

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Hwy

North Haverhill, NH 03774

December 16th 2014

PRESENT: Commissioners Michael Cryans, Linda Lauer, Executive Director Julie Libby and Assistant S. Norcross.

OTHERS PRESENT: Supt. Elliott, FM Kimball, Treasurer Parker, HSA Nancy Bishop, CA Lara Saffo.

EXCUSED: Commissioner Martha Richards

Commissioner Cryans called the meeting to order at 9:07AM and began with the Pledge of Allegiance.

Treasurer Bonnie Parker arrived and presented the following recommendation for investment of tax receipt funds:

Local banks and credit unions were invited to submit bids for investment of our current property tax receipts. A few declined to bid. Many were eliminated due to low rates of return.

Among those contacted were: Ledyard National Bank, Mascoma Bank, Lake Sunapee Bank, Meredith Village Savings Bank, Citizens Bank, First NH Bank, Woodsville Guaranty Savings Bank, Service Credit Union, Bank of America, Union Bank, Passumpsic Savings Bank and NorthEast Federal Credit Union.

The best rates and terms that suit our needs come from:

Woodsville Guaranty Savings Bank, Mascoma Savings Bank and Service Credit Union. Below are the rates and recommended sums for investment:

Investment Proposal:

Bank	Term/Product	Rate	Amount
Woodsville Guaranty Savings	Letter of Credit	.40	Balance above \$1M
Mascoma Savings Bank	26 Week CDARS	.35	\$2M
Service Credit Union	Money Market	.35	\$250,000

Commissioner Lauer moved to accept the recommendations for investments made by the Treasurer. Commissioner Cryans seconded the motion and all were in favor.

FM Kimball arrived and requested a bid waiver for the purchase of a used 2005 John Deere 7520 Tractor in the amount of \$59,900 from Harvest Equipment. He will be trading in the 1980 International for a price of \$9,900 with the \$50 document fee the total price for the new tractor \$50,050. Farm Manager Kimball stated that there is a warranty on the transmission.

Commissioner Lauer moved to waive bid on the purchase of the 2005 John Deere 7520 from Harvest Equipment in the amount of \$50,050. Commissioner Cryans seconded the motion and all were in favor.

Supt. Elliott arrived and gave the following report:

December 16, 2014

Commissioners Report

1. Population	In House: 113	F Unit: 40
		E Unit: 27
		D Unit: 26
		C Unit: 16
		Intake: 4

2. Community Corrections Report:

a) Drug Court	Supervising (17) 0 in custody
b) Electronic Monitoring	Supervising (4)
c) Daily Work Release	Supervising (1)
d) Operation Impact	Sgt. Larson did four presentations of anatomy of a DUI at Lebanon High. Conducted a tour of the Jail with the Beckett School of Plymouth. Also presentations at Blue Mountain Union and Hanover Street School in Lebanon.

e)Community Work Program	Sgt. Webster has been supervising snow removal on campus and daily farm related duties while lining up community service projects for after the holiday season.
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3. General

a) Inmate administrative transfer from Sullivan County
- Supt. Elliott stated that on December 8th they were asked to hold inmate from Sullivan County who had been problematic for them and threatening other inmates. Supt. Elliott had explained that they have had no problems with this inmate so and would request that the Commissioners approve this transfer. Commissioner Lauer moved to give Supt. Elliott permission to keep the

Sullivan county inmate at the Grafton County Department of Corrections. Commissioner Cryans seconded the motion and all were in favor.

b) Inmate admitted to DHMC for surgery

- Supt. Elliott stated that on Sunday they had an inmate who was complaining of stomach pains. They took him to Cottage Hospital for evaluation where it was found that he had perforation in his stomach from an ulcer. He was transferred by ambulance to DHMC and had surgery. He is still at Dartmouth Hitchcock. Supt. Elliott stated he is a sentenced inmate scheduled to be released next month so they are responsible for his medical bills.

c) Replaced outgoing Nurse

*9:28AM - Commissioner Lauer 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 Cryans seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Cryans "yes"; Commissioner Lauer "yes"; Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

*9:37AM- Commissioner Cryans declared the meeting back in public session.

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

Commissioner Lauer moved to accept Supt. Elliott's request for an out of cycle step increase for a corrections employee. Commissioner Cryans seconded the motion and all were in favor.

4. Commissioner Items:

- a) Commissioner Cryans- None
- b) Commissioner Richards-None
- c) Commissioner Lauer- None

Commissioner Cryans asked if everyone had a chance to read the minutes from December 9th. Commissioner Lauer moved approve the minutes from December 9th. Commissioner Cryans seconded the motion and all were in favor.

The Commissioners signed check registers 645; 1098-1101

Commissioner Cryans signed the Request for Release of Funds and Certification for Polly's Pancake Parlor.

ED Libby submitted the Closeout status report on the 2013 Regional Development Corporations Capacity grant for Commissioner Cryans to sign.

ED Libby submitted the Determination of Environmental Exemption and Request for Release of Exempt Activities Funds for Commissioner Cryans to sign.

Commissioner Cryans and Commissioner Lauer both signed the Authorization to Submit Claims for Polly's Pancake Parlor.

ED Libby submitted the Authorization to Submit Claims for the 2014 RDC Capacity Grant for Commissioner Cryans and Lauer to sign.

ED Libby submitted the Sub recipient Agreement between Grafton County and GCEDC for Polly's Pancake Parlor grant for Commissioner Cryans sign.

ED Libby requested that the Commissioners close the Commissioners' Office, IT, Human Resources and Human Services Friday December 26th with employees using ET for that day. She stated that Deeds and UNH Cooperative Extension have already requested to close their offices and this request would close the rest of the administration offices in this building.

Commissioner Lauer moved to close the Commissioners' Office, IT, Human Resources, and Human Services on December 26th with the employees using ET for the day. Commissioner Cryans seconded the motion and all were in favor.

ED Libby stated that there are ten (10) towns left to collect taxes from. The amount to payback on the TAN is \$4,102,825.31 and they will be paying \$2,800 on interest from money borrowed.

Commissioner Lauer stated that she attended Drug Court Christmas party last night and will be attending the Christmas tree lighting in Bethlehem tonight.

Commissioner Cryans attended the State Legislative brunch in Plymouth. He stated that Grafton County was well represented. The Town Officials from both Plymouth and Holderness were also in attendance. He stated it was Sara Jayne Steen's last meeting as she is stepping down as PSU president.

HSA Bishop arrived and gave the following report: (*see attached)

Atty. Saffo arrived and gave the following report:

**Office of the Grafton County Attorney
Lara Saffo, County Attorney**

December 16, 2014 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.**

(1) STATISTICS

Cases referred to the Office of the Grafton County Attorney:

January 1, 2010 – December 7, 2010	533 cases
January 1, 2011 – December 7, 2011	741 cases
January 1, 2012 – December 7, 2012	688 cases
January 1, 2013 – December 7, 2013	753 cases
January 1, 2014 – December 7, 2014	728 cases

The year end summary will be available by the first week in January, and we will post it on our website. It will include referrals by types of crimes and referrals by town.

(2) The Skye System

We are working on a proposal for the next budget cycle to ensure that our courtrooms have electronic capabilities that will make it easier for some children to testify about traumatic events. We refer to this as the “Skye System” after a brave child we had the honor of working with. The “Skye System” will go beyond electronic capabilities as well.

Our IT Department works hard with an provider to make this happen for a recent trial. We greatly appreciate their hard work!

(3) Congratulations Chief Moorhead

Recently Chief Moorhead of the Woodstock Police Department was honored with the “Spirit of New Hampshire” award. Quite an honor and well deserved!

(4) New Court Initiative –Felonies First

As we have discussed, the Court is recommending that all felony charges be filed in Superior Court from the onset. The recommendation presumes that the Office of the Grafton County Attorney would be involved at arrest. This is known as the “Felony First” initiative.

Under this system, felonies would be filed in superior court, and the county attorney offices would be responsible for these cases at arrest. We would handle the initial bail hearings, which are currently handled by the police departments, and have to be available 24/7 for all felonies, and have paperwork ready for the court on short notice. This will significantly increase our workload.

The Chief Justice for the Superior Court came to Grafton County and gave a presentation to police chiefs on this initiative. I have a copy of the powerpoint, which I believe you have seen as well.

(5) Office Hours in the Community

As part of getting ready for felony first, and in an effort to better serve our police departments and communities, I am looking for off site space for the Office of the Grafton County Attorney to hold regular hours. With our software, we can access most files with our laptop computers, and the prosecutors can access e-mails via the internet. They have cell phones as well. Accordingly, we think we can do this in a cost effective manner. In Hanover, we will be holding monthly office hours at Dartmouth College, as part of our initiative to develop stronger relationships with the student body. In the Plymouth area, I am working through budget issues associated with a very cost effective location in PSU’s Business Enterprise Center.

(6) New Court Initiative: Initial Appearance Pilot Project

Under this pilot project, after a defendant is arrested, the case is still filed in Circuit Court first, and the probable cause hearings still occur in Circuit Court. A bindover from Circuit Court is still, as now, sent to Superior Court after the probable cause hearing.

The new process occurs after the bindover is received. Within thirty days of a bindover being received in superior court, regardless of whether the defendant has yet been indicted, the case is scheduled for a new hearing, known as an “Initial Appearance.” The State will have had to have provided discovery and a plea offer ten days before the Initial Appearance, basically within twenty days of the bindover being received in Superior Court. There is an opt out process if the case is not ready for plea negotiations.

This involves a significant amount more work for law enforcement and the Office of the Grafton County Attorneys. Towns will have to fund coverage such that officers can complete all aspects of the investigation on shorter notice. The County Attorney offices have to ensure we receive all the discovery, review it on an expedited basis, send it on an expedited basis, and make a plea offer on an expedited basis. If there are victims, our victim-witness program has

to reach out on an expedited basis as well, which completely changes their system, as currently they mail the indictments and pamphlets for victims to review before telephone contact is initiated.

That being said, I am willing to give this a try, provided we are provided with sufficient time to review a file with a victim, so we comply with the Victim's Bill of Rights. Carin Kniskern has been meeting with other victim-witness coordinators across the state, and the Attorney General's Office. As noted below, I am already working on Early Case Resolution procedures, and this fits into those procedures, at some level.

(7) New Court Initiative - Dispositional Conferences

We are in contact with Hillsborough County about potential future requirements for victims to attend dispositional conferences, and hope to have more information shortly on the real life impact of this initiative. We support dispositional conferences, but do not feel victims should be required to attend, especially if they can provide their input over the telephone or traveling to North Haverhill and/or missing work or caring for family members is difficult.

Carin Kniskern, our senior Victim Witness Coordinator, along with other coordinators and Linda Ruel from the Attorney General's Office, met with Chief Justice Nadeau to discuss their concerns and ensure that the victim's Bill of Rights is incorporated into the new proposal.

(8) Early Case Resolution

As noted earlier, we are moving along implementing ECR principles in the Office of the Grafton County Attorney. Initially we were using Strafford County as a template, but we are modifying this approach. Fine tuning our approach is necessary, as we try new things.

While we are only half of the plea negotiation team, meaning we need the defense to be willing to engage in early case resolution, our prosecutors and support staff are expediting sending out discovery and plea offers earlier in the process. This improves justice, as the studies prove that the closer the punishment/resolution to the conduct/crime, the more effective the punishment/resolution. It also saves money, as it is a more efficient manner of running our court system.

(9) Participation in Alternative Sentencing:

- a. Drug Court
 - i. We continue to participate in the weekly court sessions
- b. Mental Health Court
 - i. Mary Bleier is our office's representative for the Mental health court initiative
- c. Justice Involved Veterans

I serve as a prosecution representative on the Justice Involved Veterans Task Force. I recently spoke at UNH School of Law about veteran's issues, and I am thrilled to report that our intern from last summer, Joseph Rheaume, has started a Veterans Law Society at the UNH School of law and is now a representative on the task force as well. An excellent source of information about Veterans Courts is at <http://www.justiceforvets.org/>.

d. New initiatives

- i. I believe a pretrial services and adult diversion program would save taxpayers money and ensure safer communities in New Hampshire and am interested in working with the Alternative Sentencing Department on these initiatives.

(10)Circuit Court

The Office of the Grafton County Attorney does not hire Circuit Court Prosecutors, with limited exceptions. However, we are receiving increased requests for assistance from Circuit Court prosecutors. This work is not reflected in our statistics, but is vital. We have continued to work hard to coordinate and support the circuit court prosecutors in Grafton County. We have started a webpage entitled the NH Prosecutors Network, with a section for Circuit Court prosecutors, which is developing in leaps and bounds.

(11)Victim-Witness Program for Domestic Violence and Sexual Assault cases

Our Ameri-Corp volunteer started on September 22nd. To facilitate her learning about the resources available in Grafton County, I am asking that she be able to have access to use desk space, along with the interns, in the White Building once a week and will be discussing this with Lucille Amero first. Lia and I have been meeting with circuit court prosecutors, and have designed this program. We will travel to all the police agencies, and design the program for circuit court victim witness services together. I am recommending that we reapply for this grant again for next year. The grant generally comes out in February.

(12)The Child Advocacy Center



Congratulations to Tina at Voices Against Violence, Grafton County's 2014 Everyday Hero!

The CAC continues to be busy:

County	Month	#FI
Grafton	October	8 (1 EFI)

Sullivan	October	8 (1 EFI)

I cannot emphasize enough the importance of this multidisciplinary approach towards helping our children. As noted earlier, we have been working on a new procedure in the Office of the Grafton County Attorney regarding child sexual assault cases, in which our investigator is available to answer police department questions on investigations, our prosecutors review the forensic interview close in time to it occurring, and our Victim-Witness Program is involved soon after the CAC interview occurs. I also wish to find space in the Plymouth area. The CAC's budget cannot accommodate this commitment. Wayne Fortier is assisting me in developing this new procedure.

I greatly appreciate the commissioner touring the CAC, and I know they appreciated your interest. I do think some financial support from the County is appropriate.

(13)SARTS

- a. Plymouth Area Sexual Assault Resource Team
- b. Upper Valley Sexual Assault Resource Team
- c. Littleton Area Initiatives

(14)Training

Paul Fitzgerald and I are holding two (3) hour training sessions for law enforcement today on Joshua's Law and the Lethality Assessment Program. We are doing this in conjunction with WISE.

We have been reviewing many webinars and will be listing ones we recommend for prosecutors and law enforcement on our website, in the Prosecutors Network.

(15)Prevention initiatives

- Elder Abuse
- Drugs

(16)Webpage

We hope to focus on the NH Prosecutor's Network so we can share legal research among prosecutors merely by logging onto the Network. Again, thanks to the Commissioners, the IT Department and Samantha Norcross for their hard work on expanding access to information on webpages.

(17)Drop box

We are working with defense attorneys to forward discovery electronically via drop box, which would save costs in copying, and have an effective mechanism to track discovery. Thanks again to

IT for assisting us with the security issues associated with drop box, and for Thomas Andross for his assistance understanding the NCIC system's requirements on electronic discovery.

(18)Facebook

This project has been delayed as we work through security issues, but we have not given up on having a uniform county facebook page we can go on that has all the police department facebook pages readily available. This is another effective mechanism to relay safety information to the public. In addition, it is vital that the public learns about the many good things happening in our police departments. This is another avenue to spread that information.

ED Libby submitted the CDBG final drawdown for 2013 RDC Capacity Grant for Commissioner Cryans to sign.

Commissioner Cryans also signed the Drawdown for Polly's Pancake Parlor.

11:10AM with no further business the meeting adjourned.

Respectfully Submitted,

Linda D. Lauer, Clerk