Waterville Estates Village District

April 9, 2021

Second Warrant Article and Budget Public Hearing

Attendees: John Herlihy, Gerry Panuczak, Maureen Patti, Ellen Witt, Judy Kinney, Corey Smith Rob Diefenbach, Mark Canfield, Dave Ketchum, Bobbi Ketchum, Bill Donahue, Jaime Oldmixon, Mark O'Hara.

Guests: In person session: Jim Murphy, Harry Bertino. Other unidentifiable parties via Zoom.

Change of physical location to General Manager's office due to technical difficulties.

Call to Order: Mr. Herlihy called the meeting to order at 6:09 PM.

Covid Zoom Declaration: Ms. Patti read the declaration authorizing a zoom meeting per the Governor's orders. Ms. Patti gave instructions to attendees and format for questions via text or phone. (See attached **Plan to Ensure Fair & Open Public Statement Period in WEVD Virtual Public Hearings).**

Approval of Agenda: Mr. Herlihy moved to adopt the Agenda, it was seconded by Mr. Panuczak and it was unanimously voted to adopt.

Ms. Patti explained that the reason for postponing the recommendations on these Articles was the requirement for public notice of 7 days in the newspaper for a bond or note in excess of $100,000. That requirement has been met in the Laconia Sun Times.

Review of Warrant Articles: (See Attached)

Warrant Article 6 – Outdoor Courts-Option One. Ms. Patti read the Article aloud. The Article is to see if WEVD will vote to raise and appropriate the sum of Two Hundred Thousand Dollars and No Cents ($200,000.00) (via 5-year financing) for the purpose of the renovation of both batteries of outdoor racket courts and the outdoor basketball court. Mr. Panuczak asked if it included a half basket ball court or full? Ms. Patti explained that this Article includes both, accommodations for a full court at the upper court battery on a multipurpose court and the rebuild of the existing basket ball court to a half court. The floor was open for public discussion and comment. Mr. Panuczak made a Motion to recommend the Article, Ms. Patti seconded and it was passed unanimously via roll call vote.

Warrant Article 7-Outdoor Courts-Option Two. Ms. Patti read the Warrant Article aloud. The Article is to see if WEVD will vote to raise and appropriate the sum of Seventy-Five Thousand Dollars and No Cents (75,000.00) for the purpose of a renovation of one battery of outdoor racket courts and the outdoor basketball court. This Article was previously recommended by the Commissioners, the reasoning being that the community would be able to decide what level of investment to make. Ms. Patti invited D. Ketchum, the Chair of the Courts Committee, to comment. D. Ketchum said that yes, this Warrant was developed to give the community a choice, all of the outdoor courts or the lesser option. If neither are approved, the 2019 funding would go into the Unreserved Fund. Ms. Patti reiterated that Option Two deals with the upper battery only. She then opened the floor for public

comment and discussion. Mr. Herlihy wanted clarification, that Article 7 would replace the surface in the worst of the two courts. D. Ketchum replied that the upper battery is in the worst shape and that the balance of the money from 2019 was aimed at that court. Ms. Patti stated that there is a commitment of CIF money, is that correct? D. Ketchum responded that the HOA Board has committed $65,000, for the upper court, but to do both sets of courts is $125,000 more. Mr. Herlihy pointed out that if Article 6 passes, Article 7 would not be considered. Mr. Herlihy made a Motion to recommend Article 7, Mr. Panuczak seconded and it passed unanimously via role call vote. Mr. Panuczak asked about the interest and payment schedule. R. Diefenbach said that there would be an interest only payment on the bond of $4,500 this year, and that it was a 5 year note. Mr. Herlihy asked about the tax implication the bond. R. Diefenbach said that he would be working on that part of the budget presentation with C. Smith.

Warrant Article 15-To Establish a Park and Public Purposes Expendable Trust Fund. Ms. Patti explained that this Article was in response to possible Attorney General directives to establish a trust fund for certain accounts and that if it is voted on and established it will be in place to address any directives from the Attorney General's office. As of yet, we have not heard from that office. Ms. Patti expressed some reservations about appropriating monies from the HOA, but we need to be compliant with the law. We do have to put some money into the account to establish it, a nominal amount. She suggested $10, $50 or $100 for example. Mr. Panuczak recommended $100 be placed in the account. Mr. Panuczak moved to amend the Article to raise and appropriate, $100, to place in the account, it was seconded by Ms. Patti and passed unanimously via roll call vote. Ms. Patti posed her concern about triggering another budget hearing due to this. She offered to call legal counsel and would report back in a few minutes. Ms. Patti returned and stated that the Article needed to be amended with new wording, which will avoid having to hold another budget hearing. She made a Motion to further amend Article 15, to delete the phrase "raise and appropriate" and replace it with "to put in the fund". Ms. Patti pointed out that we are not referring specifically to Friends of Campton Mountain, so we will not be limited, and can use it for any monies that come in. She opened the floor to questions and comments. Ms. Patti made a Motion to recommend the amended Article, it was seconded by Mr. Panuczak and passed unanimously via roll call vote.

Set the Next Meeting: Mr. Herlihy indicated that the next meeting is scheduled for April 14, 2021.

Motion to Enter Non-Public Session: Mr. Herlihy motioned to enter non-public session pursuant to RSA 91-A:3, II(a) and RSA 91-A:3, II(l). Ms. Patti seconded and the motion passed unanimously by roll call vote at 4:56 PM.

Convening of Non-Public Session: Mr. Herlihy made a motion to convene non-public session at 5:00 PM, it was seconded by Mr. Panuczak and approved by roll call vote. Other persons present during non-public session: C. Smith, R. Diefenbach, Nathan Midolo, Esq., Judy Kinney.

Resumption of Public Session: Mr. Herlihy made a Motion to re-enter public session, Mr. Panuczak seconded and the motion passed unanimously by roll call vote at 6:14 PM.

Business Conductd During the Non-Public Session: In consultation with attorney for the District, C. Smith recommended the Commissioners make a minor modification to the General Operating Budget Warrant Article (Article 2) and commit to drawing $10,244.00 from the unreserved fund balance as part of the $1,428,119.00 total budget. In addition, upon advice of the Districts' attorney, the Commissioners agreed to move Warrant Article 6 to position number two to be compliant with NH law.

Motion to seal non-public session minutes was made by Mr. Panuczak, seconded by Ms. Patti, and passed by roll call vote.

Public Session Reconvened: Public Session was reconvened 6:17 PM.

Adjournment: Mr. Herlihy motioned to adjourn the meeting, Mr. Panuczak seconded, and the Motion passed unanimously by roll call vote at 6:22 PM.