Waterville Estates Village District

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Approved as amended on July 20, 2022.

Waterville Estates Village District

July 6, 2022 Commissioners Meeting APPROVED Minutes

Attendees: Commissioners Gerri Panuczak and Dave Spinney. General Manager Ron Beard, Financial Assistant Allison Smith, Assistant General Manager Judy Kinney, and Municipal Resources Inc. Consultant John Scruton.

Attendees via Zoom: Commissioner Maureen Patti, Rob Diefenbach, and several unidentified persons.

Call to order: Mr. Panuczak was acting as Chairman due to Ms. Patti participating via Zoom. He called the meeting to order at 6:00 PM.

Roll Call of Commissioners: Mr. Panuczak and Mr. Spinney were present at the Summit Lodge; Ms. Patti was participating via Zoom.

Approval of the Agenda: There were no changes proposed to the agenda. *Mr. Panuczak moved to accept the agenda as written. After a second by Mr. Spinney motion carried with a unanimous roll call vote in favor.*

Approval of Minutes

a. June 15, 2022
Mr. Panuczak made a motion to approve the fifteen edits to the June 15, 2022 minutes provided by Ms. Patti in the meeting packet (attached). Ms. Patti duly seconded. Motion passed with a unanimous roll call vote in favor.
Mr. Panuczak made another motion to approve the June 15, 2022 minutes as amended. Mr. Spinney duly seconded. Motion passed with a unanimous roll call vote in favor.

b. June 25, 2022
Ms. Patti made a motion to approve the seven edits to the June 25, 2022 minutes provided by her in the meeting packet (attached). Mr. Panuczak duly seconded. Motion passed with a unanimous roll call vote in favor.
Mr. Panuczak made another motion to approve the June 25, 2022 minutes as amended. Mr. Spinney duly seconded. Motion passed with a unanimous roll call vote in favor.

Treasurer's Report
Mr. Panuczak said that he had a question regarding the difference between the bank and QuickBooks amounts listed for the Rec Fund, which he assumed was due to some bills that have not yet cleared the bank and asked if WEA is being advised of keeping the balance in that fund over the required $50,000. Ms. Kinney said that she is unable to answer him at this moment.
Ms. Patti asked Ms. Kinney about the lack of balance for the WEVD Op Holding Account that was shown on the Treasurer's report and whether Ms. Kinney knew why it was. Ms. Kinney responded that it was not put into the report due to communications error. Ms. Patti also asked about the balance that

is shown in the manifests (of about $11,300) and whether there is another transfer needed. Ms. Kinney responded in the affirmative to both and said that she will follow up with Mr. Diefenbach.
Ms. Patti said that the other question was related to another email thread but that it appears that the RMA billing to the HOA has not continued since the February invoice.
Ms. Kinney said that she would first respond to the previous question about the WEVD Op Holding account balance which is not shown in the report and is $923,847.53; as to the billing the HOA, there are some process issues that need to be worked out with Mr. Diefenbach. Ms. Patti said that it would not be fair to burden him with four months of invoices at this point and asked Ms. Kinney and Mr. Beard to see that the process is set up for monthly billing.
Ms. Kinney also explained to Mr. Spinney why the District is relying on the Treasurer for the billing, which is a temporary situation.
Mr. Panuczak made a motion to approve the Treasurer's report as presented with the addition of the earlier mentioned by Ms. Kinney balance number of $923,847.53. Ms. Patti made a friendly amendment that the report is approved as amended and seconded the motion. Motion passed with a unanimous vote by roll call.

General Manager's Report
Mr. Beard and Mr. Scruton spoke about the following:
1. Tree cutting plan update, for which the letters have been drafted and an email sent to Dave Ketcham
2. Water connection requests were described by Ms. Smith. After a brief discussion and back and forth on the details of each application, *Mr. Spinney made a motion to approve all four applicants to be billed a $1000 fee that is required to connect and approve the connections. Mr. Panuczak duly seconded.*
   Ms. Patti asked for clarification regarding the timeline of whether the two properties that had been hooked up already were connected before or after the ordinance was passed. Ms. Smith said that they were connected after the ordinance was passed.
   Mr. Scruton added that Dubois & King is also doing a pressure study and there may be lots that the District will have to put on notice that they cannot be connected as a result. Thus, the Commissioners will need to check before approving connections if the connection is even possible.
   Discussion ensued about billing and or refunding lots that are found to be unable to be connected due to pressure/elevation issues based on the study, when it is done. Mr. Panuczak requested that information about such lots is made available to the Commission as soon as it becomes known.
   Another discussion was about the need to see the water model first in order to understand how those potentially unable to be connected lots could be serviced, if at all possible and what to do with fees assessed to those lots currently.
   Mr. Panuczak summarized that this would be a multi-step process with the first step being to identify the unserviceable lots, then determine a plan to possibly service them and a timeline, and then make a decision on whether there are lots that are going to remain unserviceable and refund the fees to those property owners.
   Mr. Scruton added that it is a good idea to notify those property owners early on so that they cold plan for a well, which may alter the calculations for the placement of a septic system on their lot.

Ms. Patti asked if there was any indication on when Dubois & King might be done with the study and there was no definitive answer. Mr. Beard said that he will try to arrange a conference call with them to get a status update.

Mr. Panuczak called a vote and the motion carried with a unanimous roll call vote in favor.

3. The Management authorized Steve to take home the water truck. He is getting a lot of call-outs and as he lives close, it makes more sense for him to have the tools with him to respond directly when there are leaks, etc. The former General Manager used to take home a vehicle for responding to water issues. Mr. Spinney asked if there was a log of how many calls are answered and Mr. Beard said that he was not aware of such log. Ms. Patti said that there possible was a decision to start such a log before Mr. Panuczak's and her time as Commissioners (in the year of 2020). Mr. Beard said that he will check and if there is none, he can ask Steve to keep a log of all the calls he answers to. Ms. Patti added that if he is not currently keeping one, the new log should be going back to 2020 when the procedure was adopted.

   Ms. Patti also said that there was a vote taken a while back to use decals for all the District owned vehicles. Mr. Beard said that the Management is currently taking in suggestions for the District logo and once that is decided, decals will be ordered and placed on vehicles.

   Mr. Panuczak said that Mr. Diefenbach was not present during the Treasurer's report discussion and he would like to take some time to discuss the issues that were raised during that discussion while he is present. He gave him the balance for WEVE Op Holding Account that was stated to be $923,847.53 and asked about the billing for RMA and RSA to WEA that has stopped after February. Mr. Diefenbach said that Ms. Kinney and he are trying to figure out the discrepancies between the bank and QuickBooks amounts for the two accounts and it has been quite difficult due to Ms. Kinney having a lot of other things to deal with at the moment. Mr. Diefenbach also said that the invoiced are all ready, except for a couple of payroll items. Mr. Panuczak also asked clarifying questions about transfers and whether these are decided based on the bank amounts or QuickBooks. Mr. Diefenbach said that he will not be able to answer that until the discrepancies are resolved and he has not been able to reconcile the Rec Fund since February. He added that he had requested information a few times, but Ms. Kinney has been very busy lately with other pressing matters to be able to track down the details for him. Mr. Diefenbach said that he is willing to help Ms. Kinney and will come down to the office to discuss it with her.

4. Jolene Wilson-Glah property. House went from three bedrooms to a two-bedroom. Ms. Smith presented the timeline as follows: in December 2021 the house was billed for water as three bedroom. The property owner reached out to the District and said that her house was a two bedroom now. Ms. Smith referred her to the town of Campton to reconcile the difference. No further . was had with the owner regarding the topic; in May – June 2022 the property was billed for water as three bedroom per tax card on file at the time of billing. The owner reached out to the District again to state that her home was a two bedroom. Ms. Smith again referred her to the town of Campton to get her property reviewed. According to an email from the owner the card was changed on May 13, 2022. Given that this is a precedent setter Ms. Smith said that she thinks it is important to be clear with what the District is accepting as the effective date of changes. She added suggested that since tax bills are sent during the same time as the District's water invoices, the tax pick-up cycle could be used as the change date. Using Jolene's case as an example, her December 2021 bill

would not be affected, only her May 2022 bill as the pick-up date on the card was her spring 2022 taxes.

After the extensive back and forth on how to adjust the bills based on the rates and the tax billing cycle, *Ms. Patti made a motion that anytime there is a modification on the tax card, the District will implement the change in the water billing vis-a-vi the tax card in the beginning of the following month.* Mr. Panuczak noted that the actual reconciliation of the annual amount will be done later when the full rate is known due to the billing cycle.

Discussion ensued on whether the District should consider changes that occurred earlier than the current year. It was determined that the municipal accounting does not allow the towns to go back to previous years, therefore this issue is moot.

Ms. Patti reiterated her motion that anytime there is a modification of a tax card, the District will implement the change in water billing in the beginning of the following month. Mr. Panuczak duly seconded and motion passed with a roll call vote in favor.

Then members briefly discussed the process of billing going forward where Ms. Smith said that she will record the data from tax cards herself to make sure things do not get missed, as she already has to go through the tax cards for billing anyway. She will also have the policy drafted for the next Commissioners' meeting to discuss.

8. Mr. Beard continued reporting that the Fitness Center AC units were delivered on June 28, 2022 and the installation will continue into next week. He also noted that the electrician will be working on installing the isolation switch to prevent the heating system from firing up when the mini splits are in use.
9. Mr. Beard also spoke about floor replacement outside of the fitness room that has been completed.
10. He also said that Ms. Kinney reported that the WEA board is still looking into Evergreen Management taking over the front desk and possibly food and beverage. According to Ms. Kinney they would look to still have her oversee the front desk.

    Mr. Scruton made a suggestion that the Commissioners give the WEA Board some guidance and set some firm conditions such as that the District staff will not supervise Evergreen staff and that the District will not loan its liquor license to anyone else as it will only be used by the District staff. There was general consensus among the Commissioners and Ms. Patti said that she will communicate this guidance to the WEA Board.

    After a brief discussion of the liquor license issue and whether the guidance will cover front desk only or other concessions, Ms. Patti summarized that in her email she will only refer to the front desk operations. She also said that she will draft the email to the WEA Board and send it to Mr. Beard to confirm.
11. Mr. Beard then spoke about the lift tower painting project that has been completed as of 6-29-22 and that it looks great and came in under budget. Mr. Panuczak asked about the status of the lift safety equipment and Mr. Beard said that it is expected either next week or the week after, therefore, all the work related to that is delayed for when the items get here. Mr. Beard also noted that staff is working on getting the quote for the lights for the ski hill.
12. Mr. Beard also said that Steve Bauert reported to him that the excavation of the contaminated soil at the DPW garage has been moved to next week. Steve Bauert has a roll off container and has started the clean-up. Also, he has someone that will be taking the old logs off site.
13. Mr. Beard said that he asked Ms. Kinney to send out a memo that the District is having a contest

among staff to create a new WEVD Logo. After submissions are received, Mr. Beard will present them to the commissioners for their consideration and selection. The winning design will get a gift certificate.

Mr. Scruton said that a report he prepared summarizing the District's activities over the past year is included in the July 6th Handout or packet. Discussion ensued on whether this report should be published on the District website and Constant Contact and everyone agreed that it should be.

Committee/Planning Board Reports:

Mr. Panuczak noted that there were no written reports submitted to the Commission for this meeting packet and asked if anyone would like to report verbally.

a. Planning Board

Mr. Panuczak said that the Planning Board is in the middle of the first survey and encouraged everyone to fill out the survey which is due until the 11th of July.

Mr. Diefenbach said that the Budget Advisory Committee reports are on hold until he sorts out the balance discrepancies and that he has been sending reports each week up until last week.

d. ADA Accessibility

e. Records

Ms. Patti said she had no new information to report for either of the committees.

Consent Calendar

a. Manifests

Mr. Panuczak made a motion to approve the manifests as presented in the packet. Mr. Spinney duly seconded and motion passed with a unanimous roll call vote in favor.

b. Committee/Planning Board Reports

There were no reports to approve, therefore there was no vote taken.

GENERAL CALENDAR ITEMS

a. Change in Town Tax Card, impact on Water Rate

Mr. Panuczak noted that this item has been discussed earlier during Mr. Beard's report presentation.

b. Grandfather a Connection to Water System?

Mr. Scruton noted that this item has been discussed earlier during Mr. Beard's report presentation when the charge of a $1000 was discussed.

c. Water Connection Application Approval

Mr. Panuczak noted that this item has been discussed earlier during Mr. Beard's report presentation.

d. Paving – Roads & impact on Basketball Half Court

Mr. Scruton, Mr. Spinney and Mr. Beard provided an update on the matter.

e. Management and Water Department Head produce Newsletter (Water System)

Ms. Patti said that she had asked Mr. Beard and Steve Bauert to prepare a one page description of the water system to let people know how much water is used and maybe where the District is hoping to be going in the future. She has not received a response yet but wanted to mention this to the Commissioners and that is why the item was on the agenda. Mr. Beard asked if Ms. Patti wanted such information to be provided to the public routinely. She answered that she thought of it as a one time information piece that could go out in a newsletter and that information on how much is spent on electricity, how much water used, etc. could be mentioned in there. Mr. Panuczak agreed and added that this will be a precursor to the water asset study, which is about to be finished, which, in its turn, will guide the strategic plan for the future of the water system. Mr. Diefenbach concurred with both Commissioners and said that the more clarity is provided to the public, the better, especially given the amount of misinformation that he is seen being disseminated via social media.

f. Review of JOB DESCRIPTIONS AND ORGANIZATIONAL CHART

Mr. Panuczak thanked Mr. Scruton for compiling the job descriptions and the organizational chart and said that it was great work on his part. Mr. Scruton explained that the way both are structured allows for certain responsibilities to come off the list if they are taken over by other organizations - e.g., taking over the front desk operation. Ms. Patti agreed with Mr. Panuczak and added that it is very good to have such thorough description of how the organization works. *Ms. Patti then made a motion to approve all three job descriptions and the organizational chart. Mr. Spinney duly seconded.*

Mr. Panuczak asked if all three people whose job descriptions are subject of this motion have reviewed them and agreed with them. Mr. Scruton said that they have. *Mr. Panuczak called the vote and motion carried by a roll call vote with all voting in favor.*

g. Invite Budget Advisory Committee members to attend NHMA training

Mr. Panuczak said the Commissioners have undergone this training last year and it was very useful. *Mr. Panuczak made a motion to extend the invite to NHMA training to the Budget Advisory Committee members and possibly to any appropriate staff members and the Treasurer. Ms. Patti duly seconded and motion passed unanimously by a roll call vote.*

Upcoming Commission Meetings – July 15, 20, 2022 @ 4 p.m.

Public comment period.

Mr. Panuczak said that there was no one present in the room, no phone calls or emails have been received. Ms. Patti said there were a couple people on Zoom and Mr. Panuczak invited anyone who wishes to speak to raise their hand on Zoom or unmute and address the Commission. There was no one to speak.

Mr. Spinney raised the issue of the waiting list for the water meters and there was discussion of the issue of meters shortage and the waiting list, as well as the issues with the billing for them and reflecting it in the budget. Ms. Patti said that in her understanding there are two separate issues of which the first is that there are meters that the District has in stock that are awaiting another part to be able to be installed. Mr. Beard responded in the affirmative. *Ms. Patti made a motion to take the appropriate action which would be a special meeting to seek leave from the court to expend additional funds from the unreserved fund balance in order to purchase more meters.* She continued to say that if there is truly such high demand for meters,

shall the Commission then seek consultation from Counsel on what is necessary to take the steps on ordering the additional meters while the District is awaiting the delivery of the additional part. Ms. Smith said that she could provide the Commission with more definitive numbers tomorrow morning but as of right now she thinks she has about 35 forms come back requesting meters. Discussion ensued on how to move on given the fact that the District is promoting the installation of meters while at the same time telling people it cannot install them, which does not look good. Ms. Patti asked how many meters the District already has given that $40,000 has already been spent, and Mr. Diefenbach asked about the availability of the missing part, making a point that ordering more meters may be moot if the part is still going to be unavailable, making installation impossible. Ms. Patti agreed with him and said that the vote should be to authorize the Management, upon review of the supply chain issues for the necessary part to install residential meters, to reach out to Counsel and to seek a special meeting if those parts can be obtained quickly. Mr. Beard asked whether the District had purchased the meters for which it will be reimbursed later. Ms. Patti concurred. Mr. Beard then asked why the District would simply give meter specs to property owners to purchase on their own, have it installed and then be inspected by Mr. Bauert for compliance. Ms. Patti said that the District wanted to make sure that it is an American made project that is being purchased to avoid supply chain and quality issues and under the contract with the company, the District is to provide the meters. She said that she does not know if the District could turn that to the homeowners directly, but if the missing part is still unavailable that issue is also moot. Mr. Diefenbach said that the other option would be to get the HOA involved. Ms. Smith added that the
Water Ordinance states that the meters are to be purchased through the District. Mr. Panuczak asked whether the fund used to purchase meters was a revolving one, thus allowing to replenish it with the proceeds from meters that have been installed and for which the District has been reimbursed. Mr. Scruton said that it was his understanding that it was not. Discussion ensued about which funds to use and procedure. *Ms. Patti said that she may have misspoken when she made a motion to use the unreserved fund balance, where she should have said that if a special meeting is called it would be requesting to use Water Department resources and funds to purchase more meters*. Discussion continued about the use of the unreserved fund.

Ms. Patti said that she would prefer if this discussion was tabled until a future meeting when the Commissioners could have a more informed discussion as this is a very complicated issue and that the Commissioners do not vote on her motion and ask people to gather more data to make an informed decision.

Mr. Panuczak agreed and said that this should be included as the agenda item for the July 15th 20th meeting.

Mr. Spinney said that it was not fair to Ms. Smith to be fending off the complaints and be put in this position while the District is promoting meter installation and she has to be the one to deliver the bad news to people. Ms. Patti agreed and said that the Commission has to get all the information prior to making a decision, therefore, Ms. Smith in the meantime, could be answering the public that the Commission is looking into options to provide the missing part and to possibly secure additional meters, which will be discussed at the July 15th 20th meeting.

Mr. Panuczak said that Mr. Scruton has just informed him that the next Commissioners' meeting in on July 20th and NOT on July 15th as was stated on the agenda.

Ms. Patti made a motion to amend the agenda and change the date under item 11 from July 15, 2022 to July 20, 2022. Mr. Panuczak duly seconded and motion carried by a unanimous roll call vote in favor.

Signing of previously approved minutes, policies, and/or procedures

Non-Public Session
Mr. Panuczak motioned to enter non-public session for the purposes described in RSA 91A:3, II (a),(c), and (l). Ms. Patti duly seconded and the motion passed at 7:31 PM by a unanimous roll call vote.
Non-public session was entered at 7:35 PM. Commissioners Panuczak and Spinney were present in person as well as GM Beard, John Scruton, AGM Kinney, and Financial Assistant Allison Smith. Ms. Patti joined the meeting via Zoom.

Resumption of Public Session
At 09:21 PM Mr. Panuczak motioned to exit non-public session, Ms. Patti duly seconded and the motion passed by unanimous roll call vote.
Public session was entered at 09:23 PM. Commissioners Panuczak and Spinney were present in person.
The nonpublic session minutes were sealed by a motion from Mr. Panuczak, a second by Mr. Spinney, as divulgence of the minutes would adversely affect the reputation of someone other than a Commissioner and render proposed action ineffective. The motion passed by a unanimous roll call vote.

Adjournment: *Mr. Panuczak made a motion to adjourn the meeting; Mr. Spinney duly seconded. Motion passed with a 2:0 roll call vote.*

Meeting adjourned at 9:25 PM.

Prepared by Alvina Snegach

a. Proposed Amendments to minutes of June 15, 2022:
1. Page 1, line 4 – insert after 'Ron Beard' the following "Ms. Patti joined the meeting during Consent Calendar items,"
2. Page 1, line 6 – correct to read: "Commissioner Panuczak, acting as Chair for this meeting, called the meeting to order…"
3. Page 1, line 22 – correct typo "done"
4. Page 1, line 23 – insert after 'and' the following "an availability charge to"
5. Page 1 & 2, lines 38 to 43 – delete
6. Page 2, line 65 – after 'Mad River' insert a period followed by the following: "The District is able to use Eminent Domain and the District is not restricted to locating any water lines to the designated trail(s). Also, the District can use easements if the property owners are agreeable;"
7. Page 2, line 76 – after 'Mr. Scruton said' substitute the following language: "we cannot use as much treated water as we used last year to make snow. He wanted to put everyone on notice that the District cannot allow the amount of snowmaking with treated water that we had last winter for this next season;"
8. Page 2, line 78 – correct to read: "Management would like permission to clean up on the piles of debris at the Service Yard now that we have Sanborn & Head using the backhoe and dumpsters to start clearing. The insurance provider, PRIMEX, approved staff working to remove trees etc. provided they take necessary precautions." Continue line 80 with 'We are not aware of any dangerous material.'
9. Page 2, line 81 – after 'issue' insert "including an old diesel tank which still has fuel in it"

10. Page 4, line 128 – correct typos “lift” people “in and out”
11. Page 4, line 135 – correct to read: “quotes on repainting the parking spots at the Community Center to make clear the location of handicapped parking.”
12. Page 5, line 185 – correct typo to read “not as a requirement”
13. Page 5, line 198 – insert parenthesis after ‘Ordinance’
14. Page 5, line 208 – correct to read: “…a new well because the District can refuse to hood up a property to the water system if there is insufficient pressure (psi).”
15. Page 6, line 213 – insert “hook-up” and delete ‘availability’

b. Proposed Amendments to draft minutes of June 25, 2022:
1. Page 1, line 3 – “Barnes” not ‘Barn’
2. Page 1, line 4 – “Bobbi” not ‘Bobby’
3. Page 1, Line 6 – add “and other unidentified parties”
4. Page 1, line 16 – delete first sentence
5. Page 1, line 23 – after ‘services’ insert “, for fitness center.”
6. Page 1, line 34 – substitute “to ten years” for ‘double’
7. Page 2, line 66 – correct typo “leak