

DELEGATION MEETING

Vote to Set Elected Officials Salaries
Administration Building
3855 Dartmouth College Highway
North Haverhill, NH
May 23rd 2016

PRESENT: Reps., Bailey, Bennett, Duane Brown, Cooney, Darrow, Erin Hennessey, Martha Hennessey, Higgins, Hull, Johnson, Maes, Massimilla, Nordgren, Piper and Sykes. Commissioners Cryans and Lauer, CA Libby, Admin. Asst. Norcross, Atty. Saffo, RD Monahan, Treasurer Parker and Sheriff Dutile.

The Grafton County Delegation was scheduled to meet on Monday, May 23, 2016 at 9:00 AM. The meeting was noticed in the house calendar, published in the Valley News on May 11, 2016 and each member was mailed a postcard with the meeting date, time and purpose on May 10, 2016. Which is in accordance with RSA 24:9-d Notice.

The purpose of the meeting was to set elected officials wages per RSA 23:7 Establishing Compensation which states that “Said compensation shall be established biennially by the county convention prior to the filing date under RSA 655:14 for elected offices listed in this section, upon recommendation of the executive committee which shall remain in effect during their term of office.”

RSA 655:14 Filing: General Provisions: states the filing period shall be “between the first Wednesday in June and the Friday of the following week ...” In 2016 those dates are June 1, 2016 – June 10, 2016.

Grafton County has a 27 member delegation. A quorum of members is 14. At 9:00 AM there were only 10 members physically present. Chairman George Sykes waited until 9:15 AM at which time two (2) additional representatives had arrived. Making the total present twelve (12.)

A discussion ensued regarding the need for the compensation to be established prior to the filing period which this year is set to begin on June 1st per RSA 655:14. In addition, to be in compliance with RSA 24:9-d Notice, there needs to be a period of at least 7 days before a meeting can be convened. That left the only possible date of another meeting of the Delegation to be on Tuesday, May 31st. If that was to be done a notice would have to be sent to the newspaper prior to Noon on today’s date to try and get it published for tomorrow to meet the requirement for noticing the meeting. Remembering that Monday, May 30th is the Memorial Day holiday. Chairman Sykes polled the members present and of the twelve (12) present, eleven (11) indicated that they could probably attend a 9:00 AM meeting on 5/31/16, which would still leave the body short of a quorum. Chairman Sykes also noted that 5/31/2016 was a day when he expected Ranking Democrats, and Chairs and Vice-Chairs of the House to be meeting in Concord.

A suggestion was made to see if it would be possible to contact several representatives via telephone to see if they would be able to participate via telephone since they could not physically be present at the meeting today. Chairman Sykes felt that given the time challenges presented with the requirements of RSA 23:7 and the uncertainty of even getting a quorum next week that it made sense if a quorum could be gathered today using telephones than we should pursue that. Per RSA 91-A:2 Meetings Open to Public – For the purpose of this chapter, a “meeting” means the convening of a quorum of the membership of a public body, as defined by RSA 91-A:1-a, or the majority of the members of such public body if the rules of that body define “quorum” as more than a majority of its members, whether in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously, subject to the provisions set for the in RSA 91-A:2, III.” RSA 91-A:2, III states – A public body may, but is not required to, allow one or more members of the body to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body, subject to the provisions of this paragraph.

(a) A member of the public body may participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.

(b) ***Except in an emergency***, a quorum of the public body shall be physically present at the location specified in the meeting notice as the location of the meeting. For purposes of this subparagraph, an "emergency" means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the chairman or presiding officer of the public body, and the facts upon which that determination is based shall be included in the minutes of the meeting.

(c) Each part of a meeting required to be open to the public shall be audible or otherwise discernable to the public at the location specified in the meeting notice as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting, and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any member participating in such fashion shall identify the persons present in the location from which the member is participating.”

Representatives Brad Bailey, Linda Massimilla and Patricia Higgins were all called and each agree to participate via telephone. Given the existing situation, with the need to comply with both RSA 23:7 and 24:9-d, Chairman Sykes determined that an emergency indeed did exist and that per RSA 91-A:2, III (b) that the meeting could continue today with three (3) members participating via the telephone.

Chairman Sykes asked that everyone speak loudly so that the members participating via telephone could hear and he made sure that everyone could hear the members that were on the

telephone. Chairman Sykes declared the meeting open and called the roll. The meeting proceeded.

Rep. Sykes called the meeting to order at 9:34am and began with the Pledge of Allegiance led by Rep. Darrow.

Reps., Bailey and Higgins participated by phone according to RSA 91-A:2 III (a) with the reason being that they were unable to attend due to work commitments. It was noted that all votes must be taken by a roll call.

Rep. Massimilla participated by phone according to RSA 91-A:2 III (a) with the reason being that she was unable to attend due to another meeting obligation. It was noted that all votes must be taken by a roll call.

CA Libby handed out a list of all elected officials current salaries. She noted that the employees are proposed to get a 1.4% COLA in this upcoming budget. 1.4% is the CPI. She stated that the salaries that the Delegation are setting are for calendar year 2017 and 2018

Rep. Hull moved to level fund all elected official positions at the current funding levels. Rep. Cooney seconded the motion.

Discussion:

Rep. Bennett stated that there should be a 1.4% increase for each year to match the COLA the employees are receiving this year. Rep. Erin Hennessey asked what benefits these employees receive. CA Libby stated that all full time elected officials are eligible for health insurance and they are eligible to decide whether or not they want to participate New Hampshire retirement system. They are also eligible for life insurance and dental insurance but those are employee paid benefits. Rep. Erin Hennessey asked if there was a match to the state retirement system. CA Libby stated that Group I employees which is everyone except the Sheriff pay 7% and the county percentage is 11.17% of gross salary. Rep. Piper asked how much the salaries have gone up in since 2012. CA Libby stated that the only increase from 2 years ago was the chairman of the Board or Commissioners received a \$400 increase. She stated that in 2012 she does not remember the increases. Rep. Cooney thinks they should vote for each position separately.

A roll call vote was called. Six (6) Reps., Bailey, Duane Brown, Darrow, Erin Hennessey, Hull and Johnson were in favor. Nine (9) Reps., Bennett, Cooney, Martha Hennessey, Higgins, Maes, Massimilla, Nordgren, Piper and Sykes were in opposition. With the vote being six (6) in favor and nine (9) in opposition the motion fails.

Rep. Nordgren moved to vote all positions as a block but there be a 1.4% increase annually. Rep. Martha Hennessey seconded the motion.

Discussion:

Rep. Bailey asked for the salaries with the increases. Rep. Sykes read off the salaries with a 1.4% annual increase for the next two years and they are as follows:

Position	Current Salary	2017 Salary	2018 Salary
County Attorney	\$ 80,012	\$ 81,132.17	\$ 82,268.02
Sheriff	\$ 61,907	\$ 62,773.70	\$ 63,652.53
Register of Deeds	\$ 58,446	\$ 59,264.24	\$ 60,093.94
Treasurer	\$ 6,480	\$ 6,570.72	\$ 6,662.71
Commissioner – Chairman	\$ 11,120	\$ 11,277.71	\$ 11,435.60
Commissioner – Vice Chair	\$ 10,782	\$ 10,932.95	\$ 11,086.01
Commissioner - Clerk	\$ 10,782	\$ 10,932.95	\$ 11,086.01

Rep. Darrow stated that he would prefer to vote position by position. Rep. Bennett asked what the inflation is this year. CA Libby stated that it is 1.4% which is why that is what they budgeted a 1.4% COLA for employees. Rep. Darrow stated that in setting this 1.4% increase annually we do not know what is going to happen next year. This year social security had no increase. Rep. Bailey stated that he respects everyone who works at the county but is afraid of what message this is sending to people who have not received a raise in years. Rep. Martha Hennessey stated that in the notes they were given by RD Monahan she stated that in her six (6) years she has only received a 2% increase and that this would be making up for not giving increases in past years. Rep. Cooney stated she wanted to make a note that many people forget and that is they are not setting someone's salary, they are setting a position's salary and it could be anyone in the next election. It is not giving someone a raise for doing a good job. Rep. Higgins stated that she feels they should set the 1.4% for two (2) years. Rep. Cooney stated that she would support 1.4% for two (2) years.

A roll call vote was called. Six (6) Reps., Bailey, Bennett, Martha Hennessey, Higgins, Nordgren, and Piper voted in favor. Nine (9) Reps., Duane Brown, Cooney, Erin Hennessey, Hull, Johnson, Maes, Massimilla, Sykes. With the vote being six (6) in favor and nine (9) in opposition the motion fails.

Rep. Massimilla moved to have a block vote 1.4% increase for two (2) years. Rep. Cooney seconded the motion.

Discussion:

Rep. Erin Hennessey asked if she could amend the motion to vote individually. Rep. Massimilla stated that she was ok with the amendment to the motion. Rep. Sykes stated that if the amendment was passed they would have to do this process over again seven (7) times, one (1) for each elected official. Rep. Erin Hennessey withdrew her amendment.

A roll call vote was called. Thirteen (13) Reps., Bailey, Bennett, Duane Brown, Cooney, Darrow, Erin Hennessey, Martha Hennessey, Higgins, Maes, Massimilla, Nordgren, Piper and Sykes voted in favor. Two (2) Reps., Hull and Johnson were in opposition. With the vote being thirteen (13) in favor and two (2) in opposition the motion is adopted.

CA Libby reminded the Delegation that the next full Delegation meeting is on June 27th at 10:00am to vote on the FY17 budget and noted that it is very important for everyone to be there.

10:01am with no further business the meeting adjourned.

Sincerely,

Stephen Darrow, Vice-Chair