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Waterville Estates Village District

March 8, 2023 Commissioners Meeting APPROVED Minutes

Approved a amended on March 22, 2023.

Attendees: Commissioners Gerry Panuczak and David Spinney. General Manager Ron Beard, Assistant General Manager Judy Kinney, and Water Department Administrator Allison Smith.

Attendees via Zoom: Commissioner Maureen Patti, Mark Canfield, Ralph Wilbur, Paula Blais, Lyle Blais, Tanya Moses, Tom H., Call-in User, Keith Barnes, and other unidentified call-in users.

Call to order: Commission Panuczak called the meeting to order at 6:00 PM and noted that Commissioner Patti is participating remotely.

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

Roll Call of Commissioners: Mr. Panuczak and Mr. Spinney were present in person. Ms. Patti was present via Zoom.

PUBLIC HEARING #1: Modification of Waterville Estates Village District Water Ordinance, Sections 3, 7, 9, 16, 17, 20, 22, 25 and Appendices
Mr. Panuczak opened the public hearing at 6:01 PM.
Ms. Patti noted that the Commission should bring to the public's attention the fact that the appendices will not be modified in any way as the Management did not have any changes to those.
Ms. Patti also said that most of the changes in the redlined version contained in the packet are not substantive and went over the ones that were:

- Section 3.cc - at the last Water Ordinance Public Hearing the Commission added special rates for the District's assets, such as the Ski lodge, the Community Center, and the service yard; the modification proposed at this public hearing adds a definition of non-residential properties to complete the ordinance allowing for billing of such facilities using a special rate;
- Section 3.gg and 3.hh, Section 22 – added a definition of occupants;
- Section 7 - added language to recognize a construction site needs water prior to the actual occupancy of the residents and allow for the Water Department to grant such access;
- Section 9.c - clarified the service line reference of 'one inch ID' to mean inside diameter;
- Section 16 – clarified when payments are due to the District by specifying the due date on the bill;
- Changed the minimum non-collection percentage from 12% to 3% based on the actual collections for the two billing cycles since the Water Ordinance has been adopted.

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- Section 3.s – changed the reference to a specific NHDES publication.

Mr. Panuczak also noted that the definition of occupants was added to the Water Ordinance because the word has been mentioned throughout the document but has not been included in the definitions. He also added that another substantive change relates to setting the reasonable hours as defined by the Water Administrator, which were set from 8 am to 4 pm – Monday through Friday, except for emergency services.

There was a short discussion about the Water Ordinance being a living document and these changes are part of the process of it evolving.

The Commissioners also thanked staff who worked on the proposed changes as well as the Water and Roads Committee members who played an integral role in the development and evolution of the Water Ordinance.

Mr. Panuczak opened the floor to the public comment. After checking with Assistant General Manager Judy Kinney, Mr. Panuczak determined there was no one willing to address the Commission at the physical location, on the phone, or electronically.

At 6:13 PM Mr. Panuczak made a motion to close the public hearing. Ms. Patti duly seconded and motion carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Ms. Patti made a motion to amend the Water Ordinance pursuant to the red line edit version contained in the handout for tonight's meeting. Mr. Spinney duly seconded the motion. Motion carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Mr. Panuczak asked Ms. Smith to post the updated Water Ordinance on the website.

PUBLIC HEARING #2: Pursuant to RSA 31:95-b: Accept the 2007 Prinoth Snow Groomer, model BR350, purchased by Waterville Estates Association using $50,000 of CIF monies and the trade-in of a Waterville Estates Village District groomer valued at $5,000.

Mr. Panuczak opened the public hearing at 6:16 PM. He said that the Association has already purchased the snow groomer and the District now has to accept the gift. There was discussion of the details of the purchase, as the money has never been possessed by the District due to the new groomer being purchased directly by WEA from the vendor. It was noted, however, that the old groomer, that was used as a trade in for the purchase of the new one, did belong to the District.

Mr. Panuczak opened the floor to the public comment. After checking with Assistant General Manager Judy Kinney, Mr. Panuczak determined there was no one willing to address the Commission at the physical location, on the phone, or electronically. Mr. Panuczak closed the public hearing at 6:19 PM.

Ms. Patti made a motion pursuant to RSA 31:95-b to accept the 2007 Prinoth Snow Groomer model BR 350 purchased by Waterville Estates Association using $50,000 of CIF monies and the trade-in of a Waterville Estates Village District groomer valued at $5,000. Mr. Panuczak duly seconded the motion. Motion carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

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Approval of the Agenda:

Mr. Panuczak asked about item 12.c that had a question mark. Ms. Patti said that this was an oversight and no changes are needed.
Mr. Panuczak made a motion to adopt the agenda as printed. Mr. Spinney duly seconded and the motion carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Approval of Minutes

February 21, 2023
Ms. Patti made a motion to amend the 02/21/2023 meeting minutes in accordance with the 11 amendments that are prepared by her in the handout. Mr. Panuczak duly seconded. Motion passed with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.
Mr. Panuczak made a motion to make the amended 02/21/2023 meeting minutes the official minutes. Mr. Spinney duly seconded. Motion carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Treasurer's Report.
Mr. Panuczak noted that there was no Treasurer's report and Ms. Kinney explained that Mr. Diefenbach had some computer issues and was not able to produce one.

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

1. The entire mountain has been open since Friday as there is enough snow on it. Mr. Spinney asked if the mountain could remain open on Sundays and Mr. Beard said that there are staffing issues that prevent the District from doing so at this moment.
2. Last week the heating coil in the pool humidity control room froze. Mr. Pelchat was able to shut the valves to it pretty quickly. There was a brief discussion about the technical parameters of the heating system and whether it is possible to prevent things like that from happening again.
3. Water Department Superintendent Mr. Steve Baert had an issue with the transducer that transmits the water level in well #2. He should update Mr. Beard on his findings. Mr. Beard noted that this issue is not adversely affecting the water system at this time.
4. The conversion process to the new IT service provider began on March 7, 2023.

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5. The water system was able to handle the very busy holiday weeks and well levels maintained very nicely.

Mr. Panuczak made a motion to accept the General Manager's report. Mr. Spinney duly seconded. Motion passed with a 3:0 roll call vote: Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Committee / Board Reports:
There were no written reports.

a. Planning Board
Mr. Panuczak said that the Planning Board met last Thursday and was working on drafting the talking points for the new Master Plan. He said that the Board has also discussed sending the revised draft of the Master Plan to the towns of Campton and Thornton, as well as the Commission and WEA.

b. Water & Roads
Mr. Panuczak said that the Water & Roads Committee will meet on March 16th and will continue working on the Water and Roads plans with the consultant.

c. Outdoor Courts
Mr. Spinney said that the Outdoor Courts Committee will meet on April 20th to keep on working on finishing the courts project.

d. ADA Accessibility
Ms. Patti said that the committee will probably meet in a couple of months to discuss progress on the projects identified for 2023 and how to get them done.
Mr. Beard informed the Commission a new ADA compliant door has been installed at the Ski Lodge from the deck which now has the automatic door opener.

e. Records
Ms. Patti said that she will try to get the committee to meet in a couple of weeks to keep working on finding a vendor to scan the paper documents and also come up with a labeling system for the electronic filing. She added that she is hoping that the scanning vendor will also be able to use that labeling system when scanning.

f. Improving Profitability
Mr. Panuczak said that the first meeting of the committee is going to be tomorrow night.

CONSENT CALENDAR

a. Manifests

Ms. Patti explained how the manifest approval process is usually done and what changes have been introduced in 2023 and noted that she is concerned with he fact that there are still discrepancies between the bank account balance and QuickBooks. She added that every time she is approving a manifest with such discrepancy, she would like to point out that she is doing so based on the understanding that Management is working on reconciling these balances and understanding their nature.
Mr. Panuczak echoed Ms. Patti's sentiment about the balance discrepancies.
Mr. Spinney made a motion to approve the manifests. Ms. Patti duly seconded. Motion passed by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

GENERAL CALENDAR ITEMS
a. Green Circle Driveway Blais/LaBelle property
Mr. Panuczak said that the driveway plan is available in the packet. He said that this property is directly across from the Community Center and has a pretty steep topography. The driveway will result in the District losing a couple of parking spaces, however, this is at no fault of the property owner, as this is an existing buildable lot of record and a pre-planned community. Members discussed the plan and agreed the location of the proposed driveway is in the best possible location for the lot. Ms. Patti asked if there was a way to make sure that the people do not confuse the driveway entrance with the parking and possibly paint or stripe that access point so that the driveway does not get blocked. There was consensus that there should be a discussion with the homeowner on their preference of how to mark the driveway so that it is clear to the public that there is no parking in front of it.
Mr. Blais via Zoom thanked the Commission for their input and said that he agrees with everything they decided and that he will work with the Commission.
Mr. Panuczak made a motion to approve the Green Circle Driveway for Blais/LaBelle property as submitted and to allow Mr. Baert to sign off on the driveway. Mr. Spinney duly seconded the motion and it carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

b. 2020 Audit
Mr. Panuczak said that the 2020 final Audit was included in the packet and drew everyone's attention to the last pages of the report with the description of deficiencies and material weaknesses. He said that the auditors pointed out that the amounts budgeted and approved by the voters and the actual amounts reported vary quite a bit. Mr. Panuczak said that he had talked to Mr. Spinney previously about the need for the Budget Advisory Committee to pay very close attention to how much is being budgeted and the actual spending. Mr. Spinney corroborated that the committee is working to have line items reflect the actual costs of prior year(s) to avoid overspending.
Mr. Spinney also pointed out that there are things like the Roads Department, the head of which is very frugal, and where he would save money over the year, it would be spent elsewhere as there are always projects in need of completion.

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Mr. Panuczak said that the next deficiency noted by the auditors was that journal entries are not formally reviewed and approved and often lack adequate supporting documentation.
Ms. Kinney said that a lot of this has to do with the pandemic when the staff was working from home. Then this was brought to their attention and a policy has been developed since then. She noted that sometimes things do fall through the cracks but for the most part it is different now.
Then Mr. Panuczak said that the auditors noted that there was no elected or appointed treasurer for the District and asked how that could be. Ms. Patti said that there was no treasurer for part of that year. Ms. Kinney corroborated and said that the treasurer has been appointed only when the Commissioners had changed.
After a brief back and forth and trying to remember what happened in the year 2020, Ms. Patti concluded that for part of that year there was no treasurer, but as of the Annual Meeting, which was held in June of 2020, there already was a treasurer appointed. Mr. Panuczak asked if it was too late to correct that statement in the auditors' report.
Mr. Panuczak then said that another observation by the auditors was that the District has not developed several accounting policies and procedures and that reconciliation policies and procedures have not been established. Ms. Kinney said that the auditors noted that the District has began developing such policies and advised to continue this process.
Mr. Spinney said that he was curious about what 2021 report produces and whether there is improvement noted on there as he believes that in 2021 things have started to improve.
Ms. Patti noted that on page 33 governmental fund balances reported on the fund financial statements as of December 31, 2020 included unassigned fund balance of $1,358,229.00. She also noted that the internal control discussion indicates that they are being stated to alert the governing body to the need for procedures policies and instituting internal controls. She said that the need to start stepping up in that practice has been a conversation as long as she has been a commissioner. This is why MRI was hired as consultant in 2021 as well. Ms. Patti added that she also looks forward to seeing the results of the 2021 report and that she believes that there has been a commitment made in the fall of 2021 to help Ms. Kinney and the Finance Department to begin instituting policies and procedures to establish internal controls. Ms. Patti said that she hopes that the community understands that there has been dialogue with management and that resources have been directed and made available to management to attempt to make these changes and improvements. She said that it will hopefully show up in later auditors' reports.
Mr. Panuczak made a motion to accept the auditors' report for 2020 submitted by Plodzik & Sanderson as presented in the meeting packet. Mr. Spinney duly seconded and it carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

c. Retaining actuarial firm to OPEB liability assessment in 2023
Mr. Panuczak said that in municipal government when an employee is retiring there is a certain amount of liability associated with that retirement. He added that so far no one has retired from the District, but there are possible future ones; and the District has never held an actuarial assessment of

such liability or set any money aside to fund such liability in the future. The suggestion was made by Ms. Patti to retain an actuarial firm to do such work and make recommendations based on their findings of whether the District should set up a trust fund and put money into it each budget cycle. Ms. Patti said that the auditors have noted the lack of an Actuarial Table for the District in earlier years and Mr. Scruton suggested a firm, but the District did not have the funds at that point to pay for such analysis. Ms. Kinney said that at that point the cost of it would have been $4,000.
There was discussion on how to include the needed amount into this budget cycle given the fact that the Budget Advisory Committee has already presented the budget to the Commission. Mr. Spinney suggested to propose a budget revision at the budget hearing with providing the necessary justification for including this amount. Commissioners also asked WEVD Management to get another quote for such assessment from the vendor.

d. Additional Material for volunteers, to add to Handbook
Ms. Patti said that she thought that the Volunteer Handbook could be improved by the addition of Riggins Rules to it. She explained that Riggins Rules are a set of dos and don'ts for those who are in government serving as representatives. She added that this is a very helpful list and that a lot of it may not apply to the people who are volunteering in the District, but it is still very informative and is helpful to read as it talks about having the right mindset of doing this. Mr. Spinney agreed that he was familiar with Riggins Rules and found them helpful when he was serving as a volunteer in another New Hampshire community.
Ms. Patti made a motion to add the Riggins Rules to the District's Volunteer Handbook. Mr. Panuczak duly seconded and it carried with a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak – aye.

e. Add a Bond Warrant Article(s) Meeting
After a brief discussion of statutory deadlines and other meetings, it was agreed to set the Bond Hearing date to March 22, 2023 at 6 PM and hold it together with the regular Commission meeting.

Next Meeting:
Tuesday, March 14, 2023 @ 6 p.m. 2023 WARRANT ARTICLE HEARING

a. Tuesday, March 21, 2023 @ 6 p.m. 2023 BUDGET HEARING
b. Wednesday, March 22, 2023 @ 6 p.m. 2023 WEVD Bond Hearings and Commission Meeting.
c. ANNUAL MEETING – Saturday, April 15, 2023 @ 9 a.m.
Ms. Patti said that she asked Mr. Beard to seek John Scruton's assistance in determining how the bond for purchasing water meters for the community will affect the water rate and whether he could present this explanation to the public and the Commissioners at a public meeting. Mr. Beard said that he emailed Mr. Scruton already and will reach out to him again.

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

Non-Public Session
Mr. Spinney motioned to enter non-public session for the purposes described in RSA 91-A:3, II (c). Ms. Patti made a friendly amendment to add RSA 91-A:3 II (a) to the list of reasons for the non-public session. Mr. Spinney agreed. Mr. Panuczak duly seconded motion and the friendly amendment. 7:21 PM by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak - aye.

Non-public session was entered at 7:24 PM, Commissioners Panuczak, and Spinney were present in person as well as the GM Ron Beard, AGM Judy Kinney, and Water Department Administrator Allison Smith. Commissioner Patti was present via Zoom.

Resumption of Public Session
Mr. Spinney motioned to exit non-public session at 08:53 PM, Mr. Panuczak duly seconded and the motion passed a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak - aye.

Public session was entered at 08:53 PM. Commissioners Panuczak and Spinney were present in person. Commissioner Patti was present via Zoom.

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. Motion carried by a 3:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye, Mr. Panuczak - aye.

Adjournment: *Ms. Patti made a motion to adjourn the meeting, Mr. Panuczak duly seconded. Motion passed with a unanimous roll call vote.*

Meeting adjourned at 08:54 PM.

Prepared by Alvina Snegach