

13 January 2005

MEMORANDUM

From: Manager

To: Board of Trustees

Subj: MANAGER REPORT AND MINUTES FOR BOOTHBAY REGION WATER
DISTRICT MEETING 14 DECEMBER 2004 & 28 DECEMBER 2004

**MINUTES FOR 14 DECEMBER 2004 BOOTHBAY REGION WATER DISTRICT BOARD
OF TRUSTEES MEETING**

The Board of Trustees convened at 1400 hrs. In attendance: Trustee Pinkham (Chair), Trustee MacPhee (Vice Chair), Trustee McNelis (Clerk), Trustee Curtis (Treasurer), and Trustee Carter. Administrative Manager (AM) Bob Raudenbush, Manager Jon "Ziggy" Ziegra. Guest: None. Absent: None

1. Trustee Pinkham called the meeting to order at 1400 hr.
2. The minutes of the 9 November 2004 meeting were approved.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
3. The board approved warrants 66, 67, 68, 69, 70, 71 & 72
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
4. Trustee Pinkham recognized the distribution foreman who presented his report on the purchase of a new loader. He reported that he had solicited proposals from Caterpillar, Case and John Deere for a 2005 loader as specified by the district. Upon receiving the proposals he and the assistant distribution foreman visited the vendors and test-drove the contending machines. Upon weighing the options it was his recommendation, as was the manager's, the best value for the district was the purchase of a 2005 John Deere, model 410G for the sum of \$83,500. After listening to the proposal the board asked many questions concerning maintenance, power and the need for the new equipment. The board than approved the purchase.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
5. The administrative manager (AM) presented a three year (4.00%) and five year (4.15%) lease plan, provided by Bank North leasing) to the trustees to support the purchase of the new 2005 John Deere, model 410G. After reviewing the options the board approved the five-year plan stating it would fit in the budget better at that payment level. The board did instruct the AM that if a better rate could be secured from another source he was authorized to contract.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
6. The AM reported the district would close on the Rural Development loan for the sum of \$3,047,500 on 17 December 2004 at the district office. The AM requested the Trustee Pinkham (Chair), Trustee McNelis (Clerk) and Trustee Curtis (Treasurer) sign a revenue bond for this transaction, which was completed. It was reported Attorney Geoff Hole had reviewed the documents and would represent district for this action.

7. The manager reported the income survey for the proposed project installing water and sewer north on Route 27, was complete. The results of the survey showed in the proposed construction area 53% the median household incomes were considered low. Upon this result Maine Rural Water was authorized to pursue Community Development Block Grant (CDBG) and grant/loan packages with the Rural Development. Maine Rural Water Association, Boothbay Harbor Sewer District and district staff completed the majority of the work needed for this survey.
8. The manager reported no change in status for the construction of the Knickerbocker Lake Intake.
9. The board instructed the manager to put a discussion item for the disposition of the Squirrel Island water main on the first regular trustee meeting in 2005.
10. The manager reported the new security lock district had been installed and was working very well. The board also approved the installation of razor wire at the Mt. Pisgah standpipe and fencing the newly constructed radio tower. The contract for this installation was to be completed by Pine Tree Fence Company.
11. The manager reported to comply with the lead and copper violation that had occurred the previous month in Boothbay Harbor, he had authorized the printing of the required "lead education" flyers that needed to be sent to every customer. The manager said that compliance with this requirement was mandatory (as set forth by the United States Environmental Protection Agency & Maine Drinking Water Program) by the end of the year. The manager then reported he would be discussing corrective actions with the board in early 2005.
12. The manager recommended the board accept the new seasonal water main located in the Powder Hill Farm subdivision located in Boothbay Harbor. He reported the main had been constructed in accordance with district rules and American Water Works Association (AWWA) standards. The board voted to accept the new water main.
Trustee Curtis motioned, Trustee Carter second, vote: unanimous
13. The manager presented the board a letter from Mr. Ron Boivin, MRWA who had been contracted by the district to size the Massachusetts Road Corporation private water main meter. This was done in response to Mr. George Whitten's request for a meter downsize. In the letter, Mr. Boivin recommended a 2" meter was necessary. Upon reviewing the report the board voted to deny Mr. Whitten's request and instructed the manager to notify the Mr. Whitten's attorney (Mr. Tom Tavenner, Esq.) and the Public Utilities Commission of this action.
Trustee McNelis motioned, Trustee MacPhee second, vote: unanimous
14. The board reviewed the district's priorities for 2005. No further action was taken.
15. The manager reported the charter change was drafted and had been presented to the legislature. There was no report on any action that had been taken on it.
16. The board granted a one time \$100 abatement to Ms. Charlotte Colby as a result of a plumbing failure not deemed not of her responsibility
Trustee MacPhee motioned, Trustee McNelis second, vote: unanimous

17. The board denied an abatement request by Mr. Paul Whitehead Jr. for \$1,277.09 for water consumed at his seasonal property during the 2004 season.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
18. The board approved Christmas bonus for the employees of the district and instructed the manager to inform the employees not to construe this as a past practice.
19. The board went into executive session to discuss security and personnel matters at 1605 hr.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
20. The board came out of executive session at 1630 hr and adjourned at 1631 hr.
Trustee McNelis motioned, Trustee MacPhee second, vote: unanimous

END OF MINUTES

PAGE LEFT INTENTIONALLY BLANK

MINUTES FOR 28 DECEMBER 2004 BOOTHBAY REGION WATER DISTRICT BOARD OF TRUSTEES MEETING

The Board of Trustees convened at 1400 hrs. In attendance: Trustee Pinkham (Chair), Trustee MacPhee (Vice Chair), Trustee McNelis (Clerk), Trustee Curtis (Treasurer). Administrative Manager (AM) Bob Raudenbush, Guest: Town of Boothbay Selectmen - Hon. Charles Cunningham, Hon. Bruce MacDonald, Hon. Stephen Ham, Hon. Ross Edwards; Mr. John Anderson, Town Manager, Boothbay. Absent: Trustee Carter, Manager Jon "Ziggy" Ziegra.

1. Trustee Pinkham called the meeting to order at 1400 hr.
2. Due to a staff illness the minutes for the 14 December 2004 meeting were not complete and were deferred to be reviewed the first meeting in 2005
3. Trustee Pinkham recognized the contingent from Boothbay. The town manager asked the board why the board was interested in a charter change requiring trustees have a high school diploma as condition of service. Trustee Curtis responded with a budget approaching \$2,000,000 dollars it was imperative and that this was a holdover from the by-laws of both the Boothbay Harbor Water System and the East Boothbay Water District. The town manager said that he had checked with the Maine Municipal Association and said they had never seen any requirement like this before. Trustee Curtis responded, "Just because this has never been tried before does not mean it is not a good idea". Bruce MacDonald expressed a fear that this provision would "disenfranchise" a certain segment of the population. Trustee MacPhee responded because the trustees are responsible for basic human health they should look for the best candidates for the position. Trustee McNelis stated that a high school education was a reasonable qualification to gather the best candidates for the position of trustee. The board of selectmen responded that this policy could cause "regional bias". The town manager stated the district was attempting to push this requirement "under the radar". Trustee Curtis responded all discussion regarding this matter was in public meeting for which the town of Boothbay was made aware and that all meeting minutes are available at www.bbrwd.org of which the town was also aware.

The town manager then protested the proposed provision that a trustee be a customer of the district and sited the town of Boothbay was the district's biggest customer and therefore any taxpayer is a customer. Trustee Curtis corrected the town manager by informing the town of Boothbay Harbor was the biggest customer and that the definition of customer is specific under Maine code and that this is a common requirement for many districts throughout the state. Trustees Curtis and MacPhee stated they would take the town of Boothbay's concerns under advisement.

4. Mr. Tyler Lewis was recognized by Trustee Pinkham, who was present because of a pending abatement request. Because the manager was ill this request was not available for the trustees to review. Trustee Curtis explained the situation to Mr. Tyler Lewis and told him they would take on this matter at the 11 January 2005 meeting.
5. The administrative manager (AM) presented the board with the draft Boothbay Region Water District 2005 budget. There was much discussion concerning the numbers. Trustee Pinkham informed the board to review the draft budget and make revisions as necessary and submit them to the AM or manager for inclusion. Trustee Pinkham informed the AM to make this an agenda item for the first trustee meeting of 2005.

6. The AM reported that negotiations with Teamster Local #340 were progressing positively. He reported the next and possibly final meeting with the union would be 7 January 2005 at 1300 hr. at the Boothbay Fire Department.
7. The board revisited the question of the charter change. After discussion on the validity of argument presented by the Boothbay board of selectmen, the board voted to instruct the manager to rescind its request for future trustees requiring a high school education and to check with Steve Levy to clarify customer language.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
8. The AM informed the board the board the new backhoe had been ordered and that he had found a better rate for the lease from Cal First Bank. The new rate was 4.1% for a five-year term in accordance with previous authorization he locked in this arrangement. He reported the new tractor would be delivered mid-January.
9. The trustees were reminded to complete their W-4 forms and submit them to the AM.
10. The AM reported the employee evaluations were completed with the exception of the manager and the AM. The average merit pay increase was reported to be 1.9%.
11. The board voted to go into executive session at 1450 hr to discuss personnel and security matters.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
12. The board came out of executive session at 1455 hr and the meeting was adjourned at 1456 hr.
Trustee McNelis motioned, Trustee MacPhee second, vote: unanimous

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegra
Manager