

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Highway
North Haverhill, NH 03774
October 10, 2017

PRESENT: Commissioners Lauer, Piper and Ahern. County Administrator Libby.

OTHERS PRESENT: Register of Deeds Kelley Monahan and County Attorney Lara Saffo.

Commissioner Lauer called the meeting to order at 9:00am and began with the Pledge of Allegiance.

Register of Deeds Monahan arrived and presented the following report:

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
October 10, 2017**

September Revenue

| | | | |
|-----------------------|--------------|----------------------|----------------|
| County Revenue 9/2009 | \$ 79,119.71 | State Revenue 9/2009 | \$ 662,260.80 |
| County Revenue 9/2010 | \$ 82,306.17 | State Revenue 9/2010 | \$ 561,433.92 |
| County Revenue 9/2011 | \$ 92,307.85 | State Revenue 9/2011 | \$ 665,294.00 |
| County Revenue 9/2012 | \$ 91,223.74 | State Revenue 9/2012 | \$ 599,275.08 |
| County Revenue 9/2013 | \$100,189.73 | State Revenue 9/2013 | \$ 732,258.24 |
| County Revenue 9/2014 | \$107,943.41 | State Revenue 9/2014 | \$1,103,613.12 |
| County Revenue 9/2015 | \$115,819.72 | State Revenue 9/2015 | \$1,105,181.76 |
| County Revenue 9/2016 | \$104,746.42 | State Revenue 9/2016 | \$ 839,186.88 |
| County Revenue 9/2017 | \$106,846.00 | State Revenue 9/2017 | \$ 954,372.48 |

Foreclosures

2009 133 year to date
2010 167 year to date
2011 170 year to date
2012 144 year to date
2013 121 year to date
2014 117 year to date
2015 92 year to date
2016 88 year to date
2017 60 year to date

1. The New Hampshire Register of Deeds Association has received the first draft of language on the Probate Bill. I have included copies. The NHRD Association is in opposition to this bill as written.
2. The NH Register of Deeds Association is sponsoring a seminar on E-recording, E-signatures, and E-Notary on November 6, 2017 at the Sheraton Portsmouth. We are bringing in 3 speakers and have invited the NH and ME Bar Association, and the ME Registers of Deeds.

3. Non-public session request RSA 91-A:3, II (c) Matters which if discussed in public would likely affect adversely the reputation of any person other than a member of the public body or parties whose interests are adverse to those of the general public.

*9:08 AM – Commissioner Piper moved to enter into non-public session for discussing matters which if discussed in public would likely affect adversely the reputation of any person other than a member of the public body or parties whose interests are adverse to those of the general public according to RSA 91-A:3, II (c). Commissioner Ahern seconded the motion. This motion requires a roll call vote, Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Ahern “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

*9:13 AM Commissioner Lauer declared the meeting back in public session.

Commissioner Piper moved to permanently seal the minutes from the just completed non-public session because they could affect the reputation of someone other than those of the Board of Commissioners. Commissioner Ahern seconded the motion and all were in favor.

4. Fidar Technologies contract. RD Monahan explained to the Commissioners that the contract with Fidar will be expiring in July, 2018. She will be coming to the Commissioners to request a bid waiver. She feels that that it would be prudent to stay with Fidar at this point. There will be no price change with the contract. RD Monahan will come back to the Commissioners in a couple of weeks and answer any questions and seek the bid waiver from the Board.

Respectfully Submitted,
Kelley J. Monahan

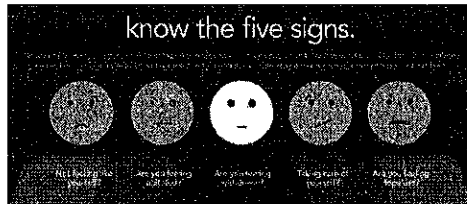
County Attorney Saffo arrived and presented the following report:

**Office of the Grafton County Attorney
Lara Saffo, County Attorney
October 10th, 2017
Report to the Commissioners**

The Mission of the Office of the Grafton County Attorney is to pursue justice and promote the safety and security of the County’s citizens, thereby enhancing the quality of life in Grafton County. We will seek to achieve these goals by:

- **Striving for just disposition of criminal cases through timely, efficient and effective prosecution.**
- **Ensuring that victims and witnesses of crimes are treated with respect, courtesy, and sensitivity as they cooperate with criminal prosecutions.**

- **Improving the criminal justice system by identifying areas of need and working collaboratively with other criminal justice agencies and the community to improve the criminal justice system.**
- **Encouraging and promoting crime prevention and early intervention initiatives.**
- **Identifying, promoting and implementing new and innovative approaches to solving crime problems.**



Changedirection.org

If you have not been on this website, it is a vital resource.

Grafton County can be proud that it has offered mental health court for years. Many defendants have a mental health diagnosis or should be evaluated for health care needs. The OGCA believes it is vital that mental health court is expanded to the felony level.

(1) The Caseload at the Office of the Grafton County Attorney.

The dramatic increase in referrals to the Office of the Grafton County Attorney from law enforcement agencies continues. We look forward to the new employees to assist in this increase of referrals.

Calendar year 2016 figures:

As reported previously, the Office of the Grafton County Attorney (OGCA) experienced an increase of over 120 referrals last year. In calendar year 2015 we had 750 referrals, in calendar year 2016 we had 894 referrals.

2017 figures show that last year's increase is not only sustained, but continues to increase dramatically

From January 1, 2015 to October 10, 2015, the OGCA received 577 referrals.
 From January 1, 2016 to October 10th, 2016, the OGCA received 642 referrals.
 From January 1, 2017 to October 10th, 2017, the OGCA received 709 referrals.

This is an increase of 67 cases since January 1, 2017.

Update on Felony first:

We have had a total of 160 felony first cases since April 1, 2017, in 76 of the charges, the individual was released on bail. In 84 of the cases, the individuals were incarcerated on bail conditions.

To date we have been able to work through the prosecutor's obligation to get complaints filed.

We are relieved that we have hired the new prosecutor to work on many of the new arrests. I greatly appreciate the other prosecutors covering when felony first began earlier than anticipated in Grafton County (and before the new prosecutor was hired).

The court schedules arraignments weekly (every Mondays), so these are all fast tracked cases. We have to file the charges and the probable cause affidavit five days before the arraignment, so generally within a week or two. Our victim witness program must respond right away as well. This is a fast track for the law enforcement agencies, who have to get us needed material on an expedited basis.

(2) New prosecutors / office

We have moved the prosecutor into what was previously the front conference room. We now have to work on coordinating a satellite office. Alison and Toni have done an excellent job preparing the space, utilizing used furniture.

We are training the new prosecutor and look forward to the much needed transfer of cases to her. This will assist in the workload of the other prosecutors.

(3) Sex Crimes Unit / Computer Forensics/Digital Evidence

We continue to work hard to on developing a sex crimes unit. The New Hampshire Department of Safety has filled the part time prosecutor consultant position, we are meeting this week after the Haverhill area SART.

(4) Training

We continue to offer and attend trainings. Last week the NH Attorney General's Office offered a training on negligent homicide prosecution, understanding the science available, challenges and solutions. We are fortunate that NH now has a Traffic Resource Prosecutor, and Grafton County plans on utilizing his services.

Access to the National Traffic Law Center is one of the benefits of our NDAA membership. From the website:

“The National District Attorneys Association's National Traffic Law Center (NTLC) is a resource designed to benefit prosecutors, judges, law enforcement officers and others in the justice system. The mission of NTLC is to improve the quality of justice in traffic safety adjudications by increasing the awareness of highway safety issues through the compilation, creation and dissemination of legal and technical information, and by providing training and reference services. “

(5) Community Partnerships

The Office of the Grafton County Attorney supports the building of strong partnerships and collaborations with law enforcement, all members of the criminal justice system, and the communities we serve. These partnerships are vital to improve public safety.

ATTORNEY GENERAL'S OFFICE:

The Attorney General's Office Partners Against Violence conference is this month. We are presenting and attending.

Attorney General – County Attorney meetings

AG Child Abuse and Neglect Conference Committee

AG Protocol drafting: Adult Sexual Assaults, Human Trafficking

ALTERNATIVE SENTENCING

Drug Court

I received a response to my letter. They corrected the history of the program. Other concerns were not addressed. For example, the evaluation will continue to note that Grafton meets the best practice for probation (which is a caseload of no more than 30 participants) because the sheriff's department was supplementing the probation officer. As you know, Drug Court specifically rejected assistance from the Sheriff's Department, and probation's caseload is over 100. The evaluator noted that was accurate when the evaluation occurred, and apparently do not feel the need for a footnote or other information prior to distribution of the evaluation.

Another question I had was whether Grafton County should have a "green" light noting that we fully comply with the requirement for an Advisory board and Steering Committee. The evaluators also feel this should not be changed to a "yellow" designation, I am not clear why since I am unaware of either board existing for our drug court and, in fact, I have been asked to assist in developing one. I have reached out to Alternative Sentencing Director Gilding and Drug Court Coordinator Stone about the advisory board and steering committee. I am unaware of a Grafton County Drug Court Advisory board and Steering Committee, but maybe something has happened recently and I have not been updated. Or perhaps there is a statewide board. I look forward to hearing from them.

In order to receive funds, the drug treatment courts in New Hampshire will need to be in compliance with the NADCP Best Practice Guidelines, so it is important that all interested individuals understand the requirements. They are available on line at <http://www.nadcp.org/Standards> . Webinars are also available on the best practices at the same website. I am providing you with information regarding best practices for medicated assisted treatment, as just an example of additional information readily available.

We have weekly team meetings, followed by the open court session every other Monday. There may be additional hearings as well, in addition to required trainings.

Other drug initiatives: Haverhill Area Substance Abuse Coalition (Cottage Hospital)

We participate regularly in other initiatives.

Justice Involved Veterans Task Force

This group meets monthly, and this year presented enabling legislation that I testified in support of. We can attend these meetings telephonically.

Mental Health Court

We have been able to attend these meetings in Littleton and Lebanon regularly. We look forward to attending more regularly in the Plymouth area. Prosecutor Kovalenko has been working hard to expand this to the felony level. Court time appears to be a barrier.

Adult Diversion

We work with the adult diversion as well, and thank the amazing efforts exhibited by this program. Currently, we have 30+ defendants participating in this program.

FIRMM

We have individuals now sentenced into this program and look forward to working with this sentencing alternative as well

Grafton and Sullivan County CAC at DHMC

Like the County Attorney's office, the CAC continues to experience high numbers. It is vital that prosecution is involved in these cases from the inception. Similar to our drug unit, we hope to develop a child abuse unit at our office, although there are far too many of these cases for one prosecutor, so we have three that specialize in these cases (and carry additional caseload). We are hoping to be able to have one of the three be the primary contact for the CAC.

The OGCA participates in three types of meetings for the Grafton and Sullivan County CAC at DHMC, case review meetings: Twice a month we have meetings to review all pending cases, and provide a status on past interviews. We have one meeting in Lebanon once a month. We have a meeting in Littleton and Plymouth (alternative locations) once a month. We also participate in Director and Advisory Board meetings. We have meetings six times a year to discuss the program, and often have supplemental meetings to discuss a specific issue, such as sustainability.

STATEWIDE SOFTWARE/PBK

We participate in monthly statewide software meetings to enhance the use and efficiency of our statewide prosecutor's software.

This includes working on the Uniform Charging Table for the State of New Hampshire, and specifically developing elements of offenses for everyone to use in New Hampshire

NH HUMAN TRAFFICKING COALITION

We are a member agency with the New Hampshire Human Trafficking Coalition.

(6) Grants

a. VAWA Grant

We received this grant, for \$30,000 towards the cost of a prosecutor to handle in part domestic violence and sexual assault cases. The year for the grant is June 30th, 2016 – June 30, 2017. The reports have been submitted.

b. VOCA Grant

We received the grant is for \$50,000 towards our Victim Witness Program. It pays for some of the costs of a Victim Witness Coordinator and for a new program, in our case Circuit Court Prosecution services. We have the official paperwork and are accepting referrals. It has already proven beneficial. The reports have been submitted.

c. Haverhill Area Substance Abuse and Prevention Coalition

This prevention initiative is for the SAU 23 catchment area.

d. Partnership with UNH – Prevention Innovations Research Center Collaboration

We received this grant and are participating in prevention initiatives for commuter college sexual assaults.

e. Sexual Assault Justice Initiative

As noted above, this is a DOJ grant that we will benefit from. The hiring committee hired the full time adult sexual assault investigator, and the grant has begun. The grant manager/prosecution consultant position is going to be advertised.

(7) Areas of needed expertise

- a. Arson
- b. Drugs
- c. Domestic violence
- d. Child sexual assault
- e. Adult sexual assault
- f. Abuse of Elders
- g. Assaults – simple to first degree
- h. Cybercrime
- i. Failure to register as a sex offender
- j. Gang activity

- k. Internet Crimes Against Children
- l. Negligent homicides – assault related
- m. Negligent homicides – DWI related / Driving Under the Influence, Serious bodily injury/drug impairment
- n. Negligent homicide – distracted driving.
- o. White collar crime – bank fraud, business fraud
- p. White collar crime – financial exploitation of family members/the elderly
- q. Computer fraud
- r. Property related offenses (bank checks/fraudulent use of a credit card/willful concealment)
- s. Property related offenses – burglaries and robberies
- t. And more . . .

(8) Adjourn to discuss legal matters.

*9:45 AM Commissioner Ahern moved to temporarily adjourn this meeting for the purpose of consulting legal counsel. Commissioner Piper seconded the motion and all were in favor. Commissioner Lauer stated that they will now adjourn this public meeting for the purpose of consulting with legal counsel. The public must leave the meeting room and the door will be closed.

*10:01 AM Commissioner Lauer reconvened the meeting.

Commissioner Lauer asked if everyone had a chance to read the minutes from the October 3rd meeting. Commissioner Piper had some edits.

Commissioner Piper moved to approve the minutes from the October 3rd meeting as amended. Commissioner Lauer seconded the motion. Commissioner Lauer and Piper voted in favor. Commissioner Ahern abstained.

The Commissioners signed Check Registers 21; 1052-1056.

CA Libby presented the Commissioners with a Letter of Authority which would give CA Libby authority to execute the Motorcycle Rider Training agreement. The agreement is a two (2) year agreement for the State to use the County facilities for this program. Currently the fee that the State pays is \$150.00/class up to \$7,500 for the two (2) year term.

Commissioner Ahern asked if we could increase the fee. Commissioner Piper thought that would also be a prudent thing to do. The Commissioners discussed what the State charges for the Beginner Motor Cycle Training course, which is \$155. Commissioner Lauer thought that what we charge the State currently is adequate. Commissioner Piper stated that as Commissioners it is their job to look at everything and do what is best for the taxpayers. She believed that since the fee had never been raised since the course has been conducted at the County facility, it was reasonable to consider raising the fee on behalf of County taxpayers.

Commissioner Ahern moved to increase the fee per course that the County charges the State for the Motorcycle Rider Training program to \$175.00 Commissioner Piper seconded the motion.

Discussion:

Commissioner Ahern stated that he feels this is in the best interest of the taxpayers of Grafton County. It is the truth and it is fair to all concerned.

The Commissioners voted on the motion: Commissioners Ahern and Piper were in favor Commissioner Lauer was opposed. The vote being 2-1 the motion passes.

CA Libby stated that she would forward the Commissioners' request to increase the fee structure to the State. She asked that the Commissioners give her the authority and sign the Letter of Authority to enter into the agreement if the State agrees to the increase so that she can execute the documents.

Commissioner Ahern moved to give the County Administrator authority to enter into an agreement for the License for Use of Premises for Motorcycle Rider Training at the Grafton County Courthouse with the Department of Safety on behalf of Grafton County. Commissioner Piper seconded. All were in favor.

CA Libby submitted the monthly Superior Court Report from the Department of Corrections for the Commissioners review.

CA Libby told the Commissioners that the Grafton County Regional Development Corp.'s Annual Meeting was going to be held on Tuesday, October 24th at the Common Man in Plymouth at 8:00 AM. The Commissioners agreed that they would all like to attend and moved their regularly scheduled meeting on the 24th to October 26th. CA Libby will RSVP for them.

CA Libby told the Commissioners that there were approximately 110 employees and guests that will be attending the Employee Recognition Dinner on October 18th at the Woodstock Station.

COMMISSIONER ISSUES:

Commissioner Ahern stated that he was concerned about where security cameras were being placed in the nursing home. He asked if any were being placed directly in resident rooms. He was concerned about violating privacy. Commissioner Lauer stated that the cameras to her understanding were only being placed at entrance doors and in corridors. There were none being put into resident rooms.

Commissioner Ahern stated that last Tuesday he had attended the SEC tour of Plymouth. The crowd was told when the SEC got off the bus that they would not be entertaining any questions as they had no one present that could take minutes. Commissioner Ahern stated that there was a lot of disappointment that questions could not be asked.

Commissioner Piper stated that she will be attending the second meeting of the study group that is looking at the TIF District in the City of Lebanon.

Commissioner Lauer will be attending an informational meeting regarding Granite State Powerlink in Franconia this week.

The Commissioners will attend the Open House and Reception for the D-H Aging Resource Center as they expand their program into the Upper Valley Senior Center. The Open House is Monday, October 16th from 2:00 -- 4:00 PM at the Senior Center in Lebanon.

Commissioner Lauer also reminded everyone that next Tuesday is Pumpkin Day and that after they finish their regular business they will be going to the barn and pumpkin patch with the children. Everyone should dress appropriately.

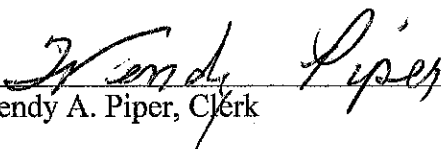
10:56 AM – Commissioner Ahern moved to enter into non-public session for the purposes of discussing the dismissal, promotion, or compensation of any public employee or the disciplining of such employee according to RSA 91-A:3, II (a) Commissioner Piper seconded the motion. This motion requires a roll call vote, Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Ahern “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

*11:26 AM Commissioner Lauer declared the meeting back in public session.

Commissioner Piper moved to permanently seal the minutes from the just completed non-public session because they could affect the reputation of someone other than those of the Board of Commissioners. Commissioner Lauer seconded the motion and all were in favor.

11:27 AM with no further business the meeting adjourned.

Respectfully Submitted,


Wendy A. Piper, Clerk