, Membership Committee

Bylaws continued from pg 1: vote of the Membership. Voting on the proposed revised bylaws will be the first order of business at the Annual Meeting, right after the reading and acceptance of last year's Meeting minutes, as the outcome of the vote will determine the number of Directors being voted into office later on in the meeting. Also on the agenda is an indepth and hopefully productive discussion of our existing Membership and Voting Rights definitions, and possible future changes to them. You'll find a copy of the existing bylaws on the Clary Lake Association website along with a red-lined and highlighted copy under the Membership menu heading.

This Year's Nominations

The Nominations Committee is charged with the task of coming up with with a slate of officers to fill open Association positions. This year, depending on whether the bylaws get revised or not, we'll need to elect either 1 or 2 Directors. Currently our bylaws provide for 5 Directors, one of whom is the President. If the proposed bylaw changes are approved by the Membership, that number will increase to 6 including the President. Director terms will still be for 2 years. See you at the Annual Meeting!

Clary Lake Association, P.O. Box 127, Whitefield Maine 04353

2014/2015 Membership Dues: \$25.00

Additional Contribution: _____

Total Amount enclosed: _____

Membership year: 2014 Annual Meeting to 2015 Annual Meeting.

Preferred Mailing Address:

Name _____

Street _____

City _____ State _____ Zip _____

Phone Number (____)-_____ Email _____

Clary Lake Sweatshirts!



Sweatshirts with this beautiful stitched design are still available. Cost to members is \$15 and \$20 for non-members. These can be picked up at Linda Gallion's house or ordered by sending your check or money order and \$5 for shipping. Get yours today!

The **Clary Lake Association** is a 501 c(3) non-profit corporation duly registered in the State of Maine dedicated to preserving, protecting, and enhancing the natural beauty and quality of Clary Lake and its watershed. Membership in the Association is open to lake shore owners and people with legal (deeded) access to the lake, and costs \$25 per year.

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Current Association Officers:

President: Ellis Percy	president@clarylake.org
Vice President: Malcolm Burson	vicepresident@clarylake.org
Treasurer: Linda Gallion	treasurer@clarylake.org
Secretary: George Fergusson	secretary@clarylake.org
Newsletter Ed: George Fergusson	editor@clarylake.org
Association Board Address:	board@clarylake.org

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Current Board Members are: Tom Vigue, Jack Holland, Jane Chase, Mary Hornecker, David Knight

Clary Lake Association
PO Box 127
Whitefield ME 04353