

8 November 2022

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: MINUTES FOR THE TRUSTEE MEETING OF 25 OCTOBER 2022

The Board of Trustees convened at 1900 hrs. In attendance: Trustee Gamage, Southport (Chairman); Trustee Climo, Southport (Vice-Chairman); Trustee Anthony, Boothbay (Clerk); Trustee Tibbetts, Boothbay Harbor; Trustee Blakeslee, Boothbay Harbor; Jonathan Ziegler, Manager; Marcia Wilson, Administrative Manager (AM). Guest: Mr. Rob Hopkins and Mr. Richard Hallinan. Absent: Trustee Tharpe, At-Large (Treasurer).

1. The board approved the minutes for 11 October 2022 with corrections.
Trustee Climo motioned, Trustee Stover second, vote: Yea unanimous.
2. The board approved payroll for 11 October 2022 & 18 October 2022.
Trustee Climo motioned, Trustee Anthony second, vote: Yea unanimous.
3. The board approved transactions for 10 October 2022 through 21 October 2022.
Trustee Climo motioned, Trustee Anthony second, vote: Yea unanimous.
4. **ADDRESS TO THE BOARD** - The chairman recognized Mr. Rob Hopkins and Mr. Richard Hallinan who made clear to the board that for the past two-years in their estimation, the Squirrel Island Village Corporation (SIVC) had been turned on late citing that in 2022 SIVC was turned on, on 29 April 2022. The manager reminded both individuals that during his tenure SIVC had never been turned on after the date of compliance, 1 May as specified by the Maine Public Utilities Commission (PUC) but did acknowledge that the start of seasonal water supplying SIVC was tough in 2022 due to winter damage to the SIVC water main.

Discussions then turned to measures currently being considered by the board to improve the service to SIVC with the board informing the SIVC contingent that the district was contemplating rerouting the SIVC water main from its current location, to a yet to be determined location on Southport which would feed SIVC on the storm protected side of the island. Trustee Tibbetts insisted on the route, originating somewhere near Capitol Island on Southport to the main dock at the SIVC location, citing that the channel is deep and protected. Mr. Hopkins expressed to the board that he would support such a change in location. The manager concluded the conversation by informing the SIVC contingent that the district would be programming the replacement of the SIVC water main within the next two budget cycles but to prepare for the possibility of a slow start to 2023 as well.

5. **ADMINISTRATION**– The manager provided the board with Table 1- *Boothbay Region Water District Cash Account Status Report as of 25 October 2022*. The value for the billing for routes 3,4 & 13 to be released on 1 November 2022 was \$514,079.00. During the previous period the district received zero new service applications and added two (2) new customers.

Table 1 BOOTHBAY REGION WATER DISTRICT Cash Account Status Report as of 25 October 2022	
Account	Balance
Business Checking	\$ 25,340.90
Deposit Sweep Account	\$ 82,655.61
Liquidity Total	\$ 107,996.51
DESIGNATED FUNDS	
BBH 2007 Sinking Fund	\$ 20,344.96
Land Acquisition Fund	\$ 2,516.70
Capital Reinvestment Fund	\$ 77,479.85
Mt Dora Easement Escrow	\$ 4,789.88
Southport Sinking Fund	\$ 55,996.38
EBB Upgrade 91-20	\$ 62,306.26
Bank of Maine Unemployment CD	\$ 17,357.02
Designated Fund Total	\$ 240,791.05
TOTAL CASH RESERVES	\$ 348,787.56

- a. **BRWD Budget Performance Report as of 30 September 2022** – The AM provided the board with a detailed report citing that there were no anomalies detected at that time and that the district was on budget. The board reviewed the budget line item by line item with several questions satisfactorily answered.
- b. **Billing Software Update** – The AM provided the board with a status report concerning this effort detailing the several site visits the district had made to other water districts investigating different billing platforms as well as upcoming meetings with various vendors. The AM informed the board that a detailed proposal would be ready for the 2023 budget proposal.
- c. **Boothbay Property Tax Reimbursement** – On 24 October 2022, trustees Tibbetts and Blakeslee, as well as the manager attended the Boothbay Harbor Selectman meeting to discuss the letter authored by Trustee Blakeslee, and presented by same, concerning property tax reimbursement. After a clear presentation by Trustee Blakeslee outlining the effort, towns of Southport and Boothbay commitment and the reasoning of the proposal, the board of selectmen effectively rejected any voluntary participation with this effort.
- d. **Maine Department of Human Services, Center for Disease Control Tri-Annual Inspection** - On 19 October 2022 the district underwent the triannual inspection of operation conducted by the Drinking Water Program (DWP). The inspection began with a two-hour interview concerning management where capacity, current planning, financial competency, and ongoing programs were assessed. Of note our natural resources program, 5-Rivers, pending projects (i.e., water recycling) and Trustee Tibbetts insistence to fund depreciation through rates were of detailed interest by the inspection team. The inspection then transitioned to visiting the treatment plant, distribution division and visiting all satellite installations owned by the district. Upon conclusion of the inspection,

during the exit interview, the lead inspector informed the manager “that this normally does not happen, districts usually do not pass with no deficiencies noted”.

The manager informed the board that he was very proud of staff and what was being built here, immediately called an emergency meeting informing staff of districts success and issued the maximum bonuses as delegated to him by the trustees to reinforce exceptional behavior that is second to none.

The board directed the manager to pass along their congratulations to staff.

6. **NATURAL RESOURCES** - The following is a written report to the board, authored by the Natural Resource Program Manager (NRPM) –

McFarland property land acquisition loan: We received Maine Bond Bank approval for our loan application on September 28 and PUC approval on October 21. The timing on the funding will be driven by the Bond Bank, and by the fact that we need to wait for the 20-day PUC appeal period to run. Right now, we hope to have all the necessary documents for Board signatures at the November 22 trustees meeting. However, these documents must be generated by the Bond Bank and our bond counsel at Verrill Dana, so timing is not in our control.

There is one lake-friendly grant for an erosion control project on Knickerbocker Lake shoreline in this week's warrant.

7. **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)** – No change in status.

- i. **Trustee Job Description** – The board reviewed and approved a new policy covering the roles and responsibilities of trustees. *Trustee Climo motioned, Trustee Anthony second, vote: Yea unanimous.*

- b. **Training Update** – The manager reminded the board that the Maine Rural Water Association Annual meeting will be held this year at the Samoset in Rockport on 7 & 8 December 2022. Any trustees interested in joining in please let the AM know.

8. **TREATMENT DIVISION (TD)** – The manager reported current filter train efficiency for both filter and clarifier performance was 100% efficiency. Key chemical additions remained an average 25% below normal. For the previous period, finish water production averaged 0.3332 MGD, coming in under that recorded for the same period in 2021 which averaged 0.3701 MGD. Adams Pond had improved to 76% usable capacity equaling 188.8 MG in reserve.

- a. **Filter #1 Failure** – The manager reported that on 16 October 2022 Filter #1 failed due to an unknown break in piping under the filter drains. Overnight, due to the break approximately 1 yd³ of filter media was lost into the contact tank, verified by district personnel. The chairman and vice-chairman were requested to visit the plant wherein the manager decided rather than tear the filter apart at that time, take it out of service in that the overhaul was planned to start in less than a month. The filter is still

available for emergency use (i.e., a large fire) but further operation will result in a boil water order system wide. Because of this incident finish water turbidity has risen, still within legal parameters and stabilized, most likely due to the introduction of so much filter media into the clear well. The treatment plant operators are monitoring and have been directed to find a contractor to clean the tank, which is necessary post filter overhauls.

- b. **2022 Filter Overhaul** – On 14 October 2022 the garnet finally arrived. *Marcel Payeur* was scheduled to begin rehabilitation of Filter 1 on 14 November 2022.
 - c. **2022 Drought Report** - Since the previous report the Boothbay region has been downgraded to a D0 – Drought Status (Abnormally Dry). The D0 – Drought only persists in the Midcoast area. As a reminder, the drought scale is measured D0 (*Unusually Dry*), D1 (*Moderate Drought*), D2 (*Severe Drought*), D3 (*Extreme Drought*) and D4 (*Exceptional Drought*).
 - d. **Fluoride** –No change in status.
9. **DISTRIBUTION DIVISION (DD)** – The DD began seasonal shutdown on 20 October 2022. As of the meeting, meter recovery for meters directly under district control was nearly complete with stragglers remaining. The process for putting the system to bed would begin later in the week and continue for the next three weeks.
 10. **5 RIVERS REGIONAL WATER COUNCIL** – The manager reported that on 12 October 2022 he met with Wiscasset Water District (WWD), Great Salt Bay Sanitary District (GSBSD), Lincoln County and *Tata and Howard* to begin the process of Rt, 27/Rt.1 project planning including a plan to interconnect the district and GSBSD into the Midcoast grid. The plan once developed would consist of phases, which, over time, would bring sufficient infrastructure to the town lines of Edgecomb to be picked up by both utilities. Down the road there may be a request for cost sharing of certain costs which will be board to board discussions.

On 18 October 2022 the utility group met with Maine Emergency Management Agency (MEMA) and Federal Emergency Management Agency (FEMA Region 1) who were very interested in investing in this regional approach to emergency management. The manager informed the board that this combination of agencies brought significant funding to the table, which possibly would bring water well into Edgecomb in the 2020's. Developing the initial funding request will be a two-year minimum process but the district managers were very optimistic at the prospect of substantial financial support for this effort.

11. **LAND ACQUISITION UPDATE** –No change in status
12. **CAMERON POINT SEASONAL WATER MAINS** – No change in status

13. **OCEAN POINT WATER MAIN LOOPING PROJECT** – The manager reported the bid results as annotated in Table 2. The apparent low bidder was Sargent Corp of Stillwater, Maine with *Dirigo Engineering* reviewing the bids for completeness and a recommended award to be in the hands of the board at the 8 November 2022 trustee meeting.

Table 2 Boothbay Region Water District Ocean Point Road Interconnection Project 25 October 2022, 1400 Hr.	
Contractor	Bid
Sargent 378 Bennoch Rd. Stillwater Maine 04489	\$ 2,997,525.00
Crooker Construction P.O. Box 5001 103 Lewiston Rd. Topsham, Maine 04086	\$ 3,555,500.00
Ranger Construction 1 Savage St. Fairfield, Maine 04937	\$ 3,786,334.00

14. **FILTER WASTE RECYCLING PROJECT** – This project was in design. On 26 October 2022 the TD staff would be touring the Tewksbury (Massachusetts) Water Authority to evaluate the technology and process which *Dirigo Engineering* would be proposing for the project.
15. **SOLAR POWER** – Awaiting a call from *Revision Energy*.
16. **DEBT LIMIT** – After investigating the various options open to the district for adjusting the district’s debt limit, the manager presented two options to one, or a combination of the following:
- a. **Charter Change** – As a proposal, the manager recommended the district attempt to make the following change in language in the districts charter, which would require ratification by the local voters:

“The total indebtedness outstanding of the district may not exceed the sum of \$12,000,000 as established by the legislature in 2001, at any one time, being adjusted annually for inflation using generally accepted accounting principles or such other amount as may be established pursuant to this section.”

b. **Request for Increase per Current Charter** - As calculated using the “present value” the following calculation was used. and in accordance with the charter language below.

$$\text{Value (as of 10/20/22)} = \text{Value (2001 \$12M)} \times \frac{\text{CPI (10/20/22)} \quad 125.76}{\text{CPI (2001)} \quad 74.71} = \text{\$20,200,885.95}$$

“Notwithstanding the limitation on total indebtedness established in this section, the trustees of the district may propose a different debt limit and submit that debt limit for districtwide approval in a referendum held in accordance with this section. The referendum must be called, advertised, and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare nor the clerk to post a new list of voters. For the purpose of registering voters, the registrar of voters must be in session on the regular workday preceding the election. The question presented must conform to the following form:

"Do you favor changing the debt limit of the Boothbay Region Water District from \$12,000,000.00 limit to \$20,000,000.00?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the question”

17. **BARTERS ISLAND WATER MAIN IMPROVEMENT PROJECT** – All materials have been ordered from *EJ Prescott* with delivery expected within a week. This week we are concentrating on securing laydown and work areas on the island.
18. **2022 REVISIONS OF THE LEAD AND COPPER RULE** – As directed, the manager investigated the possibility of leading a charge to amend these rules to leave out districts that comply with the current lead and copper rule and its analytics. The manager stated that he met with the executive director for the Maine Rural Water Association and discussed the concept with high level management of the DWP what options would be available. In short, there were none! An insurrection against federal rules, no matter how stupid or “knee jerk”, such as these, would be futile and have zero support from the state. The board reluctantly informed the manager to proceed and bring the district into compliance within the specified timeframe.
19. The meeting was adjourned at 2005 hr.
Trustee Climo motioned, Trustee Tibbetts second, vote: unanimous.

END OF MINUTES