

GRAFTON COUNTY COMMISSIONERS' MEETING

Office of the Commissioners
3855 Dartmouth College Hwy.
N. Haverhill, NH 03774
Tuesday January 19, 2010

PRESENT: Commissioners Michael Cryans (late), Ray Burton and Martha Richards, Executive Director Clough and Secretary Martino

OTHERS PRESENT: H. Brown

Commissioner Richards opened the meeting at 9:07 AM

Nursing Home Administrator Bolander gave the Commissioners her report beginning with a census of 134.

NHA Bolander requested out of state travel for herself to attend the NACo Conference in Washington DC. As President, NHAC will cover her expenses. The Conference runs March 6-11.

Commissioner Burton moved to approve the out of state travel for NHA Bolander which was seconded by Commissioner Richards. All were in favor.

NHA Bolander said that Hailey Wetherbee, current Asst. Activity Director, is now her new intern in training. She said that they are working around schedules. Hailey is finishing her education and wants to become an administrator.

Commissioner Burton complimented the fact that there was someone within the County who would like to move up into administration.

Commissioner Cryans arrived.

County Attorney Saffo arrived to brief the Commissioners on an ongoing legal issue, along with NHA Bolander.

*9:11 AM – Commissioner Richards moved to enter into non-public session for the purposes of discussing consideration or negotiation of pending claims or litigation according to RSA 91-A:3, II (e). Commissioner Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Richards “yes”, Commissioner Burton “yes”, Commissioner Cryans “yes”, Commissioner Cryans stated that a majority of the board voted yes and that they would now go into non-public session.

*9:41 AM– Commissioner Cryans declared the meeting back in public session and that they would seal the minutes of that session. The Commissioners then moved on to the next order of business.

Human Resource Director Mike Simpson arrived with his report for the Commissioners. He said that staffing needs are leveling off though there are still openings in nursing for the 3-11PM shift.

The Employee manual final draft has been completed after many hours of work with Dept. Heads and the Employee Council. The draft is currently being reviewed by a labor lawyer and will then be brought to the Commissioners for final approval.

The plan to change from AFLAC to Colonial has been accepted by the Employee Council and with approval from the Union, will rollover in February.

Union negotiations are underway.

Nationwide Insurance was at the County last week to go over deferred compensation with employees who were interested.

HR is working on upgrading practices to make things more efficient in the department.

Various health plans will be reviewed to try to lower the costs for the upcoming year. There was a discussion about increasing co-pays and whether that would reduce the overall costs. Both HRD Simpson and Director Clough said they expected it would.

Commissioner Richards moved to approve the minutes from January 12, 2010, which was seconded by Commissioner Burton. Edits were made. All were in favor.

The Commissioners signed the check register.

Director Clough presented the Commissioners with the fiscal year 2010 engagement letter from auditors Mason & Rich. Fees for the full audit are \$27,973 and \$6200 for the additional single audit of which part is reimbursable because of the CDBG grants.

Commissioner Richards moved to accept the letter of engagement, which was seconded by Commissioner Burton.

DISCUSSION:

Commissioner Richards asked if all the other counties used Mason & Rich and Director Clough said that four or five do and that she was extremely happy with their work. Commissioner Richards asked about putting the audit out to bid and Commissioner Cryans said that in the case of auditing, you really do need to establish a relationship, which the County has. A bid for auditors was put out two years ago and there are not that many that deal with municipalities such as this.

H. Brown was recognized and he said that the audit report was late and overdue according to the law, in that the County has 90 days to complete and present their audit and asked why there was a delay. Director Clough said she assumed that he meant the Annual Report, which contains the audit and is always done by January. H. Brown said that was too late.

Director Clough said that they couldn't issue the Annual Report without the audit report which is taking longer now. He said that the statute spoke to the issue of having the Annual Report done within 90 days of the past fiscal year. There was a disagreement as to when it had been put out in past years.

H. Brown also said that the cost of the audit has doubled from last year according to the budget and Director Clough said that was not true and that the audit is broken out between the Commissioners' Office and the Nursing Home and he was only looking at one half of the cost.

Commissioner Burton suggested that H. Brown bring in a copy of the RSA of which he is referring to, and the questions he has about it and that will be responded to.

When the vote came down, all were in favor of the acceptance of the engagement with Mason & Rich.

The Commissioners then signed the engagement letter with Mason & Rich.

Director Clough informed the Commissioners that Lyndonville Office Equipment, which has been the office supplier for the County for many years, has merged with WB Mason. All the LOE employees have remained on and the County will now be working with them from now on.

Director Clough informed the Commissioners that the second quarter FMAP payment has been received in the amount of \$390,220. There will be one more payment in FY2010 and the fourth quarter payment will arrive in August FY2011.

David Wood, Joyce Presby, David Hamel and Donna Lane arrived for the public hearing to discuss a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant (CDBG) funds. Handouts were available and passed out to the Commissioners and others at the meeting. D. Lane read what each hearing was for.

10:09 Commissioner Cryans opened the hearing.

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, microenterprise, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

Hearing 1: This hearing is to discuss a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant (CDBG) funds. The County will retain \$10,000 for administrative costs and will subgrant up to \$490,000 of the funds to NH Community Loan Fund (CLF). NH CLF will use the Microenterprise funds for the Microcredit -NH Program. The project funds will be used for training of low and moderate income persons engaging in business development.

This project conforms to Grafton County's Housing and Community Development Plan's Goal of Continue support of NH Micro-Credit, a statewide peer-group program to complement the existing Grafton County Economic Development Council. This program provides training, technical assistance, loans and peer networking to very small businesses and self-employed people within Grafton County, thereby assisting pre-venture development, start-up initiatives and existing businesses. This strategy helps preserve and/or create employment within the County, as well as help "micro-businesses" become solid business entities and potentially "bankable" enterprises for larger loans from GCEDC or other financial institutions.

Commissioner Cryans asked if there were any public comments.

H Brown was recognized and began by saying that first of all, the Commissioners have not responded to his request about the County receiving grants as he has petitioned them. He said that he sent the Commissioners a letter via email in October and hadn't heard anything back. None of the Commissioners recall receiving the email.

Commissioner Burton gave a historical rundown of the County's receipt of grants which he recalled went back to 1994.

H. Brown asked where the grant money came from and D. Lane said that it was federal tax money. This particular hearing refers to the Microcredit grant. D. Hamel discussed some of the small business that might request this type of loan.

H. Brown stated that the Commissioners do not have any right to raise money and that all requests for grants have to go through the delegation and include a public hearing. He said that he feels that the Commissioners are not following the law. Commissioner Cryans said that the delegation authorized the Commissioners to apply for grants. H. Brown said "No" that the delegation can not give over their authority.

Commissioner Burton said that the County has the right and responsibility to apply for grants and if qualified, he welcomes the opportunity to accept the grants.

H. Brown said he didn't question the merit of the grants but said again that the Commissioners do not have the authority to raise money.

Commissioner Burton said that if he had received an email from H. Brown regarding this issue then he would have responded. He asked H. Brown to resend the email to him.

H. Brown said that he would like to state his opposition to applications for all grants.

Commissioner Burton said that he speaks in support of MicroCredit and of Joyce Presby, who is in charge of the program for Grafton County and who works hard and with many to create jobs and to offer people something in life that they can be a success with. Commissioner Cryans echoed those sentiments.

10:25 AM Commissioner Cryans closed the first hearing.

10:25 AM Commissioner Cryans opened the second hearing.

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Hearing 2: This hearing is to discuss a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant (CDBG) housing funds. The County will retain \$20,000 for administrative costs and will subgrant up to \$480,000 of the funds to Affordable Housing, Education and Development (AHEAD) Inc. or its subsidiary for Phase II of the Town & Country Affordable Family Housing project. Phase II will be the construction of up to an additional 24 units of affordable housing at the 62 Mann's Hill Road and 123 Cottage Street locations in Littleton, as well the possible rehabilitation of 3 units AHEAD

owns at Ely Street. The CDBG funds would finance acquisition, residential rehabilitation and/or sitework in support of the new housing.

This project conforms to Grafton County's Housing and Community Development Plan's Goal of: Encourage adequate, safe, sanitary, convenient and affordable housing for all age and income groups.

Commissioner Cryans asked if there were any public comments.

Commissioner Burton stated that he supports the AHEAD group in Littleton and praised D. Wood, saying that he accomplished projects that would have never been done. He said that he supports the application with both his voice and his vote. Commissioner Burton asked how calls are responded to. D. Wood said that they now have a staff of 21 including a property manager and that there is always someone there to answer questions. He said there are three full-time counselors to answer calls. D. Wood talked about some of the other projects that had been completed and said that there were 278 units from Berlin to Woodsville.

Commissioner Burton stated that providing this project goes forward, in so far as possible, he would like to see local vendors and craftsman hired to do the work and that if for some reason help can not be found to complete the project, that D. Wood should contact the County DoC for inmate labor.

D. Wood said that they strongly encourage local craftspeople

10:34 AM Commissioner Cryans closed the hearing.

10:34 AM Commissioner Cryans opened the third hearing.

Hearing 3: Residential Antidisplacement and Relocation Assistance Plan. Although the microenterprise project does not involve any displacement or relocation of persons (or businesses), the housing project may. In the event that involuntary relocation or displacement is necessary the County would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

Commissioner Cryans asked if there were any public comments.

H. Brown asked what the protocol was for hiring people and D. Wood said that they do so under competitive procurement. He said that there could be sealed bidding or construction proposals as well.

H. Brown said that it would be "disgraceful" to put inmate labor in these projects as they are supposed to be offering jobs to working people. Commissioner Burton said he only suggested that in the event that they could not complete the project. H. Brown said that inmate labor does not belong in these projects and that he would rather see the project halted than to have inmates working on it.

10:37 AM Commissioner Cryans closed the hearing

10:37 AM Commissioner Cryans opened the fourth hearing.

Hearing 4: This hearing is to review the County's Housing and Community Development Plan. The plan was discussed.

Commissioner Cryans asked if there were any public comments and asked about guidelines and monitoring. D. Wood discussed the procedures required for auditing.

There was a question about the County's master plan, to which it was noted that there was none at this time. D. Lane said that they just needed to be sure that they weren't working against a plan.

10:40 AM Commissioner Cryans closed the hearing.

10:40 AM Commissioner Cryans opened the fifth hearing.

Hearing 5: This hearing is to discuss the progress of the 2009 Microenterprise project. This project is moving along well. At least 80 low and moderate income persons have participated in the training to date

Commissioner Cryans asked if there were any public comments.

There was a discussion about the progress and H. Brown asked whether or not the "average" citizen was spending money. D. Hamel said that last quarter of 2008 saw zero loans to businesses because they were scaling back. Seven loans have gone out since then and there is a feeling that the economy is coming back.

10:47 AM Commissioner Cryans closed the hearing

10:47 AM Commissioner Cryans opened the sixth hearing.

Hearing 6: This hearing is to discuss the progress of the AHEAD's Town & Country Affordable Housing Project, Phase I. Due to various delays in the project, the appraisals became too old for CDBG's requirements. The project requires \$475,000 in the acquisition budget line item be transferred to a new sitework in support of housing budget line. Construction on the affordable housing began in fall 2009. The construction will be completed in 2010.

Commissioner Cryans asked if there were any public comments.

H. Brown asked what the revenue amount is under grants in the budget and Director Clough replied that there is a grant administrator which is paid for from the grant and that the County doesn't collect fees for administration. D. Lane said that the grant pays for the administration and the audit with no additional cost to the taxpayer.

H. Brown said again that only the delegation can approve the raising of money. D. Lane said the delegation voted to give that authority to the Commissioners. H. Brown said that the grants were considered "supplemental appropriations"

Both Commissioner Cryans and Director Clough said that the grants do not create revenue for the County and that it keeps nothing.

H. Brown asked why this grant is going through the County and not the town of Littleton. D. Wood replied that for the first part of the project, the town of Littleton already had another grant application that it was doing and since this is phase II, it just seemed logical to come back to the County for this.

H. Brown referred to the law being silent and that there is no law dealing with grant money, which makes it a supplemental appropriation.

Commissioner Burton said that the grant goes through several check points in its process and finally ends up with approval coming from Governor and Council. He said that if there were any problems or concerns about the legality of it, then it would never arrive at G & C. Commissioner Burton said that he wanted it verified that the delegation did authorize the Commissioners to accept grants.

11:00 Commissioner Cryans closed the hearing.

Commissioner Burton moved to adopt the updated Housing and Community Development Plan, which was seconded by Commissioner Richards. All were in favor. Commissioner Burton moved to adopt the Residential Antidisplacement and Relocation Assistance Plan for the Microenterprise 2010 project, which was seconded by Commissioner Richards. All were in favor.

Commissioner Burton moved to adopt the Residential Antidisplacement and Relocation Assistance Plan for the AHEAD's Town & Country Affordable Housing, Phase II, which was seconded by Commissioner Richards. All were in favor.

Commissioner Burton moved to approve the submittal of the 2010 Microenterprise application **and** vote to authorize the Chairman to sign and submit the application, and upon approval of the CDBG application, authorize the Chairman to execute any documents which may be necessary to effectuate the CDBG contract, which was seconded by Commissioner Richards. All were in favor.

Commissioner Burton moved to approve the submittal of the 2010 AHEAD Town & Country, Phase II, application, **and** upon approval of the CDBG application, authorize the Chairman to execute any documents which may be necessary to effectuate the CDBG contract, which was seconded by Commissioner Richards. All were in favor.

The Commissioners then signed all the necessary paperwork.

Invitations were received from the Nursing Home for two birthday parties for residents turning 90 years old. One party will be held on Tuesday January 26th at 2:00 and the other on January 29th at 2:00.

Attorney Saffo returned to meet again with the Commissioners after more information was obtained.

Commissioner Richards said that she had composed a letter to Gov. Lynch regarding the layoff of someone from Probation and Parole and providing the other Commissioners were okay with it, was ready to send. Both Commissioner Cryans and Burton concurred that it would be fine to send. Atty. Saffo said that it should be sent prior to the 25th as the Justice Committee would be going over their recommendations and it would probably be good timing.

Before going into executive session H. Brown confronted Atty. Saffo and informed her that the Commissioners do not have the legal authority to raise money by grants and she as County Attorney should be aware of that.

*11:20 AM – Commissioner Richards moved to enter into non-public session for the purposes of discussing consideration or negotiation of pending claims or litigation according to RSA 91-A:3, II (e). Commissioner Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Richards “yes”, Commissioner Burton “yes”, Commissioner Cryans “yes”, Commissioner Cryans stated that a majority of the board voted yes and that they would now go into non-public session.

*11:32 AM– Commissioner Cryans declared the meeting back in public session and that they would seal the minutes of that session.

11:33 AM With no further business the meeting was adjourned.

Raymond S. Burton, Clerk