

**KENNEBEC WATER DISTRICT
REGULAR BOARD OF TRUSTEES MEETING
THURSDAY – SEPTEMBER 5, 2024 at 7:30 AM**

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

Trustees present: Frank Richards, President; Ben Murray, Vice-President; Jeff Earickson, Treasurer; Sarah Whateley, Clerk; Denise Bruesewitz, Trustee (Remote Access); Allan Fuller, Trustee; Amy Stabins, Trustee (Remote Access); Bruce Williams, Trustee

Trustees absent: J. Michael Talbot, Assistant Treasurer; Mark McCluskey, Trustee

Denise Bruesewitz, Trustee, left the meeting at 8:20 a.m.

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

ITEM 1: INTRODUCTION OF GUESTS

Mr. Gill from KWD’s financial auditing firm, Runyon Kersteen Ouellette (RKO), attended the meeting via Zoom and was welcomed by the Board members.

ITEM 2: REVIEW AND APPROVE THE MINUTES OF THE REGULAR BOARD OF TRUSTEES’ MEETING OF AUGUST 15, 2024.

Motion by Trustee Fuller, “to accept the minutes of the Regular Board of Trustees’ meeting of August 15, 2024,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

ITEM 3: REVIEW ANNUAL AUDIT REPORTS WITH TIM GILL, RKO

Mr. Gill conducted a PowerPoint presentation of the 2023 audit results and financial overview. He informed the Trustees that the audit went very well, staff were well prepared, and there were no significant findings or comments for improvement.

On behalf of the Board members, President Richards thanked Mr. Gill for his review of the 2023 KWD audited financial reports and thanked Ms. Dyer for her continued excellent job performance.

ITEM 4: REVIEW AND APPROVAL OF ACCOUNT WARRANT

Motion by Trustee Earickson, “to ratify the September 5, 2024 total warrant of checks released for \$316,490.93,” seconded by Trustee Williams.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

ITEM 5: APPROVALS/MOTIONS NEEDED

A. Payment to Tyler Technologies for Annual Application Services (Licensing, Software as a Service, etc.) for Software used for Billing, General Ledger, Payroll, Record Retention, Asset Management, etc. – \$57,316.89 – a 5 Percent Increase Over 2023 (2023 Payment – \$54,587.51.)

Mr. Crouse informed the Trustees that the renewal fee with Tyler Technologies for the annual software application services is now due. The contract includes support, upgrades, information back-up, and security services. In response to questions by the Trustees, Mr. Zetterman stated there were no new applications added, and Ms. Dyer stated this is an annual budgeted line item.

Motion by Trustee Earickson, “to authorize the payment to Tyler Technologies for the annual software application services in the amount of \$57,316.89,” seconded by Trustee Fuller.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

B. BASF & Tyco PFAS Settlements

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 BASF Corporation and Tyco Fire Products LP national settlements to resolve PFAS-related drinking water claims. After a brief discussion, a motion was proposed.

Motion by Trustee Fuller, “to remain as participants in the BASF Corporation and Tyco Fire Products LP settlement,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

C. South Street Buildings Demolition

The Trustees were provided with a request for authorization memo which included proposals from four bidders for the demolition of KWD’s unused building, garage, and small storage building at 6 South Street, Waterville. Mr. Crouse and Mr. Longfellow answered questions from the Board members regarding this job.

Motion by Trustee Williams, “approve the agreement with the William Musher, Inc., the low bidder, to demolish and dispose of the aforementioned KWD buildings at 6 South Street for \$26,750.00,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

D. WaterSmart Agreement Renewal

The Trustees were provided with a sole-source request memo to approve a five-year agreement with VertexOne for WaterSmart which is the Online Customer Portal service provided to KWD customers. Mr. Zetterman explained the features, advantages, and customer convenience this portal provides and answered questions from the Trustees.

Motion by Trustee Earickson, “to approve the five-year agreement with VertexOne for WaterSmart for \$101,935.49 plus annual fees,” seconded by Trustee Fuller.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Nay. Motion carried.

E. Purchase of Cationic Polymer

The Trustees were provided with a sole-source memo for the purchase of cationic polymer from Nalco Chemical Company. The bid process was not utilized because this is a proprietary formula based on raw water quality, has continued to perform proficiently, and is only manufactured by Nalco Chemical Company.

Motion by Trustee Stabins, “to approve the sole-source agreement to purchase 10,734 pounds (1,200 gallons) of cationic polymer from Nalco Chemical Company for \$25,387.00,” seconded by Trustee Fuller.

Mr. Bickford explained that exploring a different vendor would require costly studies and trials to ensure similar or improved water quality results. The potential of meaningful overall cost savings could be low as the new chemical could be comparable in price, could necessitate an increase in dosage, and could create an increase in alum residuals produced. A few of the Trustees requested a cost analysis for the study, a gathering of price comparisons (although would not be of the identical chemical composition), and a pricing history.

After additional discussion, motion by Trustee Williams, “to move the question,” seconded by Trustee Earickson. At this time, the original motion was put to a vote.

Roll Call Vote: Trustee Earickson – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Nay, Trustee Whateley – Yea, Trustee Williams – Nay. Motion carried.

F. Ratification of Collective Bargaining Agreement with Teamsters Local 340

The Trustees were provided with a request for Board ratification of the three-year, January 1, 2024 through December 31, 2026, collective bargaining agreement with Teamsters Local 340, a summary of the proposed changes, and a copy of the full agreement with proposed changes. Mr. Crouse reviewed the significant changes and answered questions from the Trustees.

Motion by Trustee Earickson, “to execute the union contract between Kennebec Water District and Teamsters Local Union 340 covering the three-year period from January 1, 2024 through December 31, 2026,” seconded by Trustee Williams.

Roll Call Vote: Trustee Earickson – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

G. Approval of Personnel Manual Changes

The Trustees were presented with a memo requesting approval for modifications to the KWD Personnel Manual, a summary of the proposed changes, and a copy of the full Personnel Manual with proposed changes. Several changes are to align the Personnel Manual with the recent modifications to the union contract and others are to improve clarity, formatting, and grammar.

Motion by Trustee Williams, “to approve the proposed modifications to the KWD Personnel Manual,” seconded by Trustee Murray.

Roll Call Vote: Trustee Earickson – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

H. Approval of Sale of Truck #1 (If Appropriate)

The Trustees were informed that the bid price for the sale of the KWD construction truck as a result of the auction held by GovDeals was too low. Therefore, KWD staff are exploring different avenues for the sale of this vehicle.

Motion by Trustee Williams, “to table this motion until a qualified bid price is available,” seconded by Trustee Fuller.

Roll Call Vote: Trustee Earickson – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

ITEM 6: 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 commended the dedication of the KWD staff while addressing several recent main breaks. KWD staff have potentially identified the cause triggering these many breaks and are addressing the situation.

Trustees were invited to attend the all-staff meeting scheduled for September 25, 2024.

On behalf of the Board members, President Richards thanked Mr. Crouse for the review of the General Manager’s report.

ITEM 7: DEPARTMENT REPORTS

As part of their Board packet, the Trustees were provided with the Monthly Department Reports prepared by the respective managers.

At Trustee Earickson's request, Mr. Crouse and Mr. Bickford recapped the progress of the KWD database development of the types of pipe material of the customer-owned portion of the water service and the types of pipe material of the KWD-owned portion of the water service. This information is a requirement of the US Environmental Protection Agency's Lead and Copper Rule Revisions.

On behalf of the Board members, President Richards thanked the Department Managers for their reports.

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

At Trustee Fuller's request, Mr. Crouse reviewed the information which will be presented at the public hearing being held for the pending rate increases.

ITEM 9: PUBLIC PARTICIPATION

None

ITEM 10: AS NEEDED: EXECUTIVE SESSION – 1 MRS §405. EXECUTIVE SESSIONS

None

ITEM 11: ADJOURNMENT

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

Roll Call Vote: Trustee Earickson – Yea, Trustee Richards – Yea, Trustee Stabins – Yea, Trustee Murray – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

Meeting adjourned at 9:00 a.m.

Sue Markatine, Recording Secretary