

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
APRIL 15, 2024  
MEETING MINUTES  
(approved May 20, 2024)**

A regular meeting of the Board of Commissioners was conducted on April 15, 2024, at 5:00 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided:

Members of the Board present:       Wolfram von Schoen, Personnel Liaison  
  Kenneth Ayers, Vice Chairman  
  John Lyons  
  Erin Clement

Members of the Board Absent:

Also in Attendance:                   Ron Miner, Superintendent  
  Jill Lavoie, Business Manager  
  Kristen Maher, HR/ Finance Director

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**FINANCE/HUMAN RESOURCES REVIEW** – Kristen Maher

**A. Analysis of Revenue and Expenditures**

Director Maher informed the commissioners that being through the month of March, MVD is 75% through the fiscal year. The net ordinary income is at \$1.4M and the revenues are running at about 3% over the total revenue budget through March, which would be \$4.5M of the \$6M total. In terms of expenses, MVD is roughly 28.5% less than budget through the month of March. Director Maher shared that much of Engineering, account 81900, is currently being recorded under “construction in progress.” She explained that she is grouping some items, such as Mitchell Woods and Artificial Recharge, in order to see how much the entire project costs. Knowing this, it would be roughly \$152,000 that would be grouped under engineering. It was once again noted that the water usage is down, decreasing the cost of chemicals.

Commissioner W. von Schoen asked Director Maher to add the “year-to-date budget” for both revenue and expenses, as a column on to the documents she shares with the commissioners.

**B. Capital Reserve Balance**

Director Maher informed the commissioners that she has spoken to Superintendent R. Miner about the reserves. She explained that she had done a lot of reconciliation. Maher directed the board’s attention to “equipment and facilities,” specifically “Wright monitoring wells” and “Naticook monitoring wells.” Maher stated that at one point the Board of Commissioners voted to remove these two items from capital reserves and close the projects, but she cannot find the vote. Maher stated that she needs the vote in order to make the request to the Treasurer of the trust. She informed the commissioners that in May she will provide a breakdown of the reconciliation, along with the official need to vote in order to remove these from the capital reserve. Commissioner von Schoen stated that he believed these items were not removed

from the CIP, but rather the time frame was removed. Chairman Provencher stated that he did not remember that. The commissioners were unsure of the timeline and Superintendent R. Miner stated that he believed there was a vote and would look for it.

Maher informed the commissioners that the interest rates for the capital reserves is really good right now. She shared the total year end amount from each fund balance and noted that they will probably increase because there are three more interest payments.

Commissioner J. Lyons asked Maher about the high increase in health insurance on the P & L sheet. Maher explained that the cost of the insurance went up, and two employees switched from an individual plan to a family plan.

### **C. Fund Balance Discussion**

Director Maher informed the commissioners that the Unassigned Fund Balance was at roughly \$22M for operating. Maher explained that the reason for this is that she moved a lot of things that had been in “construction in progress” to “fixed assets.” This included Wells 2 & 9, 7 & 8, and a small balance left over from Wells 4 & 5.

At this time, Director Maher stated that every year, it seems as though the public gets caught up in wondering what a fund balance is, so she created a definition. She explained that a fund balance is not a checking account and noted that MVD does not have \$22M in cash. She continued to explain that MVD has cash, assets, liabilities, and equity. All of this makes up MVD’s funds. She explained that there are some funds that are restricted for specific uses, there are unrestricted funds, and then there are trust funds, which are committed funds. She also noted that there are assigned funds, which are funds that are put aside for known upcoming expenses that did not hit during that specific fiscal year. Maher explained that of the funds, that which can be turned into cash immediately includes the \$3M that is in the bank, and phone calls could collect the \$700,000 in accounts receivable. Maher stated that next year, when the public asks about the \$22M funds, it can be explained that most of that money is in fixed assets (buildings, land, etc.). It was noted that other organizations, such as schools, do not include their buildings and other assets as part of their budgets. It was also noted that this information is not listed in the MVD budget either, but it is typically asked about at the Annual Meeting. At this time, the commissioners did suggest changing the warrant article descriptions to include that some funds are pre-planned for and not all emergent in nature.

## **REGULAR SESSION**

### **1. Board of Commissioners to elect Board of Commissioners Chairman, Vice Chairman and Personnel Liaison.**

The order of operations changed due to a commissioner that was going to be delayed and this agenda item was moved to the end of the meeting. At this time, the commissioners decided to vote on an acting chairman. Commissioner D. Provencher was nominated to be the acting chair for this meeting.

**COMMISSIONER W. VON SCHOEN NOMINATED COMMISSIONER D. PROVENCHER TO BE ACTING CHAIR FOR THIS MEETING  
SECONDED BY COMMISSIONER E. CLEMENT**

**VOTE ON ELECTION OF D. PROVENCHER TO THE POSITION OF ACTING CHAIRMAN OF THE MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE APRIL 15, 2024 BOARD OF COMMISSIONERS MEETING**

**MOTION CARRIED**

**4-0-0**

**2. Board of Commissioners to hear update on the search for new billing and financial software.**

At this time, Director Maher informed the commissioners that after digging a little deeper into the utility billing side of Springbrook, MVD decided against using Springbrook. MVD found the customer portal and the software really did not “talk” as well as they had hoped. Maher informed the commissioners that she had roughly ten new companies that she was investigating. Of those, GovSense and MuniLink were two of the favorites so far. Maher explained that GovSense is an all-inclusive (financials and utility billing) and MuniLink is just utility billing. Maher stated that she has a call into another company that would connect with MuniLink. These are both web-based programs. Elements will work with both programs but will work seamlessly with MuniLink. All of the software programs are subscription based. Commissioner von Schoen expressed his surprise that MVD is looking into other options because Springbrook had such high reviews from MVD during the March BOC meeting. He suggested that the criteria catalog be updated to reflect the new finds and desired criteria. Commissioner von Schoen suggested that MVD call other water works for feedback on what services they are using. There was concern that MVD would hold on to the Elements software because it was newly implemented, but it was clarified that that if there was a software program that hit all the needs, it would not be ruled out.

**3. Board of Commissioners to review the draft *Employee Handbook* (1<sup>st</sup> reading).**

Director Maher presented the commissioners with the draft Employee Handbook and reminded them that this was just the first reading. She stated that anything in yellow is what was modified, and noted that some modifications were major, while others were just a word or two. Maher explained that the old version would be in front of the old new version. Chairman Provencher expressed that the last two paragraphs on page 11 were confusing. Maher clarified that they were referring to becoming unionized. The commissioners gave some suggestions on wording for the Employee Handbook. The commissioners were concerned about the section of the handbook regarding firearms, and asked if there was any state law that defines the policy. It was stated that the policy for MVD should be very clear. The commissioners were reminded that this was the first reading of the handbook, and if they have any other comments/concerns, they should reach out.

**4. Board of Commissioners to review the draft *Document Retention (Archiving) & Destruction Policy #24-01-B* (1<sup>st</sup> reading).**

K. Maher explained to the commissioners that one of the largest reasons she would like to get the *Document Retention (Archiving) & Destruction Policy #24-01-B* passed sooner rather than later is because MVD does pay for the archiving, and she believes that a significant portion of what MVD has

archived could be shredded, and much of the historical documents could be scanned and brought in-house. Commissioner J. Lyons asked if Maher was presenting a change to the policy. Maher explained that there is not currently a policy, and this is brand new. It was explained that the policy is based on an RSA of what can and cannot be destroyed. Commissioner von Schoen asked if MVD has any sort of destruction policy in place that may explain how to destroy and certify the destruction. Maher explained that destruction would be done by a legally reputable shredder. Commissioner von Schoen asked if MVD staff are aware that disposal does not mean to put it into a dumpster, and there needs to be a certificate of destruction in some cases. Superintendent R. Miner stated that he does not recall if they have ever received a certificate of destruction, but they have received official documentation in the past when things have been burned. It was also noted that Block5 takes care of laptops, but MVD has not yet used this service. MVD will ask if a certificate of destruction is provided in this case. This information will be added for the May BOC meeting.

**5. Board of Commissioners to review the minutes from the March 18, 2024 regular BOC meeting and the March 26, 2024 Annual Meeting.**

**APPROVAL OF MINUTES**

Board of Commissioners Regular Meeting.....March 18,  
2024

*No amendments were offered.*

**MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MEETING MINUTES OF THE MARCH 18, 2024 BOARD OF COMMISSIONERS REGULAR MEETING AS PRESENTED  
MOTION SECONDED BY COMMISSIONER E. CLEMENT**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Donald Provencher, Wolfram von Schoen, John Lyons, Erin Clement

4

Nay:

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**MOTION CARRIED**

**4-0-0**

Board of Commissioners Annual Meeting . .....March 26,  
2024

*No amendments were offered.*

**MOTION BY COMMISSIONER E. CLEMENT TO ACCEPT THE MEETING MINUTES OF THE MARCH 26, 2024 BOARD OF COMMISSIONERS ANNUAL MEETING AS PRESENTED  
MOTION SECONDED BY COMMISSIONER J. LYONS**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Donald Provencher, Wolfram von Schoen, John Lyons, Erin Clement

4

Nay:

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## **MOTION CARRIED**

**4-0-0**

### **6. Board of Commissioners to review Action Items from previous meetings and those to be added from this meeting.**

The Commissioners reviewed the list of Action Items, removing tasks that have been completed, and making necessary additions. New dates were added to many of the action items. At this time, it was requested to bring back action item #85 regarding the search for financial accounting software.

Vice Chairman K. Ayers entered the meeting at 6:48 p.m.

### **7. Old Business - None**

### **8. New Business**

Commissioner W. von Schoen shared with the commissioners that people have reached out to him every year because they did not realize that MVD had their own elections. He said that he would like to request that the annual meeting be put on the town calendar to help inform the residents of the town.

Commissioner Lyons said that this was a good idea. Commissioner K. Ayers also suggested adding a note to the billing statement as the time gets closer. It was noted that this would also reach electronic billing customers. Commissioner W. von Schoen stated that he would like to see both the public hearings and the annual meetings added to the town calendar. Superintendent R. Miner stated that he would call and see if this is something that can be done.

At this time, Commissioner von Schoen stated that every year, around this time, customers ask about car washing on the odd/even days. He stated that the answer is not listed on the MVD website under FAQs. He shared that the MVD website does not mention using a hose for washing things (motorcycles, cars, etc.), and he found it to be vague. Commissioner von Schoen suggested looking at these scenarios again and providing clarification. Superintendent R. Miner stated that the odd/even restrictions apply to lawns only, unless otherwise noted. It was noted that it is not clear in that regard, and it was suggested that the language on the website be changed.

### **9. Superintendent's Report**

Superintendent R. Miner informed the commissioners that Dexorb confirmed that they are willing to bring down the pilot skid for the column testing. He also shared that the EPA approved the lab for PFAS samples.

Superintendent R. Miner stated that he met with Revive Environmental. He explained that they are working on a process for on-site reactivation of GAC. Miner stated that they are looking for someone to partner with to test this. Chairman Provencher stated that he was interested in learning more about this. Superintendent R. Miner shared that they had asked for some media so MVD pulled a 5-gallon bucket of

media out of Wells 4 & 5. Commissioner J. Lyons asked if the company indicated a cost savings with the new procedure. Superintendent R. Miner stated that they did not, and he does not see it being a cost savings, but he cannot answer that. Additional questions and concerns were raised, but the commissioners expressed interest in learning more.

Superintendent R. Miner informed the commissioners that a GAC changeout was taking place at Wells 4 & 5 the following day.

At this time, Commissioner von Schoen stated that he had received a request for Former Senator Kelly Ayotte to visit Wells 4 & 5 when she comes to town. Commissioner von Schoen stated that he wanted to discuss this with the other commissioners first. The commissioners expressed their acceptance. Commissioner von Schoen stated that he would make sure the commissioners have full understanding of what the visit entails.

**10. Board of Commissioners to elect Board of Commissioners Chairman, Vice Chairman and Personnel Liaison.**

Chairman D. Provencher called for nominations for Chairman of the Merrimack Village District Board of Commissioners for the 2024-2025 term.

**COMMISSIONER K. AYERS NOMINATED COMMISSIONER D. PROVENCHER  
SECONDED BY COMMISSIONER J. LYONS**

**VOTE ON ELECTION OF D. PROVENCHER TO THE POSITION OF CHAIRMAN OF THE  
MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE 2024-2025  
TERM**

**MOTION CARRIED  
5-0-0**

Chairman D. Provencher called for nominations for Vice Chairman of the Merrimack Village District Board of Commissioners for the 2024-2025 term.

**COMMISSIONER W. VON SCHOEN NOMINATED COMMISSIONER K. AYERS  
SECONDED BY COMMISSIONER D. PROVENCHER**

**VOTE ON ELECTION OF K. AYERS TO THE POSITION OF VICE CHAIRMAN OF THE  
MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE 2024-2025  
TERM**

**MOTION CARRIED  
5-0-0**

Chairman D. Provencher called for nominations for Personnel Liaison of the Merrimack Village District Board of Commissioners for the 2024-2025 term.

**COMMISSIONER E. CLEMENT NOMINATED COMMISSIONER W. VON SCHOEN  
SECONDED BY COMMISSIONER D. PROVENCHER**

**VOTE ON ELECTION OF W. VON SCHOEN TO THE POSITION OF PERSONNEL LIAISON  
OF THE MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE  
2024-2025 TERM**

**MOTION CARRIED**

**4-0-1**

*W. von Schoen abstained.*

Chairman D. Provencher called for nominations for Finance Liaison of the Merrimack Village District Board of Commissioners for the 2024-2025 term.

**COMMISSIONER W. VON SCHOEN NOMINATED COMMISSIONER E. CLEMENT  
SECONDED BY COMMISSIONER D. PROVENCHER**

**VOTE ON ELECTION OF E. CLEMENT TO THE POSITION OF FINANCE LIAISON OF  
THE MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE 2024-  
2025 TERM**

**MOTION CARRIED**

**4-0-1**

*E. Clement abstained.*

**11. Questions from the Public/Press - None**

**ADJOURNMENT**

**MOTION BY COMMISSIONER J. LYONS TO ADJOURN**

**MOTION SECONDED BY COMMISSIONER W. VON SCHOEN**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Donald Provencher, Wolfram von Schoen, John Lyons, Erin Clement, Ken Ayers

5

Nay:

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**MOTION CARRIED**

**5-0-0**

The April 15, 2024 meeting of the Board of Commissioners was adjourned at 7:30 p.m.

Submitted by Amanda McKenna, Recording Secretary