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Approved as amended on October 18, 2022.

Waterville Estates Village District

September 7, 2022 Commissioners Meeting APPROVED Minutes

Attendees: Commissioners Maureen Patti, Gerry Panuczak, and David Spinney. General Manager Ron Beard, and Assistant General Manager Judy Kinney, and Financial Assistant Allison Smith.

Attendees via Zoom: Tanya Moses, Tom Hagerty, and Jared Waitkus.

Call to order: Commissioner Patti called the meeting to order at 6:00 PM.

Pledge of Allegiance: The meeting began with the Pledge of Allegiance.

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

Approval of the Agenda:
Ms. Patti suggested an amendment to the agenda in the form of tabling item 10.h to the September 21st meeting, switching items 10.b and 10.c and doing them in reverse order, and adding items 10.j (Tree Cutting on District Property) and item 10.k (Friends of Campton Mountain Account). There was consensus among the Commissioners on all the amendments to the agenda. Ms. Patti also suggested to bypass item 8.a on the agenda and the other Commissioners agreed.

Approval of Minutes

a. August 17, 2022

Ms. Patti said that the Commissioners had a hard copy of the motion made by Mr. Panuczak with the proposed changes to the August 17 minutes. *Ms. Patti made a motion to make that motion by Mr. Panuczak an official attachment to the handout of this meeting. Mr. Panuczak duly seconded and motion passed with a unanimous roll call vote in favor.*
Mr. Panuczak made a motion to amend the August 17th meeting minutes according to the 15 changes in his motion and made a friendly amendment to his changes to spell the last name Moses with one "s". Motion passed after a second by Ms. Patti and a unanimous roll call vote in favor.
Ms. Patti made a motion to adopt the August 17th meeting minutes as amended. Mr. Panuczak duly seconded and motion carried by a roll call vote with everyone voting in the affirmative.

b. August 27, 2022

Ms. Patti made a motion to amend the August 27th meeting minutes according to the 20 changes in the attached motion proposed by Ms. Patti. Motion passed after a second by Mr. Panuczak and a unanimous roll call vote in favor.

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Ms. Patti made a motion to adopt the August 27th meeting minutes as amended. Mr. Panuczak duly seconded and motion carried by a roll call vote with everyone voting in the affirmative.

Treasurer's Report

Ms. Patti noted that there was no written report from the Treasurer in the handout but that the Assistant General Manager Kinney had some information to provide to the Commissioners which she will do after the General Manager presents his report.

General Manager's Report

Mr. Beard spoke about the following:

1. Mr. Pelchat and his team have been busy getting the mountain ready for the upcoming season. The brush has been cut back and the wire rope on the lift has been inspected. There was also a company representative looking at the groomer earlier today.
2. While Mr. Baert was on vacation Ms. Beard has been working with him on monitoring the SCADA system by sending him daily screenshots from it when the remote access was down.
3. Mr. Beard has been working on evaluating the District food and beverage operation and has found some concerns that need to be addressed. He will be putting a plan together and will present it at the next meeting.
4. Mr. Beard said that heat to the outdoor pools has been turned off and the management will be posting the daily temperatures at the front desk so that the people are aware of that they are when it starts cooling down.

Ms. Patti asked Mr. Beard if the decision to turn off the heat to the outdoor pools was done in consultation with the WEA Board and he said that it was. She then asked Ms. Kinney if the outdoor pools get drained and closed for the season after Columbus Day and if that was still the plan and both Mr. Beard and Ms. Kinney confirmed.

Ms. Patti then asked Ms. Beard to elaborate on his groomer statement he made earlier. He said that he has been talking with Shawn Tole who has been looking at used groomers and possibly replacing the District groomer and Mr. Tole had a lead on a used machine from PRINOTH, which is a groomer manufacturer that has local representation. Mr. Beard answered Commissioners' questions about the state of the current groomer and a funding source for the purchase of a replacement. Mr. Beard said that the District budgeted $10,000 for repairs and it may not be enough and that the WEA Board may be exploring using CIF monies to cover the cost of the replacement.

Mr. Beard also said that the sand shed prep is done and the assembly will start soon and that the grader repair is complete.

Mr. Panuczak asked if the float dock will be brought in after Columbus Day as well and Mr. Beard confirmed.

Ms. Kinney then went over some numbers in lieu of the Treasurer's report:

- In QuickBooks the Water Department has $229,946.49 and the bank balance is $249,371.35.
- In QuickBooks the Rec Fund has $112,788.42 and the bank balance is at $133.213.51

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- Bank balance for the Friends of Campton Mountain account is at $10,612.99 as the check has not cleared, and the QuickBooks is showing $.49 which is the interest.
- In QuickBooks the District reserve fund has $1,036,368.11 and bank balance is at $1,048,753.11.
- In bank balance the District operating account is at $207,290.12 and QuickBooks was showing $3940.94 prior to payroll and after payroll it is at -$6047.28 and Ms. Kinney said that she was going to ask for a transfer of funds. Ms. Kinney explained that payroll has been entered on the books, but the actual checks have not yet been cut.

Ms. Patti asked to clarify such a large discrepancy between QuickBooks and the bank for the operating account, and Ms. Kinney said that she is still reconciling this account and has yet about three months to cover. Ms. Kinney added that there were two transfers out of this account made just today – one for the rec fund and the other for the water department. She reiterated that she still has about three months to reconcile. *Ms. Patti made a motion to make the document with the information provided by Ms. Kinney on the District accounts an official attachment for this meeting. Mr. Panuczak duly seconded and motion carried with a roll call vote in favor.*

Discussion ensued about Ms. Kinney's request for a fund transfer and how much it may be. Commissioners asked Ms. Kinney if she had an idea of what the District would require for a month but she was not able to give an exact figure. She suggested an amount of $50,000 and said that once she is done reconciling, she should have a better idea of what would be needed. She also provided a number for August District expenses, which was $201,838.28. Ms. Kinney added that she believes that the District has the money to cover the next month and that it is just not all recorded in QuickBooks.

Committee/Planning Board Reports:

a. Planning Board

Tabled.

b. Water & Roads

Mr. Panuczak provided an update on the meeting that took place yesterday. He said that he was able to confirm that that all three water infrastructure projects that District submitted for funding were in the top 60 with the well sourcing project being #36. He also said that the State is planning to adopt the application procedure within the next couple weeks and Dubois&King is staying on top of things tracking the process. Mr. Panuczak said that the Water & Roads Committee would like to recommend to the Budget Advisory Committee the building into the Water Department budget $75,000 each year for strategic water line replacement. Ms. Patti asked to clarify whether the proposal is to build this into the Water budget and Mr. Panuczak said that it was. Mr. Panuczak also said that at the next W&R Committee meeting a hydrologist will be speaking to the members about the next steps should the water well sourcing project get approved. Dubois&King will be providing the scope and cost for that project. The last thing Mr. Panuczak noted was that the Committee instructed staff to contact towns of Campton and Thornton to inquire about availability of GIS mapping layers for the District's water and road system to see if the District would need to look into purchasing an ArcGIS license to utilize those layers.

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c. Outdoor Courts

Mr. Spinney provided an update on the latest meeting which was a work session due to lack of quorum and the members discussed tree replacement costs if it becomes necessary, about installing the footings and when the paving will be done, about having some issues contacting Vermont Rec, who were supposed to start this week, which is now under question. Ms. Patti clarified that Vermont Rec was supposed to remove some fences which was necessary for the tree removal on District property. Mr. Spinney added that the tree removers have also been pushed back due to Vermont Rec not being on site. Mr. Beard said that some of the tree markings compromised and some trees may need to be re-marked and added that the staff will paint the trees that have to be removed.
Ms. Patti noted that this would be a good time to take up Agenda item 10.J which has to do with tree removal.

Tree Removal on District Property and Tree Cutting Plan

Ms. Patti spoke about her conversation with representatives of the WEA Board Mr. Marshall and Mr. Griffiths about the plan to plant a screening buffer of vegetation in place of those trees that will be removed to preserve the integrity of the outdoor courts. She did note to them that the District has not yet budgeted for this as it was unclear whether there will be any funds remaining from the project itself to do this, or if there would be a certain amount that would need to be budgeted for in 2023 or a combination of both scenarios. Ms. Patti said that she wanted to relay this to WEA even though this was not included in the motion made previously by the Commissioners.

Consent Calendar

a. Manifest

Ms. Patti made a motion to approve the manifests that are included in the meeting handout. Mr. Panuczak duly seconded and motion carried with a roll call vote in favor.

b. Committee/Planning Board Reports

There were no written reports to discuss.

General Calendar Items

a. Water Department RCA re: Billing Procedure, Town Tax Card Adjustments

Ms. Patti said that the water billing process has brought up another issue with water billing procedure that needs to be addressed by the Commissioners. Ms. Patti noted that in her reading of the procedure this will require an actual amendment to the Water Ordinance, and, therefore, a properly noticed public hearing. Other Commissioners agreed with Ms. Patti and it was agreed to schedule the public hearing to discuss the water billing procedure and related town tax card adjustments at the September 21, 2022 Commissioners' meeting at 4 PM.

c. RCA: New Water Connection for Lulley

Ms. Patti said that the materials for this Request for Commissioners' Action were received and reviewed by all Commissioners. After a short discussion of the matter and Mr. Beard's report on having no issues with this connection upon staff checking it, *Ms. Patti made a motion to approve the hookup application for 46 Summit Drive. After a second by Mr. Panuczak, motion passed by a unanimous roll call vote in favor.*

b. RCA: New Water Connection for Waitkus

Ms. Patti said that she had received an email from the owner regarding some specific issues relative to this connection. *Ms. Patti made a motion to make this email dated August 15, 2022 an official attachment for the minutes of this meeting. After a second by Mr. Panuczak, motion passed by a unanimous roll call vote in favor.*

Mr. Waitkus was present on Zoom and provided some background of the issue and said that he is requesting for a waiver from the 1" water line from the curb stop to the house requirement and inspection due to the hardship that would represent to him, given that he already has a 3/4" pipe installed and buried, as the curb stop at his property was also 3/4" . Mr. Waitkus also spoke about the charges for connecting the waterline on his street to the main transmission line and that he believes that he should not be responsible for the cost of putting this in, as it should be the District, who will also own that line after its installed. He added that previous management told him that there the line to his curb stop was connected to the main, which later turned out not to be the case. He said that he already paid a deposit to the water system contractor/operator to connect the main line to the line on the street, but he feels he should be reimbursed. With that, Mr. Waitkus said that he is seeking the connection approval on those conditions.

Discussion ensued about the former practice and the shift that has take place with the ordinance where the District has been charging the homeowners to connect the transmission line to the curb stop. Confusion arose about the connection from the main transmission line to the Myrtle Street properties (which Mr. Waitkus' property is one of) and Ms. Patti clarified that to facilitate this connection a line has to be put under Winterbrook Road.

Ms. Smith, who is also the Water Department Administrator for the District, said that she does not recall the Ordinance having any provisions for the District being required to extend the main transmission line. She added that in the section that governs extensions that are requested by developers, the latter are financially responsible for installing both the main extension and the curb stops, where the district then will take possession of them in two years for the extension and in one year for the lines. Ms. Patti asked Ms. Smith to print the correspondence between the homeowner and former IGM John Scruton on the matter.

Mr. Panuczak noted that the homeowner was told by a representative of the District, a former member of administration, that the line was there, which was not an accurate fact, and whether the District has an obligation to remedy this. Ms. Patti responded that she had spoken to Mr. Baert and he explained to her that the line on Myrtle Street is an abandoned line and he has reservations about

using it as he is not sure of the state of the line and he has concerns regarding the backfill state the line and the backfill are. Discussion continued about the fact that there is a line there but the District will not be using it due to potential number of leaks in it. Ms. Patti added that Mr. Baert also told Ms. Patti that the water operator (Lakes Region) had quoted him about $10,000 per 100 linear feet for putting the new line, given that there are no issues such as ledge and whatnot. Commissioners asked Mr. Waitkus about the distance to his lot and he guessed it was about 600 to 800 feet or more to the last lot (which is his) and that there are no more houses on the road. Mr. Waitkus opined that the other lots may not even be buildable as developing them would require a cul-de-sac for to be built for which there is no public land available.

Mr. Spinney said that Lakes Region did not seem to have an issue coming out to connect the main to the Myrtle Street line and start using it, to which Mr. Beard responded that it would need to be pressure tested and disinfected prior to being used. Discussion ensued on options available to the District, on potential costs, on the fact that the District is already dealing with leaks and taking on another leaking piece of infrastructure is not a wise decision.

Ms. Patti reiterated the issues related to the matter, which are: a) Mr. Waitkus is under contract with Lakes Region to put a line under Winterbrook Road to connect to the main; b) a waiver request to not install a 1" pipe from the curb stop to the house; and c) request to waive the inspection.

Discussion ensued about the rationale of the Water Ordinance requirement for a 1" line and the fact that the meters are all 3/4". Mr. Spinney explained that connections are as follows: main – 2" line to 1" pipe from the curb stop to the house, and then 3/4" to the meter, which is what creates better pressure.

Mr. Waitkus said that Lakes Region installs 3/4" curb stops. Ms. Patti said that the District's water system is an amalgamation of at least three water systems and there are a host of issues, historically and now, which is why the Water Ordinance was drafted that had set the parameters selected in consultation with engineers and District staff and those parameters are there for a reason. She continued to say that despite the water system resemblance to the "wild wild west" in the past, the adoption of the Water Ordinance was done through a very transparent public process, involving experts and vetted by the District staff and the Commissioners.

Discussion continued on the facts of the matter, the misrepresentation that was made to Mr. Waitkus about the line on Myrtle Street being operational, and what the District should and should not do. Mr. Waitkus checked the GIS map and came up with a more accurate estimate of 500 feet to his lot. Members discussed options to bring up water up Myrtle, if new piping were to be put in; rationale to do so; and potential costs. Mr. Panuczak said that the main extension under Winterbrook is already happening since Lakes Region will be there to get Mr. Waitkus hooked up to the existing line. Mr. Beard asked if it would be possible to ask Lakes Region to pressure test and wash that abandoned line before they connect it to the District's water system.

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After Mr. Waitkus said that he was told that the only company he could use to extend the line was Lakes Region [Lakes Region Water is approved to work on main transmission lines] and added that his contractor indicated that he could do it for much less, discussion ensued about the possibility of using a private contractor, who is licensed to perform such work in New Hampshire, to install the line under the District staff supervision, given the fact that the District does not anticipate using the existing antiquated line on Myrtle Street.

Ms. Patti asked to take a 10 minute recess at 7:18 PM to reach out to Mr. Baert. There was no opposition from other Commissioners.

At 7:31 PM Commissioners were back in session. Ms. Patti said that she was able to reach out to Mr. Baert and it was determined that there was not enough information available to the Commissioners to be able to proceed with discussion of this matter. She added that they would need Mr. Baert to look at the Water Department budget and inform the Commission, and to do this he needs time which he would need time for. Ms. Patti asked Mr. Waitkus if he was agreeable to deferring this discussion to the Commissioners' meeting on September 15th at 6:00 PM, where Mr. Baert had agreed to be present as well. The Waitkus water connection will be the only agenda item. Mr. Waitkus confirmed that he was.

Mr. Panuczak added that the Commissioners would also need both quotes for brining the line up all the way up Myrtle Street to Mr. Waitkus' house (which will include all the lots on that road): one from Lakes Region and the other from his private contractor. Mr. Waitkus said that he spoke to him over the recess and got a verbal quote already, which he relayed to the Commission. Ms. Patti requested that Mr. Waitkus emails the estimate to the Commissioners so that they have it writing. She also asked if the contractor could add into his quote (as a separate line item) the installation of curb stops in the following locations: 1) right after coming out from under Winterbrook Road; 2) at each property along the way to Mr. Waitkus' lot (total of 6 curb stops). Mr. Waitkus also offered to connect Mr. Baert and his contractor together so that they could walk the road and discuss the details.

Ms. Patti summarized the preceding discussion as follows: a) there is no dispute that there is no connection to the main transmission line under Winterbrook Road; and b) there is no dispute that there is a water line that the District Water Department does not consent to be using. She also reiterated the parts of Mr. Waitkus' request: a) request to waive the connection fee; b) request to waive the requirement to use 1" pipe to the house and to waive the inspection; c) the question of what to do with the bills for the connection to the main line that will go under Winterbrook; and d) what the costs are related to running a new line on Myrtle Street to Mr. Waitkus' property along with installing 6 curb stops on the way.

Mr. Waitkus said that if the District would pick up the costs to bring the water to his curb stop, he can then install a 1" line to the house and have it inspected, therefore, making that waiver request moot. Ms. Patti responded that it will be up to him, but the Commissioners will carry on with the identified set of issues as she noted just now for the sake of following procedure.

After discussing the fact that Mr. Waitkus has to use Lakes Region for the Winterbrook connection piece of the project, Commissioners requested him to stop after that and wait for the outcome of their meeting on September 15th.
Mr. Waitkus was asked to provide his contractor's details to Mr. Beard so that he could connect him with Mr. Baert.

d. Modification to Request for Commission Action (RCA) form – internal use

Ms. Patti said that the form was in the packet, and there was a minor change proposed, that has been discussed in a non-public session as well.
Ms. Patti made a motion to adopt the draft of the Request for Commission Action (RCA) form for internal use as it is presented in this meeting packet as the Commission official form. Mr. Panuczak duly seconded and motion passed by a roll call vote with all voting in favor.

e. Creation of a Request for Commission Action (RCA) form -- public use

Ms. Patti said that Ms. Smith had also created a Request for Commission Action (RCA) form for the public to use and it was in the packet.
Ms. Patti made a motion to adopt the draft of the Request for Commission Action (RCA) form for public use as it is presented in this meeting packet as the Commission official form. Mr. Panuczak duly seconded and motion passed by a roll call vote with all voting in favor.

f. Modification of WEVD Commission Meeting Schedule?

Ms. Patti went over the changes that she introduced to the meeting schedule for 2023 where she tried to work around multiple scheduling conflicts. Members discussed the new schedule that did not have any Saturday meetings, introduced occasional Tuesday morning meetings to allow for Department Heads to attend, and moved the regular meetings from first and third week to second and fourth week of the month.
Ms. Patti made a motion to adopt the WEVE Commission Meeting Schedule for 2023 as it is presented in this meeting packet as the Commission official schedule. Mr. Panuczak duly seconded and motion passed by a roll call vote with all voting in favor.

g. Hiring a consultant re: financial reporting, update

Mr. Spinney said that Mr. Beard and he met with Alan Gould from Municipal Resources Inc. to discuss the options District has to have its financial reporting system evaluated and streamlined. Mr. Beard said that the outcome of that discussion was the Agreement that will be sent to the District which will initiate the process. Ms. Patti said that that contract could be reviewed by the Commissioners at the September 15th meeting.

h. 2019 Audit

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The item was tabled until the September 21st meeting.

i. Water Department authority re: Violations of Water Ordinance
The item was tabled until the September 21st meeting.

j. Tree Cutting on District Property
Item was discussed earlier in the meeting.

k. Friends of Campton Mountain Account.
Ms. Patti said that there was check that needs to clear from the FoCM account and added that the Commissioners would like to make a formal request to Management to contact the bank and get the necessary paperwork for closing the account. Members settled on how to handle the remaining $.49 in interest which they will pass on to the WEA Board in the form of a bank check. Mr. Panuczak also asked Ms. Kinney to make sure that the $100 that are with the Campton Mountain Trust Fund Trustees of the Trust Fund are also dealt with.

Upcoming Commissioner Meeting – September 15, 2022 at 6:00 PM and September 21 at 4:00 PM when the public hearing for modifying the Water Ordinance regarding the billing procedures will take place.

Public comment period.
Ms. Patti said that there was nobody present in public, no calls, emails or Zoom requests to address the Commission and closed the public comment period.

Signing of previously approved minutes, policies, and/or procedures
Ms. Patti said that the Commissioners will sign the necessary documents when they come back from the non-public session.

Non-Public Session
At 7:57 PM Ms. Patti made a motion to enter non-public session for the purposes described in RSA 91A:3, II (a),(b), and (l). Mr. Panuczak duly seconded and the motion passed by a unanimous roll call vote.
Non-public session was entered at 08:02 AM. Commissioners Patti, Panuczak, and Spinney were present in person as well as GM Beard and AGM Kinney.
At 8:55 PM Mr. Panuczak motioned to exit non-public session, Mr. Spinney duly seconded and the motion passed by unanimous roll call vote.

Resumption of Public Session

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Public session was entered at 08:55 PM. Commissioners Patti, Panuczak, and Spinney, were present in person. Also present was GM Beard and AGM Kinney.

The nonpublic session minutes were sealed by a motion from Ms. Patti and a second by Mr. Spinney, as divulgence of the minutes would adversely affect the reputation of someone other than a Commissioner and render a proposed action ineffective. 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 unanimous roll call vote.*

Meeting adjourned at 08:56 PM.

Prepared by Alvina Snegach

Amendments to Draft Minutes
a. August 17, 2022:
Line 3: Replace “Gerri” with “Gerry”
Line 43: Add after “Tanya” – “Moses (Front Desk Supervisor)”
Line 50: Replace “Road” with “Hill”
Line 76: Add after “vote for the” – “District to remove two pine”
Line 76: Add after “trees” – “on Green Circle common land”
Line 77: Replace “X” with “to”
Line 78: Add after property – “and damage courts or fencing”
Line 80: Add at beginning – “Green Circle”
Line 81: Add after “courts” – “or fencing”
Line 82: Add at end – “from falling pine needles, sap, and cones”
Line 97: Replace “some thing” with “take certain actions to continue the project with the agency”
Line 104: Replace “up to code” with “in compliance with code”
Line 105: Add at end – “and disconnected”
Line 107: Add at end – “ski”
Line 109: Replace “lighting has” with “light fixtures have”

Agenda Item # 5 b – amendments to August 27, 2022 Commissioner Meeting Draft Minutes:
a. Page 1, Date line – insert after ‘Commissioners Meeting’ “& Public Hearings (3)”
b. Page 1, line 21 – insert after ‘than a’ “Commissioner”
c. Page 1, line 33 --- strike ‘made’ as ‘Ms. Patti’
d. Page 2, line 39 – modify ‘is to set aside or rescind’ to read “includes setting aside or rescinding”

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e. Page 2, line 39 – delete 'we' and insert "the Commission"
f. Page 2, line 42 – insert quotation marks after 'Campton Mountain'
g. Page 2, line 60 – delete 'as revenue' after "funds"
h. Page 2, line 69 – delete '10' in title of Public Hearing
i. Page 3, line 74 – delete 'lighting' and insert "lights and materials"
j. Page 3, line 86 – insert after 'work has started' the following: "on the Basketball half court next to the Community Center"
k. Page 3, line 108 – delete 'unincumbered' and insert unreserved
l. Page 3, line 110 – insert after 'what the revenue' the following "from the Rec Management Agreement (RMA) and the Administrative Services Agreement (ASA)"
m. Page 4, line 113 – correct typo "Annual Meeting"
n. Page 4, line 117 – delete after 'Ms. Patti and Mr. Spinney confirmed' and insert "it is because operating expenses (especially electricity) are going up, the shift by WEA to use Evergreen (and ASA revenues will fall) and the District changed the RMA percentiles, taking a greater share of the costs to operate Rec than in the original (Annual Meeting) budget, that the Commission reviewed/considered using unassigned fund balance to try to avoid a tax increase greater than what was discussed at the 2022 Annual Meeting."
o. Page 4, line 123 – move 'Mr. Scruton left the meeting at 9:30 a.m.' to line 140
p. Page 4, line 135 – insert after 'the electronic' the word "accounting"
q. Page 5, line 155 – delete 'her' and insert "Ms. Patti"
r. Page 5, line 166 – add after 'meet with' the following: "and include Department Heads and"
s. Page 5, line 169 – insert after 'Commission' the following: "and no one called in, and no one sent emails to GM Ron Beard or either Commissioner expressing a desire to participate in Public Comment"
t. Page 5, line 172 – delete line (typo)