

**KENNEBEC WATER DISTRICT
REGULAR BOARD OF TRUSTEES MEETING
THURSDAY – NOVEMBER 16, 2023 at 7:30 AM**

The meeting was called to order at 7:30 a.m. by President Stabins.

Trustees present: Amy Stabins, President; Frank Richards, Vice-President; J. Michael Talbot, Treasurer; Jeff Earickson, Assistant Treasurer; Sarah Whateley, Clerk; Bruce Williams, Trustee; Mark McCluskey, Trustee; Denise Bruesewitz, Trustee (Remote Access); Ben Murray, Trustee

Trustees absent: Allan Fuller, Trustee

Denise Bruesewitz, Trustee, joined the meeting at 7:35 a.m. and left the meeting at 8:00 a.m.

Also present: Roger Crouse, KWD General Manager; Amy Dyer, KWD Finance Manager; Jeff Longfellow, KWD Engineering Manager (Remote Access); Matt Zetterman, KWD Technology Manager (Remote Access); Jared Bragdon, KWD Distribution Manager (Remote Access); Robbie Bickford, KWD Water Quality Manager (Remote Access); Sue Markatine, KWD Recording Secretary

ITEM 1: INTRODUCTION OF GUESTS

Mr. Ken Sansone, partner at SL Environmental Law Group PC, joined the meeting remotely for the PFAS settlement discussion.

ITEM 2: REVIEW AND APPROVE THE MINUTES OF THE REGULAR BOARD OF TRUSTEES' MEETING OF NOVEMBER 2, 2023.

Motion by Trustee Talbot, "to accept the minutes of the Regular Board of Trustees' meeting of November 2, 2023," seconded by Trustee Richards.

Vote: Motion carried unanimously.

ITEM 3: PFAS SETTLEMENT DISCUSSION

The Trustees were provided with a memo from Mr. Crouse and an attorney-client communication from Environmental Health & Engineering, Inc. regarding the good-faith estimate settlement amount resulting from the 3M and DuPont national settlements to resolve all PFAS-related drinking water claims. Mr. Sansone reviewed the legalities of the multi-district litigation against 3M and DuPont, explained the means in which the estimated settlement amounts are proportionally calculated, and answered questions from the Board members. SL Environmental will also continue to represent KWD and other public water systems for the remaining lawsuits against smaller manufacturers which have not been resolved. After weighing the pros and cons of remaining in the 3M and DuPont settlements or opting out to pursue individual lawsuits, a motion was proposed.

Motion by Trustee McCluskey, "to remain as participants in the 3M and DuPont settlement," seconded by Trustee Williams.

Vote: Motion carried unanimously.

ITEM 4: REVIEW AND APPROVAL OF ACCOUNT WARRANT

Motion by Trustee Talbot, “to ratify the November 16, 2023, total warrant of checks released for \$99,601.16,” seconded by Trustee Earickson.

Vote: Motion carried unanimously.

ITEM 5: REVIEW OF OCTOBER 2023 FINANCIAL REPORTS

The Trustees were provided with the October 2023 Financial Statements and Accounts Receivable Aging Report, and a brief review was conducted.

ITEM 6: APPROVALS/MOTIONS NEEDED

A. Approval of Changes to Personnel Manual

The Trustees were provided with a request for authorization memo seeking approval for and outlining the modifications to the KWD Personnel Manual. Mr. Crouse explained the proposed changes and answered questions from the Board members.

Motion by Trustee Richards, “to approve the modifications to the KWD Personnel Manual,” seconded by Trustee Earickson.

Vote: Motion carried unanimously.

ITEM 7: GENERAL MANAGER’S REPORT

The Trustees were provided with the General Manager’s report, and a brief review was conducted by Mr. Crouse.

Referring to his report, Mr. Crouse informed the Board that initial negotiations with the Teamsters Union for the new contract were rescheduled by the Teamsters Business Representative from November 13, 2023, to November 20, 2023.

Motion by Trustee Talbot, “to accept the General Manager’s Report as presented,” seconded by Trustee McCluskey.

Vote: Motion carried unanimously.

ITEM 8: TRUSTEE COMMENTS, CONCERNS, AND/OR IDEAS

Trustee Earickson initiated a discussion on the KWD methodology of rate setting. Because the last cost of service study was conducted in the 1990s, he suggested budgeting for an updated review on the mechanics of KWD’s rate structure in 2024.

Trustee Stabins reminded the Trustees that the election for the new KWD Board Officers will occur at the annual meeting on January 4, 2024.

At Trustee McCluskey's request, Mr. Bragdon recapped the events of the main break incident which occurred in Fairfield the evening of November 15, 2023.

ITEM 9: PUBLIC PARTICIPATION

None

**ITEM 10: AS NEEDED: EXECUTIVE SESSION – MRS TITLE 1, §405:
EXECUTIVE SESSIONS SECTION 6**

None

Motion by Trustee Earickson, "to adjourn the meeting," seconded by Trustee McCluskey.

Meeting adjourned at 8:40 a.m.

Sue Markatine, Recording Secretary