

**Lake Kanasatka Watershed Association (LKWA)**  
**Annual Business Meeting Minutes**  
**July 14, 2012**  
**Loon Preservation Center**  
**183 Lee's Mill Road, Moultonborough, NH**

**The quorum of 20 paid, voting members was met**

**Welcome:** President Ted Hilton opened the meeting at 9am and welcomed attendees. Ted introduced the Advisory Board which consists of Ted Hilton, President; Jane Fairchild, Vice President; Sue Schmidt, Treasurer; Jane Nash, Secretary.

Thank you to Phyllis Komlos for organizing the coffee and refreshments.

**Minutes:** Jane Nash read the minutes of the August 2011 Annual Picnic Meeting at the Vonhurst Beach  
Minutes accepted Unanimously as written. [Click here for entire copy of minutes](#)

**Treasurer's Report:** Sue Schmidt presented the Treasurer's Report  
Treasurer Report accepted Unanimously. [Click here for full report](#)

**Reports:**

Water Quality-- Enid Burrows. Enid reported that the lake's water quality has remained stable at "good" for many years. Transparency rises and falls. Lake has remained stable at almost pristine.

**Center Harbor Bay Watershed Management Plan (CHBWMP)** --Bill Smith. Bill began his report regarding CHBWMP with a reminder to think in terms of "the watershed" rather than focusing just on Lake Kanasatka. Bill pointed out three critical areas where development or pollutions would have a huge impact on our lake; and thereby, on the watershed we are a part of. They are: North or the Red Hill area, the West end near the bridge at Sibley Road, and the East end near Route 25. He urged all members to be on the alert for situations that might cause pollution or destruction of wildlife in these areas. Bill stated his concern with the Lagoons located in back of Red Hill Gas Station. He questioned whether they were lined. A member said they are indeed lined with concrete. Bill stated that the Lagoons were old and wondered if the liners of concrete are checked. Bill then went on to report on the Center Harbor Bay Watershed Management Plan committee (CHBWMP). Jim and Jane Nash are LKWA representatives to the group. CHBWMP is an advisory group to or subcommittee of The Lake Winnepesaukee Watershed Association (LWWA) "a non-profit organization interested in preserving and protecting the natural resources of Lake Winnepesaukee and its watershed." Lake Kanasatka is part of that watershed. Bill and Jane will report back to the LKWA members via the website at [www.kanasatka.org](http://www.kanasatka.org)

**Old Business**

**Report and Review of Kilnwood Settlement** - Ted Hilton

Ted reviewed some background dating from 1973 and reviewed the key elements of the mediated settlement to the 2010 legal action.

1. The size and configuration of the docking system will remain as it is today. No further expansions will be permitted.

The current system allows for docking of 16 powerboats only.

2. No further waterfront intrusions, including moorings for motorboats, will be permitted.

3. The development may contain only the existing 29 building lots. Kilnwood may acquire adjacent property only for a perimeter buffer or similar community need but no building may be placed on it.

4. No motorboats may be launched from shore except when they are being moved to or from the dock on a seasonal basis. Occasional replenishing of sand at the community beach is permitted in accordance with DES standards.

5. The terms of the new Agreement will run with the land and are binding upon and enforceable by heirs, successors, and assigns of the parties. The Agreement is binding upon individual Kilnwood property owners as well as the Kilnwood Condominium Association.

Kilnwood property owners voted to approve the new Agreement at a special meeting held on November 19m 2011.

#### **New Business - Report and Review of Insurance agreement and ratification - Jane Fairchild**

After the 2010 action against Kilnwood was resolved, LKWA filed a claim with the insurance company, Liberty Insurance Underwriters, for the original attorneys who handled the 1973 case. It was felt that the LKWA may not have had to re-litigate the issue in 2010 if certain matters related to the 1973 stipulation had been handled differently. LKWA requested sufficient money to ensure that litigation costs from the 2010 case were paid; the insurer agreed to this. After all expenses, LKWA expects to be able to pay any outstanding bills and refund donations to people who supported the litigation and who request a refund, as well as to have a small amount (\$2,000-5,000) remaining. The Advisory Board recommends placing this in a separate account for future needs for protection of the lake.

Key points of the insurance confidentially release and settlement agreement are:

- 1 Neither the substance of the agreement nor the circumstances surrounding it may be discussed outside of the July 14, 2012 annual meeting.
- 2 LKWA members are not to assign blame or negligence to anyone.
- 3 Breaking of the Confidentiality Clause could invalidate the insurance company's agreement
- 4 Acceptance of the agreement will forever release all possible claims against the original attorneys for any matter associated with the 1973 lawsuit against Kilnwood.

Benefits to LKWA are expected to be:

- 1 Outstanding expenses from the 2010 litigation will all be paid.

2 Donations from members/others will be returned if requested

3 Separate fund can be established for future use

The Advisory Board believes the settlement will resolve the matter to the satisfaction of all parties. The Advisory Board recommends that LKWA members present vote to accept the terms and ratify the Confidentiality Release and Settlement Agreement from Liberty Insurance Underwriters.

After brief questions were discussed

Motion was moved by Jane Fairchild and seconded to Accept and Ratify the Confidentiality Release and Settlement dated May 30, 2012, as proposed and described herein, which releases all claims and causes of actions for legal work performed for LKWA arising from the 1972-73 lawsuit against Kilnwood on Kanasatka Condominiums.

**Accepted by Unanimous Vote**

Motion was moved by Phyllis Komlos, treasurer of the KOTL, and seconded that all donations to KOTL over the past two years are to be returned to the donor if she or he requests that such donations be returned and that any remaining money left after all bills and refunds are paid will be paid over to the LKWA.

Accepted by Unanimous Vote

Motion was moved by Sue Schmidt, treasurer of LKWA, and seconded to establish a separate bank account and named Keeper of the Lake Fund to be used to preserve the quality of water, land, wildlife, and of life on Lake Kanasatka and to carry out the mission of LKWA into the future.

**Accepted by Unanimous Vote**

Ted Hilton introduced the current Keepers of the Lake (KOTL) committee appointed in 2010 -- Ted Hilton, Chair; Jane Nash, Secretary; Phyllis Komlos, Treasurer; Kirk Meloney, Lee Hart, Kris Harris, Ted E. Hilton, Jane Fairchild. **Ted formally disbanded the Committee with thanks from the members.**

**New Business--ByLaw Changes.**

Articles 1-4,6,7, Accepted Unanimously

articles 5 & 8 were amended and Accepted Unanimously as amended

[Click here for full report](#)

**New Business**

Jane Fairchild rose to commend and thank Ted Hilton for his 40 years of leadership and service to LKWA in time of troubles and joy. Members agreed and gave Ted a standing ovation.

John Scudder was thanked for his outstanding management of the LKWA Website and Facebook Page. Members are urged to check the website at [www.kanasatka.org](http://www.kanasatka.org) and Facebook at [www.facebook.com/kanasatka](http://www.facebook.com/kanasatka) frequently.

Hal Richards LKWA member and Rawson L Wood member of the Loon Preservation committee were both remembered and appreciated for their many years of service. Both men died recently. The members noted they will be missed.

**New Business - Motions**

Motion was moved by Sue Schmidt and seconded to continue to order and sell vest, hats, and other items desired by members.

**Approved Unanimously**

Motion was moved by Sue Schmidt and seconded to donate 200 dollars to each of the following organizations.

1. New Hampshire Lakes Association
- 2 Loon Preservation Committee
- 3 Lakes Region Conservation Trust

Squam Lake was dropped from list because they are well funded and not in our watershed

**Approved Unanimously**

**Meeting Adjourned at 10am**

**Next meeting: Picnic meeting at the Vonhurst Beach in August 18, 2012 at noon.**

Respectfully submitted, Jane Nash, Secretary