

12 December 2017

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: **MINUTES FOR THE TRUSTEE MEETING 28 NOVEMBER 2017**

The Board of Trustees convened at 1800 hrs. **In attendance:** Trustee Pinkham, Boothbay Harbor (Chairman); Trustee Gamage, Southport (Vice-Chairman); Trustee Climo, Southport (Clerk); Trustee Lewis, Boothbay (Treasurer); Trustee Marston, At-Large; Trustee Anthony, Boothbay; Trustee Tibbetts, Boothbay Harbor; Jonathan Ziegler, Manager. **Guest:** Ms. Susan Mello, Natural Resources Program Manager. **Absent:** None.

1. The board approved the minutes for 14 November 2017 without revisions.
Trustee Climo motioned, Trustee Marston second, vote unanimous
2. The **Payroll** for weeks ending 14 November 2017 & 21 November 2017.
Trustee Gamage motioned, Trustee Climo second, vote unanimous
3. The **Transactions** for 13 November 2017 through 24 November 2017 were approved.
Trustee Climo motioned, Trustee Gamage second, vote unanimous
4. **FINANCIAL** – The manger provided the board with Table 1 - *Boothbay Region Water District Cash Status Report as of 28 November 2017*. The December billing had been issued equaling \$47,566.99. The manager informed the board that he was not ready to begin paying off the line of credit or sinking funds at that time considering the large amount of billing not yet received, but with the volume of cash coming in on a daily basis he would address these matters with the board in early-December.

On 15 November 2017 the manager reported that he had submitted comments to the Maine Public Utilities Commission (PUC), on behalf of the district, concerning Docket #2017-00252 which is an amendment to PUC Chapter 660 which would effectively elevate the status of landlords with single metered, multiunit rental properties above all others with regard to notification and shutoff for non-payment. The manager apologized for only lightly discussing the policy statement submitted to PUC with the board prior to his submission but because of timing and the fact that the proposal was so unfair to every other rate payer, the unreasonable specter of extra costs for the district to comply with the proposed rule and the structure of the ruling making the it next to impossible to shut off these services due to enhanced notification requirements to “deadbeat” landlords, the manager explained he felt he was on solid ground with the trustees based on past practices of the board. After reviewing the materials supplied to the board, trustee Marston was “astounded” by the proposal originating from the Office of Public Advocate and supported the district’s reaction.

| Table 1 BOOTHBAY REGION WATER DISTRICT Cash Account Status Report as of 28 November 2017 | |
|---|----------------------|
| Account | Balance |
| Business Checking | \$ 225,634.24 |
| Deposit Sweep Account | \$ 25,000.00 |
| Liquidity Total | \$ 250,634.24 |
| DESIGNATED FUNDS | |
| BBH 2007 Sinking Fund | \$ 18,325.35 |
| Land Acquisition Fund | \$ 14.65 |
| Capital Reinvestment Fund | \$ 1.17 |
| Mt Dora Easement Escrow | \$ 4,768.50 |
| EBB Upgrade 91-20 | \$ 2,409.75 |
| Bank of Maine Unemployment CD | \$ 10,431.66 |
| Designated Fund Total | \$ 35,951.08 |
| TOTAL CASH RESERVES | \$ 286,585.32 |

5. NATURAL RESOURCES PROGRAM –The following written report was provided by, and delivered by the Natural Resources Program Manager:

1) Land Acquisition: Report on potential Farrin property acquisition attached. Biggest new finding is that deed on water district property adjacent to Farrin’s gravel pit restricts any commercial use or stockpiling so transfer of any of this property to Farrin, as discussed on 14-November runs counter to the deed. Appraisal of Clifford property was provided to Cliffords and they are not pleased with dollar value. They have been informed that they can choose another appraiser or discuss further with our appraiser and we are open to reconsideration of value based on another appraisal. Ball is in their court.

We asked Verrill Dana if we could set up an account to accept funds for land acquisition from outside donors. This would give us the opportunity to be more pro-active on land acquisition funding. See attached email from Brian Marshall. Basically, the District has 3 options: 1) Set up account within existing BRWD structure - this may need PUC approval and IRS confirmation that gifts would be tax-exempt (these are still unknowns); 2) set up new 501(c)(3) nonprofit with BRWD Board of Trustees on its board, just need to set up and get IRS approval, and 3) partner with land trust, under a formal agreement, so they accept funds/purchase land - downside is BRWD loses control. Brian is still researching option 1, so we will be back to this at a later date.

2) CMBG: The Town issued a stop work order on 17-November, which allows CMBG to use parking lots in the watershed overlay during Gardens Aglow and allows work outside watershed overlay to continue with caveats. CMBG has asked Board of Appeals to reconsider its case and BOA has set a meeting date of December 12. A big issue is determining what watershed boundary line will be enforced by town. CMBG is pushing to keep the watershed land they have filled and diverted away from Knickerbocker Lake to Back River. We need more info on town’s interpretation of the line and may need to provide comments to Board of Appeals either prior to or at 12-December meeting. Attached are stop work order, letter from Anthony family attorney and CMBG reconsideration letter.

(Note: the board discussed the 12 December 2017 Board of Appeals meeting wherein, upon the manager’s recommendation, the district representative would be the NRPM with the full board, minus trustee Anthony who recused himself from the ongoing disagreements between the district

and CMBG due to a possible conflict-of-interest, available to storm the BOA meeting should the district's interests be threatened.)

3) *Inland Fish and Wildlife conducted gill net surveys in Knickerbocker and Adams Pond last summer. Preliminary results are in and indicate stocked trout species are not making it through their first winter in Adams Pond but are doing well in Knickerbocker. Reports attached.*

4) *We have begun the process of pulling together 2017 lake monitoring data and have completed data reports to state. Attached are the aquatic plant screening surveys for 2017. Good news is, to date, we have not documented any invasive plant species in either lake. These reports will be shared with the public.*

6. **SAFETY & TRAINING UPDATE** – The manager reported no injuries, safety violations or known missed inspections during the previous period.
 - a. **Human Resources** – Negotiations with Teamsters Local #340 were set to begin Thursday, 30 November 2017 at 1500 hr. in the Administration Office.
 - b. **Training Update** – Fire Chiefs meeting remained unscheduled with a target of the second week in December. The manager reported that he had signed up the entire crew for much needed training credit hours at the annual Maine Rural Water Conference in Bangor on 6 & 7 December 2017. To refresh the board, the NRPM would be accepting the 2017 Andrews L. Tolman, Maine Source Water Protection Award on 6 December 2017.
7. **TREATMENT DIVISION (TD)** — The manager reported filter train efficiency had dropped due to the degradation of raw water quality as a result of pond “turnover” as well as possibly work in, or around Boothbay center. Filter efficiency was reported to be 91.6% with clarifier efficiency remaining at 100%. As expected both sodium hydroxide and aluminum sulfate dosing rates were also elevated by approximately 25% for the time of year. Finish water flow remained below average with daily production at 0.2832 MGD.

Clean Harbors would service the district's oil/water separator on 4 December 2017.

Sample floats, docks and buoys for both Adams Pond and Knickerbocker Lake had been recovered and properly stored for winter.

- a. **Drought Monitoring** – The Boothbay region remains D0 – *Unusually Dry* condition. The scale measures from D0 – *Unusually Dry* to D4 – *Exceptional Drought*. As of this morning Adams Pond has in reserve 206 MG as compared to the previous report of 202 MG.
- b. **Transfer Switch Problem** – The manager provided the board with a proposal from MidCoast Electric to replace the entire transfer switch and move its care from Power Products to their responsibility. The proposed cost of replacing the transfer switch was \$15,975.00. The manager strongly advocating for this action to be approved by the board in that he was no longer comfortable with generator maintenance contractors, whoever that may be in the future, from successfully and dependably maintaining this critical piece of equipment. Trustee Tibbetts inquired of the manager if he had put this work out for bids or quotes. The manager answered the district had a long-standing and successful contractual relationship with Mid-Coast Electric, their past work at the district had been impeccable, they had unparalleled expertise in their

organization with regard to heavy industry maintenance work and there was evidence that the existing switch may have taken on more damage than previously identified requiring high functioning electricians to make right. The manager iterated that his most overriding concern was for personnel safety in that if the switch remained out-of-service much longer the greater the unnecessary life safety exposure projected on staff for interim operational procedures switching from shore power to backup power and vice versa. The board approved the manager's request for this unbudgeted upgrade to the Adams Pond Treatment Plant.

Trustee Marston motioned, Trustee Climo second, vote unanimous

8. **DISTRIBUTION DIVISION (DD)** – The manager reported that since the previous meeting the DD had concentrated on correcting “whiteboard projects”, picking up straggler seasonal shutdowns off of year-round water mains and dealing with a surprisingly high number of new service applications requiring estimates. In the previous period the DD responded to, and completed 18 DigSafe notifications.

On 27 November 2017 the manager reported that he and the distribution foreman met with Mr. Jeremy Parker, Government Fleet Sales Representative, O'Connor GMC Inc. where in the Distribution Foreman selected the new body style for service trucks moving forward. The manager reported that the selection was revenue neutral with regard to the previously reported negotiated price with the manager reporting the new boxes were designed to easily outlast two (2) chassis of which the manager reminded the board, was the measuring stick for new services boxes. The manager informed the board that the new replacement truck rolled off the assembly line three-weeks prior and was now in Augusta being lined up for outfitting. The manger expected delivery in mid-December.

- a. **New Building Status Report** – Nothing new to report
 - b. **Uni-Directional Flushing Plan** – Nothing new to report
 - c. **Thompson Standpipe Security Breach** – The manager requesting an executive session pursuant to 1 M.R.S.A. §405(6)(D) *discussion of confidential records per Public Health Security and Bioterrorism Preparedness and Response Act of 2002* to discuss security enhancements at this installation. The board agreed to take this matter up in “New Business”.
9. **5 RIVERS REGIONAL WATER COUNCIL** – Nothing new to report
 10. **LAND ACQUISITION UPDATE** – Nothing new to report

11. **CAPITAL IMPROVEMENT PLAN (CIP) UPDATE** – On 21 November 2017 the following e-mail was provided to the manager from Dirigo Engineering in that this project had been moved up and was now very active.

Jon,

Tim has obtained the updated Modeling Program and will begin work on it next week. We would also like to schedule our next field visit for next Thursday 11/30 if that works for you? Our goal would be to have the DRAFT hydraulic Model and DRAFT Hydrant flushing program to you for review and comment sometime in mid-January, but where there were so many updates and changes to the modeling program, I would like to ask for you to give us a week or so to get into it to get a feel for the timing it will take to truly assemble and analyze the model if that is ok. Let me know on the field visit next Thursday. I will be on the road today so feel free to call my cell 314-7306.

Jim

12. **BOOTHBAY HARBOR COUNTRY CLUB, PHASE II** – The manager reported that work remained ongoing with the skid mount now delivered, but not installed. As of now the 12 December 2017 acceptance report was still proposed by Wright-Pierce.
13. **ISLE OF SPRINGS (IOS) WATER PRESSURE** – Nothing new to report.
14. **SEASCAPE COMMERCIAL DEVELOPMENT** – On 22 November the tap and sleeving valve, along with a section of pipe bringing the water main to the center of Route 27 was installed. The manager then informed the board that earlier that day the other half of the road crossing was to be completed with main to be laid out of the public right-of-way. Over the previous week the DD had begun welding the water main together and had provided light support to E. M. Wood Construction. The final construction schedule had not been transferred to the district by E. M. Wood Construction but the manager suspected the main installation would take place over the next two-weeks. All time and materials were being tracked for reimbursement with no other expenditures in hard assets made in the previous period.
15. **RICE ROAD EXPLORATORY EXCAVATIONS** – The manager reported the exploratory excavation previously reported on 14 November 2017 to ascertain the cause of pressure issues experienced by customers on this road were determined to be caused by customer owned equipment. No further district action was required.
16. **COASTAL MAINE CHRISTIAN ACADEMY (CMCA) TOUR** – On 30 November 2017 the manager and the NRPM would be hosting a presentation and treatment plant tour for CMCA currently working on a fresh water module. The focus, as requested by CMCA, would be concerned with watershed protection and overall operations of the treatment plant in an effort to help the students gain an understanding on how water is brought to the tap and the threats existing to existing water reserves. The board was very happy to hear a school group was to be touring district facilities.
17. The board voted to go into executive session pursuant to 1 M.R.S.A. §405(6)(D) *discussion of confidential records per Public Health Security and Bioterrorism Preparedness and Response Act of 2002* at 1840 hr.
Trustee Climo motioned, Trustee Lewis second, vote unanimous
18. The board came out of executive session at 1925 hr.
Trustee Climo motioned, Trustee Anthony second, vote unanimous

19. Trustee Climo motioned to instruct the manager to make necessary security improvements to the Thompson Family Standpipe consistent with board wishes for an unspecified unbudgeted capital expenditure as allowed for as part of the *Public Health Security and Bioterrorism Preparedness and Response Act of 2002* .

Trustee Climo motioned, Trustee Gamage second, vote unanimous

20. The meeting was adjourned at 1926 hr.

. *Trustee Climo motioned, Trustee Gamage second, vote: unanimous*

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegler
General Manager

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