



Kennebunk Light & Power District
4 Factory Pasture Lane
Kennebunk, Maine 04043
(207) 985-3311
www.klpd.org

BOARD OF TRUSTEES BUSINESS MEETING AGENDA
TUESDAY, JULY 27, 2021
IN PERSON PARTICIPATION REQUIRED @ 5:00 PM
(This meeting will be live via Zoom for recording purposes only.)

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|--------------|---|-------------|
| I. | CALL TO ORDER | 5:00 |
| II. | WELCOME TO CURTIS MILDNER, KLPD'S NEWEST TRUSTEE | 5:00 |
| III. | ELECTION OF 2021 BOARD OFFICERS (PRESIDENT, VICE PRESIDENT, CLERK) | 5:05 |
| IV. | BOARD REVIEW OF JUNE, 2021 FINANCIALS | 5:15 |
| V. | UPDATE ON FERC LICENSE SURRENDER PROCESS AND TIMELINE | 5:25 |
| VI. | BOARD REVIEW AND DISCUSSION OF BYLAWS AND CHARTER | 5:35 |
| VII. | BOARD AUTHORIZE GM, IN CONSULTATION WITH STAFF, TO DRAFT AND ISSUE RFP FOR METERING SYSTEM | 6:00 |
| VIII. | GENERAL MANAGER'S REPORT | 6:10 |
| | a. ASPLUNDH PROGRESS | |
| | b. LEGISLATIVE SESSION SUMMARY | |
| | c. NEPPA ANNUAL CONFERENCE | |
| | d. GM UPCOMING NEPPA PRESIDENCY | |
| | e. MEETING DATES FOR REMAINDER OF 2021 | |
| IX. | PUBLIC COMMENT PERIOD (LIMITED TO 15 MINUTES TOTAL) | 6:20 |
| X. | EXECUTIVE SESSION PURSUANT TO 1 MRSA 405.6 (C) TO DISCUSS A PERSONNEL MATTER (GM CONTRACT) | 6:35 |
| XI. | NEXT MEETINGS: SEPTEMBER 28, OCTOBER 26, 2021 | 7:00 |
| XII. | BOARD RECOMMENDATION FOR AGENDA ITEMS FOR NEXT MEETING | 7:00 |
| XIII. | ADJOURN | 7:00 |

Kennebunk Light and Power District
Notes to Financial Statements
June 2021

EXPENSES

Department	2021 Actual	2021 Budget	Variance
General Operations	\$ 38,429	\$ 41,217	\$ (2,788)
Customer Collections	16,208	17,707	(1,499)
Administration	83,556	89,001	(5,445)
Other expense	38,208	38,210	(2)

	June 2021	2021 YTD
Photovoltaic Credits	\$ 5,588	\$ 23,261
KLDP electrical usage	1,778	12,725

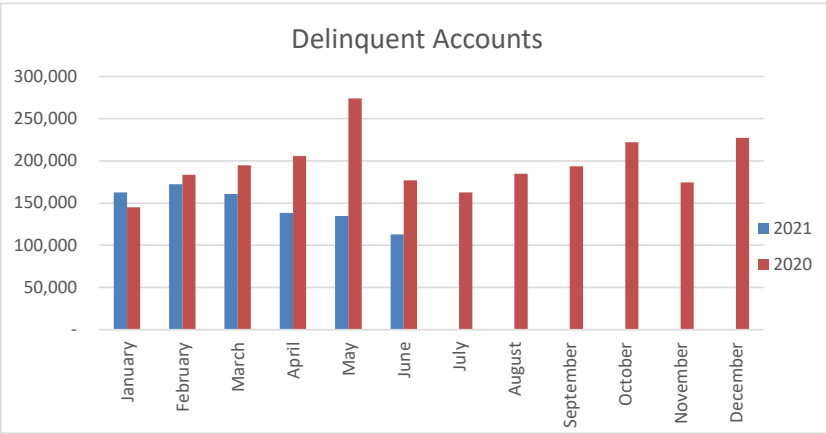
**KENNEBUNK LIGHT & POWER DISTRICT
STATEMENT OF REVENUES AND EXPENSES**

	MONTHLY			YTD			ANNUAL
	June 2021 Actual	June 2021 Budget	June 2020 Actual	2021 Actual	2021 Budget	2020 Actual	2021 Budget
Revenue							
Energy revenue	\$ 544,235	\$ 522,010	\$ 519,500	\$ 3,682,331	\$ 3,648,521	\$ 3,706,608	\$ 6,648,796
Energy expense	(583,584)	(522,010)	(626,055)	(3,396,822)	(3,648,521)	(3,873,328)	(6,648,796)
Net energy revenue	(39,350)	-	(106,556)	285,509	-	(166,719)	-
RNS revenue	148,560	139,255	131,535	1,003,595	978,810	939,840	1,786,638
RNS expense	(138,156)	(139,255)	(120,096)	(1,093,141)	(978,810)	(868,244)	(1,786,638)
Net RNS revenue	10,404	-	11,439	(89,546)	-	71,596	-
Transmission revenue	43,481	41,900	37,439	281,859	272,635	262,518	493,542
Transmission expense	(41,958)	(41,900)	(32,396)	(204,253)	(272,635)	(183,658)	(493,542)
Net transmission revenue	1,523	-	5,042	77,606	-	78,859	-
Delivery revenue	187,984	172,099	159,896	1,224,641	1,202,221	1,128,443	2,329,598
Minimum charge revenue	50,523	50,210	49,950	302,168	299,722	297,482	595,336
Other revenue	21,425	8,900	7,656	182,090	34,171	90,514	74,308
Total Revenue	232,508	231,209	127,427	1,982,466	1,536,114	1,500,175	2,999,242
Expenses							
General Operations	38,429	41,217	109,033	263,774	257,210	349,865	645,378
Customer Collections	16,208	17,707	15,713	90,087	95,391	78,551	248,890
Administration	83,556	89,001	70,392	719,014	657,363	609,347	1,373,951
Other expense	38,208	38,210	38,208	226,794	228,390	230,174	448,250
Total Expense	176,401	186,135	233,346	1,299,669	1,238,354	1,267,937	2,716,469
Net gain/(loss)	\$ 56,107	\$ 45,074	\$ (105,919)	\$ 682,797	\$ 297,760	\$ 232,238	\$ 282,773

**KENNEBUNK LIGHT & POWER DISTRICT
STATEMENT OF FINANCIAL POSITION**

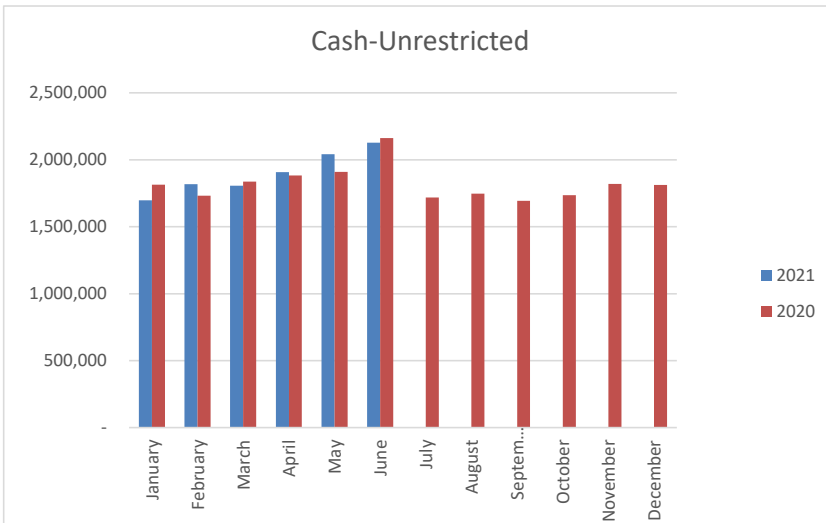
	June 2021	June 2020
Assets		
Cash and short-term investments	2,737,872	2,592,412
Accounts receivable	998,122	960,208
Fixed assets and property	10,603,079	10,351,362
Other assets	724,197	327,735
Total assets	15,063,270	14,231,717
Liabilities		
Accounts payable	763,700	895,047
Payroll liabilities	10,312	15,493
Long-term liabilities	1,804,440	2,019,248
Other liabilities	871,589	843,562
Total liabilities	3,450,040	3,773,350
Equity		
Surplus	10,930,433	10,226,129
Current year excess revenue	682,797	232,238
Total equity	11,613,230	10,458,367
Total liabilities & equity	15,063,270	14,231,717

Kennebunk Light & Power District
June 2021



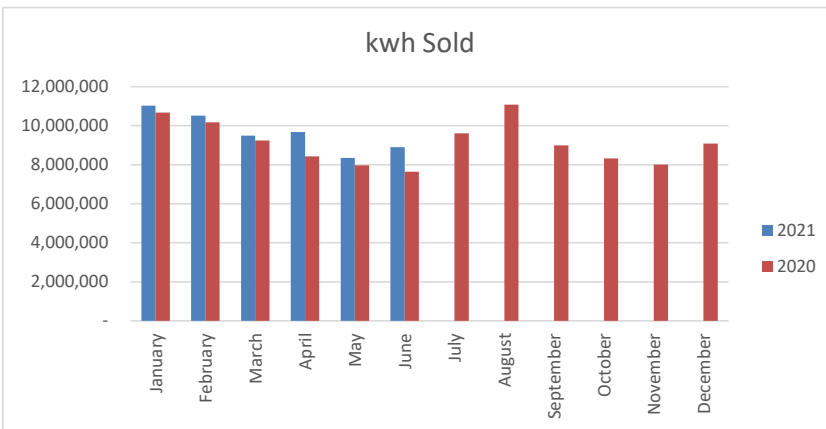
Aging	2021	2020
29 to 60 days	55,281	84,856
61 to 90 days	18,898	33,861
91 days +	38,554	58,127
Total	112,733	176,844

Delinquent accounts as a % of current month's sales:	11.32%	19.52%
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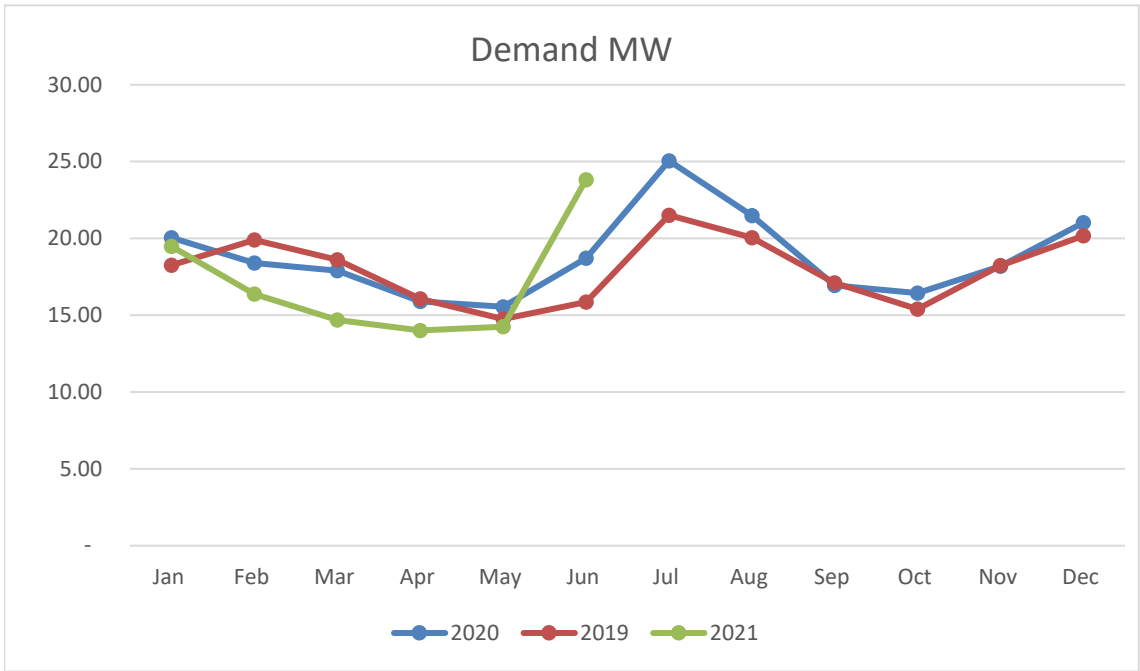
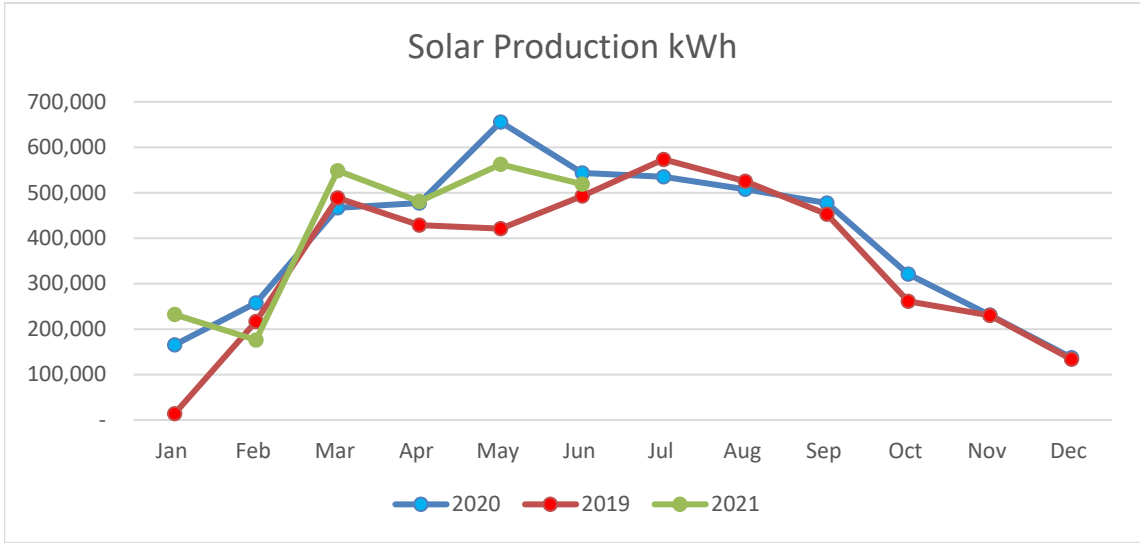
Days of Cash on Hand	With Bond	Without Bond
Required	90	90
Actual	69	79
Variance	-21	-11

Cash required:	\$ 2,950,000
Cash unrestricted	\$ 2,128,449
Cash-deposits	\$ 152,742
Cash-capital	\$ 406,210
Cash-Efficiency ME	\$ 50,471
Cash-Total	\$ 2,737,872
Variance	\$ (821,551)



June 2021	8,898,260
June 2020	7,638,727
Variance	1,259,533

Kennebunk Light & Power District
June 2021



**KENNEBUNK LIGHT & POWER DISTRICT
HYDRO STATEMENT OF ACTIVITY**

Revenue	June 2021	YTD 2021	2021 Budget
Electrical Production	\$ -	\$ -	\$ -
Total Revenue	-	-	-
Expenses			
Labor	333	2,640	8,730
Benefits	160	1,267	4,889
Supplies	220	2,304	10,000
Electrical Use	964	1,121	2,500
Liability/Property Insurance	607	3,644	7,287
Depreciation	1,833	11,000	22,000
Legal & Professional Fees	346	53,722	30,000
Total Expenses	4,464	75,698	85,406
Gain/ (Loss)	\$ (4,464)	\$ (75,698)	\$ (85,406)

BY-LAWS
OF
KENNEBUNK LIGHT AND POWER
DISTRICT



BY-LAWS
(INCLUDES AMENDMENTS I THROUGH VII)

OF

KENNEBUNK LIGHT AND POWER DISTRICT

ARTICLE I
Authority

The Kennebunk Light and Power District is a quasi-municipal corporation established and existing under the authority granted by the Legislature of the State of Maine as set forth in Chapter 53 of the private and special laws of 1951, hereinafter referred to as “the act”. Nothing in the By-Laws shall alter, abridge, or enlarge the powers of said District or of the Trustees of said District as set forth in said act.

ARTICLE II
Officers

In accordance with Section 10 of said act, the Trustees of said District shall meet immediately following the first election of such Trustees and thereafter immediately following each annual meeting of the Town of Kennebunk and shall elect one of said Trustees President, shall elect a Clerk and choose a Treasurer. The President and Clerk shall be members of the Board of Trustees of said District.

1. In addition to the above mentioned officers, said Trustees may elect one or more Vice-Presidents who shall serve in the absence or disability of the President in the order named.
2. The Treasurer chosen by said Board of Trustees may or may not be a member of said Board of Trustees and said Trustees may appoint an Assistant Treasurer to act in the absence or disability of the Treasurer and to assist him in the performance of his duties.
3. Said Board may delegate to the President such managerial powers as it may from time to time consider advisable, and shall appoint and employ a General Manager to conduct and manage the affairs of said District under the direction of such President and of such Board of Trustees. The General Manager of said District and the Treasurer thereof may be one and the same person.

ARTICLE III
Trustees

In accordance with the authority under the act, the Board of Trustees shall be responsible for the proper conduct and management of all the affairs of said District.

1. Said Board shall meet monthly to perform its duties, to hear and act upon reports of officers and employees as hereinafter set forth and to hear and determine such matters, complaints, petitions as may properly come before it.
2. Meetings of said Board of Trustees, unless otherwise determined by majority vote of said Trustees, shall be held at the business offices of said District. At all meetings of the said Board, three Trustees, including the presiding officer, shall constitute a quorum for the transaction of whatever business may properly come before said meeting.
3. Special meetings of the Board of Trustees shall be held at the call of the President and must be held upon the request of any three Trustees at such time and place as shall be set forth in the call of such meeting. All trustees shall have at least three days notice of special meetings given to them in person, by phone, or by mail and no business shall be transacted at any special meeting of said Board except such business as has been included in the notice of such meeting.
4. The Board of Trustees shall fix the salary or salaries of the General Manager and Treasurer; shall approve or disapprove the salaries of all other employees of said District as established by the General Manager and shall approve and disapprove all rules and regulations for the conduct of the business of said District whenever the same shall have been promulgated by the General Manager and approved by the Public Utilities Commission of the State of Maine.
5. As set forth in the act, said Trustees shall determine the amount of and pass upon bonds of the Treasurer and of the Assistant Treasurer of said District.

ARTICLE IV
President

The President shall preside at all meetings of the Trustees of said District and in his absence or disability, the Vice-Presidents, in the order named, shall preside in his stead. Said President or other presiding officer shall have an equal vote at all meetings of said Trustees.

ARTICLE V
Clerk

The Clerk, upon being elected as set forth in Article II, shall be sworn and shall keep accurate records of the proceedings of said Trustees which records shall be the property of said District and shall be placed on file at the offices of said District. In the absence or disability of the Clerk, a Clerk pro tempore shall be chosen who shall likewise be sworn. The Clerk shall perform all the duties incident to his office, prescribed by law and by these By-Laws.

ARTICLE VI
(Amended May 29, 1986)

Treasurer

The Treasurer, upon his appointment as set forth in Article II, shall give bond for the faithful discharge of his duties in such sum and with such sureties as may be required. The cost of such bond shall be borne by the District.

It shall be the duty of the Treasurer to keep all the monies of said District which come into his hands, depositing the same to the credit of and in the name of the District in such bank or banks as may be designated by the Board of Trustees. He shall hold all deeds, contracts, leases, evidences of ownership, debt and credit of said District, and shall follow such general and special rules as to the manner of conducting the business of his office as the Board of Trustees may from time to time prescribe and shall perform such

other duties as may be prescribed by law, by these By-Laws, or shall be from time to time required of him by the General Manager. He shall also make a statement in writing at each annual meeting and at such other meetings as the Trustees may require of the assets and liabilities of the District showing its financial condition. The Treasurer shall pay all routine expenditures and debts of said District as authorized by the General Manager. He shall make no individual or single payment amounting to more than \$20,000 other than purchased power payments, and loan and bond payments, except by express authorization of the Board of Trustees.

In the absence or disability of the Treasurer, his duties shall be performed by the Assistant Treasurer in accordance with the regulations herein above set forth, and he may delegate to the Assistant Treasurer such duties as the Board of Trustees may from time to time authorize. Any duty delegated to the Treasurer may be assumed by the General Manager.

ARTICLE VII
(Amended May 29, 1986)

General Manager

The General Manager of this District shall conduct the business affairs of said District under the general supervision of the President of the Board of Trustees. He shall be responsible to the Board of Trustees for the entire operation of the District and shall perform the following specific duties:

1. The General Manager shall, at each monthly meeting of the Board of Trustees, present an operating and financial report for the preceding month with one copy for each Trustee and the original report to be placed on file at the offices of said District.
2. The General Manager shall establish all salaries and wages of employees of the District, with the exception of the General Manager and Treasurer, and such salaries and wages shall be subject to the approval or disapproval of the Board of Trustees.
3. The General Manager shall establish such rules and regulations regarding electrical service, employees' duties and consumer relations

as he deems appropriate and such rules and regulations shall be passed upon by the Board of Trustees and approved by the Public Utilities Commission of the State of Maine.

4. As of December 31st of each year, the General Manager shall make an annual report to the Board of Trustees covering the operation of the District for the preceding year and including any suggestions which the General Manager may have for alterations or improvements for the ensuing year.
5. The General Manager shall authorize the Treasurer to pay all routine expenditures and debts of the District. He shall not authorize any single expenditure from the funds of the District in excess of \$20,000, other than purchased power payments and loan and bond payments, except by the express authorization of the Board of Trustees.

ARTICLE VIII Complaints

Any person, partnership or corporation served by the District or resident of or doing business in the area served by the District believing that he or it has a grievance against said District, may make statement of such grievance or complaint in writing to the General Manager. Within thirty days thereafter, the General Manager shall determine what action shall be taken upon such grievance or complaint and shall so notify the complainant. If such complainant remains dissatisfied, he or it shall so state in writing and shall be entitled to be heard before the Board of Trustees at its next regular meeting thereafter and upon hearing said Board of Trustees, shall make final determination what action the District shall take, if any, concerning such complaint.

ARTICLE IX Amendments

These By-Laws may be altered or repealed or added to at any regular meeting of the Board of Trustees provided that in the call for such meeting notice has been given that such amendment, repeal or addition will be proposed.

ARTICLE X
Seal

The seal of this District shall be an impression seal in the form of a circle with the words "Kennebunk Light and Power District" near the periphery at the top and "1893-1951" near the periphery at the bottom, having embossed in the center of the figure of the Lafayette Elm and under it the word "Maine".

ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1951

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

Sec. 1-C. Term of officers. All officers elected on the 1st Monday of December, 1951, shall assume their respective offices on the day following the 3rd Monday of March, 1952. All officers elected by the inhabitants of the town of Bar Harbor subsequent to 1951 shall qualify and assume their respective offices on the 1st day of January following their election.

Sec. 1-D. Regulations governing town meetings and elections. Except as herein otherwise provided, the town meeting of the inhabitants of the town of Bar Harbor on the 1st Monday of December and the Tuesday following said 1st Monday of December shall be subject to all the provisions of the revised statutes of this state and all acts amendatory thereto relating to town meetings and town elections.'

Sec. 2. P. & S. L., 1949, c. 111, § 5, amended. Section 5 of chapter 111 of the private and special laws of 1949 is hereby amended by adding thereto a new paragraph to read as follows:

'Said councilors shall have the power to amend existing ordinances which have been adopted by the town under the provisions of section 83 of chapter 80 of the revised statutes of 1944, as amended, and also to enact further ordinances under said section, after notice and hearing as required by law.'

Effective August 20, 1951

Chapter 53

AN ACT to Incorporate the Kennebunk Light and Power District.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Incorporation. The inhabitants of and the territory within the town of Kennebunk are hereby created a body politic and corporate under the name of "Kennebunk Light and Power District," with power and authority to acquire from the inhabitants of the town of Kennebunk the electric light and power system, including lands, owned or leased, water power, dams and reservoirs, manufactories and works for providing and supplying electricity, electric generators and other apparatus equipping and maintaining the electric lighting and power plants now existing, together with all lines of wire or other material, poles, pipes and apparatus for the transmission and distribution of electricity now existing upon, under, along or over any and all streets and roads within the limits of said town of Kennebunk and now owned by the Kennebunk Light Department, and in so much of the towns of Wells, Lyman and North Kennebunkport now owned by said Kennebunk Light Department, and including all elec-

trical distribution apparatus and all rights, privileges and easements, as the same now exist and have hitherto been enjoyed by said Kennebunk Light Department in said town of Kennebunk and in so much of the towns of Wells, Lyman and North Kennebunkport hitherto served by said Kennebunk Light Department, and together with all offices or places of business, furniture, furnishings, fixtures and books of account and record hitherto used, employed or kept by said Kennebunk Light Department, and together with all funds, savings accounts, bonds and moneys of whatever nature hitherto held by said Kennebunk Light Department or held by said town of Kennebunk for said Kennebunk Light Department and allocated to or constituting a reserve fund for the maintenance, repair, obsolescence and depreciation of the physical assets of said Kennebunk Light Department as hereinabove described; also the power and authority, for the purpose of selling, distributing and furnishing electricity for lighting, heating and power to individuals, partnerships, firms and corporations within the territorial limits of said Kennebunk Light and Power District as defined in this act, to erect, construct or otherwise acquire power plants within said town to be operated by steam, internal combustion engine, water power or otherwise, and to acquire by purchase or otherwise and develop hydraulic power sites and plants for the generation of electrical energy, together with any and all necessary or convenient apparatus for the emergency or standby production of electrical energy by any means other than hydraulic, at any site within said town, or not more than 20 miles distant from the municipal limits of said town of Kennebunk. This section shall not be construed to confer to said district any rights of eminent domain, except those conferred by section 6 of this act.

Sec. 2. Powers of town under chapter 131 of private & special laws of 1903 transferred. All powers, rights and privileges, hitherto granted to the town of Kennebunk by chapter 131 of the private and special laws of 1903 and entitled, "An Act to Authorize the Town of Kennebunk to Own and Maintain an Electric Lighting and Power Plant," shall be vested in said district; and nothing in this act shall abridge, curtail or prevent said district from the enjoyment of said powers, rights and privileges, except that said district shall be vested only with such powers to raise money for its purposes as are herein provided.

Sec. 3. Territorial limits. The territorial limits within which said district may sell, distribute and furnish electricity for light, heat and power to individuals, partnerships, firms and corporations shall be as set forth in section 3 of the private and special laws of 1903, except that said district may, as authorized by section 4 of said act, purchase or lease the rights, privileges, properties and franchises of any corporation furnishing electricity within the territory of said town; and except that the territorial

limits of the Kennebunk Light and Power District shall include so much of the towns of Lyman, Wells and North Kennebunkport as are now served by the Kennebunk Light Department, and may include areas contiguous to those areas now served by said Kennebunk Light Department in the towns of Kennebunk, Lyman, Wells and North Kennebunkport, in which at the time no other public utility is furnishing electric service, if and when the Kennebunk Light and Power District shall have received the consent of the public utilities commission in accordance with the provisions of sections 3 and 4 of chapter 46 of the revised statutes of 1944 and all acts amendatory thereof or additional thereto.

Sec. 4. Power of sale and purchase. Any public utility now furnishing electric service to the public within the territorial limits of said district is hereby authorized to acquire by purchase the plants, properties, rights, privileges and franchises of the Kennebunk Light and Power District and after acquisition shall have, hold, exercise and enjoy in its own name all of said plants, properties, rights, privileges and franchises as though originally granted to it, and said Kennebunk Light and Power District is hereby authorized to convey its plants, properties, rights, privileges and franchises to such public utility.

Sec. 5. Additional powers. In addition to all other powers hereby conferred, said district shall have the power whenever it shall be advisable in the discretion of the trustees of said district, either to purchase electricity from, or sell electricity to, any other electric light and power utility in the towns of Kennebunk, Lyman, Wells and North Kennebunkport, and such sale shall not be subject to the terms of section 18 of this act.

Sec. 6. Right of eminent domain conferred. The said district for the purposes of its incorporation is hereby authorized to take and hold, as for public uses, by purchase, eminent domain or otherwise, any land or interest therein or water or flowage rights necessary for erecting and maintaining dams and reservoirs, for setting and maintaining poles, wires and other apparatus and structures, for the distribution of electric power and for all other purposes incidental or necessary to the production, distribution and sale of such power for public purposes and for the health, comfort and convenience of the inhabitants of said district. Provided, however, nothing herein contained shall be construed as authorizing said district to take by right of eminent domain any of the property or facilities of any other public service corporation or district used or required for future use by the owner thereof in the performance of a public duty, unless expressly authorized herein or by subsequent act of the legislature.

Sec. 7. Procedure as to the exercise of right of eminent domain and crossing public utility. In exercising any rights of eminent domain that

are herein conferred upon said district, the district shall file for record in the registry of deeds in said county, plans of the location of lands or interests therein, including flowage rights, to be taken, with an appropriate description and the names of the owners thereof, if known. When for any reason the district fails to acquire property which it is authorized to take and which is described in such location, or if the location so recorded is defective or uncertain, it may at any time correct and perfect such location and file a new description thereof; and in such case the district is liable in damages only for property for which the owner had not previously been paid, to be assessed as of the time of the original taking, and the district shall not be liable for any act which would have been justified if the original taking had been lawful. No entry shall be made on any private lands, except to make surveys, until the expiration of 10 days from such filing; whereon possession may be had of all such lands or interests therein so taken, but title thereto shall not vest in said district until paid for. In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to the place, manner and conditions of the crossing within 30 days after such consent is requested by said district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.

Sec. 8. Adjustment of damages. If any person sustaining damages by any taking as aforesaid shall not agree with the trustees of said district upon the sum to be paid therefor, either party, upon petition to the county commissioners of York county, may have said damages assessed by them; the procedure and all subsequent proceedings and the rights of appeal thereon shall be had under the same restrictions, conditions and limitations as are or may be prescribed in the case of damages by laying out of highways.

Sec. 9. Board of trustees. All the affairs of said district shall be managed by a board of trustees composed of 5 members, who shall be first elected, subject to the acceptance of this act, by plurality vote of the legal voters of said town of Kennebunk at the election provided for in section 22 of this act. At said first election, 5 trustees shall be elected, 1 to serve until the annual town meeting next ensuing after the date of such election, 1 until the 2nd annual town meeting thereafter, 1 until the 3rd such town meeting, 1 until the 4th such town meeting and 1 until the 5th such town meeting; and thereafter 1 trustee shall be elected at the time of each annual town meeting to serve for the term of 5 years. The said trustees shall not be personally liable for any act committed in the performance of their duties as such trustees, except such acts as constitute malfeasance in office.

Sec. 10. Powers and duties of trustees. Immediately following the 1st election of trustees of said district and thereafter immediately following each annual meeting of said town, said trustees shall meet and shall organize by the election of 1 of said trustees as president, elect a clerk, adopt a corporate seal, choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of said district. The treasurer and all other officers and employees who, by reason of their duties shall have management of or the handling of the funds of the district, shall be bonded in such sum or sums as said trustees shall determine in their discretion. Nothing in this act shall be construed as authorizing said trustees to sell, lease or otherwise dispose of the whole or any part of the franchises or properties of said district necessary or useful in the performance of its duties to the public, unless first authorized by majority vote of the town of Kennebunk to do so.

Sec. 11. Vacancies in board of trustees. Vacancies occurring in said board of trustees between annual meetings of the town of Kennebunk shall be filled by appointment by the municipal officers of said town, and such appointee shall serve only until the next annual town meeting, when a successor shall be elected to fill such vacancy for the unexpired term, unless such term shall expire at said next annual meeting in which case election shall be as provided under section 9 of this act. All trustees, whether duly elected or appointed to fill vacancies, shall be eligible to reelection, but no municipal officer of said town of Kennebunk shall be eligible to election or appointment as such trustee. The election or appointment of any trustee as a municipal officer of said town of Kennebunk shall, unless such trustee shall refuse to accept such election or appointment, terminate his trusteeship and the vacancy caused thereby shall be filled as hereinabove provided.

Sec. 12. Compensation. Trustees shall not receive any compensation for their services, except that equal compensation for all trustees may be provided by legal vote of the town of Kennebunk at any annual town meeting. Compensation so voted shall be for the term of 1 year, and shall be paid from the funds of said district.

Sec. 13. Annual audit. The trustees of said district shall have an annual audit made of its accounts covering the last complete fiscal year, and said audit shall be made by individuals or firms recognized as competent auditors by training and experience, or by qualified public accountants.

Sec. 14. Annual report of trustees. At the close of each fiscal year and immediately following the audit provided by section 13 of this act, the trustees shall make a detailed report of their doings, of the receipts and

expenditures of said district, of its financial and physical condition, and of such other matters and things pertaining to said district as shall show the inhabitants of said district how said trustees are fulfilling the duties and obligations of their trust, such report to include the auditors' report and to be made and filed with the municipal officers of the town of Kennebunk, and to be published as a part of the annual report of said town.

Sec. 15. Existing contracts assumed. All valid contracts now existing between the Kennebunk Light Department, or the town of Kennebunk by reason of the operation of said Light Department, and any person, partnership, corporation, municipal corporation or public utility, shall be assumed and carried out by said Kennebunk Light and Power District.

Sec. 16. Taxation. Said district is declared to be a public municipal corporation of this state, engaged in supplying power and light, as described in section 6 of chapter 81 of the revised statutes, for the purpose of determining taxation of its property.

Sec. 17. Bonds and notes. For accomplishing the purpose of this act, said district, through its trustees, is authorized to borrow money temporarily and to issue therefor the interest bearing negotiable notes of the district, not to exceed \$300,000. For the purpose of refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this act, including the expenses incurred in the creation of the district, and in acquiring those properties and franchises of the town of Kennebunk, hitherto known as the Kennebunk Light Department; of taking water and land, paying damages, erecting, constructing, maintaining and operating power plants, dams, reservoirs, buildings, transmission lines and poles, and all other things or apparatus incidental or necessary to the purposes of this act, and making renewals, extensions, additions and improvements to the same, the said district, through its trustees, may from time to time issue bonds of the district to an amount or amounts necessary in the judgment of the trustees therefor, but in no event shall the amount or amounts of said bonds exceed \$300,000. Said notes and bonds shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of section 132 of chapter 49 of the revised statutes of 1944, and all the provisions of said section shall be applicable thereto. The said notes and bonds shall be legal investments for savings banks and exempt from taxation.

Sec. 18. Trustees to establish rates. All individuals, partnerships, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said district the rate established by the board of trustees for the electricity used by them, and the rates for electricity so supplied shall be uniform within the territory supplied by the district wherever the in-

stallation and maintenance of transmission lines and the apparatus of distribution of electric power and the cost of service is substantially uniform, but nothing in this act shall preclude said district, with the approval of the public utilities commission, from establishing higher rates than the regular rates, in sections where, for any reason, the cost of construction and maintenance or the cost of service exceeds the average, but such higher rates shall be uniform throughout the section where they apply. All rates shall be subject to the approval of the public utilities commission of the state, and shall be so established as to provide revenue for the following purposes :

I. To pay the current expenses of operating and maintaining the electric light and power system, including all usual and ordinary repairs, replacements and improvements.

II. To provide for the payment of the interest on the indebtedness created or assumed by the district.

III. To provide each year a sum equal to not less than 1% nor more than 5% of the entire indebtedness created or assumed by the district, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of such indebtedness. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the district or invested in obligations of the United States government, which said obligations shall mature prior to the date upon which the bonds of the district, for the retirement of which said funds are invested, shall become due.

IV. To provide each year a sum equal to not less than 2% nor more than 4% of the book value of the depreciable assets of said district determined as of the close of the preceding fiscal year, which sum shall be turned into a depreciation and obsolescence fund and there kept to provide for repairs, replacements, additions to, and obsolescence and depreciation of such depreciable assets.

V. To provide and accumulate from year to year surplus funds to carry out the general purposes of said district, as may be necessary or desirable in the sole discretion of the trustees, including such sums as said trustees may from time to time determine to transfer to the treasurer of the town of Kennebunk for the use of the inhabitants thereof.

VI. The rates hereinabove established shall provide no more than a "fair return" as set forth in section 16 of chapter 40 of the revised statutes of 1944.

Sec. 19. District subject to public utilities commission. Nothing herein contained is intended to repeal nor shall be construed as repealing the

whole or any part of any existing statute; and all rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter 40 of the revised statutes of 1944 and all acts amendatory thereof or additional thereto.

Sec. 20. Incidental powers granted. All powers, rights and privileges incidental or necessary to the accomplishment of the purposes herein set forth are granted to the public quasi-municipal corporations hereby created.

Sec. 21. Transfer of Kennebunk Light Department. In the event that this act shall be accepted and approved as in section 22 hereof, the inhabitants of the town of Kennebunk are expressly authorized to transfer and convey to said district all properties and assets of the "Kennebunk Light Department" so-called, together with all easements, privileges and franchises appurtenant thereto, together with all funds, savings accounts, bonds and moneys of whatever nature, hitherto held by said Kennebunk Light Department or held by said town of Kennebunk for said Kennebunk Light Department and allocated to or constituting a reserve fund for the maintenance, repair, obsolescence and depreciation of the physical assets of said Kennebunk Light Department.

Sec. 22. Referendum. This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of said town of Kennebunk, present and voting for or against the acceptance of the district as hereinafter provided in this section at the next annual town meeting, or at a special town meeting called and held at the regular voting places of the town by the officers of the town of Kennebunk authorized to call such meetings, and such special meeting shall be called within 3 months after this act shall become a law. Such election shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said town of Kennebunk shall not be required to prepare for posting, nor the town clerk to post, a new list of voters. For the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such election, the first 2 days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to Incorporate the Kennebunk Light and Power District be accepted?", and the voters shall indicate by a cross or check mark placed against the words "Yes" and "No" their opinion of the same. A check list shall be used at such election. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at such election; provided that the total number of votes cast for and against the acceptance of this act equals or exceeds 20%

of the total vote for all candidates for governor cast in said town of Kennebunk at the next previous gubernatorial election. The result shall be declared by the municipal officers of the town of Kennebunk and due certificate thereof filed by the town clerk with the secretary of state.

If this act is accepted as hereinabove set forth, 5 trustees shall be elected at said election in accordance with the provisions of section 9 to serve for the terms therein set forth.

Effective August 20, 1951

Chapter 54

AN ACT to Incorporate the Chelsea Water District.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Territorial limits; corporate name; purposes. The inhabitants of and the territory within the town of Chelsea, in the county of Kennebec, are hereby created a body politic and corporate by the name of "Chelsea Water District" for the purpose of supplying the inhabitants of said district and the town of Chelsea with pure water for domestic, sanitary, agricultural, commercial, industrial and all lawful purposes.

Sec. 2. Powers. The said Chelsea Water District for the purposes of its incorporation is hereby authorized to take, hold, divert, use and distribute water from any surface or underground lake, pond, stream, brook, spring or vein of water in said town of Chelsea. The said district is also authorized to locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, standpipes, hydrants, pumping stations and other necessary structures and equipment to carry out its purposes.

Sec. 3. Right of eminent domain. The said district for the purposes of its incorporation and within said town is hereby authorized to take and hold as for public use, water, water sources and supplies, real estate and personal estate and any interest therein necessary for such purposes, by purchase, lease or otherwise, and to exercise the right to eminent domain, as hereinafter provided, to acquire for such purposes any land or interest therein or water rights necessary for erecting and maintaining dams, plants, works, for flowage, for power, for pumping and supplying through its mains, systems and reservoirs, for preserving the purity of the water and watershed, for laying and maintaining mains, aqueducts and other structures for taking, distributing, discharging and disposing of water and for

WELCOME TO KLPD



STATEMENT OF BELIEFS

It is the intent of the District to inform our employees of the fundamental principles, expectations and obligations comprising the relationship of employment between KLPD and its employees. In our continuing effort to implement fair and effective Human Resource guidelines, KLPD tries to use its best judgment:

- To employ people on the basis of their qualifications and with assurance of equal opportunity and treatment regardless of race, religion, color, sex, age, handicap, national origin or sexual orientation;
- To provide wages and employee benefits which bear a fair and reasonable relationship to the work performed;
- To establish reasonable hours of work;
- To maintain safe and healthful working conditions;
- To place employees in the kind of work best suited to their abilities;
- To welcome constructive suggestions which relate to methods, guidelines, policies, procedures, working conditions, and the nature of the work performed;
- To establish procedures for employees to discuss freely any matter of interest or concern with their immediate supervisor; and
- To permit each employee as much discretion and responsibility related to their job as is consistent with a well-coordinated and effective operation.

KLPD expects all employees:

- To give full and productive work to the best of their abilities and skills;
- To arrive at their workplace and begin work on time;
- To demonstrate a considerate, friendly, and constructive attitude toward fellow employees, managers and customers;
- To respect and follow the guidelines, policies and procedures of the District;
- To comply with all local, state and federal laws while on the job.

OUR HISTORY

The Kennebunk Light & Power District was originally formed as a department of the Town of Kennebunk in December of 1893. The Kesslen Shoe Factory, the largest employer in the Town, was in financial difficulty. Three enterprising residents of the Town approached the owner of the factory with an offer to purchase the hydro turbine rights owned by the Kesslen Company. The purchase offer was contingent on the Town purchasing the electricity to be generated so the entrepreneurs could make a return on their investment. The Town not only agreed to purchase the energy but also executed the purchase of the turbine rights and formed the Town of Kennebunk Light Department to furnish electric street lighting to the Town. The practice of furnishing street lighting throughout the Town of Kennebunk continues even today.

For a number of years the light department was a part of the Town's operating budget as income from the sale of electricity for street lighting was not sufficient to support the cost of generation and distribution of electricity. However, as demand for electricity for businesses and homes grew, the department started to produce income for the Town during the 1940's.

In 1951, the residents of the Town of Kennebunk approved the charter for the Kennebunk Light & Power District to be formed under a special and private act of the State Legislature. Thus, the electric light department of the Town was eliminated and the Kennebunk Light & Power District, independent of town funds and leadership was established. The District is led by a five person Board of Trustees elected by the residents of the Town of Kennebunk. The Trustees are authorized among other things to hire a General Manager to run the operations of the District. As a consumer-owned not for profit electric distribution company the District is accountable only to the residents and the customers it serves.

In 1997 and 1998 the State Legislature voted to re-regulate the electric utilities of the State through a major substantive law change effective March 1, 2000. One of the most notable changes made was that the investor owned utilities in the State were forced to sell off their generating plants, cease the sale of retail electricity and become solely distribution companies responsible for the maintenance and construction of the poles and wires that deliver the energy to homes and businesses. Public Power systems, such as the Kennebunk Light & Power District were given the option of remaining in the generation business and continuing to purchase energy wholesale and sell it retail to its customers. The District's Board of Trustees voted to continue "business as usual" so the District retained its hydroelectric generation sites and continues to purchase power on behalf of the customers it serves.

As the second largest public power, not for profit utility in the State the District is proud of its history and will continue to provide safe, reliable energy well into the future.

OUR MISSION

The Mission of the Kennebunk Light and Power District is to provide the most reliable service at the lowest possible cost while recognizing the importance of the safety of its employees and its customers.

REMAINING 2021 MEETING DATES

- September 28, 2021
- October 26, 2021
- November 16 (?), 2021
- December 28, 2021