

MOUNTAIN LAKES DISTRICT COMMISSIONERS MEETING MINUTES

May 22, 2008

(Not approved)

The meeting was called to order at 12:13 PM. Commissioners present were Commissioner Demers, Commissioner Jacobs, and Commissioner Schmid.

Residents in attendance were Donald & Beverly Hasbrouck, Sandy Schmid, and Ann Edson.

Water Tariff:

Commissioner Schmid stated that the purpose of this meeting is to update the Water Tariff. We need to address the issue concerning disconnection of customers. In addition, the Bath PUC issues have not yet been resolved. The proposed changes to the water tariff are:

c. Discontinuances Initiated by Customer Request

1. No customer whose premises was connected to the water system at the time of its acquisition by the District, or who has subsequently become connected pursuant to this Tariff, shall disconnect or terminate service, nor be relieved of the obligation to pay for service under Section 12, without the express written approval of the Mountain Lakes District Commissioners.
2. In determining whether to approve such a termination of service, the Commissioners may consider such factors as whether the termination is intended to be temporary or permanent, the impact of such a termination on Department finances, whether such termination would have the effect of shifting costs to other customers, whether an alternative source of water is expected to be utilized, and if so whether the alternative source is reliable and is compliant with all applicable laws and regulations including but not limited to RSA 485-A:29 and RSA 485-A:30-b.
3. Whenever such a termination or disconnection is approved, the customer shall be responsible for that proportional share of the general service annual rate, as set forth in Section 12, for the portion of the billing period prior to the approval of the termination, unless the Commissioners for good cause make some alternative determination.
4. In accord with Section 8 of this Tariff, only the District or its authorized agent may affect a shutoff at the curb stop.

The reasons we are proposing these changes are, we have now learned that the covenants and easements are void considering only the ability to restrict customers from leaving the District's water supply. Commissioner Demers stated that RSA 362:4 IV is the reason for this change. This RSA voided that part of our covenants that keeps customers connected to the Water System; we no longer can do that. Commissioner Schmid said that it is easy to update the Tariff, more closely match the original covenants. This issue concerns potential disconnection, not connection. This new section does not supersede any rules in the Tariff but complements them. We do not have any process at this time to handle customers that want to disconnect from our system. We did not have it before because we thought that the covenants and easements prevented them from disconnecting but they do not. Commissioner Jacobs asked if it was possible to reconnect a home after they had been disconnected. Commissioner Demers replied yes. The Water Tariff covers all water

customers, and the Zoning Ordinance only covers the Haverhill residents; that is why we need to update the Tariff. Mrs. Schmid asked if the process to update the Tariff is what we are doing right now. Commissioner Schmid replied yes.

Mr. Hasbrouck moved to amend the Tariff as proposed. Mrs. Hasbrouck seconded.

Commissioner Schmid stated that it simply states that no one can disconnect without getting permission from the commissioners. They have to first apply to DES for approval and they would have to pay a proportional amount of that year's water. Mrs. Hasbrouck asked if this proposed change covers all water customers in Mountain Lakes. Commissioner Demers replied yes and then moved the motion. Commissioner Schmid seconded it. All three commissioners voted to include the proposed addition into the Water Tariff.

Commissioner Schmid brought up a new issue concerning seasonal shut offs. In February the water committee discussed the issue and thought that we should not charge for seasonal shut-offs. We have many people that turn their own curb stops and they are not allowed to. The Tariff stated that we, the District, turn curb stops and charge for it but also have the option to not charge for long term shut offs. Commissioner Demers stated that there needs to be some wording changes. Homeowners do not have to have their curb stops turned off for the winter because they can just turn off the valve in the house. It is a personal preference. The ultimate discussion is the cost of water turn-off's and that the part-time residents pay more for their water. Commissioner Schmid stated that we should not be charging for seasonal shut-offs. Mr. Hasbrouck said that the PR would go a long way to benefit Mountain Lakes image. Mrs. Schmid asked if there had been anyone in the past that was permanently disconnected from the system. Commissioner Schmid replied no. Then he stated that there is a difference between seasonal shut-offs and regular shut-offs. Mr. Hasbrouck asked if we still charge \$100 for non-payment. The office costs for handling disconnects exists. Commissioner Schmid asked if anyone was in favor of seasonal shut-offs being a free service to the community. Mr. Hasbrouck asked what does seasonal mean and that there should be a minimum and maximum period set because curb stops are not made to turn on and off all the time. Commissioner Schmid stated maybe we need to set a period and we need more discussion concerning seasonal shut-offs. Commissioner Demers said that we are going to work up another draft for another meeting.

Don Hasbrouck made a motion to adjourn and Beverly Hasbrouck seconded

Adjourned 12:47 p.m.

Respectfully submitted,

Renee L Cota
District Manager