Waterville Estates Village District

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Waterville Estates Village District

January 19, 2022 Commissioners APPOVED Meeting Minutes

Approved as amended on February 2, 2022

Attendees: Commissioner Maureen Patti, Commissioner John Herlihy, Commissioner Gerry Panuczak, Assistant General Manager Judy Kinney.

Attendees via Zoom: Interim General Manager John Scruton, Allison Smith, Mark O'Hara.

Call to order: Ms. Patti called the meeting to order at 9:00 AM.

Roll Call of Commissioners: Ms. Patti, Mr. Herlihy, and Mr. Panuczak present at the Summit Lounge.

Approval of the Agenda: Agenda was approved as presented by consensus.

Approval of January 12, 2022 Minutes

Ms. Patti made a motion to amend 01/12/2022 Commission Meeting Minutes as follows:

a. *Correct spelling of Herlihy*
b. *Insert Lindblom after 'Patti' on page 1, line 35*
c. *Correct typo on page 2, line 50 – "made" not 'mad'*
d. *At page 2, line 52, change section beginning with 'Mr. Panuczak' to read as follows: "Mr. Panuczak made a friendly amendment that the amount should state "up to $2800" and duly seconded the motion. There was a discussion to amend the motion to state "up to $2900." Ms. Patti amended her motion to read: authorize the expenditure of up to $2900 dollars to hire HVAC engineer to address HVAC issues. Mr. Panuczak seconded. Discussion ensued about the need to add the lodge to the list of buildings which Mr. Scruton said he would do. Motion authorizing expenditure up to $2900 dollars passed with a unanimous roll call vote in favor."*
e. *Add to page 4, line 132 after 'operating hours': The issue of whether the Community Center should be used as a shelter arose during the discussion about WEVD Management (GM, IGM, AGM) having authority to close District facilities during severe weather events or emergencies.*
f. *At Page 4, line 134, modify sentence to read as follows: "The issue of individual lot / homeowners installing wells instead of remaining on the municipal water system came up and has been referred to the Water and Road Committee. "*
g. *Consent Calendar, B, the report (not manifest) was accepted at page 4, line 163*
h. *Page 5, line 204 typo – Mr. Scruton instead of Ms.*
i. *Page 5, line 206 insert "the amended" in front of 'motion.'*
j. *Page 5, line 206 – modify existing sentence and add another sentence as follows: "NH Department of Environmental Services Cross Connection Control Certification requirements are a four-day training and a test. Mr. Scruton believes that District employee Steve Baert can do the training and take the test as part of the continuing education requirements for his license as a Water Operator."*
k. *Page 6, line 222, delete colon in front of 'Panuczak.'*

Mr. Panuczak duly seconded. Mr. Herlihy called the vote for the amended minutes and motion passed with a unanimous roll call vote.

Treasurer's Report

Mr. Panuczak noted that there is a detailed report from Mr. Diefenbach in the Budget Committee meeting minutes and provided a brief summary:

- Recreation fund was $188,000 below in revenue;
- General fund was about $80,000 in the positive;
- Water fund was pretty flat.

Ms. Patti noted that "below in revenue" should be clarified as there was an expectation of a certain amount for the Rec Fund at the beginning of the year, which, due to various circumstances, was not met. Mr. Panuczak noted that Mr. Diefenbach provided a comparison of actual numbers to the budget.

Interim GM's Report (see attached):

Mr. Scruton began by saying that he has some additions he would like to handle first:

a. There will be a Covid vaccine clinic in the Community Center which is open to owners, residents, and members of the public on February 6, 2022, from 10:30 AM to 1:30 PM. A member of the WEA Board made arrangements with the qualifying agencies to provide this service to our community. WEVD employees will not be tasked with setting up or running the clinic.
b. Supervisors of the Checklist of the towns of Campton and Thornton will not be holding any additional (correction of the voter checklist) sessions after FEBRUARY 26th

He then spoke about the following:

1. Water rate for the snow gun. Last year production by the WEVD Water Department was 47,696,569 gallons of water. Mr. Scruton suggested that the charging for the snow gun be as follows: the flat overhead charge of $322 divided over 4 months, January, February, March, and December, plus a monthly charge per gallon derived by taking the variable cost of $180,000 (which could be adjusted in May so December would be the correction) divided by total gallons produced and multiplied by the gallons used. The two would be added together for the monthly charge. He added that if the Commission agrees on the methodology, it could be applied to other entities, such as the Community Center or the Ski Lodge.
   Ms. Patti asked about the usage thus far and Mr. Scruton responded that since December 30th, snowmaking has used 280,000 gallons. This figure is known because a water meter was installed simultaneously with the valve required by NH DES. As a result of the installation of the valve, the District secured from DES a modification to our residential water system permit. Ms. Patti asked if the meter was installed in other places, like the Ski Lodge, the Community Center, and the service yard. Mr. Scruton said that the Ski Lodge has one and the Community Center will get one soon. Service yard is still in question as there is low usage there.
   He added that using this methodology for per gallon usage would produce a similar billing amount for a metered three-bedroom home to what is billed now for a three-bedroom home without a meter.
   Mr. Scruton reiterated that the methodology is to divide the variable cost of the budget by the total gallons produced to get a per gallon charge for charging those with meters.

After a discussion on the motion language, *Ms. Patti made a motion to adopt the per gallon rate methodology suggested by the Interim General Manager which is to take the variable usage budget dollar amount divided by the total amount of gallons produced annually by the WVED Water Department to set a per gallon usage rate. After a second by Mr. Panuczak, motion carried by a unanimous roll call vote in favor.*

2. Hot Tub inside. The chair of the Budget Advisory Committee recommended the Commission make a decision on whether it was willing to consider the expensive fix at the end of the lap pool or to work to place a hot tub (similar in size to the one that was removed) on the indoor pool deck where there are no rooms below the location.
   After a brief discussion *Ms. Patti made a motion to exclude returning the indoor hot tub to the previous location at the end of the lap pool. Mr. Panuczak duly seconded and motion passed with a unanimous roll call vote.*
3. There has been a need for clarification on the revolving Recreation Fund and the new Recreation Management Agreement. Mr. Scruton said that the WEA Board has indicated that it is going to be too expensive and that they would like to meet with the Commissioners to further discuss this. As far as the budget preparation, the Budget Advisory Committee is budgeting a 100 percent into the District Operational Budget and is expecting reimbursement for things like a portion of the heat, electricity, pool chemicals, etc. Ms. Patti said that she talked with Mr. McElroy to discuss the issue of apportioning the costs that relate to recreation operations. Discussion arose about the level of detail for such apportioning. Mr. Panuczak noted that Mr. McElroy was provided with paperwork to further determine what is recreation related and what is District related under each line item. Mr. Panuczak then read from the new Recreation Management Agreement to clarify which costs are stipulated by it:
   "i. General Maintenance and upkeep of District facilities which are used for recreation;
   ii. Supplies, equipment, and utilities (attributable to recreation) used to deliver services required by the RMA; and
   iii. Payroll for District employees engaged in the provision of recreational services."
   Mr. Panuczak said that the Budget Advisory Committee members are looking at expenses for utilities, supplies, etc., to determine what portion should be paid out of the Rec Fund when they are used to deliver recreation services. He also said that the Administrative Services Agreement is quite straightforward in identifying which things to account for. Mr. Panuczak continued that his point to the WEA was that these are costs and they have to think about their revenue lines and how they generate money to cover their costs.
   Discussion continued about apportioning the cost of utilities that directly go towards keeping the buildings in a ready state versus using them for recreational purposes. In conclusion Ms. Patti said that there was consensus among the Commissioners that the Commission and the WEVD management will watch and assist, to a degree that they can, the Budged Advisory Committee with getting to the numbers and the percentiles. Mr. Scruton suggested that the Commissioners wait for the BAC feedback and then have a joint meeting with WEA where BAC could weigh in.
4. Well #1 repair cost is just over $50,000 to fix. That used a pump on the shelf and we need to order another one that will come out of this year budget. We need to continue looking for a third well location for a number of reasons. Mr. Scruton said that he has requested $50,000 in the budget for

a strategic study and the asset management study that is currently done will feed into it. Overall, he concluded that there are some large water related expenditures (estimated by the IGM to be 3 million dollars) expected over the next few years. Mr. Scruton then answered some questions about possible well location and funding the strategic study and future water infrastructure investments.

5. Collection Policy draft. Mr. Scruton shared his screen with the draft and said that Ms. Smith has addressed the concerns expressed at the previous meeting. Ms. Smith said that the only thing that was not changed was the timing of the finance charge as that is set in the ordinance and will require an amendment to the ordinance. The other things were pushed out as much as possible. Therefore, the current draft has the following:
   - Reminder to all outstanding accounts sent a week after the bills are due with a statement;
   - 30 days after bills are due the finance charge will be assessed and another statement sent to all outstanding accounts;
   - After 90 days past due letters requesting payments will go out to all outstanding accounts and those who are using water will have a notice outlining the disconnection date, which will be determined in accordance with the State statutes, WEVD Water ordinance and at the Commissioners' discretion.

   Ms. Smith said that at this point she will bring to the Commissioners' attention the list of outstanding accounts that need to be acted upon. Any action to disconnect water service for non-payment of the water rate will likely be more than 120 days following the due date. As for the liens, the policy stipulates that liens be placed either after 18 months or for balances over $2,000 also following the Commission vote.
   Ms. Kinney suggested to send out a copy of this policy with the 30-day notice. Ms. Smith noted that WEVD administrative staff will modify the water rate statements/invoices to include a description of the collection policy.
   Ms. Patti made a motion to amend the Collection Policy as follows: the first sentence in PROCEDURE section will read: "A reminder, both written, and, if possible, electronic, will be sent to all outstanding accounts the week after the bill is due and either a statement or the invoice will be included with the reminder." Mr. Panuczak duly seconded and motion carried with everyone voting in the affirmative in a roll call vote.
   Mr. Panuczak asked whether the ordinance also needs to be amended to exclude those who own unbuildable lots that have access to the water system from being billed for water. He said that he is unsure what an unbuildable lot is and whether there are such lots in the District. Discussion ensued on the burden of proof of what is buildable or not shall fall on the property owner, as there is no classification that the District makes based on the capacity of the lot to be built on. The extent of such proof was also discussed and whether there should be something in the deed codifying the fact that the lot is indeed non-buildable. Ms. Patti and Mr. Scruton made suggestions that the Commission may want to consider reviewing possible amendments to the Water Ordinance given that there are a few things that need to be revisited, such as the finance charge timeline or placing wells on individual lots that are at higher altitudes where the public water system connection will not work. Mr. Scruton added that the changes could be summarized by the Water Committee before the Commission begins review.

Ms. Patti reiterated that WEVD Management has authority to waive finance charges with this first round of water rate billing in light of how many owners reported being unaware of the change in how the Water Department is funded until they received the initial bill. (The District moved from funding water with a portion of tax revenues and the $200 per year charge for homeowners to a system of directly billing owners.)

Mr. Panuczak made a motion to adopt, as amended, the Collection Policy. Ms. Patti duly seconded and reiterated the amendment made earlier. Motion carried with a unanimous roll call vote in favor.

Committee / Board Reports

Budget Advisory Committee (attached)

Ms. Patti noted that the Commissioners have reviewed the BAC report.

Planning Board Mr. Panuczak said that the Planning Board is working on the Master Plan survey and the meeting is tomorrow at 4 PM. He also noted that there will be a vacancy on the Planning Board. There was consensus that the vacancy should be posted.

Water Master Plan & Roads – John Herlihy said that the Committee is getting closer to making a final meter selection. Once that is done, they will be working with the IGM on ordering the meters and installation. He added that the Water Master Plan and Roads Committee (WMP&R) has a new Chair – Jaime Oldmixon, who will be assisted by Terry Bennett. Ms. Patti thanked Mr. Herlihy and the Water and Roads Committee members for their work.

Outdoor Courts – Ms. Patti said there is nothing to report at this time.

ADA Accessibility – Ms. Patti said that there is walk through with the retained consultant to see where they are and what needs to be done. Mr. Scruton added that the the walk through will take place on Thursday, January 27th at 9:30 AM.

Snowmaking Committee did not have a quorum and no discussions took place.

HOA representative

Mark O'Hara said that they had a Board meeting last night, however, he had nothing to report or ask of the Commissioners at this point.

Mr. Scruton left the meeting at 10:07 AM.

Consent Calendar

a) Check Manifests

Ms. Patti made a motion to approve the manifests, Mr. Panuczak seconded and the manifests were approved by unanimous roll call vote.

b) Committee/Board reports

Mr. Panuczak made a motion to accept the Budget Advisory Committee report as written, Mr. Herlihy duly seconded and the report was accepted by unanimous roll call vote.

General Calendar Items (Request for Commission Action, etc.)

a) Water Collection Policy

Ms. Patti noted that this item was taken up earlier.

b) Emergency Closure of Community Center / Ski Lodge authority

Ms. Patti noted that the language of the Emergency Closure authority of WEVD Management will be reviewed at the next Commission meeting on February 2, 2022.

c) Availability of Arcade Games at Community Center

Arcade games were moved to the lobby area next to the Game Room with the exception of the air hockey table which requires multiple people to move it. It will be moved as soon as possible.

d) Budget development and the RMA

Ms. Patti noted that this item was taken up earlier.

Upcoming Meeting: Wednesday, February 2, 2022, at 6 PM.

Public Comment Period

There was none.

Non-Public Session

There was no business to conduct in a non-public session

Mr. Panuczak noted that he had reviewed the General Manager job description and had no comments. Ms. Patti said that she had submitted a comment to Mr. Scruton regarding the safety of maintaining the facilities which he incorporated into the language. Mr. Herlihy said that he did not have any comments. Members discussed how to proceed and consensus was to discuss this at the February 2nd meeting. Ms. Kinney also noted that the WEA Board had also requested to review it. WEVD Management will send to the WEA Board the latest proposed version of the WEVD General Manager Job Description. The Commission invites the WEA Board to submit suggestions for modifications to the proposed GM job description in advance of the Commission next meeting. On the February 2nd Agenda will be finalization of the GM job description. WEA Board members can also propose modifications at the that meeting.

Mr. Panuczak also asked Ms. Kinney if the new benefits roll out was still scheduled for February 1st and she confirmed that it was. Ms. Patti reminded Ms. Kinney that the Commission also wanted the optional Elder/Childcare plan to be available to the employees, and Ms. Kinney said that she will make sure it is included.

Adjournment: *Mr. Herlihy motioned to adjourn the meeting; Mr. Panuczak duly seconded. Motion passed in a roll call vote with all voting in favor.*

Meeting adjourned at 10:15 PM.

Prepared by Alvina Snegach