

**Yarmouth Water District
Board of Trustees Meeting Minutes
March 5, 2019, Tuesday @ 7:00 p.m.
Yarmouth Water District Office
181 Sligo Rd, Yarmouth, ME**

Roll Call:

Present: Irving Felker, Jr, Chairman, William Taylor, Susan Krauss, Stephen Gorden

Absent: Thomas Brennan

Quorum present? Yes

Others Present: Robert MacKinnon, Jr., Superintendent, Eric Gagnon, Asst. Superintendent, Linda Earley, Recording Secretary, Matt Tarasevich, Tara Walker

Proceedings:

- *Meeting called to order at 7:09 pm. by Irving Felker*
- *On a motion by William Taylor, seconded by Stephen Gorden, it was VOTED: To approve February 2019 meeting minutes as written. (3-0)*

Treasurer's Report

<u>Institution</u>	<u>Acct Number</u>	<u>Description</u>	<u>Amount</u>	<u>Maturity Date</u>
Peoples United Bank	100209807	1989 Debt Service Reserve	\$5,067.20	Savings Acct
Peoples United Bank	100209564	Standpipe Maintenance, Savings	\$1,964.34	Savings Acct
Bath Savings	1019557436	Standpipe Maintenance, CD	\$ 551,574.06	CD 10/19/19
Bath Savings	185902	Contingency Fund	\$264,348.43	Savings Acct
Bath Savings	1019557428	Submarine Main Dep., CD	\$830,357.89	CD 10/19/19
Peoples United Bank	101020495	Water Resource Protection Fund	\$61,424.11	Savings Acct
Total Special Funds			\$1,714,736.03	

Supt MacKinnon reported the following activity in February; monthly contributions and interest to the 1989 Debt Service Reserve and accrued interest in all accounts. Supt MacKinnon noted the 1989 Debt Service

contributions will conclude on May 1st. The District will establish a new fund for the Submarine Main Fund per the Wyman Station contract.

On a motion by Stephen Gorden, seconded by William Taylor, it was VOTED: *To file the Treasurer's report for audit. (3-0)*

Communications

- Supt MacKinnon attended a Maine Power Options meeting. The group is working on pricing and contracts. Supt MacKinnon stated that understanding the process on contracts is helpful for the District.

Old Business

- Legislative Update

Supt MacKinnon has been working with Maine Rural Water and Maine Water Utilities Association to monitor proposed legislation and to prepare testimony in support of or in opposition to legislation. The LD for the rule change on storage facility on site is an important topic to the District that the committee is monitoring. Supt MacKinnon did have the opportunity to attend a meeting with the committee at Governor Mill's office with her staff. The intent of the meeting was to discuss issues that arise every legislative session. Examples of topics include water rights, groundwater extractions and taxes on water. Many of legislation issues do not differentiate the types of groups of users, i.e bottles and public water suppliers which may impact the District.

- North Yarmouth-Cumberland Public Works Proposal; *To hear an update regarding MSAD 51 Bus Garage Proposal.*

Supt MacKinnon testified in Augusta before the Committee of Energy and Natural Resources with concerns on LD281. Current facilities are permitted to expand on an existing site with no limitations and the proposed rule change caps the expansion of an abutting property by 30%. The committee met with DEP to try to rewrite the rule regarding the storage facility and add consultation with impacted water districts to the rule.

Supt MacKinnon distributed the latest revised plan from the Town of North Yarmouth for the North Yarmouth Public-Cumberland Works Proposal and noted that the plan has expanded in size. Supt MacKinnon stated the article on the proposal published in the February 27th edition of the Forecaster misrepresented the District supports the proposal. The Drinking Water Program Director, Mike Abbott, sent a letter to the Superintendent of Schools strongly opposing the expansion at this site.

- Proposed Rate Increase; *To hear an update regarding the rate increase.*

The rate case was approved and effective March 1, 2019. The first bills with the new rates have been sent to customers. The billing rate will be phased in over the next 3 months due to the quarterly billing cycle. There were some adjustments to how the units and reads are on displayed on the bill. The plan isto revise the entire bill layout after the rate increase is fully implemented. A visual will be added to the website for customer education. A workshop will be held to design the bill format and the communication plan of the new format to the customer.

New Business

- Bernstein-Shur, Trustee Training, Sexual Harassment, Board Responsibilities and FOAA
Matt Tarasevich and Tara Walker, attorneys from Bernstein-Shur, provided Board of Trustees with training. Attorney Walker distributed agenda and synopsis of training coverage on the topic of sexual harassment. The handbook identifies any Trustee as a point of contact for any complaints and reviewed the actions required if they are presented with a complaint. There was an opportunity for questions and answers to various situations. The practice of handling any categories of harassment, such as religion, race, gender, etc. would be the same for all. Supt MacKinnon advised the attorneys are a resource that could be utilized if the Trustees are presented with a complaint.

Attorney Tarasevich, distributed employee handbooks, copy of the Freedom Of Access Act (FOAA), and frequently asked Q and A. Attorney Tarasevich reviewed what constitutes as public records, such as meeting minutes and emails. Reviewed the motions for executive sessions and the handling of executive session. Trustees are now certified for FOAA.

- 2018 Preliminary, Year-end Financials
Supt MacKinnon distributed the 2018 preliminary year-end financials. Overall, the budget was met. Supt MacKinnon calculated the Debt Services Ratio to be 1.68 which is greater than the required 1.25. Supt included notes on budget variances for Trustees to review. The line item of contractual services for distribution shows a large variation. The variance is a result of main breaks and the cost paving in winter months. The recent requirement to repave in the winter is very costly due to the price of the mix and the need to repave in the spring. A second variance explained was the expense on budget to change out the meters. The meter replacements had been delayed in past years due to not being fully staffed. The project should be 50% complete by year end.

Operations

- February 2019 Production Report
Supt MacKinnon distributed the production report. The usage for February 2019 was 100 gallons per minute less than last year. Production for February was normal with quite a few main breaks.

Other

- At 9:36 pm, on a motion by Stephen Gorden, seconded by Susan Krauss, it was VOTED: *To enter into an executive session under M.R.S.A. §405 (6) (C) to discuss acquisition of real estate. (4-0)*
- At 10:21 pm, on a motion by Stephen Gorden, seconded by William Taylor, it was VOTED: *To adjourn the executive session and return to the regular monthly meeting. (4-0)*

At 10:22 pm, on a motion by Stephen Gorden, seconded by Susan Krauss, it was VOTED: *To adjourn the regular monthly meeting. (4-0)*

Minutes submitted by:
Linda Earley, Recording Secretary

Minutes filed by:
Eric Gagnon, clerk