

**KENNEBEC WATER DISTRICT  
PUBLIC HEARING AND  
REGULAR BOARD OF TRUSTEES MEETING  
THURSDAY – AUGUST 5, 2021 at 7:30 AM**

**Note:** KWD Trustees held this meeting at the KWD Water Treatment Plant. Notice of this meeting was posted on the KWD Facebook and Webpage.

Trustees present: Al Hodsdon, President; Amy Stabins, Vice-President (Remote Access); J. Michael Talbot, Treasurer; Jeff Earickson, Assistant Treasurer; Sarah Whateley, Clerk (Remote Access); Karl Dornish, Trustee; Allan Fuller, Trustee; Bruce Williams, Trustee; Denise Bruesewitz, Trustee (Remote Access)

Trustees absent: Frank Richards, Trustee

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); 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: PUBLIC HEARING – REMOTE PARTICIPATION IN PUBLIC PROCEEDINGS POLICY**

President Hodsdon opened the public hearing at 7:30 a.m.

**A. Public Comments**

**i. Board Members May Ask Questions of Public Commentors**

There were no members of the public in attendance at the hearing; therefore, no testimony was provided for nor against the policy.

President Hodsdon concluded the public hearing at 7:36 a.m. and opened the regular Board of Trustees' meeting.

**ITEM 2: MOTION TO ADOPT REMOTE PARTICIPATION IN PUBLIC PROCEEDINGS POLICY –**  
<https://www.kennebecwater.org/wp-content/uploads/2021/07/August-5-Notice-of-Public-Hearing-and-Proposed-KWD-Board-of-Trustees-Remote-Participation-in-Public-Proceedings-Policy.pdf>

Motion by Trustee Earickson, “to adopt the KWD Board of Trustees Remote Participation in Public Proceedings Policy,” seconded by Trustee Dornish.

Trustee Fuller suggested an additional policy be created to allow the public to participate in all Board meetings via remote means. Mr. Crouse will compile a clause to this effect which, after review by the Trustees, can be incorporated into the KWD Trustee Standard Operating Procedures.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

**ITEM 3: INTRODUCTION OF GUESTS**

**A. Introduction of New KWD Employees**

Mr. Jared Mosher, KWD’s newly employed Distribution Technician, and Mr. Max Kenney, KWD’s newly employed Project Engineer, were introduced to and welcomed by the Board members.

Mr. Timothy Gill from KWD’s auditing firm, Runyon Kersteen Ouellette, attended the meeting via Zoom and was introduced to the Board members. Mr. Gill conducted a PowerPoint presentation summarizing the results of the 2020 KWD financial audit and answered questions from the Trustees.

**ITEM 4: REVIEW AND APPROVE THE MINUTES OF THE REGULAR BOARD OF TRUSTEES’ MEETING OF JULY 15, 2021.**

Motion by Trustee Talbot, “to accept the minutes of the Regular Board of Trustees’ meeting of July 15, 2021,” seconded by Trustee Dornish.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

**ITEM 5: REVIEW AND APPROVAL OF ACCOUNT WARRANT**

Motion by Trustee Talbot, “to ratify the August 5, 2021 total warrant of checks released for \$605,409.12,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

**ITEM 6: REVIEW JUNE 2021 FINANCIAL REPORTS**

The Trustees were provided with the June/Year-to-Date 2021 Financial Statements and Accounts Receivable Aging Report, and a brief review was conducted.

**ITEM 7: APPROVALS/MOTIONS NEEDED**

**A. Approval of Borrowing Resolution for Benton Avenue, Winslow, Water Main Replacement Project – 2021 Maine Municipal Bond Bank – Safe Drinking Water Resolution (\$1,650,000.00).**

In order to proceed with the steps necessary to obtain the funding from the Maine Municipal Bond Bank for the 2021 Benton Avenue, Winslow, water main replacement project, it is necessary for the Board to approve a borrowing resolution provided by bond counsel. (See full resolution following conclusion of minutes.)

Motion by Trustee Talbot, “to approve the 2021 Maine Municipal Bond Bank Borrowing Resolution as provided and stated by bond counsel, Verrill, for the Benton Avenue, Winslow, water main replacement project,” seconded by Trustee Williams.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

### **B. WTP Residuals Disposal**

The Board members were provided with a memo outlining the reasons for requesting approval of sole sourcing to Waste Management the removal and disposal of the WTP alum residuals.

Motion by Trustee Talbot, “to authorize the removal and disposal of the WTP alum residuals by Waste Management for a total cost of approximately \$49,000,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

### **C. Cationic Polymer Purchase**

The Board members were provided with a request for authorization memo outlining the reasons for requesting approval of sole sourcing to Nalco Chemical Company the purchase of the annual supply of cationic polymer used during the water treatment processes. Mr. Bickford explained that this is a highly specialized proprietary formula only manufactured by Nalco Chemical Company. Changing to a different vendor would result in costly testing to ensure similar and desired water quality results.

Motion by Trustee Talbot, “to authorize the purchase of 1,200 gallons of cationic polymer from Nalco Chemical Company for \$21,262,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

### **D. Modification to the Salary Administration Policy for Non-Union Positions**

The Board members were presented with a draft version with modifications of the Salary Administration Policy for Non-Union Positions. Mr. Crouse conducted a PowerPoint presentation summarizing the policy and proposed changes and answered questions from the Board members.

Motion by Trustee Talbot, “to approve the revisions to the KWD Salary Administration Policy for Non-Union Positions,” seconded by Trustee Fuller.

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

**ITEM 8: GENERAL MANAGER’S REPORT**

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

In addition to his report, Mr. Crouse commented on the recent article in the *Morning Sentinel* entitled “Kennebec Water District Has Found Safe Levels of ‘Forever Chemicals’ (PFAS) in Water”.

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

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

**ITEM 9: DEPARTMENT REPORTS**

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

In answer to a question from Trustee Earickson regarding the reprogramming of the meters from reading in 100 cubic feet to 1 cubic foot, Mr. Laplante replied that the majority of the meters which cannot be reprogrammed over the air will be manually adjusted.

In addition to his report, Mr. Bragdon mentioned he recently received a telephone call from a customer complimenting Mr. Mosher, KWD’s newly hired Distribution Technician, on his politeness and professionalism while performing a job at her home.

Motion by Trustee Talbot, “to accept the Department Reports as presented,” seconded by Trustee Earickson.

Roll Call Vote: Trustee Earickson – Yea, Trustee Bruesewitz – Yea, Trustee Talbot – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously

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

Trustee Hodsdon stated he will be unavailable to attend the August 19, 2021 meeting.

The Trustees decided to hold the next Board meeting at the WTP in Vassalboro.

**ITEM 11: PUBLIC PARTICIPATION**

None

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

None

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

Roll Call Vote: Trustee Earickson – Yea, Trustee Talbot – Yea, Trustee Bruesewitz – Yea, Trustee Stabins – Yea, Trustee Hodsdon – Yea, Trustee Dornish – Yea, Trustee Fuller – Yea, Trustee Whateley – Yea, Trustee Williams – Yea. Motion carried unanimously.

Meeting adjourned at 9:10 a.m.

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Sue Markatine, Recording Secretary

### KENNEBEC WATER DISTRICT

2021 Maine Municipal Bond Bank – Safe Drinking Water Resolution (\$1,650,000.00)

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

1. Subject to the approval of the Maine Public Utilities Commission and 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 **One Million Six Hundred Fifty Thousand and 00/100 Dollars (\$1,650,000.00)** (the “**Loan**”) from the **Maine Municipal Bond Bank**, Augusta, Maine (the “**Bond Bank**”), with the possibility of some loan forgiveness, all in accordance with the terms and conditions of an approval letter from the Bond Bank to the District dated April 28, 2021, as the same may be amended, 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 construction and improvements for the District’s following projects, in each case together with related costs and expenses, including the costs of issuance (collectively, the “**Project**”): Benton Avenue, Winslow, water main replacement: This project includes the replacement of approximately 4,500 feet of 1905 eight and 10-inch water main with 12-inch ductile iron pipe. This project will also include the replacement of fire hydrants, main line valves and service lines (KWD owned portions).
2. Pursuant to the Loan Agreement, and as evidence of the Loan and subject to the approval of the Maine Public Utilities Commission, 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 **One Million Six Hundred Fifty Thousand and 00/100 Dollars (\$1,650,000.00)** (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, 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 \$1,650,000.00 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 \$1,650,000.00 (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 Note shall contain such other terms and provisions as may hereafter be determined by the Treasurer and President of the Board of Trustees, their execution of 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, subject to the approval of the Maine Public Utilities Commission, 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, issue, and sale of the Bonds and SRF Interim Note 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: an Application For Authority to Issue Securities with the Maine Public Utilities Commission, a Loan Agreement, 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.