

**KENNEBEC WATER DISTRICT
REGULAR BOARD OF TRUSTEES MEETING
THURSDAY – SEPTEMBER 18, 2025 at 7:30 AM**

The meeting was called to order at 7:35 a.m. by President Richards.

Trustees present: Frank Richards, President; Ben Murray, Vice-President; Jeff Earickson, Treasurer; J. Michael Talbot, Assistant Treasurer; Sarah Whateley, Clerk; Mark McCluskey, Trustee; Allan Fuller, Trustee

Trustees absent: Amy Stabins, Trustee; Matthew Bulmer, Trustee

Also present: Roger Crouse, KWD General Manager; Amy Dyer, KWD Finance Manager; Matt Zetterman, KWD Engineering Manager; Jared Bragdon, KWD Distribution Manager (Remote Access); Robbie Bickford, KWD Water Quality Manager (Remote Access); Max Kenney, KWD Senior Project Manager; Lucas Ramsey, KWD IT Technician (Remote Access); Sue Markatine, KWD Recording Secretary

ITEM 1: INTRODUCTION OF GUESTS

Mr. Nate Quirion, Winslow resident and KWD customer, (joined the meeting at 7:30 a.m. and left the meeting at 7:50 a.m.).

ITEM 2: REVIEW AND APPROVE THE MINUTES OF THE REGULAR BOARD OF TRUSTEES' MEETING OF AUGUST 7, 2025

Motion by Trustee Talbot, "to accept the minutes of the Regular Board of Trustees' meeting of August 7, 2025," seconded by Trustee McCluskey.

Vote: 6 in favor, Trustee Murray abstained, motion carried.

ITEM 3: REVIEW AND APPROVAL OF ACCOUNT WARRANT

Motion by Trustee Earickson, "to ratify the September 18, 2025 total warrant of checks released for \$933,002.89," seconded by Trustee Talbot.

Vote: Motion carried unanimously.

At this time, Mr. Quirion provided testimony and submitted a picture and expense estimates to clean up his garage area, storage room area, and driveway area which were damaged by sediment and water due to a water main break. Mr. Crouse explained that a claim for this damage was submitted to KWD's insurance carrier; however, due to the Maine Tort Claims Act, KWD was not found liable, and the claim was denied. Mr. Quirion also submitted this claim to his insurance carrier; however, the claim was also denied.

Motion by Trustee Earickson, "to reimburse Mr. Quirion for up to \$2,500.00 for actual clean up expenses incurred," seconded by Trustee Talbot.

Mr. Quirion answered questions as the Trustees discussed this situation.

Motion by Trustee Earickson, "to move the question," seconded by Trustee Talbot.

Vote: 6 in favor, Trustee Fuller opposed, motion carried.

Vote on original motion: 6 in favor, Trustee Fuller opposed, motion carried.

ITEM 4: REVIEW OF JULY AND AUGUST 2025 FINANCIAL REPORTS

The Trustees were provided with the July and August 2025 Financial Statements and Accounts Receivable Aging Reports, and a brief review was conducted.

On behalf of the Board members, President Richards thanked Ms. Dyer for the review of the financial statements.

ITEM 5: CONTINUATION OF DISCOUNTED WATER RATE FOR MAINE WATER COMPANY – OAKLAND DIVISION

Mr. Crouse began by reviewing the history of how Maine Water Company, which provides water for a portion of the Town of Oakland, became a customer of KWD and the interconnection agreement between the two. Presently, there is a contract discounting the water sales by \$0.20 per 100 cubic feet between KWD and Maine Water Company. This five-year contract is set to expire in November 2025. During the 2020 contract discussion, the Board expressed a desire to consider phasing out the \$0.20 per 100 cubic feet discount in 2025. Mr. Crouse mentioned he has been in contact with Mr. Mark Vannoy, President of the Maine Water Company, and he is aware there is a possibility the discount will be phased out.

Motion by Trustee Earickson, “to terminate the agreement with Maine Water Company – Oakland Division as of November 7, 2025,” seconded by Trustee Talbot.

Vote: Motion carried unanimously.

ITEM 6: PRESENTATION ABOUT NON-CONFORMING AND NEW WATER SERVICES

Mr. Zetterman and Mr. Kenney conducted part one of a PowerPoint presentation explaining the circumstances of, challenges of, and necessity for corrective measures for non-conforming customer services. (Part two of the presentation for subsidizing new water services will be conducted at the October 2, 2025, meeting.) This presentation was a means to explain the need for a policy for correcting non-conforming services with KWD funds. Mr. Zetterman and Mr. Kenney have been in contact with the Maine Public Utilities Commission to ensure this policy is within compliance.

There was a lengthy question and answer period regarding the details of this potential policy followed by a motion to table agenda Items 7. A. and 7. B. for continued discussion at the October 2, 2025, meeting.

Motion by Trustee Earickson, “to table agenda item 7. A. Adoption of Policy for Addressing Non-Conforming Water Services and agenda item 7. B. Adoption of Policy for Subsidizing New Water Services,” seconded by Trustee Fuller.

Motion carried unanimously.

ITEM 7: APPROVALS/MOTIONS NEEDED

A. Adoption of Policy for Addressing Non-Conforming Water Services

This agenda item was tabled.

B. Adoption of Policy for Subsidizing New Water Services

This agenda item was tabled.

C. Payments 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. – \$60,182.73 a five-percent increase over 2024 (2024 Payment – \$57,316.89)

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.

Motion by Trustee McCluskey, “to authorize the payment to Tyler Technologies for the annual software application services in the amount of \$60,182.73,” seconded by Trustee Fuller.

Vote: Motion carried unanimously.

D. Approval of Proposed Changes to KWD’s Salary Administration Policy

The Trustees were provided with a request for authorization memo to approve the changes to the Salary Administration Policy and a copy of the potential new policy. Mr. Crouse reviewed that KWD adopted the first Salary Administration Policy in September 2020 which included a provision to solicit a compensation market rate comparison every three to five years. In March 2025, KWD entered an agreement with Career Management Associates (CMA) to evaluate KWD employees’ compensation versus the market. In addition, a Compensation Study Committee consisting of Trustee Richards, Trustee Fuller and KWD staff was formed. Mr. Crouse explained the proposed changes to the Salary Administration Policy which resulted from the study and committee findings and answered questions from the Board members. Trustee Richards and Trustee Fuller also commented on CMA’s sophistication of knowledge and the constructive and effective process to determine the salary revisions.

Motion by Trustee Earickson, “to approve the changes to the Salary Administration Policy which includes the changes proposed through the Career Management Associates compensation study,” seconded by Trustee McCluskey.

Vote: Motion carried unanimously.

E. Approval of Bond Resolution for Borrowing for Service Line Investigation Work - \$410,000

The Trustees were provided with the borrowing resolution for the Service Line Inventory Project for their review. (See full resolution following conclusion of the minutes.) These projects are required by the U. S. Environmental Protection Agency’s Lead and Copper Rule Revisions and Lead and Copper Rule

Improvements to identify and verify the material composition for KWD owned service lines and customer owned service lines. Mr. Crouse reviewed the details of this interim loan, explaining the funds are for both past project work and future project work, and answered questions from the Board members.

Motion by Trustee McCluskey, “to adopt the 2025 Maine Municipal Bond Bank Service Line Inventory Project Resolution for \$410,000.00,” seconded by Trustee Earickson.

Vote: Motion carried unanimously.

F. Approval of Agreement for Pavement Restoration

The Trustees were provided with a request for authorization memo which included a proposal from one bidder (KWD solicited eight firms) for pavement restoration work due to a water main break on the Skowhegan Road in Fairfield.

Motion by Trustee Fuller, “to accept the bid from Bard and Sons Paving to complete pavement restoration work on the Skowhegan Road, Fairfield, for \$21,500.00,” seconded by Trustee McCluskey.

Vote: Motion carried unanimously.

ITEM 8: GENERAL MANAGER’S REPORT

The Trustees were provided with the General Manager’s report for their review.

ITEM 9: DEPARTMENT REPORTS

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

ITEM 10: TRUSTEE COMMENTS, CONCERNS, AND/OR IDEAS

None

ITEM 11: PUBLIC PARTICIPATION

None

ITEM 12: AS NEEDED: EXECUTIVE SESSION – 1 MRS §405. EXECUTIVE SESSION

None

ITEM 13: ADJOURNMENT

Motion by Trustee Talbot, “to adjourn the meeting,” seconded by Trustee McCluskey.

Vote: Motion carried unanimously.

Meeting adjourned at 9:21 a.m.

Sue Markatine, Recording Secretary

KENNEBEC WATER DISTRICT**2025 Maine Municipal Bond Bank –Service Line Inventory Project (\$410,000.00)**

The Kennebec Water District (the “**District**”) hereby resolves as follows:

1. Pursuant to Chapter 200 of Private and Special Laws of 1899, as amended, the District is hereby authorized to borrow up to the aggregate principal amount of Four Hundred Ten Thousand and 00/100 Dollars (\$410,000.00) (the “**Loan**”) from the Maine Municipal Bond Bank, Augusta, Maine (the “**Bond Bank**”), with up to Two Hundred Twenty Five Thousand and 00/100 Dollars (“\$225,500”) in loan forgiveness, subject to approval from the Bond Bank, and to execute and implement a Loan Agreement with the Bond Bank in the form prescribed by the Bond Bank (the “**Loan Agreement**”) for the purpose of financing the District’s Service Line Inventory Project, together with related costs and expenses, including the costs of issuance (collectively, the “**Project**”).
2. Pursuant to the Loan Agreement, and as evidence of the Loan, the District is hereby authorized to issue and sell to the Bond Bank interest bearing and/or non-interest bearing note(s) or bond(s) of the District in the aggregate principal amount of up to Four Hundred Ten Thousand and 00/100 Dollars (\$410,000.00) (the “**Bonds**”).
3. The Bonds shall bear such date or dates as the Bond Bank shall request, bear such interest rate or rates, be in such denominations, maturities, and be redeemable at such price or prices, all as shall be set forth in the Loan Agreement and the Bonds, and as may hereafter be determined by the Treasurer and the President of the Board of Trustees to be necessary or advisable, the execution of the Loan Agreement and the Bonds to be conclusive evidence of their determination of the terms and provisions thereof.
4. Each of the Bonds shall bear on its face the words “Kennebec Water District” and shall be signed by the Treasurer and shall be countersigned by the manual or facsimile signature of the President of the Board of Trustees of the District, and shall be in substantially the same form as prescribed in the Loan Agreement or otherwise as prescribed by the Bond Bank.
5. In anticipation of the Bonds heretofore authorized, the District is also hereby authorized to borrow the aggregate principal amount of up to Four Hundred Ten Thousand and 00/100 Dollars (\$410,000.00) from the Bond Bank for the Project (the “**SRF Interim Loan**”); (ii) to execute and deliver a Loan Agreement with the Bond Bank in the form prescribed by the Bond Bank (the “**SRF Interim Loan Agreement**”) for the SRF Interim Loan; and (iii) to execute and deliver to the Bond Bank a note in anticipation of the Bonds in the aggregate principal amount of up to Four Hundred Ten Thousand and 00/100 Dollars (\$410,000.00) (the “**SRF Interim Note**”) for the Project, in the form prescribed by the Bond Bank. The SRF Interim Note shall be sold at the par value thereof to the Bond Bank, bear interest at a rate determined by the Bond Bank, and shall mature upon the issuance of the Bonds, or 12 months from the date of the SRF Interim Note, whichever occurs first. The SRF Interim Loan and SRF Interim Note shall contain such other terms and provisions as may hereafter be determined by the Treasurer and President of the Board of Trustees to be necessary or advisable, their execution of the SRF Interim Loan Agreement and the SRF Interim Note to be conclusive evidence of their determination of the terms and provisions thereof.

6. The SRF Interim Note shall bear on its face the words “Kennebec Water District” and “General Obligation Note” and shall be signed by the Treasurer and shall be countersigned by the manual or facsimile signature of the President of the Board of Trustees of the District.
7. The District covenants to establish, maintain, revise, and collect rates and charges for water services furnished by the District sufficient to provide revenues to pay when due current expenses of operating and maintaining the water system; to pay when due interest on the outstanding indebtedness of the District incurred or assumed for District purposes; and to pay or provide for the payment of all indebtedness created or assumed by the District.
8. All actions taken to date by the Board of Trustees and the officers of the District with respect to the authorization, execution, issuance, and/or sale, as applicable, of the Project, the Loan Agreement, the Loan, the Bonds, the SRF Interim Note, the SRF Interim Loan, and the SRF Interim Loan Agreement, and that are not inconsistent with the foregoing resolutions, are hereby ratified and confirmed. The President of the Board of Trustees, Treasurer, General Manager, and other officers of the District are, and each of them singly is, hereby authorized to take such action, and to execute and deliver the following with respect to the Bonds and with respect to any SRF Interim Note (and we hereby ratify the execution and delivery of any such documents that have previously been executed and delivered on behalf of the District): a Signature and No Litigation Certificate, and such additional documents, certificates and instruments and any amendments thereto as may be deemed by them as necessary or appropriate to effectuate the issuance of the Bonds and SRF Interim Note heretofore authorized.
9. Any prior resolutions of the Trustees restricting the amount of authorized loans or issuance of bonds and notes, to the extent they conflict with the foregoing resolutions, are hereby superseded.