

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Hwy.
North Haverhill, NH 03774
Tuesday November 8, 2011

PRESENT: Commissioners Cryans, Omer C. Ahern Jr. and Raymond Burton, Director Clough and Secretary Martino.

OTHERS: H. Brown

9:10 AM Commissioner Cryans opened the meeting with the Pledge of Allegiance led by Director Clough.

Attorney Saffo was present and gave her report to the Commissioners. *(see attached)

Atty. Saffo showed a report of cases by towns and it indicated an increase in cases from January through November. She added that the other counties are not seeing the same increases as Grafton County of which there are currently 733. (Indicates cases by individuals)

Atty. Saffo requested to supplement the current grant request that she has with the AG's office to include two more computers which she said were deemed to be inadequate to run the Karpel software. This would add another \$2600 to the grant bringing the requested amount to \$4750.

Commissioner Burton moved to approve the supplemental request which was seconded by Commissioner Ahern.

DISCUSSION:

Commissioner Burton asked where the current grant stood and Atty. Saffo replied that she wasn't sure of the current status. Commissioner Burton then asked if this was a federal or a State grant and Atty. Saffo replied that it was federal

There was a discussion about how many cases come from the NH AG's office to Grafton County in a 60 day period and Atty. Saffo said that off the top of her head she would estimate around 4 or 5, but would have to check for sure.

There was a discussion as to how the Karpel system would work. Atty. Saffo said it will allow the County attorneys and staff to all have the same information available to them. She said that having the laptops in the courtroom, which could be hooked up to printers, will eliminate the need to run back and forth to the office to complete paperwork and saw this as a time saving measure.

Commissioner Ahern said he was still a bit confused about the need and would like to hear from ITM Ruggles on this issue.

Commissioner Cryans asked if the computers could be used for other things as well and Atty.

Saffo replied they would function as a regular computer. He then asked if it would make the office run more efficiently and she replied yes to that too.

Commissioner Ahern said he would still like to hear from the IT Manager first.

When the vote was taken, Commissioners Burton and Cryans were in favor and Commissioner Ahern opposed.

Atty. Saffo finished going over her report with the Commissioners.

Register of Deeds Kelley Monahan arrived with her report for the Commissioners. *(see attached). She said that revenues were down but foreclosures were down too. RD Monahan asked that the September report also be added to the minutes and have been attached.

RD Monahan said she really wanted to encourage the Executive Committee to support the purchase of a fire suppression system for Deeds records and feels strongly that the preserved books need to get out of the basement. She said there was a lot of money spent on preservation and she wanted to make sure that nothing happened to that investment.

There was a discussion about working with the Department of Revenue in the reporting of fees. RD Monahan said she is in full agreement with that but is still opposed to the UNH proposal to secure information via the GIS technology.

RD Monahan asked the Board to waive the bid process for the Deeds software in order to stay with Fidlar which she believes to have the best technology in the business at this point. Fidlar has also initiated a fee reduction.

Commissioner Ahern asked if the IT Manager has been involved in this and RD Monahan said he had been in the past but not at this time as she knows he has his hands full with the DoC.

Commissioner Ahern said he felt that the Register's proposal is prudent and that she has his support. He also commended the staff in Deeds for the work they do.

Commissioner Ahern moved to waive bid and to allow the Register of Deeds to enter into another software contract with Fidlar, which was seconded by Commissioner Burton.

DISCUSSION:

Commissioner Cryans moved to make a friendly amendment saying he would like to see the IT Manager involved in the process and that the contract should run on a fiscal year basis in order to align with the County budget, which was agreed upon by Commissioners Ahern and Burton.

RD Monahan was fine with that request.

Director Clough had a couple of questions she asked the Register which were answered to satisfaction.

When the vote was taken, all were in favor.

In a brief discussion about the Northern Pass, Commissioner Burton said that he had asked Governor Lynch to appoint a committee to look at burying the lines for Northern Pass and had not heard back from him. He said he planned to put that request in writing now.

Commissioner Cryans asked if everyone had a chance to read the minutes and asked if anyone had any changes or edits. Commissioner Ahern made two edits.

Commissioner Ahern moved to approve the minutes as amended which was seconded by Commissioner Burton. All were in favor.

The Commissioners signed the check registers.

The Commissioners reviewed the DoC Superior Court Report.

Commissioner Cryans signed the close out agreement for the MicroCredit 2010 grant.

Director Clough presented the Commissioners with the information that D. Barber is retiring from the Sheriff's Dept. after 25 years in law enforcement.

A request had come from the Ct. Valley Snowmobile Club to add a connector trail on the County property to be used in the winter only which would be maintained by the club.

Commissioner Burton said he had spoken to the ATV club who had asked him about the trail. He suggested they submit the request in writing. He said he would like to see approval from Supt. Oakes since the water tank is in that area, and other Administrators, as well as a map of the proposed plan.

Commissioner Ahern agreed with that and said he would also like to see the County forester involved and the RSA regarding the limited liability on County property. Commissioner Cryans said he would like to see the Sheriff involved also as he had been in the past concern the area across the road and he has the shooting range there.

Director Clough showed the Board a copy of a lien that a subcontractor of Norgate Metals (who is doing work on the new Jail) filed. H.P. Cummings is trying to mediate but said there appears to be issues that are larger than just the Jail project. She said the County is fully protected in this matter and HPC thought things would work themselves out.

Commissioner Burton noted that the company is from out of State and out of the country. Director Clough said that's part of the problem.

Director Clough informed the Commissioners that she had an email from the County Forester regarding the firewood that was placed out for bid. He stated that there is approximately ten or so cords up there but it is difficult to tell because it is not all in one place. He stated that a lot of the wood is rotted and worth perhaps half the value of regular firewood. His suggestion would be to take what you could get for a bid with the caveat that the buyer should beware.

Commissioner Cryans said he would be inclined to take what could be gotten. Commissioner Ahern said he would still like to see this go out to the public to bid and to be put in the Market

Bulletin.

Commissioner Burton said he would hope that this sale could be overseen by the County Forester and Director Clough thought he might be less than enthusiastic about being involved.

Director Clough said that Fairpoint is requesting an easement to run a small piece of conduit and phone cable for the new Jail.

Commissioner Ahern had a couple of issues with the request and felt that they needed to correct a couple of typing errors and present a plan to refer to.

The Board decided to wait until those items were corrected before signing off on anything.

Director Clough said the tax bills had been sent out on the 28th of October and payments are due by the 19th of December. Commissioner Cryans asked if money was borrowed yet and Director Clough replied that they had borrowed \$1.6M two weeks ago and will probably have to borrow again before the tax money arrives.

Director Clough said that the architects for the biomass project were fully underway and are working with Supt. Oakes on the property.

The Commissioners are scheduled to meet with the Commissioners of Woodsville Water & Light this evening at 7:00 PM. Commissioner Cryans said he thought that communications, both good and bad was important.

COMMISSIONER ISSUES:

The Commissioners received a letter from the State regarding the redistricting of their three areas. There was some discussion about this. Commissioner Cryans said he was fine with his district and Commissioner Ahern said he wanted to take a closer look at the Grafton County map. Commissioner Burton said he would be happy to take on another area but was also fine with his district.

Commissioner Ahern and Commissioner Cryans will be attending the Corrections Academy graduation on Friday the 11th.

Commissioner Cryans said he contacted the office of the President of Dartmouth College to let them know how much the County appreciated the work of the three students from the Rockefeller Research Center and their presentation on what could be done with the old Jail building.

Commissioner Cryans noted that Brian Walsh, who was on the Hanover Selectboard for 15 years (12 as Chairman), had stepped down two weeks ago to spend time with family, and that he had been a huge asset to the town.

Commissioners Ahern and Burton were panelists at the NH State Grange in Gorham.

Commissioner Burton stated that the Glencliff home had recently gone through their State survey and came away deficiency free.

In regard to the disposition of the old Jail once vacated, Commissioner Burton said that project may continue on for a number of years. He asked Director Clough if the bond that they purchased for the new Jail spoke to the possibility of using money to deal with the old Jail and she said she would have to find out. Commissioner Burton said he felt there was plenty of information from all sources as to what should be done with the building. He said that he didn't think though that the Administrative staff should be tied up in endless meetings and committees and also felt that there are a number of projects on the County complex that take priority.

Commissioner Ahern said he didn't think this should be a multi-year process and suggested that there really couldn't be a full assessment of the building until it was vacated. He thought there should be long and short term committees set up.

Commissioner Cryans said that his mind is made up in that there is no future use for that building and that it would take hundreds and thousands of dollars spent to fix it up. He said he didn't hear anything that showed a justifiable use for the structure. He suggested that Commissioner Burton call another meeting after the first of the year. Commissioner Ahern said he would like to bring forth a proposed timeline. Commissioner Burton decided that the next meeting should be held on the 24th of January at 1:00PM and that he would suggest that anyone who wanted to put forth a proposal should also bring along a budgeted cost for that proposal.

Commissioner Burton asked Director Clough what her take on the building was and she replied that she was looking at it from a financial point of view and long range costs. She said that she didn't see that Grafton County has a use for that building and that putting money into it makes no sense financially. She said that preservation for the sake of preservation didn't make sense to her either.

Commissioner Cryans agreed with Commissioner Burton that there were already a lot of projects ahead with priority over this one.

11:40 AM being no further business the meeting was adjourned.

Raymond S. Burton, Clerk

Office of the Grafton County Attorney
Lara Saffo, County Attorney
November 8, 2011
Report to the Commissioners

(1) Case management

We continue to see an increase of one third in the number of cases being handled by this office. We've added 733 cases to date January 1, 2011 to the present time, compared to 2010 when, for the entire 2010 calendar year we opened 596.

Number of referrals, by town:

<u>Cases referred (1/1 to 11/7)</u>	<u>2010</u>	<u>2011</u>
Town of Bristol	9	20
Town of Enfield	25	19
City of Lebanon	110	148
Town of Littleton	38	28
Town of Plymouth	17	40
NH State Police	47	61

(2) Painkiller abuse

The Centers for Disease Control found that New Hampshire tied for the fifth-highest rates of painkiller abuse in the nation. Survey data showed that 5.9 percent of residents 12 and older reported abuse. You may recall that the SAMHSA (Substance Abuse and Mental Health Services Administration) Report on Youth Substance Abuse, a study focused on alcohol and marijuana use. This study found that New Hampshire was third of the fifty states in the highest percentage of youth consuming alcohol. New Hampshire was sixth in regular marijuana use among teens and adults. Vermont ranked even higher; it was first in the nation for alcohol use by persons between the ages of 12 and 20, and second for regular marijuana use.

(3) Space

Because the conference room is underutilized, we are going to encourage our interns to utilize this space when available to study. I am placing a small table near the door, where we have a hook up for the internet. This table should not interfere at all with the use of the room as a conference room.

(4) Karpel/Software for County

We have submitted the supplemental grant to cover the cost of one last laptop computer. We then learned that we have to supplement this grant, as six of our current computers need to be upgraded to run the Karpel software and only three are covered under the grant. I would like to confirm with you that

modifying this grant is acceptable. The older computers can be used as non Karpel system, anywhere in Grafton County, to replace systems that need repair or otherwise need to be upgraded. As soon as Karpel confirms that our proposed scanning equipment is compatible, I will order the scanning equipment and begin scanning.

(5) Interns/Externs/Special Assistant County Attorneys

Mike Lynness from Vermont Law School has been a great addition to our office. Today, I am meeting with a student to intern in the spring. She comes highly recommended from Vermont Law School. I also met with a NHTI student interested in our drug court. She appears interested and ready to start in January. She will experience our program, and, as a project, will assist in improving our written paperwork.

(6) Staff Annual Retreat

We want to thank Nancy Bishop for being present in our office to answer phones while we were on our annual staff retreat.

(7) Public Safety Initiatives

a. Mental Health Court (A.S.S.E.R.T. and Halls of Hope)

Our forms are now downloaded on the State of New Hampshire courts website, and thus are available to the public on line.

<http://www.courts.state.nh.us/drugcourts/index.htm>

We need to correct where the State of New Hampshire put the forms, and that should occur shortly.

b. The New Hampshire Partnership for the Protection of Older Adults

One more statewide training, and then we will be then focusing on a Grafton County initiative.

c. Child Advocacy Center at DHMC

This continues to be a busy, well received program. The children have been offered CAPP exams when necessary and the children and their families are offered mental health services. We have also started to evaluate child abuse cases upon completion, as a team, to see if we have recommendations to improve our services in future cases.

d. Plymouth Area Sexual Assault Resource Team

We continue to circulate a Memorandum of Understanding to law enforcement, medical, advocacy and mental health agencies. For April (Sexual Assault Awareness month) we are planning initiatives to identify

abusive behavior and promote bystander responsibility and safe behaviors.

e. Grafton County Drug Court Sentencing Program

Our graduation was on October 24, 2011. Participants, graduates and parents of graduates spoke about their experiences in the program. We have a number of pending applications which we are processing to replace the graduates with new enrollees.

As always, if you have any questions, please do not hesitate to contact me. I welcome the opportunity to answer any questions.

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
November 8, 2011**

October Revenue

County Revenue 10/2009	\$88,009.46	State Revenue 10/2009	\$748,325.76
County Revenue 10/2010	\$91,984.83	State Revenue 10/2010	\$704,528.64
County Revenue 10/2011	\$78,351.22	State Revenue 10/2011	\$539,096.64

Foreclosures 2009 149 year to date	County Revenue FY12 to date \$314,231.51
2010 184 year to date	County Revenue FY11 \$343,834.46
2011 178 year to date	

October Action

- 1. The NH Register of Deeds Association met on 10/24/11 at the Association of Counties Conference. Commissioner Burton joined us for the presentation by Ernest Riggan and Dave Stiles of Fidlar Technologies. The afternoon session was a Register of Deeds meeting, where many topics affecting the registries were discussed.**
- 2. The National situation regarding MERS continues to play out. Rep Tammy Baldwin of Wisconsin will be introducing a bill in the House of Representatives that addresses MERS and the mortgage crisis.**
- 3. Last month I met briefly with the Executive Committee regarding the fire suppression system. I will continue to explore options to providing a better solution to the storage of our historic paper documents. What we currently have in place is, in my opinion, not an acceptable situation.**

**Respectfully submitted,
Kelley J. Monahan
Grafton County Register of Deeds**

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
October 4, 2011**

September Revenue

County Revenue 9/2009	\$79,523.88	State Revenue 9/2009	\$443,381.76
County Revenue 9/2010	\$91,360.22	State Revenue 9/2010	\$509,792.64
County Revenue 9/2011	\$69,658.40	State Revenue 9/2011	\$565,629.12

**Foreclosures 2009 133 year to date
2010 167 year to date
2011 170 year to date**

October Action

- 1. On 9/29/2011 the registry staff and I spent the day with Adam Watkins from Fidlar. We are considered a life cycle customer. They have frozen the cost of our contract for the next 2 years, and will provide upgrades to our systems without further cost. The presidents of the company Ernest Riggins and Dave Steil will be at the county convention at the end of the month. I encourage the Commissioners from all of the counties of New Hampshire to attend their session which will address the future of land records.**
- 2. On 9/26/11 I met with the Plymouth Select Board to discuss the robo signing of documents and the effects of MERS on the Registry of Deeds records.**
- 3. We should have the new conference room in the basement ready by 10/7/11. The Registry has also contributed space to the new Goodwill program that will provide the use of lap tops for the public to search for employment via the internet.**
- 4. The situation with MERS continues to unfold. Dallas County Texas now suing for lost recording fees. The California Attorney General has left the task force that is seeking a settlement, joining others (NY NV NC DE) who are seeking further investigation and possibly criminal charges.**
- 5. I have been in contact with David Reinzo Assistant AG New Hampshire. I have no authority in the matter with MERS, however I feel it is my duty to keep the citizens informed regarding the questionable practices of this private enterprise and the effects that are being realized by these actions in New Hampshire and across our county.**
- 6. We have seen a second wave of property owners with new letters from Northern Pass predominantly from the Sugar Hill area.**

**Respectfully submitted,
Kelley J. Monahan
Grafton County Register of Deeds**

Grafton County Registry of Deeds
Kelley J. Monahan Register
November 8, 2011

To: The Honorable Grafton County Commissioners:
Chairman Michael J. Cyrans, Raymond S. Burton, and Omer C. Ahern Jr.

Re: Registry of Deeds Software Contract

For the following reasons, I respectfully request that the bidding process for the Registry of Deeds software contract be waived, and a continuation of our successful partnership with Fidlar Technologies/Conner and Conner be endorsed.

1. As I have shared with this board for many months, there has never been a time of greater volatility involving the land records industry.
2. Fidlar has clearly stated their position that County land records are the property of the County alone. Our software is a major component to the security of our records. It is my conviction that Fidlar offers the highest standard of security.
3. There will be no change to the public interface that the professionals and citizens of New Hampshire have grown accustomed to. There will be new options to explore if people are interested.
4. The changes that will be made will be in the form of upgrades to hardware and software that is on the office/recording/reporting end. Innovations will be set in place and be ready to be acted on when the demand presents itself.
5. The contract that is in place expires on June 30, 2012. This is not the time of year for any type of conversion of systems. This type of activity is best done in the slowest months of the year. I am planning for a February 1, 2012 date of conversion.
6. We have operated under a flat rate for recording documents. Fidlar will now charge us per document, with no cap or minimum. As our flat rate was set during a time of higher document volume, this new pricing policy will result in savings to Grafton County.
7. Under the plan that I have proposed, we will terminate the lease and maintenance expense of public computer stations. These will be returned to Conner and Conner. The 6 PCs that have been in use by the office staff that were purchased in 2007 will then be given a second life, as simple public viewing stations. These monitors will provide better resolution and a larger screen for the public's use. Fidlar will replace our existing PCs with new Windows 7 Pro PCs. Some minor hardware for the upgrade of software will be necessary. Fidlar will defer payment on the hardware until FY 13. The staff PC's have been in use for 4 years and there has not been a replacement plan in place for this equipment.
8. The expense for new hardware will come out of the Registry of Deeds surcharge account. This account was designed specifically for the upgrade and modernization of the technology and equipment of the Registry of Deeds.

9. At this point, it is difficult to predict the exact savings to Grafton County. The unpredictability of the real estate market is a major factor in this uncertainty. It is a fact that there will be savings and the possibility of new revenue from users outside of New Hampshire.
10. Shelley Vincent of Conner and Conner researched and sought out the best company to sell her company to. Mrs. Vincent had full confidence in Fidlar, my 10 months in office has provided me with complete confidence and trust in Fidlar Technologies and its leadership.
11. In the past, other companies have been proposed and rejected in favor of Conner and Conner.
12. The Grafton County Registry of Deeds staff is in agreement with me.

For the above reasons, and many more that I have mentioned over the last few months regarding the options that are available to us, I respectfully request the Grafton County Commissioners to waive the bidding process for this valuable and vital service to our public.

Kelley J. Monahan
Register of Deeds
Grafton County New Hampshire