

14 April 2020

MEMORANDUM

From: Manager  
To: Board of Trustees

Subj: MINUTES FOR THE TRUSTEE MEETING 24 MARCH 2020

The Board of Trustees convened at 1900 hrs. In attendance: Trustee Gamage, Southport (Chairman); Trustee Climo, Southport (Vice-Chairman); Trustee Anthony, Boothbay (Clerk); Trustee Tharpe, At-Large (Treasurer); Trustee Tibbetts, Boothbay Harbor; Trustee Bellows, Boothbay; Trustee Blakeslee, Boothbay Harbor; Jonathan Ziegler, Manager. Guest: Ms. Susan Mello, Natural Resource Program Manager. Absent: None

1. The board approved the minutes for 10 March 2020 with revisions.  
*Trustee Climo motioned, Trustee Tibbetts second, vote unanimous*
2. **ADMINISTRATION** – The manager provided the board Table 1 - *Boothbay Region Water District Cash Account Status Report as of 24 March 2020*. Since the previous meeting the district had received one (1) new service application. Because of the recent emergency and the time devoted to that problem, the manager reported that the warrant was not ready. The manager reported that his plan was to submit the invoices the following day to *Osman-Page* and have the checks cut, and squaring with district vendors by weeks end.
- 3.

<b>Table 1</b>	
<b>BOOTHBAY REGION WATER DISTRICT</b>	
<b>Cash Account Status Report as of 10 March 2020</b>	
Account	Balance
Business Checking	\$ 26,794.48
Deposit Sweep Account	\$ 403,389.41
Liquidity Total	\$ 430,183.89
<b>DESIGNATED FUNDS</b>	
BBH 2007 Sinking Fund	\$ 20,332.04
Land Acquisition Fund	\$ 14.68
Capital Reinvestment Fund	\$ 2.00
Mt Dora Easement Escrow	\$ 4,768.50
Southport Sinking Fund	\$ 37,312.00
EBB Upgrade 91-20	\$ 56,042.37
Bank of Maine Unemployment CD	\$ 17,311.25
Designated Fund Total	\$ 135,782.84
<b>TOTAL CASH RESERVES</b>	<b>\$ 565,966.73</b>

4. **NATURAL RESOURCES PROGRAM** – The Natural Resource Program Manager (NRPM) presented to the board the following report:

- a. **Land conservation/acquisition:** *Farrin property: We conveyed Board's offer of \$135,000 and Pat responded that he is firm at \$145,000. They also have expressed their interest in maintaining some ATV access across the property. This is a detail that we should be able to work out in the deed language. We have made it clear that the District will not allow any use that would jeopardize the pipeline or cause runoff/ erosion.*

*Recap: 22-acre parcel within the Adams Pond watershed and within which the Knickerbocker pipeline travels. Board's last offer to Pat was \$125,000. Pat has now countered at \$145,000. The most recent property appraisal (December 2018) sets the value at \$134,600. There is road access to the parcel from Adams Road off Back River Road but that access is constrained by pipeline.*

*The Maine Drinking Water Program has given us the green light for a low-interest, short-term loan for this land acquisition.*

*Looking for a Board recommendation on Pat's response.*

*Table 2. Cost comparison with recent purchases*

<i>Property Owner</i>	<i>Purchase Price</i>	<i>Total acres</i>	<i>Price per acre</i>
<i>Hamrin</i>	<i>\$120,000</i>	<i>70</i>	<i>\$1,714</i>
<i>L. Sherman</i>	<i>\$50,000</i>	<i>4.7</i>	<i>\$10,638</i>
<i>P. Sherman</i>	<i>\$37,500</i>	<i>3.1</i>	<i>\$12,097</i>
<i>R. Clifford</i>	<i>\$75,000</i>	<i>34</i>	<i>\$2,205</i>
<i>P. Farrin</i>	<i>\$134,600</i>	<i>22</i>	<i>\$6,118</i>
<i>P. Farrin</i>	<i>\$145,000</i>	<i>22</i>	<i>\$6,591</i>

*No additional activity on either Edelson or McFarland properties. Outreach letters were sent to Billard, Pinkham, Elderkin and Kellogg last week. We heard from Jackie Elderkin, property next to Knickerbocker Lake intake, that she would like to meet when she returns to Boothbay on May 8.*

*Boothbay Region Land Trust is still figuring out how they might collaborate with us. Like so many things right now, that process is on the back burner.*

- b. **Land Acquisition Discussion** - The board discussed the provisions put forth by the Farrin's to continue to use the property in a reckless way, particularly damaging district infrastructure and woodlands with ATV's. After lengthy discussion the board would not agree to allow the property to be damaged further by reckless play but would consider a policy for ATV use in the future, possibly. The board approved increasing the offer to \$145,000 with no encumbrances, to be put into conservation.
- c. **CDC Source Water Protection Grant** - *We submitted all the relevant details for reimbursement of our \$10,000 2019 CDC Source Water Protection Grant and also, submitted an application for a 2020 CDC grant. Copy of grant application attached.*

5. **SAFETY & TRAINING UPDATE** – The manager reported that there had been no safety violations or known missed inspections during the previous period.
  - a. **Human Resources (HR)** – The manager reported that Utilities Technician In-Training, Mr. Troy Gauthier started two-weeks early at the request of the distribution foreman. Bethany Mitchell-Legro, HR Manager, was reported to have been self-quarantined and attempting to do all actions remotely. The manager would report progress on Mr. Gauthier’s indoctrination at the following trustee meeting.
  - b. **Training Update** –Nothing new to report
6. **TREATMENT DIVISION (TD)** — The manager reported filter train efficiency over the previous period remained the same with filter efficiency level at 93% and clarifier efficiency at 100%. Raw water quality continues to show signs of improvement. Key chemical additions remain in the average range. Ice-Out on Adams Pond was recorded on 14 March 2020.

Finish water production is back to normal for 2020, registering slightly lower than the 0.3344 MGD recorded in 2019, with production averaging 0.3315 MGD for the same period in 2020.

- a. **SCADA System Upgrade** – No change in status. The manager reported that the district Information Technology (IT) contractor, *Burgess Computers* was on lock down with regard to field services until further notice.
  - b. **Raw Water Pump (RWP1) #1 Overhaul** – No change in status.
  - c. **Backwash Waste Pump Replacement Project** – No change in status.
7. **DISTRIBUTION DIVISION (DD)** – The manager reported the DD was taking advantage of the recent warm and storm-free weather, with the DD reassembled, in force to complete “whiteboard projects”. See 18 - **PANDEMIC RESPONSE PLAN (COVID-19) AND ASSOCIATED ACTIONS TAKEN**
  - a. **New Replacement Vehicles** - No change in status
  - b. **2020 Seasonal Start-up Update** –Capital Improvement Projects were nearing completion and the system will be charge ready by weeks end. For further information see 18 - **PANDEMIC RESPONSE PLAN (COVID-19) AND ASSOCIATED ACTIONS TAKEN**
  - c. **Cross Connection Control Testing Suspended** – The BRWD Cross-Connection Control plan was put on-hold for two months. As of now the BRWD was in violation of state law and most likely earn a notice of violation (NOV). For further details and justification for this action see 18 - **PANDEMIC RESPONSE PLAN (COVID-19) AND ASSOCIATED ACTIONS TAKEN**
8. **5 RIVERS REGIONAL WATER COUNCIL** – No change in Status
9. **LAND ACQUISITION UPDATE** – See 5 – **NATURAL RESOURCES PROGRAM**
10. **ALTERNATIVE ELECTRIC POWER OPTIONS** – Nothing new to report.

11. **MASSACHUSETTS ROAD WATER MAIN REPLACEMENT PROJECT** – The manager reported that one individual remained unsigned to the easement who, the manager reported had contacted and were now intending to sign.
12. **BARTERS ISLAND WATER MAIN RELOCATION PROJECT** – Nothing new to report.
13. **SQUIRREL ISLAND (SI) WATER MAIN** – Nothing new to report
14. **NEW MAINTENANCE GARAGE PROJECT** – The manager reported that Dirigo Engineering had been sequestered and that there was nothing new to report.
15. **AFFORDABLE HOUSING, REVISION II** – No change in status.
16. **CAMERONS POINT WATER MAIN** –No change in status
17. **BARLOW HILL & MARINER WAY WATER MAIN REPLACEMENT PROJECT** - The manager reported that on 18 March 2020, *Drilling and Blasting Specialists* completed ledge probes on ten-foot intervals within the construction zone. *Dirigo Engineering* had completed the survey of the area and had been provided the ledge probe information. The district was now waiting for bid documents as well as revised cost-estimate using the district’s hybrid construction method.
18. **PANDEMIC RESPONSE PLAN (COVID-19) AND ASSOCIATED ACTIONS TAKEN** – The manager enlightened the board to actions taken by him regarding the COVID-19 pandemic. On 16 March 2020 the manager received word that Governor Mills declared that Maine was now in a “state of emergency” with regard to the COVID-19 pandemic. This action compelled the manager to put into effect the *BRWD Pandemic Response Plan*. The board was sent correspondence alerting them to this decision with excerpts of that correspondence below.
  - a. **Pandemic Response Plan (PRP) Activation** – The following actions were put into effect on 17 March 2020
    1. **Admin Office Closed to Walk-In Traffic** – As requested by staff and the managers request, the Chairman of the Board extended to the manager authorization to close the business office to walk-in traffic, as authorized by the Maine Public Utilities Commission (PUC) which went into effect 17 March 2020, greatly reducing the risk of COVID-19 virus introduction into BRWD facilities. This order was open ended and will be lifted only after consultation with the Chairman of the Board. Notification of this change of service was posted on the district website as well as on its Facebook page. District staff will still be available by phone or other electronic communications to handle any and all customer questions or concerns.

2. Cross-Connection Control Testing Suspended – the manager reported that after weighing the potential public health ramifications of temporarily suspending testing of system-wide cross-connection control devices versus the exposure of staff to a myriad of business environments, wherein these devices are located fully accessible and exposed to the general public, upon staff recommendation, the manager suspended cross-connection control testing, therefore technically violating state law, for a period of no less than two-months. The manager reasoned that the potential risk to public health was exponentially less by temporarily forgoing cross-connection control testing, which would be made-up for after the crisis had passed, than unnecessarily exposing district staff to potential environments where the COVID-19 virus may be present
3. Water Quality Complaint Investigation Suspended - The manager explained that the standard operating procedure for handling water quality complaints issued by customers was to send district personnel, primarily treatment staff, to the customers home and/or business to investigate. To date, the vast majority of these water quality issues have proven to be within the home/business internal plumbing. As far as sending staff into the field for these investigations, the manager reported that he had instructed staff that this practice was now off-limits until further notice. That said, staff would electronically communicate with any customers who may have water quality issues and work, to the best of their ability, to resolve any issues with customers remotely.
4. PUC Directive Concerning Shut-off of Delinquent Customers – Per PUC directive, no customers would be shut off for non-payment until such time as PUC dictated.
5. Ensuring Critical Supplies are On-Hand to Allow Continued Operation – Per the district’s pandemic response plan, the manager reported that he had tasked both the Chief Treatment Plant Operator (CTPO) and the Distribution Foreman (DF) to inventory fuel, treatment chemicals, critical support equipment and suppliers to ensure the BRWD had enough inventory on-hand to continue operations for the next month or two. The CTPO reported that all chemical and analytical material stockpiles were sufficient as well as sufficient generator and heating fuels were on hand. Additionally, the CTPO contacted the suppliers of these critical supplies and was assured that the BRWD, as well as other water districts, were the priority should shortages appear. Likewise, the DF had reported that all critical supplies for distribution maintenance were on-hand with his suppliers committed to the district as a priority as well. The manager then enlightened the board to the situation concerning sodium silicate supplies in that, as of then, with the closure of the US-Canadian Border, the BRWD was now cut-off from its sodium silicate supply, manufactured in, and distributed from the Province of Quebec. Trustee Bellows inquired if the district had enough to move forward to which the manager replied that there was approximately a six-month supply on-hand.

6. Self-Monitoring and Liberal Use of Leave – The manager discussed with the board the fact that the staff were excellent and had formed a true “team”. A pervasive problem with many other utilities was sick leave abuse by staff members, a problem the BRWD absolutely did not have. Through historical collective bargaining the district’s management and staff had developed incentive programs that discouraged sick leave abuse and rewarded those individuals that prudently used sick leave for its intended purpose. The manager stated that he was truly proud of that record. However, the manager relayed to the board that he had reminded staff, and was reminded by staff, that sick leave was not granted to be accumulated for bonuses and/or buyback programs, rather it was there precisely to protect co-workers from the spread of disease and for the rehabilitation of staff members who may be experiencing an illness or medical condition. The manager reported that he had instructed all staff and would entertain other forms of leave as well, during this emergency to ensure personnel who were either developing signs of illness, or have knowledge that they had been exposed to the COVID-19 virus, practiced self-quarantine, in-place, at home without fear of lost pay. Both staff and management fully understood and were in full agreement with regard to this policy.

b. Maine Public Utilities Commission (PUC) Inquiry Concerning Seasonal Water Service – On 18 March 2020, the manager reported that he had been contacted by the Maine PUC and interviewed as to the mechanics of seasonal water service on the Boothbay peninsula as well as alerted to the fact that the PUC was researching questions raised around the state as to whether it was appropriate to modify dates of service in an effort to slow the spread of the COVID-19 virus.

The manager relayed that he had immediately met with municipal officials of the towns of Boothbay, Boothbay Harbor and Southport, alerting them to this inquiry and would to keep them up-to-date with any pending orders that may be coming down the track that would have a profound impact to the business culture and/or health and welfare of the indigenous population of the Boothbay peninsula. Later that evening the manager reported that he had been contacted at home, by the PUC who informed him that as of that time there would be no modification to the seasonal water start-up dates.

On 19 March 2020 the manager reported that he had again, met in person with all municipal officials and informed them of that conversation.

c. Municipality Action - On 19 March 2020 the Southport board of selectmen inquired of the district if it would be possible to delay the initiation seasonal water service anyway, to which the manager reported that he responded not as a district action alone, any change in dates of service where strictly at the discretion of the Maine PUC.

The manager then reported that the municipal officers of Southport inquired of the manager if he could write a course of action that they could follow, in concert with the towns of Boothbay and Boothbay Harbor, to have the PUC reconsider their stance as described above. The manager reported that he promptly complied with this request and dispersed that information to all town officials.

On 23 March 2020 the select boards of Southport and Boothbay met in a joint meeting to discuss the merits of petitioning the PUC to shorten the seasonal water service season, passing a resolution to do so. As part of that resolution it was only going to be made with the PUC if all three towns were in full agreement. The manager reported that the town of Boothbay Harbor was prepared to take up this question on Monday, 30 March 2020.

On 24 March 2020 the manager received a call from the town manager of Boothbay Harbor who, along with representatives from Boothbay and Southport will be setting up a conference call to discuss a potential petition request with the PUC.

19. **District Actions with Regard to Discussions with the State of Maine** – The manager informed the board that the state was going to have to decide this matter in that the local municipalities seemed to feel very strongly as to the question of starting the seasonal system later than allowed for by law. As the representative of the BRWD the manager reported that he had made contact to relevant personnel in the state and informed them of the situation as well as forwarding to them, all relevant correspondence received and issued by the district concerning this question. The manager also reported that due to the complex nature of this question, as well as the ability to make a strong case for either action (turn on water as normal vs. delay in seasonal start-up) the Boothbay Region Water District was **NIETHER FOR, NOR AGAINST**, any action by state officials with regard to any adjustments to seasonal start-up.
20. The meeting was adjourned at 2010 hr.  
*Trustee Climo motioned, Trustee Tibbetts second, vote: unanimous*

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegra  
General Manager

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