

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Hwy

North Haverhill, NH 03774

March 10<sup>th</sup> 2015

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

OTHERS PRESENT: Supt. Oakes, FM Kimball, RD Monahan, NHA Labore, CA Saffo

Commissioner Cryans asked if everyone had a chance to read the minutes from the March 3<sup>rd</sup> meeting. Commissioner Lauer moved to accept the March 3<sup>rd</sup> minutes. Commissioner Richards seconded the motion and all were in favor.

Commissioner Cryans asked if everyone had a chance to read the minutes from the March 5<sup>th</sup> budget meeting. Commissioner Lauer moved to approve the minutes. Commissioner Richards seconded the motion and all were in favor.

Supt. Oakes arrived to open the three (3) following bids:

**FY16 Fuel Bids**

*Irving*

- Propane - \$1.566/gallon
- Off Road diesel – \$3.496/gallon

*Dead River*

- Propane – \$1.35/gallon
- Off Road Diesel – \$2.615/gallon

Supt. Oakes stated that he would review the bids and return with his recommendation.

**FY16 Woodchip Bids**

*North Country Procurement* – \$62/ton

*Cousineau Forest Product* - \$59/ton

Supt. Oakes recommended Cousineau Forest Product and their bid of \$59/ton.

Commissioner Lauer moved to accept Cousineau Forest Products low bid of \$59/ton  
Commissioner Richards seconded the motion and all were in favor.

**Bathroom Floor Replacement**

*Morrison Clark Inc.* - \$14,966.19

*Mayo's Furniture & Floor Covering*

Option 1 (no seams) - \$9,450.12

Option 2 (with seam) - \$8,144.90

Supt. Oakes recommended Mayo's Furniture and Floor Covering Option #1 at \$9,450.12.

Commissioner Richards moved to accept the bid from Mayo's Furniture and Floor Covering of \$9,450.12 for option 1 with no seams. Commissioner Lauer seconded the motion.

Discussion:

Commissioner Richards asked Supt. Oakes if he felt comfortable with this company's expertise. Supt. Oakes stated that they have been in business for a number of years and that he has never used them for flooring but they have done the glass work at the Courthouse and they did a good job.

Commissioner Richards asked how long Supt. Oakes anticipates this project taking. Supt. Oakes stated that he estimates two (2) or three (3) weeks.

Commissioner Lauer asked if there is a warrantee on the materials. Supt. Oakes stated that he would have to look back at the manufacturer's warranty but he wrote in the bid specifications that it needs to have at least a five (5) year commercial warranty with a two (2) year warrantee on labor.

The Commissioners voted on the motion and all were in favor.

FM Kimball arrived and gave the following report:

- 1) We are currently milking seventy six head of cows. We are shipping 6200 pounds of milk for an average of eighty pounds of milk per cow.
- 2) We are working on the motor for the John Deere 2840 tractor. It is getting rebuilt.
- 3) We are getting the stalls for the pigs ready for birthing. We are expecting a good year with piglets. We should start to pig out around March 19<sup>th</sup>.
- 4) Seeds have been delivered to Collins Farms and Tammi will be starting approximately 1200 plants for us. She does a great job for us

Hoping it continues to get warmer and warmer.

Supt. Oakes returned with fuel bids.

He stated that Irving's bids were not fixed amounts as requested in the bid and does not recommend going with them. He stated he recommends going with Dead River. He noted that he had spoken with Dead River and their prices as of today were even better than the bid amount. The prices as of today that Supt. Oakes recommends accepting are: \$1.32/gallon for propane and \$2.569 for Off Road Diesel.

Commissioner Lauer moved to accept Dead River's bid of \$1.32/gallon for propane and \$2.569 for Off Road Diesel. Commissioner Richards seconded the motion:

Discussion:

Commissioner Richards asked how many gallons Supt. Oakes has budgeted for each of the fuels. He stated he has budgeted 36,000 gallons of propane and 4,000 gallons of off road diesel.

The Commissioners voted on the motion and all were in favor.

RD Monahan arrived and gave the following report

**Grafton County Registry of Deeds  
Kelley J. Monahan Register  
Report to Commissioners  
March 10, 2015**

**February Revenue**

County Revenue 2/2009	\$ 52,410.89	State Revenue 2/2009	\$ 271,090.56
County Revenue 2/2010	\$ 57,423.27	State Revenue 2/2010	\$ 339,951.36
County Revenue 2/2011	\$ 54,282.72	State Revenue 2/2011	\$ 554,448.96
County Revenue 2/2012	\$ 60,013.56	State Revenue 2/2012	\$ 261,312.64
County Revenue 2/2013	\$ 58,687.26	State Revenue 2/2013	\$ 230,022.72
County Revenue 2/2014	\$ 47,224.49	State Revenue 2/2014	\$ 313,878.22
County Revenue 2/2015	\$ 41,010.42	State Revenue 2/2015	\$ 234,779.16

**Foreclosures**

2009 25 year to date		
2010 35 year to date		
2011 29 year to date		
2012 22 year to date		
2013 32 year to date		
2014 30 year to date		
2015 18 year to date		
		<b><u>Revenue Goal FY/2015</u></b> \$925,000.00
		8 month total - <u>\$549,057.65</u>
		(\$375,942.35)
		<b><u>Surcharge Funds</u></b>
		Bank of New Hampshire \$ 45,995.67
		Ledyard Bank CD .50 <u>\$ 101,189.66</u>
		\$ 147,185.33

1. I request permission for out of state travel to the Fidler Educational Symposium May 11- May 13, 2015. Fidler offers a \$400.00 stipend to the NH Registers to offset the travel expense. They provide all food and ground transportation. The total cost to Grafton Co. after the stipend should be approximately \$300.00. This expense is included in the 2015 FY budget.
2. I have prepared and will be co-presenting a workshop at this year's annual New Hampshire Office of Energy and Planning meeting on May 2, 2015. This session will include a member of the NH Land Surveyors Association. We will be speaking to new Planning Board members on the relationship between the Planning Boards, Surveyors and the NH Registry

of Deeds. I have attended the last four of these annual meetings and feel that this is a great opportunity to educate new volunteers on the functions of the Registries.

**Respectfully Submitted,**

**Kelley J. Monahan**  
**March 10, 2015**

Commissioner Lauer moved to approve the out of state travel request for RD Monahan to attend the Fidler Educational Symposium May 11<sup>th</sup> – 13<sup>th</sup> in Iowa. Commissioner Richards seconded the motion and all were in favor.

NHA Labore arrived and requested to go into nonpublic session.

\*9:45 AM - Commissioner Richards 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 Lauer seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Cryans “yes”; Commissioner Richards “yes”; Commissioner Lauer “yes” Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

\*9:52 AM Commissioner Cryans declared the meeting back in public session.

Commissioner Richards 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 the proposal for the acting Director of Nursing as presented by NHA Labore. Commissioner Richards seconded the motion and all were in favor.

ED Libby stated she sent out a letter to Hilti expressing the concerns Estes and Gallup have been having with getting engineering judgments from them on parts of the construction project. It is the hope that the letter will help move things along more quickly.

Atty. Saffo arrived and gave the following report:

**Office of the Grafton County Attorney**  
**Lara Saffo, County Attorney**  
**March 10, 2015**  
**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) Cybercrimes

Grafton County, like the rest of the country, has seen (1) cybercrimes and (2) the need to collect digital evidence in all cases sky rocket. In 2012, Deputy County Attorney Fitzgerald attended a training on cybercrime (also referred to as digital evidence) organized by the Massachusetts Attorney General's Office. He made some excellent connections, including an individual in the Massachusetts Cybercrime Forensic Laboratory, who invited us to visit their cybercrime unit. Last Friday, Attorney Fitzgerald, myself and Detective Eric James traveled to Boston to see what we could learn from them. They were incredibly informative. We discussed cost effective manners to increase access to this expertise in Grafton County. They also provided copies of their strategic plan, their handbook for First Responding Officers, and PowerPoints they use for training. They also identified free webinars that they recommended. Based on this meeting, Attorney Fitzgerald and I have started a Digital Evidence Initiative for Grafton County. Paul is developing a PowerPoint for a 101 training, and will train all the prosecutors. He will also offer 101 training to law enforcement. We are developing additional short range goals, and will finalize a strategy as well.

(2) New Court Initiative –Felony First

The Office of the Grafton County Attorney continues to emphasize the need remind decision makers about the expenses associated with Felony First. I was disappointed to see the legislation had a “no fiscal note” for the “Local, county and state levels.” I am puzzled by this remark because every time I went to a training on this initiative, I thought

it was a consensus that it would be significant more work for county attorney's offices, on an expedited basis. I so testified to the committee.

I continue to consider manners to ease us into this initiative. I am going to ask all law enforcement to send us a copy of all felony arrest complaints within 24 hours by e-mail, facsimile or hand deliver, whatever the agency finds easiest. My biggest concern is the need for 24/7 coverage in the Office of the Grafton County Attorney for all felonies in Grafton County. Currently, we provide such coverage for untimely deaths and sexual assaults only (although we are always available for questions). 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<sup>1</sup>.

(3) 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 have identified 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, we have begun the relationship with PSU's Business Enterprise Center, and will be holding our first office hours on Wednesday at that location, which is close for all police agencies in the Plymouth area, as well as PSU students. We will be holding office hours in the Littleton area as well.

(4) The Skye System

We have received the cost estimate to upgrade the electronic capabilities of our courtrooms. We greatly appreciate both Carousel Industries and the IT Department arranging for this meeting.

We have three options, and I am recommending \$60,000 in the capital outlay budget.

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<sup>1</sup> For those reading these minutes without background, 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.

I am hoping this technology will also enable us to present testimony from witnesses and officers electronically in *some* preliminary hearings, such as bail hearings, probable cause hearings, or victim restitution hearings.

(5) 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.

(6) Participation in Alternative Sentencing:

a. Drug Court

We continue to screen all referrals to determine whether someone is an appropriate drug court candidate. Our current program prohibits sale related offenses, and requires me to certify that the participant is nonviolent. There has been, and continues to be, a push to expand the program. I would be comfortable with developing another track, where, like most of the country, the conviction is not vacated (for example, I am uncomfortable with a sale conviction being vacated, and permanently off someone's record so quickly). There are other concerns as well. If the County is interested in expanding the program, I recommend the stakeholders meet again, with commissioner involvement, so a decision can be made one way or the other.

The Office of the Grafton County Attorney continues to participate in the weekly court sessions every Monday, and assist with protocol and form development.

b. Mental Health Court

Mary Bleier is our office's representative for the Mental health court initiative. I continue to support the development of a felony level program as well. I am meeting with the Alternative Sentencing Director to discuss grant opportunities as well.

c. Justice Involved Veterans

I am honored to serve as a prosecution representative on New Hampshire's Justice Involved Veterans Task Force. The Task Force is organizing a state wide, all day conference for June 12, 2015. This will be a vital opportunity to learn about ways we can improve services to veterans in New Hampshire. An excellent source of information about Veterans Courts is at <http://www.justiceforvets.org/>.

**d. New initiatives**

I look forward to working with Lucille Amero to evaluate whether Grafton County can initiate a pretrial services and adult diversion program. I believe such a program would save taxpayers money and ensure safer communities in New Hampshire. Last month a representative from the Office of the Grafton County Attorney joined a group of people from the Alternative Sentence Department to view the Sparrow Program in Vermont.

(7) 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.

(8) Juvenile prosecutions

We are also receiving increased requests for assistance in juvenile matters, especially juvenile sex crimes. This is extremely time consuming, but also extremely important. Thus, I have identified a single prosecutor to become an expert on juvenile laws, so she can provide advice in short notice to all agencies.

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

We are happy to report that we have received this grant for September 1, 2015 – August 2016. Lia visited the Keene DV/SA Circuit Court Victim Witness Coordinator. It was extremely helpful; again we were given resources we were able to adopt. We also now have the program fully designed and available to the entire county.

(10) The Child Advocacy Center





The CAC continues to be busy.

#### CAC Business Updates

County	Month	#FI
Grafton		
	Feb 2015	11
		(10 received mental health tx)
	Feb to date 7	5 more interviews pending

I cannot emphasize enough the importance of this multidisciplinary approach towards helping our children. We have developed 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. For 2016, I wish to find CAC space in the Plymouth area. The CAC's budget cannot accommodate this commitment.

I do think financial support from the County is appropriate; the question is where in the County budget. I am adding a line item to my budget, but am open to suggestions for alternative sources.

#### (11)SARTS

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

We continue to participate in these invaluable initiatives. To learn more about SARTs please see <http://www.nsvrc.org/projects/sexual-assault-response-teams-sart-0>

#### (12)Drugs in Our Communities

We have received requests to meet with groups in the Haverhill and Littleton areas designed to tackle substance abuse in their communities and will do our best to participate in these important initiatives.

#### (13)Training

- a. The Office of the Grafton County Attorney will be participating in multiple webinars this month. Sabra Carroll is attending the Victim Witness Conference (for which she received a grant) this week. I would like Melissa Fales to attend the Commonwealth's Cybercrime Conference. At least two prosecutors will attend the US Attorney's Office's Search Warrant training in late March.

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- b. The Office of the Grafton County Attorney is presenting at the Campus Sexual Assault Conference at the UNH School of Law. We are also conducting a training on Joshua's Law and the Lethality Assessment Protocol for the New Hampshire State Police.
- c. The Office of the Grafton County Attorney continues to conduct trainings for law enforcement and will be releasing a calendar for 2015.
- d. Google Site  
Plymouth State University is assisting in developing a google site for law enforcement. The Office of the Grafton County Attorney can administer the site, and law enforcement can be invited to join with a gmail account. We will have reviewed webinars, announcements and other training materials available 24/7.
- e. PSU library  
PSU has offered to provide library cards to members of law enforcement who wish to have a library card. The Office of the Grafton County Attorney will maintain a list to provide to PSU's library. Again, we greatly appreciate Plymouth State University's assistance in this initiative.
- f. Prosecutors Network  
We continue to work on sharing legal research and other resources with prosecutors via a simple system on our website.
- g. Intern Brochure  
We have received numerous requests for students to intern. While we cannot accommodate all these requests, working with a PSU intern, we have developed a brochure of resources for students that we will post on line. Thank you to Lucas, our PSU intern, who wrote this brochure.

(14)Law student interns

We will have an intern from the UNH School of Law this summer.

(15)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.

(16)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 of the police department Facebooks 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.

Commissioners signed check registers 655; 677; 1140-1142; 1144-1147.

ED Libby submitted the GCDoc Superior Court Report for the month of February for the Commissioners to review.

Social Service FY16 – ED Libby stated that they budget \$7,500 in the budget for Cindy Swart but this is Cindy's last year. She asked the Commissioners opinion on what to leave in there for FY16. They all agreed to leave \$3,000 in there in case something comes up. ED Libby's stated that her thought is to talk to HSA Bishop to see if it was something she was interested in doing. Commissioner Cryans stated that he thinks that it would be worthwhile for the Commissioners to visit these agencies with HSA Bishop but trade districts with each other and get to know new agencies.

ED Libby stated that she is proposing the May 18<sup>th</sup> for the Public Hearing on the budget. The Executive Committee would meet late afternoon break for dinner the return for the public hearing. ED Libby will discuss it with the Executive Committee on the 23<sup>rd</sup> to finalize dates and times.

ED Libby stated that because Commissioner Richards will be gone and it will be the 5<sup>th</sup> Tuesday of the month propose that we don't meet on March 31<sup>st</sup>. The Commissioners were all in agreement not to meet on the 31<sup>st</sup>.

Commissioner Richards stated that she received a notice in the mail stating that the Northern Pass Transmission Line Project Environmental Impact Statement draft is expected to be available for public review in the spring 2015. The draft EIS is available in the three (3) following formats; electronic download from the project website <https://NorthernPassEIS.us>, Electronic copy on a compact disc or a printed hard copy. Emails can be sent to [info@NorthernPassEIS.us](mailto:info@NorthernPassEIS.us).

Commissioner Cryans stated he is going to see George Maglaris to speak to him about the NHAC and get brought up to speed on what's going on.

\*11:06 AM - Commissioner Richards 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 Lauer seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Cryans “yes”; Commissioner Richards “yes”; Commissioner Lauer “yes” Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

\*11:30 AM Commissioner Cryans declared the meeting back in public session.

Commissioner Richards 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.

11:31 with no further business the meeting adjourned.

Respectfully Submitted,

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Linda D. Lauer, Clerk