

MINUTES OF THE BOARD OF TRUSTEES

May 25, 2022

The regular meeting of the Board of Trustees was called to order by President Fred Lynk at 12:00 noon. Trustees Tom Oliver, Jim Burrows and Bob Emmons attended along with Superintendent Steve Cox, Assistant Superintendent Scott Minor, Treasurer Wayne Brockway, Accountant Cathy McLeod, GIS Asset Management Coordinator Justin Richardson, Distribution Manager Keith Archibald, Assistant Plant Manager Brian McBride, Chief Operator Greg Pargellis, Facilities Manager Rob Weymouth, District Engineer Jamie Paschal, Customer Service Supervisor Kathleen Chapin and Administrative Assistant Cindy Rounds.

PUBLIC COMMENT

There was no public comment.

MINUTES —April 27, 2022 Meeting

On a motion by Trustee Oliver, seconded by Trustee Emmons, it was unanimously voted to accept April 27, 2022 Minutes as amended.

TREASURER'S REPORT

Financial Report

The Treasurer reported he is working on a number of items in preparation of the Audit.

He then presented the April 2022 revenue analysis and comparison to budget financial report. He reported that annual metered account revenues were \$1,227,347 indicating a 5.0% favorable variance of \$58,258. Seasonal metered account revenues totaled \$630,688 indicating a 2.3% unfavorable budget variance of \$14,847. Total metered revenues were \$1,858,035 indicating an 2.4% favorable budget variance of \$43,411 and a 1.5% increase in the year-to-date billed usage from 2021. He stated that there were 6 System Development Charges in April totaling approximately \$11,000. There were 20 year to date SDCs approximating \$32,000 compared to 33 totaling approximately \$84,000) in 2021 (All net of Adjustments).

In response to Trustee Oliver's inquiry regarding the pending IRS fine, the Treasurer indicated that they were waiting for the revised 940. Trustee Oliver also questioned why the merit checks were issued so late in the year when typically, they are issued in March. The Treasurer replied that some of the delay was caused from the issues with Paycom and being overloaded with work. He noted that the merit checks were distributed a week or two prior to the meeting.

PROJECT AND OPERATIONS UPDATES

COVID-19 Operational Update

The Superintendent reported that two employees have recently tested positive for COVID and followed the outlined protocols perfectly.

Water Supply, Production and Updates

The Assistant Superintendent gave a brief presentation of the monthly precipitation, water production statistics and water production cost charts for April.

He reported that 63.53MG of water was produced in April, up by 4.35MG (7.1%) from 2021. The supply source summary for April indicated that Branch Brook provided 38.845MG while 24.680MG of groundwater was supplied by the Harriseckett Road well. No water was purchased via the system interconnections.

Liquid precipitation recorded at the Filtration Plant was moderately low at only 4.95" (10 rain events) for the month of April which was well below the 18-year group average of 4.43". The YTD liquid precipitation stands at 14.75" which trails approximately 3" behind the 18-year group average of 17.83".

He noted that the chemical cost of treating surface water for April increased slightly from \$308.06/MG the previous month to \$311.34/MG, while groundwater experienced a decrease from \$245.61/MG to \$101.08/MG. This resulted in a blended water cost of \$229.65/MG for the month of April. The YTD blended water cost now stands at \$263.51/MG compared to \$215.17/MG in 2021.

He brought the Board's attention to the (2020-2022) monthly water production versus metered revenue comparison chart which indicated that April's \$944,701 metered revenue was \$594,908 higher than 2021 and \$467,905 higher than 2020. The \$1,858,034 YTD metered revenue is \$583,388 more than 2020 and \$384,383 higher than 2021.

AMI Meters

The Front Office Supervisor reported that 233 meters (472 YTD) were installed in April, bringing the cumulative total to 14,496, representing approximately 99.1% of all customer accounts, including 98.3% of seasonal accounts and 99.1% of annual accounts. She took the opportunity to give a shout-out of Customer Service Technicians Mike LeBlanc and Mike Johnson for their progress of installing the AMI meters at such a high rate month after month.

GAC Facility

The Facilities Manager explained the process of backwashing the Tank #1 in the GAC Facility and the removal of the spent GAC from the tank in preparation for the new GAC.

Sodium Hypochlorite Conversion at the Filtration Plant

The Facilities Manager gave an explanation of the work that has been completed in the sodium hypochlorite storage and pumping room while a 3D model of the space was displayed on the screen. Trustee Emmons asked if there will be insurance premium savings as a result of the switch from chlorine gas to hypo. It was explained by the Superintendent and Assistant Superintendent that there are likely to be insurance savings, but they aren't certain at this point. However, they explained that there are other benefits such as no longer having to complete the EHS plan, and there will be benefits related to safety and removal of risk.

Trustee Oliver pointed out that the Trustees appreciate the in-house talent and that projects like this encourage the Trustees to award substantial pay increases annually.

Ocean Avenue & Colony Avenue (K'port) Water Main Replacement

The Distribution Manager explained that there is a short length of pipe left to install in Phase 3 (approximately 60'). Due to the holiday weekend the crew will not be on-site Friday and will return on Tuesday to make the connections at the intersection with Arlington Ave and South Main St. The Assistant Superintendent noted that a date of 1909 was found stamped on the unlined cast iron pipe. Our records prior to 1921 are incomplete so before this discovery the date of the original pipe installation was unknown.

Spring Flushing Program

The Distribution Manager reported that flushing has proceeded to the area of Ocean Avenue in Kennebunkport working toward Route 9. Progress has been steady with only a few trouble spots along the way. Wells, Ogunquit and Kennebunk have been completed.

Main Extension – Millstone Farm Subdivision, Kennebunk

Connecting to the existing 16-inch main in Alewife Road at a point approximately 600 feet southerly of the intersection of Thompson Road and Alewife Road, install approximately 400 feet of 8-inch main and 350 feet of 2-inch main along Millstone Lane, ending at the cul-de-sac.

Reference is made to Sheet C-3.0 of a set of plans titled 'MILLSTONE FARM SUBDIVISION' – prepared for Binnhill Phase 2, LLC – last revised 5/17/2022.

The applicant, Binnhill Phase 2, LLC, will be required to deposit \$3,030.00, plus furnish *all* trench, *all* material and *all* labor to complete the installation in accordance with Water District specifications.

Main Extension – Slack Tide Road, Kennebunkport

Connecting to the existing 12-inch main in Mills Road at a point approximately 430 feet northerly of the intersection of Main Street and Mills Road, install approximately 350 feet of 2-inch main along Slack Tide Road.

Reference is made to Sheet 1 of 2 of a set of drawings titled "Slack Tide Road Main Extension" dated 5/19/2022.

The applicant, Stephen Hanson, will be required to deposit \$1,130.00, plus furnish *all* trench, *all* material and *all* labor to complete the installation in accordance with Water District specifications.

Western Avenue (Route 9) Project

The Assistant Superintendent provided a brief overview of this project that is planned for the spring of 2023 and explained his concern with the difficulty in getting pipe to the Board. He'd like to plan to solicit bids for the material for this project sooner than later. The bid would be for 8,700' of pipe for phases 1,2 and 3 (approximately 57% of the total length). A ballpark estimate for the material is around \$800,000 and he noted that payment is not due until the material is delivered. He explained that the likelihood of a 2022 delivery is slim to none. In the case that it does, SRF money will be available at the time of purchase, rather than waiting for installation. He added that many other utilities are soliciting bids early as well.

Warren's Way Water Main

The District Engineer noted that after the completion of Phase 3 of the Ocean Avenue/Colony Avenue project the mainline crew will move to Warren's Way in Kennebunk to replace approximately 550' of main. The project will start the second week of June, and it should take approximately 2-3 weeks to complete.

Groundwater Exploration Proposal

The Assistant Superintendent illustrated an aerial photo of land recently acquired by the District at auction that will be explored for a potential groundwater source. The land is located along Branch Brook. He stated that engineers from Wright Pierce will be clearing a path along the boundaries to conduct a geophysical survey using electronic resistivity, with a report anticipated within a few weeks.

Ford F150 Truck

The Assistant Superintendent reported that the Mechanic has received notification that the Ford F150 pick-up that was bid in early October is expected to be built starting June 15th and can be delivered a month later.

OTHER BUSINESS

Employee Recognition

The Superintendent recognized a handwritten note from Mrs. Cohen expressing her gratefulness to the Facilities Department for providing a water source to maintain the landscape of their family cemetery.

The GIS/Asset Management Coordinator extended his thanks to the Facilities Department also for their assistance in assembling and delivering a new desk in his office.

Trustee Oliver offered his thanks to the Accountant for the numerous hours she has spent during the implementation of the Paycom platform. He noted that he occasionally drives through the District parking lot after hours (to avoid traffic) and many times he sees the Accountant's car.

The Assistant Superintendent was pleased to acknowledge that Assistant Plant Manager Brian McBride has adapted quickly to his new responsibilities during the Plant Manager's absence.

Employee Satisfaction Survey

Trustee Lynk reported that the Board received 36 responses to the employee satisfaction survey that was offered to staff. He thanked staff for providing valuable feedback in the survey. The results will be reviewed by the Board at a special meeting. The date will be announced following the Executive Session at the end of the meeting.

PFAS Litigation

The Superintendent reported that District Officers met with legal counsel to review and advise the Board on a proposal to join the (SL Environmental Law Group) litigation effort for the purpose of investigating and assessing potential claims arising out the presence of PFAS. He elaborated on legal counsel's assessment of the proposal noting that another meeting tomorrow with SL Environmental to discuss specific changes the District wishes to propose.

Retirement Recognition Program

Trustee Oliver had requested that a retirement recognition program be developed for the Board's review and approval.

SMRWC Annual Meeting

The Assistant Superintendent announced that the annual meeting of the Southern Maine Regional Water Council is meeting on June 2nd at the new Biddeford Saco Water Treatment Plant. A tour of the new facility will begin at 5:30pm, followed by a Meet & Greet and the Annual Meeting. Trustees interested in attending should send their response to the Assistant Superintendent. The Assistant Superintendent and Treasurer plan to attend.

Trustee Comments

In response to Trustee Oliver's inquiry, the Superintendent stated that the telephone greeting on the Main Office and been shortened but maintains the queue functionality and ability to leave a message. A brief discussion was held. Trustee Emmons asked that this be revisited at the next meeting. The Superintendent also suggested that alternatives would remove the ability for us to receive messages.

Trustee Oliver requested that the *Trustee Comments* agenda item remain on the agenda. He explained that this could be a way for the Board to discuss items that have been brought to his attention. He noted that he is looking into some concerns by following up in conversations with staff throughout the District. His only intent is to perform his due diligence on behalf of Wells voters.

Trustee Emmons asked that Operator Matt Sampson, *Drippy*, be acknowledged for participating in the town's May Day parade.

WATERSHED

CMP Transmission Line Erosion

The GIS & Asset Management Coordinator reported that the erosion restoration that Central Maine Power is working on is currently on hold until the Maine Department of Inland Fisheries gives them the permission to start. They are waiting due to the bird nesting season.

The Superintendent noted that he and the Assistant Superintendent met with York and Kittery Water District to understand more about their law enforcement grants.

Branch Brook Watershed Coalition (BBWC)

GIS/Asset Management Coordinator reported that the Branch Brook Watershed Coalition is working to identify lots of interest so that the Coalition can contact the landowners of these lots to see if there is interest in either a conservation easement or fee purchase.

ADMINISTRATIVE UPDATES

Business Platform Discovery

The Superintendent gave an update on the implementation status of the remaining three platforms (Muni-Link, Elements and Sage). The 'go live' dates have strategically been moved to mid-August. This will allow the Asset Management piece more time to set up with Elements and ESRI. An inquiry was made regarding the level of spending for Raybern. The Superintendent stated that their level of spending is decreasing as the progress of the project requires less of their support. The anticipated level of spending with Munis may be adjusted depending on how they respond to the District's requests and the timing of separation.

Trustee Oliver reiterated his discomfort with Raybern's performance noting that only one employee expressed full support of Raybern in the survey.

Trustee Oliver made a motion, seconded by Trustee Emmons, to stop any further engagement with Raybern until the Trustees hold a workshop with staff. Discussion ensued. Trustee Oliver stated that 10 to 11 employees did not respond favorably to Raybern's performance. Trustee Lynk stated that an alternative should be considered before Raybern's services are terminated. He prefers to meet with staff in a workshop to investigate the issues of their disapproval. The

Superintendent attempted to clarify the misconception that Raybern is a software platform. They are the consultant hired to guide the District toward implementation and integration of the new platforms with their knowledge of data and data manipulation. They have no ties with any of the platforms. The Treasurer added that Raybern has been extremely helpful dealing with the platform integrators to assure the District is getting what staff has determined is needed.

Trustee Oliver was adamant that any staff that will be using the platforms be invited to the workshop and be allowed to offer their assessment without any concern of retaliation. He added that if any retaliation is found to occur, there will be consequences. After Trustee Oliver withdrew his motion, Trustee Emmons withdrew his second. Trustee Lynk suggested that an alternative plan be developed in the event the new platforms are not utilized.

The GIS/Asset Management Coordinator commented that there is a perception with a few employees that Raybern's lacks water industry knowledge and understanding.

The Superintendent added that Raybern's role is project management and implementation. They have been tasked with getting our minds out of the inefficient ways MUNIS has us working and they do that by asking a lot of questions into why we do things a certain way. The Superintendent anticipates that Raybern's service will end once the implementation is complete.

On a motion by Trustee Oliver, seconded by Trustee Emmons, it was unanimously voted to schedule a Workshop

Next Meetings

The next regular Board of Trustees meeting will be held on Wednesday, June 29, 2022 in the Conference Room. The Annual Meeting will immediately follow the conclusion of the regular meeting.

EXECUTIVE SESSION

On a motion by Trustee Burrows, seconded by Trustee Emmons, it was unanimously voted to go into Executive Session at 1:31 pm to discuss legal rights and duties of the Board with legal counsel pursuant to 1 M.R.S.A. §405(6)(E). Attorney Ann M. Freeman, of Bernstein-Shur, joined the meeting to advise the Board of their responsibilities and duties.

On a motion by Trustee Oliver, seconded by Trustee Emmons, it was unanimously voted to come out of Executive Session at 3:13 pm.

On a motion by Trustee Emmons, seconded by Trustee Burrow:, it was unanimously voted to schedule an Executive Session pursuant to 1 M.R.S.A. §405(6)(A) on June 8th at 3:00 pm to discuss personnel issues with legal counsel.

ADJOURNMENT

On a motion by Trustee Emmons, seconded by Trustee Burrows, it was unanimously voted to adjourn the May 25, 2022 meeting at 3:16 pm.

Respectfully submitted,

Wayne A. Brockway