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Waterville Estates Village District

November 16, 2022 Commissioners Meeting and Public Hearings APPROVED Minutes

Approved as amended on December 6, 2022.

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

Attendees via Zoom: Jaime Oldmixon, William Mitchell, and an unidentified call-in user.

Call to order: Commission Chair Patti called the meeting to order at 4:03 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 in person.

Approval of the Agenda:
Mr. Panuczak made a motion to adopt the Agenda as presented. Mr. Spinney duly seconded and motion carried by 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye..

PUBLIC HEARING Accepting & Expending $17,600 in CIF Funds to UPGRADE RACQUET COURT BASE
Ms. Patti opened the public hearing at 4:05 PM. Mr. Spinney provided a brief background of why the was a need to upgrade the second racquet court base, which was recommended after the court's base was stripped. After being approached by Dave Ketcham who is the Chair of the Outdoor Courts Committee, Mr. Spinney recommended that he ask the WEA Board if they would be willing to use CIF money to cover it. WEA Board had agreed to use the CIF money instead of tax dollars to cover the cost of upgrading the racquet court base. Ms. Patti added that in addition to that there was approval of $65,000 in CIF funds towards the entire project, so this was in addition to that. She also recalled that the vendor advised that additional funds may be needed depending on what they discover once they open up the courts' paved surfaces, therefore Mr. Ketcham had initially budgeted more money; however, the costs for the materials have gone up substantially since then. Ms. Patti also asked if there would be a need for a warrant article to budget an additional amount of $17,600 for 2023, and Mr. Spinney responded that there would not be a need to do that.
There was nobody from the public present in person, no emails or phone calls received, and no one on Zoom raised their hand, therefore, Ms. Patti closed the public hearing at 4:08 PM.
Ms. Patti made a motion that the Commissioners accept and expend $17,600 in CIF Funds to upgrade the racquetball court base as requested by the Outdoors Courts Committee. Mr. Spinney duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

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PUBLIC HEARING Accepting & Expending $6,885 in CIF to Upgrade Audio/Visual at Ski Lodge
Ms. Patti opened the public hearing at 4:09 PM. Ms. Patti said that the WEA Board representatives had a vendor take a look at the potential upgrade to the audio/visual equipment at the Ski Lodge and he came back with a quote of $6,885 the vendor providing the materials at cost because he and his family are part of the Estates and he wants to give to the community. The WEA Board had approved expending CIF funds for this purpose and there was correspondence from one of the members to confirm this. Mr. Spinney asked if there was a proposal of what would be done. Ms. Patti answered that there was a written proposal and without getting into specifics said that it involved improving the quality of the sound in the room. Mr. Beard added that he heard that there possibly will be a message board inside as part of the AV system. Mr. Spinney and Mr. Panuczak asked whether someone from the District will oversee the upgraded system and make sure that the District staff can utilize and maintain it. Mr. Beard will oversee and make sure WEVD staff can operate and maintain the upgrades to the system.
There was nobody from the public present in person, no emails or phone calls received, and no one on Zoom raised their hand, therefore, Ms. Patti closed the public hearing at 4:13 PM.
Ms. Patti made a motion that the Commissioners accept and expend $6,885 in CIF funds from WEA to Upgrade Audio/Visual at Ski Lodge. Mr. Spinney duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

PUBLIC HEARING Correcting the Amount of CIF received from WEA for new hot tubs (from $42,505 to $26,000)
Ms. Patti opened the public hearing at 4:14 PM. Ms. Patti said that there was a lot of back and forth with the WEA Board about how much money from CIF could be contributed towards the purchase of two hot tubs that were bought in the spring. At some point Ms. Patti was given the amount of $42,505 to purchase both hot tubs, have them delivered and installed, not including the installation of the cement pad under the outdoor hot tub. Ms. Patti erroneously assumed that this amount was approved by the WEA Board only to discover later that what was approved did not include installation, therefore, when the Commissioners held a public hearing to approve the amount of CIF funds for the project, she used the higher amount instead. This hearing is to correct this mistake and vote on the correct amount of CIF funds to be accepted and expended.
There was nobody from the public present in person, no emails or phone calls received, and no one on Zoom raised their hand, therefore, Ms. Patti closed the public hearing at 4:17 PM.
Mr. Spinney asked whether this would affect the budget in any way and Ms. Patti responded that it will not as this is only the process of accepting unanticipated revenue to the District. She then clarified that the amount received from the WEA Board was only $26,000 so this correction only applies to the incorrect higher amount that was voted to be accepted by the Commissioners at the previous public hearing. Ms. Patti opined that there is no need to take a vote but only announce the correction to the public and added that she would defer to the other Commissioners. Mr. Spinney said that he would like to take a vote.

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Mr. Spinney made a motion to correct the amount of CIF funds approved by the Commission for the new hot tubs at the previous public hearing from $42,505 to $26,000. Mr. Panuczak duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

Approval of Minutes

November 2, 2022
Ms. Patti made a motion to amend the 11/02/2022 meeting minutes according to the list of eight changes she prepared and that were in the meeting handout. Mr. Spinney duly seconded, and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.
Ms. Patti made a motion to adopt as the official meeting minutes the amended 11/02/2022 minutes. Mr. Spinney duly seconded, and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

General Manager's Report
Mr. Beard spoke about the following:

1. New ADA compliant door has been ordered for Campton Mountain. This is the door facing the slopes and it will have a push button to open. The door in on order and will be installed by Granite State Glass. Ms. Patti added that the staff are also adding EXIT signage for this door which is the only ADA compliant egress from the facility. Mr. Spinney also asked to double check if the new door will swing open in the right direction as opposed to the existing door. Ms. Patti concluded that a great deal of ADA compliance issues have been addressed at the Ski Lodge and that it is very exciting.
2. Samantha Banville and Tanya Moses are doing an outstanding job at the mountain.
3. Mr. Baert has a new hire coming on in two weeks. There was discussion about the original request of the Commissioners to the GM to provide justification for the need for this position, the fact that it was budgeted for, how long it took to find someone, and that this position will ultimately result in savings as WEVD staff will be able to do Roads and Water repair/work in house – and not retain Lakes Region Water or other 3rd parties.
4. Tennis courts project is still moving forward with the installation of the fence posts and the drainage ditches being reconstructed. There was a short discussion about the erosion issue that came up after the rain and the need to stabilize it in the meantime. Vermont Recreation has been alerted. Mr. Beard also answered a question about the clean up on the back side of the top court that was already done. Then Mr. Beard spoke about the drainage pipe that had been installed between the courts that will divert the runoff from hitting private property nearby and a culvert installed under the driveway up to the courts. Discussion ensued about the erosion issue and that it

was concerning and could not be left as is for the next six months. Mr. Beard said that he will check with Mr. Baert and talk to Vermont Recreation about the stabilization plan.

5. Mr. Beard is currently reviewing the contract for the new finance software and a copy of it is in the packet to be discussed later on the agenda.

Mr. Spinney added that the trees were finally gone. Mr. Beard added that all trees had significant rot discovered upon being taken down. Ms. Patti thanked Mr. Pelchat for bringing the issue to the attention of the Commissioners and for taking care of the issue so efficiently. Mr. Beard added that the vendor did an outstanding job.

Ms. Patti made a motion to approve and accept the GM Report as presented. Mr. Spinney duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

General Calendar Items:

a. Year-to-date Financial Review

Ms. Kinney said that there were documents for the District Operating account and the Water Department but not the Recreation Fund in the packet. Ms. Kinney explained that she did not include the 2023 billing information for the Water Department as this would be the income applied to next year to provide a clearer picture of 2022. Members discussed the annual income for the Water Department and why it was higher than originally budgeted, the $10,700 in connect/disconnect fees, and what they included. Mr. Spinney suggested to separate the line items for new connections and other disconnects/connections when the new financial system is in place. Ms. Smith explained that the billing will be done separately from the new financial system but that she would know more how the new system communicates with the water billing later.

Members looked at the Water Department expenditures up to date relative to the budgeted amount and discussion ensued about the possibility of a rate change to reflect the difference. It was agreed that doing so in June would be best as then all the expenses for the year would be known giving the Commission more clarity of how much money is left in the budget. Ms. Kinney suggested that holding off until June also allows to see how the electric rates will affect the expenses.

Mr. Panuczak noted that Mr. Baert said during the Myrtle Street discussion that the budget was tight and that did not make sense to him given what he was looking at today, where there the Water Department budget is shown to be 40% to 50% underspent. Ms. Kinney explained that Mr. Baert was referring to a specific line item in the budget and not the budget as a whole. She added that there were two large bills that just came in today and were not part of the number in front of the Commissioners. Mr. Spinney also noted that there are some things that were planned but have not been done yet, like strategic planning or water upgrades and they represent a significant portion of the savings that the Commission is seeing in the numbers. Ms. Patti noted that the year is not over yet so there are still some expenses to come. Then Ms. Patti said that the legal expenses for the Water Budget should not be zero as there were consultations regarding the water billing and the ordinance, therefore, those should be reflected accordingly and moved from the District operating expenses to the Water Department ones. Mr. Beard also noted that there is a 10%

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non-collection amount that is billed which was planned to be put back into the system. Ms. Patti asked Ms. Kinney to check what the consultant line item in the Water Budget was referring to, whether it was only Dubois&King fees or included Lakes Region or other vendors fees for work related to the water system. Ms. Kinney said that all the bills but two were from Dubois&King. Members also looked at the line items for leak repairs and materials/supplies, which were under- and overspent respectively and discussed whether there was any relation between the lines. Mr. Panuczak asked why the finance charges line was overspent. Ms. Smith explained that these were related to credit card payments for the water billing. Mr. Panuczak said that those fees should be charged to the customer, as it is done in all other municipalities, which should encourage payments via electronic funds transfer instead, where the fees are much smaller. Ms. Patti noted that there is an item on today's agenda to discuss the issue of transferring those fees onto the consumer. Ms. Smith explained that using QuickBooks for credit card payments will not allow for a one step process to add the credit card fees to the payment, therefore it is not efficient to be used for that. There was back and forth on how to achieve that and also provide the option to people where they can use electronic fund transfer to pay their water bill. Ms. Patti reiterated that there were two issues: a) there needs to be a legal procedure that allows the District to charge customers who pay with credit card the costs imposed on the District by the banks/credit card companies, and b) the new billing software to have that capability to include the credit card fee with the payment.

Then Commissioners discussed the District Operating account actual and budgeted numbers. Ms. Kinney answered questions about the nature of income reflected under the Miscellaneous Income line item and the shortage shown for Campton taxes.

Then Mr. Spinney spoke about the expected incomes from the Administrative Services and Recreation Management Agreements. Ms. Patti said that the CIF line will go up based on the actions the Commission takes today. There was a brief back and forth about issues with the District using credit cards and whether using checks would be more preferrable for most purchases and payments. Ms. Kinney and Mr. Beard continued to answer questions about other line items like kitchen equipment, total expenses for WEVD capital preservation/growth & new group, WEVD General Manager, other deductible reimbursements, Commissioners stipend & expense, Calcium/Magnesium Chloride, uniform costs, general government miscellaneous expenses, website maintenance, body maintenance, highways and streets consulting line, and building equipment maintenance under the culture and recreation.

Ms. Patti asked for clarification on how much money is currently left in the budget. Ms. Kinney said that the District is about $732,000 under budget. Then Ms. Patti went over the amounts that are yet to be adjusted, like the shortfall from the ASA or the payroll that will be reflected in the numbers once Ms. Kinney completes the reconciliation of the Rec Fund.

There was brief back and forth about the payroll adjustments throughout the year and the fact that the District is so significantly under budget whereas six weeks ago the Commissioners were discussing the need to possibly use the unreserved fund balance.

There was an extensive discussion of what else will be expended by the end of the year and how this amount will likely change given that Rec Fund and payroll reconciliation still has to be done, there are still

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some projects that were budgeted for and have not been paid for, and the fact that the WEA Board has been very cooperative and contributed CIF funds to several projects throughout the year. Ms. Patti also noted that the vote was to allow the General Manager to use up to $250,000 from the unreserved fund balance if needed so it may not even be used.

b. Appointment of volunteer to Planning Board
Ms. Patti made a motion to appoint Stan Bujalski to the Planning Board. Mr. Spinney duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

c. Appointment of Moderator for 2023 Annual Meeting
Mr. Panuczak said that Mr. Oldmixon agreed to server as the Moderator for the next Annual Meeting. *Mr. Panuczak made a motion to appoint Jaime Oldmixon as the Moderator for the 2023 Annual Meeting. Mr. Spinney duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.*

d. Historical Costs to Water Department to provide water lines from Water System mains to curb stops for new construction of Water Estate residences
Ms. Smith provided the following total cost per connection – at least $621.36 which could be more considering individual circumstances. Ms. Patti then asked if Ms. Smith could produce a report on how much was spent on such connections historically. Ms. Smith said that the District is not responsible for any of the work besides providing the meter itself, therefore, it will be cumbersome to track this information historically and it will not be done in the future. After a short back and forth on the specifics of each connection, Ms. Smith reiterated that the District, according to the Water Ordinance, is only responsible for providing the customer for the established cost with the meter and a Kornerhorn, if the latter is required, and all other aspects, including the curb stop are the responsibility of the customer.

e. Estimate for running Water System lines from mains to curb stops for – (1) new construction projects that have received/applied for Building Committee permits, (2) remaining buildable lots in the District
Ms. Patti noted that the previous agenda item makes this item obsolete.

f. Community Center Water Department bill & g. Ski Lodge Water Department bill
After a brief discussion of how the water bill for the Ski Lodge only included the snow making amount and not the actual metered usage last year, Ms. Patti opined that this was an omission on the District behalf and needs to be rectified. Ms. Smith said that including the metered usage and the availability charge the bill would come to a little over $200 based on the water rate that was calculated by Mr. Scruton, which Ms. Smith said she was not sure how he calculated it. For the Community Center Ms. Smith said that since June of this year, when the meter was installed, the metered usage would amount to $850.34 without the

availability charge. Mr. Spinney prorated the amount for the whole year and said that it would be over $2,000.
There was also a short discussion about billing the Service Yard as a one bedroom instead of a lot, which Ms. Smith recently corrected as there is a sink on site.
Another discussion ensued on whether the District should reach out to Mr. Scruton to seek clarification on how he came up with he water rate or hire another consultant to help the District with this issue and educate staff. Ms. Smith agreed that contacting Mr. Scruton will be a good idea and added that she will have another meeting with someone from the University of Carolina to learn about a water rate study, but she was not sure of the outcomes of this meeting yet. Mr. Spinney suggested classifying the Community Center as a six bedroom house and the Ski Lodge as a four bedroom for billing purposes. Discussion ensued about a better method to bill both facilities and general consensus was that Mr. Beard and Ms. Smith will come back with a suggested number for the next meeting.

h. Review of undeveloped lots owned by WEVD
Ms. Patti said that Ms. Smith provided the map of the lots to the Commissioners. At the request of Ms. Patti, Mr. Panuczak temporarily took over chairing the meeting, while Ms. Patti was still present and noted that the list has on it lots that are in use, as one is the Ski Area, the other one is the lot that is being considered for the siting of the new community well. Mr. Panuczak opined that aside from the two lots mentioned earlier, and one additional lot across from the Ski Area, which was also considered for a future pump house, he does not see why they are owned by the District as they could be privately developed and returned to the tax roll. Ms. Smith noted that some of these lots either have tanks or pump stations on them, such as the ones on Dough Run, Liberty Lane, Parker, Snowwood, but she will need to double check with Mr. Baert to make sure that all of these lots are noted on the map. She also added that the lot on Ryan Circle was part of the National Forest, so it cannot be sold or developed. Ms. Smith said that she is unsure of the ownership of lot 53-20, and Mr. Panuczak noted that it may be the common area that belongs to the cluster subdivision that it abuts. After a brief back an forth on the fact that most lots seem to have an indicator on the map that they had been surveyed, therefore, deeds should indicate the ownership, Mr. Panuczak suggested that staff do some more research into which lots are currently being used or might have a future use for the District, and come back to the Commission with a list of the ones proposed to be sold, as the District is not a property owner, unless that property has some use to the District. There was consensus among the Commissioners on his suggestion.

i. Vote to expend from the 2022 operating budget for new Municipal Financing Software, Training, & Production of Written Accounting Procedures
Members discussed whether to expend the funds in 2022 or 2023. Ms. Patti said that according to the final contract the expenditures will amount to $37,000 (including $22,500 and $14,500 for the software and installation/training respectively). Mr. Beard provided the rationale for why he recommended to expend the money in 2022 as the old system is no longer serving the grown community and the hours spent by staff

trying to balance three separate systems and fix things is overwhelming. Ms. Patti added that there are expected savings in staff time and in auditors' time and costs. Mr. Spinney added that the District had just recently had a shutdown of the accounting system for a whole day as well. He added that the expenditure could be taken from the savings the District has this year from the General Manager's line item and Administrative Assistant, which amount to $83,636.
Ms. Patti made a motion that the District expend $37,000 from line item 4520.2 (Computer Replacement 2022) for the purchase of the municipal finance software from Municipal Resources Inc.
Mr. Panuczak noted that it should be staff who determines which line item to take it from to make sure it is applied correctly.
Mr. Panuczak made a motion to approve the District expending $37,000 for the purchase of the municipal finance software from Municipal Resources Inc. in 2022. Ms. Patti duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

k. Schedule a Public Hearing re: revising WATER ORDINANCE to clarify language re: running water system lines to curb stops for new construction? Schedule Public Hearing re: WATER ORDINANCE to charge customers who pay with credit card the costs imposed on the District by the banks/credit card companies?
Ms. Patti provided a brief background of her consultation with the legal counsel on the issue and they agreed that a public hearing needs to be held and that the language will be drafted by the counsel. Mr. Panuczak asked that the language also be presented to the Water and Roads Committee prior to the Commissioners holding a public hearing. Ms. Patti noted that this has to be done by June of next year and there is plenty of time. She also asked Ms. Smith to find out if there are also any billing software fees involved with credit cards handling so that the she could inform the legal counsel to include that in the language.
Ms. Patti also said that she will work with the legal counsel on tightening up the language of the Water Ordinance relative to running water system lines to curb stops for new construction sometime at the beginning of next year.

l. Motion re: Retention Schedule for WEVD Municipal Records
After briefly explaining how the issue came up to be, *Ms. Patti, moved that the WEVD Commission adopt the following: The Waterville Estates Village District hereby adopts the New Hampshire Disposition of Municipal Records retention schedule contained in RSA 33 – A. Mr. Panuczak duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.*

Upcoming Meeting: Tuesday, December 6, 2022 @ 10 AM.
Mr. Spinney noted that the agenda did not have the correct day of the year or time listed for the next Commission meeting.

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Ms. Patti, moved to amend the agenda to change the upcoming meeting date to Tuesday, and the time to 10 AM. Mr. Spinney duly seconded and motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

Public comment period

There were no public members willing to address the Commission, no phone calls, emails, or anyone on Zoom and the public comment period was closed.

Non-Public Session

Ms. Patti motioned to enter non-public session for the purposes described in RSA 91-A:3, II (c), (e), and (l). Mr. Spinney duly seconded and the motion passed at 6:14 PM by a carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

Non-public session was entered at 6:20 PM. Commissioners Patti, Panuczak, and Spinney were present in person as well as the GM Ron Beard and Financial Assistant Allison Smith.

Resumption of Public Session

Mr. Panuczak motioned to exit non-public session at 6:49 PM, Ms. Patti duly seconded and the motion passed by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

Public session was entered at 6:49 PM. Commissioners Patti, Panuczak, and Spinney were present in person.

The nonpublic session minutes were sealed by a motion from Mr. Panuczak, a second by Ms. Patti, as divulgence of the minutes would adversely affect the reputation of someone other than a Commissioner and render proposed action ineffective. The motion passed with a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

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 6:49 PM.

Prepared by Alvina Snegach