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WEVD 2025 WEVD Commissioner Budget and Warrant Article Public Hearing
APPROVED Minutes
February 22, 2025 – 10 AM

Approved as amended on March 12, 2025.

Attendees: Commissioners Maureen Patti and David Spinney, Administrative Assistant Allison Smith, and Finance Administrator Lisa Magerer.

Members of the Public: Jack Letvinchuck, Mark Canfield, David Paradis, Denise Bujalski, Harry Bertino, Scott Sallaway.

Members of the Public on Zoom: Chris Gerber, Beth Ellinwood, Ralph Wilbur, Tom H, Call-inn User_1

Members Excused: Gerry Panuczak

Ms. Patti asked Mr. Spinney to Chair the meeting.

Call to Order: Commissioner Spinney called the meeting to order at 10:03 AM.

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

Roll Call of Commissioners: Ms. Patti, Mr. Spinney - present. Mr. Panuczak – excused.

Adoption of Agenda: there was no agenda

Ms. Patti and Mr. Spinney noted that there is a large water leak that is currently being investigated and the water levels in the tank has dropped to a point where the District had to shut the water off to allow for regeneration. The residents are advised to use the water in the Community Center building and at the Ski lodge.

PUBLIC HEARING: Waterville Estates Village District 2025 Budget and Warrant Articles Public Hearing

Mr. Spinney read Warrant Article #1 into the record as follows:
Article 01: To Choose One Commissioner, Moderator, Treasurer, and Clerk

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To choose one Waterville Estates Village District (WEVD) Commissioner for a three-year term, a WEVD Treasurer for a three-year term, a WEVD Moderator for a two-year term, and a WEVD Clerk for the ensuing year.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically. No Commission recommendation necessary.

Mr. Spinney read Warrant Article #2 into the record as follows:
Article 02: WEVD Operating Budget To see if the Waterville Estates Village District will vote to raise and appropriate the sum of Two Million One Hundred Seventy-Six Thousand Nine Hundred Ninety-One Dollars and No Cents ($2,176,991.00) for the general municipal operations of the Waterville Estates Village District. Of the sum appropriated, Two Hundred Seven Thousand Four Hundred Dollars and No Cents ($207,400.00) will come from unreserved fund balance. This article does not include appropriation(s) contained in special or individual articles addressed separately.

Mr. Spinney explained the savings in the executive budget, which were $52,000 from legal fees and $45.000 from Finance Director wages. It was also noted that about $14,400 was collected for records retention and not spent. Mr. Spinney then said that the Road Study will need to be funded in the amount of $72,400, which would be taken from the unreserved fund balance. The total amount to be take from the unreserved fund balance would be $207,400.
Mr. Spinney also explained the changes that have been made to the budget such as reducing the Administrative Assistant wages due to hiring the Financial Director, reduction in the consultant line, increase in the Highway and Roads due to the Road Study funding. Recreation and Buildings and Grounds remained flat with some fluctuations in the Recreation budget. He added that the Budget Advisory Committee has recommended this budget but had some concerns about the education line, cost of living adjustment amount, and the insurance line.
Ms. Patti explained that the CIF amount is different as it depends on which projects it is used for, and they are different from last year.
Mr. Spinney also spoke about the $70,000 revenue amount from the Recreation Fund that will be used this year to offset some of the District's expenses related to recreation. This is allowed by the Recreation Management Agreement, and this year will be the first year that this is done.
Mr. Spinney opened the floor for public comment:

- Jack Letvinchuck – Summit Drive, asked if there has been an initial discussion with the towns accepting the District’s roads.

Ms. Patti explained that the acceptance by the town is only possible if the roads are built to the town standards, and that is what the Road Master Plan will determine, and it also will allow the District to be in a better position to approach the towns. Mr. Spinney added that the Water Study

will also provide more information of which roads have water infrastructure under them and help with future planning.

- Harry Bertino - 27 Condo Road, asked how much from WEA dues, CIF moneys, rooms and meals tax does the District collect and receive back from the State (for the latter).

After a brief discussion of what the District has information on it was suggested that Mr. Bertino's request be treated as a right to know request and any information that the District possesses, he will receive. It was noted that the WEA dues would be a question to the WEA Board and that the District only collects information on the meals tax that is related to its food and beverage sales and not individual businesses within the District.

- Scott Sallaway – 110 Snowood asked for clarification of who can use the water/showers when the water is shut off in the District.

Ms. Patti said that [AT THIS TIME] anyone can fill up the water containers, but the use of showers would require a daily pass purchase if one does not have a membership.

- Scott Sallaway asked about Airbnb's, which Thornton regulates, and Campton does not, and whether the District has any idea of how many are there within its boundaries. He spoke about the water use by such establishments and whether there should be a difference between the tax rate for residential properties and those that are used as Airbnb's. He also thanked the Budget Advisory Committee members for all their work.

There was a discussion about the inability of the District to find out who is operating a short-term rental, to set its own tax rate, or to exert any land use authority. WEA has bylaws and all questions about any violations of those should be directed to WEA.

- Chris Gerber, Horizon Drive, via Zoom, spoke about her discontentment that people cannot come in shower without buying a daily pass during the water outage.
- Beth Ellinwood, Snowood, via Zoom, echoed the previous speaker's outrage about the shower use for a fee and then spoke about NH Supreme Court recognition of Waterville Estates as a condominium community and the need to enforce covenants and not bylaws. She also spoke about the fact that this is not a fee-based community and that everyone is obligated to join an HOA once they purchase property in the District and that she is pretty sure that running a short-term rental from your house is not qualified as a business per the state law.
- Harry Bertino - 27 Condo Road, asked to clarify what Ms. Ellinwood said about the recognition of Waterville Estates as a condominium community

Ms. Patti noted that Ms. Ellinwood could clarify her opinion should she be willing to, but the Commissioners will not as it is someone else's opinion.
After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #2.

Mr. Spinney read Warrant Article #3 into the record as follows:
Article 03: Water Department Operating Budget To see if the Waterville Estates Village District will vote to raise and appropriate the sum of Six Hundred Fifteen Thousand Five Hundred One Dollars and No Cents ($615,501.00) for the purpose of intradepartmental water department operations, said funds to come from Water Fees, Rates, and other charges in the WEVD Water Fund. This article does not include appropriation(s) contained in special or individual articles addressed separately.

Mr. Spinney provided a brief explanation of the water budget which is down for the year due to some projects that have been completed. The budget has been approved by BAC.

Mr. Spinney opened the floor for public comment.

- Scott Sallaway – 110 Snowood, said that knowing about short term rentals would be helpful with water billing.
- Harry Bertino – 27 Condo Road, asked what the number of occupants was last year versus this year and what is the difference in the increase. He brought up an example of a building that is being charged for 22 occupants for water fee but only has five and said that it is unfair that they are already been charged for occupants that are not there for water and now have to get a daily pass to shower during the water outage.

It was noted that Mr. Bertino's question will be treated as a right to know request.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #3.

Mr. Spinney read Warrant Article #4 into the record as follows:
Article 04: Road Infrastructure – Paving To see if the Waterville Estates Village District will vote to raise and appropriate the sum of One Hundred Fifty Thousand Dollars and No Cents ($150,000) for the purpose of paving Waterville Estates Village District roads. This appropriation is not included in the main operating budget. A majority vote is required. The estimated tax rate impact for the Waterville Estates Village District, if it were a single taxing

district, would total $.62 per $1,000 of valuation. This amount will be apportioned between Campton and Thornton by NH Department of Revenue.

Mr. Spinney explained that this was a way to level the tax rate and get infrastructure to the roads. Mr. Baert has a certain list of roads that he is looking to pave and resurface, and this is how it is getting done for the past three years and is currently planned to continue.
Mr. Spinney opened the floor for public comment:

- Scott Sallaway – 110 Snowood Drive asked whether there was a need to pave the roads.

Mr. Spinney noted that most of the District's roads are mountainous, and winters frost wreaks havoc on them.

- Mark Canfield, 17 Armsby Circle, spoke about the fact that this money has been set aside before there really is no additional impact. Paving the roads could have a positive impact on property values in this community. He also emphasized the importance of the Road Study for the future prospects of having the Districts' roads accepted by their respective towns.

- Harry Bertino, 27 Condo Road, said that there were agreements back in the seventies and eighties that related to roads and water.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #4.

Mr. Spinney read Warrant Article #5 into the record as follows:
Article 05: Establishment of a Capital Improvement Program Committee To see if the Waterville Estates Village District will approve actions allowing the Village District Commissioners to appoint a five (5) person committee comprised of at least one Commissioner, one Waterville Estates Board member, at least one Planning Board member, one Budget Advisory Committee member, and one Village District property owner, pursuant to State RSA 674:5 establishing a Capital Improvement Program, to prepare a recommended program of Village District capital improvement projects over a period of at least six (6) years. The sole purpose and effect of the Capital Improvement program shall be to aid the Commissioners and the budget advisory committee in their considerations of an annual budget. This warrant article, per RSA 674:2 and RSA 674:5, requires the development and formal adoption of both a Master Plan and a Capital Improvement Program prior to creation of the Capital Improvement Program Committee.

Mr. Spinney explained about the CIP committee and the capital improvement plan (CIP) and how it works. There is none now. In the past the money was raised over a certain number of years or CIF money was used from WEA. CIP gives the District some way to plan for equipment and infrastructure replacement. The CIP Committee will plan for that and allow the District to save money gradually for these purposes.

Ms. Patti explained how NH law allows municipalities to create a CIP once a Master Plan has been adopted, and that the Commission has chosen to create a CIP Committee. She also noted that the District CIP Committee is open to at least two members how are not full-time residents in the District.
Ms. Patti then noted that she had made some small corrections to the Article 5 language (mostly numerical and grammatical).

Ms. Patti made a motion to amend the Warrant Article #5 to read as follows:
Article 05: Establishment of a Capital Improvement Program Committee
To see if the Waterville Estates Village District (WEVD) will approve actions allowing the WEVD Commissioners to appoint a five (5) person committee comprised of at least one WEVD Commissioner, one Waterville Estates Association Board member, at least one Planning Board member, one Budget Advisory Committee member, and one Village District WEVD property owner, pursuant to State RSA 674:5 establishing a Capital Improvement Program, to prepare a recommended program of Waterville Estates Village District capital improvement projects over a period of at least six (6) years. The sole purpose and effect of the Capital Improvement Program shall be to aid the Commissioners and the Budget Advisory Committee in their considerations of an annual budget.
This warrant article, per RSA 674:2 and RSA 674:5, requires the development and formal adoption of both a Master Plan and a Capital Improvement Program prior to creation of the Capital Improvement Program Committee. Mr. Spinney duly seconded, and the motion carried by roll call vote 2:0, Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney opened the floor for public comment:

- Mark Canfield, spoke about the Planning Board, of which he is a member, coming to the realization that it is critical for the community to plan long-term for asset maintenance and possible future acquisition. Taking this approach will smooth out the impact of large purchases or repairs over a long period of time. He added that is everyone in the community would like to see more predictability in their tax rate and that in the long term he feels that this is really going to be important. Mr. Canfield also reiterated that this will be an inclusive committee that could have two full time residents as well as actually three part-time residents making the outreach considerable as he feels this is the only way to really get the whole community involved is by including everyone.

- Jack Letvinchuck asked if any consideration has been given to expand planning beyond six years. In his research most CIPs are over a 10-year period and whether the amount of capital expenses would be determined before the committee is established.

Mr. Spinney noted that planning is at least six years but could be way longer depending on the asset. Ms. Patti said that if Article #5 were to pass, then the District will have to create the procedures regarding supporting this committee.

- Harry Bertino, said that he would like to thank everyone for the work put into planning to create this Committee and said that he thinks that other condo associations should be included on the CIP Committee.
- Elizabeth Ellinwood, 135 Snowood Drive, via Zoom asked how the expenditures that will go into the CIP be approved and whether the voters will have a say. She also asked about the CIP trust fund and how it would be funded. She also asked if CIF money could be used for funding the CIP trust fund.

Mr. Spinney said that they will be voted by the legislative body via a Warrant Article, and it would be done for both putting money into the CIP and expending from it.
Mr. Spinney said that the voters will decide each year the amount of tax money to go to the CIP trust fund depending on the CIP Committee recommendations. Mr. Spinney also answered that the Commissioners could ask WEA to contribute CIF money which will be put in the CIP trust fund. Ms. Patti added that it would depend on whether these expenditures meet WEA requirements, so the Commissioners cannot speak as to whether they would be approved or not.

- Elizabeth Ellinwood, via Zoom said that previous audits feedback already states that there should be a better way of tracking recreation expenditures. She also asked if instituting impact fees was an option.

Ms. Patti and Mr. Spinney both disagreed with that statement and said that moving to the new financial software provided by MTS has made this process very accurate and very transparent.

- Elizabeth Ellinwood, via Zoom said that it was very hard to find out what things cost, like the Planning Board consultant, and asked whether there would be any fees associated with the CIP Committee.

Ms. Patti said that there will be no costs related to the CIP Committee itself. The District has already had a reserve study done and now the CIP Committee is just going to look at what the community's needs are going forward.

Commissioners called for a recess from 11:13 AM to 11:18 AM.

- Elizabeth Ellinwood, via Zoom concerned that she was concerned that the District was not on a firm financial basis and that transparency has been lacking, especially with the Planning Board as the Master Plan survey has yet to be released even though there were right to know requests made by a full-time resident several times. She noted that the comments on that survey are very important as according to it half of the community did not want any change.

Mr. Spinney said that the District is committed to transparency and whatever happened in the past, was in the past. Going forward is what matters. He also noted that the survey said that the community was agreeable for using tax revenue to fund recreation. Mr. Spinney said that Ms. Ellinwood's request for survey publication will be treated as a right to know request and they will try to publish it as soon as possible.

- Scott Sallaway asked if the money in the Trust fund would be generating interest.

Mr. Spinney responded positively, and Ms. Patti added that it would be the Town of Campton Trustees of the Trust Fund who would manage that trust fund.

- Mark Canfield said that the development of a CIP Committee will provide extreme flexibility in addressing the uniqueness of this community. He said that he is involved in both the BAC and the Planning Board and is insulted by the comments that any of the process is not transparent. He can assure that those committees have the interest of this community at heart.

- David Paradis – Bell Valley Road, echoed Mr. Canfield's sentiment and said that the District is a lot more transparent in showing its expenditures than WEA and wished that the latter was more transparent. He also wanted to know if the order of the articles should be discussed now or later. He also asked to clarify the membership of the CIP committee.

Ms. Patti noted that the statue dictates the order and said that there will be total of five members appointed by the Commission.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #2.

Mr. Spinney read Special Article Warrant Article #6 into the record as follows:
Article 06: Establishment of a Capital Improvement Program Expendable Trust Fund (Special Article): To see if the Village District will vote to establish a Capital Improvement

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Program Expendable Trust Fund per RSA 31:19-a, for the purpose of maintenance and upkeep of Village District infrastructure and property including the Community Center, Campton Mountain Ski Area, service yard, Village District water system, and Village District roadways and to raise and appropriate the sum of One Thousand Dollars and No Cents ($1,000.00) to put in the fund, with this amount to come from fund balance; further to name the Village District Commissioners as agents to expend from said fund. A majority vote is required. The estimated tax rate impact for the Waterville Estates Village District, if it were a single taxing district, would total $0.0 per $1,000 of valuation. This amount will be apportioned between Campton and Thornton by NH Department of Revenue.

Ms. Patti made a motion to amend the Warrant Article #6 to read as follows:
Article 06: Establishment of a Capital Improvement Program Expendable Trust Fund (Special Article):
To see if the WATERVILLE ESTATES Village District (WEVD) will vote to establish a Capital Improvement Program Expendable Trust Fund per RSA 31:19-a, for the purpose of maintenance and upkeep of WEVD infrastructure, and property, vehicles, and equipment including the Community Center, Campton Mountain Ski Area, service yard, WEVD water system, and WEVD roadways and to raise and appropriate the sum of One Thousand Dollars and No Cents ($1,000.00) to put in the fund, with this amount to come from fund balance; further to name the WEVD Commissioners as agents to expend from said fund.
A majority vote is required.
The estimated tax rate impact for the Waterville Estates Village District, if it were a single taxing district, would total $XX per $1,000 of valuation. This amount will be apportioned between Campton and Thornton by NH Department of Revenue. Mr. Spinney duly seconded, and the motion carried by roll call vote 2:0, Ms. Patti – aye, Mr. Spinney – aye.

Ms. Patti noted that if both Articles #5 and #6 pass the Commissioners will then request the Campton Trustees of the Trust Fund to establish the fund.

Mr. Spinney opened the floor for public comment:

- Mark Canfield, said that it was his understanding is that this article is being presented with the knowledge that the Trustees of the Trust Fund in Campton meet infrequently and that there could be a delay in getting this fund established. It makes good risk management sense for the District to get out in front and have them establish this trust fund.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #6.

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Mr. Spinney read Warrant Article #7 into the record as follows:
Article 07: Clarification of Number of Planning Board Members To see if the Waterville Estates Village District will vote, pursuant to RSA 673:2, III to set the Planning Board as a 5-member board. The Planning Board was previously established pursuant to RSA 673:1 at the 2020 Village District Annual Meeting.

Ms. Patti made a motion to amend Article #7 to add the Commissioner Recommendations in brackets. Mr. Spinney duly seconded, and the motion carried by roll call vote 2:0, Ms. Patti – aye, Mr. Spinney – aye.

Ms. Patti explained that the Village District has done its due diligence and there is no question that the 2020 creation of the Planning Board was lawful or legitimate. At that time the then Commissioners have proceeded with appointing five members to the Planning Board. After that, there were recommendations by the Planning Board and by Mr. Panuczak to formally set the Planning Board to five members given issues with quorum and turnover. This is what this Article is proposing.

Mr. Spinney opened the floor for public comment:

- Harry Bertino said that it was his concern that this Warrant Article was an admission of guilt. His understanding was that there should have been a vote at that meeting at that meeting to choose the number of members and if they were elected or appointed. The number has changed from five to six or seven over the years and the legislative body never got their opportunity to vote on this matter since the Planning Board was created. Other concern is that the appointments are happening randomly during the year but if they were elected it would happen at the annual meeting.

Ms. Spinney said that this was not a correction but a clarification of how many members would be on the Planning Board. Ms. Patti said that Mr. Bertino's opinion of what should have happened is not what the Commission is dealing with, which is what actually happened. She added that decision of whether the Planning Board is appointed or elected could be made at the annual meeting in the future if there is a petition to that effect.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #7.

Mr. Spinney read Warrant Article #8 into the record as follows:

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Article 08: Appointing Alternatives to Planning Board To see if the Waterville Estates Village District will vote, pursuant to RSA 673:6, I(a) to authorize the Waterville Estates Village District Commissioners to appoint not more than five (5) alternate members to the Planning Board. The term of each alternate member shall be 3 years.
Mr. Spinney said that having alternates on the Planning Board will help in case there is a conflict of interest, establishing a quorum at the meeting and in case there is member turnover.

Ms. Patti made a motion to amend Article #8 to change the word "alternatives" in the heading to "alternates". Mr. Spinney duly seconded, and the motion carried by roll call vote 2:0, Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney opened the flood for public comment:

- Mark Canfield spoke about how this makes practical sense because people can hit the ground running in case a regular board member does not want to go for another term. The alternate members are also able to provide some additional input, but they are not a voting member. He said that he highly recommends it.

Ms. Patti and Mr. Spinney both echoed Mr. Canfield's sentiment and said that once the Article #8 passed there will be a need to develop procedures as to what the role of the alternate member is.

- David Paradise asked what the term of the regular Planning Board member is and who can be an alternate member.

Ms. Patti said the term is three years for regular members. As for alternates they would also have to be registered voters in the community and the Commission will appoint them.

- Mark Canfield asked for clarifications of what was amended in Article #5.

Ms. Patti said that those were mainly grammatical issues that she saw and that she inserted after the (WEVD) after Waterville Estates Village District and then inserted that abbreviation in front of positions. The word association was not included after the Waterville Estates Board member and that was added.

After checking with Ms. Smith, it was determined that there was no one willing to address the Commission at the physical location, on the phone, or electronically, Mr. Spinney closed the discussion on Article #8.

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Mr. Spinney made a motion that WEVD Commission recommends Warrant Article #2 for WEVD Operating Budget as written. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney made a motion that WEVD Commission recommends Warrant Article #3 for Water Department Operating Budget as written. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney made a motion that WEVD Commission recommends Warrant Article #4 for Road Infrastructure – Paving as written. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney made a motion that WEVD Commission recommends Warrant Article #5 for Establishment of a Capital Improvement Program Committee as amended. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney made a motion that WEVD Commission recommends Special Warrant Article #6 for Establishment of a Capital Improvement Program Expendable Trust Fund as amended. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney made a motion that WEVD Commission recommends Warrant Article #7 for Clarification of Number of Planning Board Members as written. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Mr. Spinney made a motion that WEVD Commission recommends Warrant Article #8 for Appointing Alternatives to Planning Board as amended. Ms. Patti duly seconded. Motion carried with a 2:0 roll call vote: Ms. Patti – aye, Mr. Spinney – aye.

Adjourn Meeting

Mr. Panuczak made a motion to adjourn the meeting. Mr. Spinney duly seconded. Motion carried by roll call vote 3:0, Ms. Patti - aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Meeting adjourned at 11:56 AM.

Prepared by Alvina Snegach