

COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Hwy.
North Haverhill, NH 03774
Tuesday July 12, 2011

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

8:07 AM Commissioner Cryans opened the meeting with the Pledge of Allegiance.

Commissioner Cryans asked if everyone had a chance to read the minutes and if anyone had any changes. None were noted.

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

The Commissioners signed the check registers.

The DoC Superior Court Report was reviewed. Commissioner Ahern asked for clarification as to what the status was of the people on that list and Director Clough said it was those who were awaiting trial.

Director Clough gave the Commissioners a review of FY11 beginning with a Variance Report.

Revenues: Most of the Depts. were above revue. The Jail was below and Interest and Rent was slightly below. Amount over the estimated revenues is \$1.3M.

Expenses: Director Clough said they finished pretty close to expectations. The Farm is over by \$18K and the bonded debt on the Nursing Home is over by \$7500. She said the numbers look good for the end of the year.

Director Clough then went into the Prorated Report. She said the County was over revenue and under expended with an undesignated (projected) balance of \$4.8M. Out of that \$3M will be used to offset taxes for FY12.

Director Clough went over the appropriation transfers which are for accounts that are over expended by \$100. She said the total amount is just under \$578K and of that, \$300K is from the Nursing Home.

Director Clough said she had spoken with NHA Bolander and B. Patanovich as to why the Nursing Home was so over expended and they felt that it was due to overtime, FMLA and pay out for retirements. Outside agencies are used for nursing which is more expensive.

There was a discussion about the contracted nursing and how that affects the budget. It was decided that there needed to be a conversation as to what might be done to curb costs in those areas and that perhaps a better analysis should be done. The Commissioners suggested that after that was done they would like to have NHA Bolander and B. Patanovich come in to discuss possibilities.

Director Clough said there were a lot of over-expenditures in the Farm and \$27K was spent on unemployment this year, which is considerably higher than previous years.

Commissioner Ahern said he still takes issue with the purchase of the new manure spreader and the fact that the Farm is currently using both spreaders suggesting that a new one was not necessary.

Commissioner Burton said the low over-expenditures were a compliment to the Administrators. Director Clough said it was a good year financially and they finished up in good shape.

Director Clough reviewed the encumbrances which were broken down into those which were re-encumbered from previous years and those being encumbered from FY11. She went over the items. Commissioner Burton asked how far back the re-encumbrances go and she said to 08 or 09.

Commissioner Ahern said that he looks at these as an end run around the budget process which has just been completed and said that he would agree with some but not others.

Commissioner Burton moved to approve all the encumbrances which was seconded by Commissioner Cryans. Commissioners Burton and Cryans were in favor while Commissioner Ahern was opposed.

Treasurer Elliott had emailed the Commissioners her investment policy which requires the approval of the Commissioners. Commissioner Ahern had some changes he thought should be made and went over them with Director Clough. She said that she would go over the items with Treasurer Elliott at the end of the week and bring the revised draft back to the Board.

Department heads arrived.

Grafton County Executive Chair Lyle Bulis and Committee member Edmond Gionet arrived with John Sullivan from Melanson & Heath to go over information about the pending performance audit that will be done at the County. Mr. Sullivan is the principal of the firm and will be in charge of the audit.

Mr. Sullivan spoke and said that this is not a fraud audit but a management performance audit. He said he will go into each department and meet with the managers to look at staffing, compensation, comparisons and budget actuals for three year trends. He will be obtaining all policies and procedures and looking at compliances. Acquisitions utilization, internal controls, purchasing, bidding and buying controls will all be examined. The use of technology in terms of security and backup will be reviewed. Additionally the Nursing Home cost reports, comparisons and procurements will be looked at. The feasibility of the Farm (without judgment) will be reviewed. There will also be a review of the bidding, contract and project management of the new Jail. He said he would like to begin as soon as possible and would like to be able to get some

information ahead of time.

Commissioner Cryans said that it would be best to work with Director Clough regarding scheduling. He said he is personally very proud of Grafton County and noted that the cruxes of the County are the people who are employed here. He wished Mr. Sullivan the best of luck with the audit.

Commissioner Burton welcomed Mr. Sullivan and stated he too was very proud of the County. He said he looks forward to the findings and welcomes them. He offered Mr. Sullivan space in which to work out of and said that if there were any questions for the Commissioners that they would avail themselves.

Mr. Sullivan said he will be discussing the findings as he goes along and a draft report will be given to the Administration and the Commissioners and will then be finalized.

Rep. Bulis said there will eventually be a special Delegation meeting to review the findings and said that the audit should be looked at as a positive tool for the County to work smarter.

Commissioner Ahern said he is looking forward to the audit and feels this will be money well spent. He said he felt this was much needed.

The Department Heads introduced themselves as did everyone else in the room. ITM Ruggles asked about credentials and if Mr. Sullivan had audited other Counties. Mr. Sullivan said that he had several New Hampshire County clients and has done numerous audits. He noted that he had a background in IT.

Director Andross asked how much time should a Dept. Head expect to spend and Mr. Sullivan said it could vary but perhaps a day to a day and a half. Other members of staff may be spoken with as well.

Rep. Bulis said that he is looking for a productive audit and Rep. Gionet said that this will help the Delegation to understand more clearly about how things are run at the County.

Dept. Heads, Mr. Sullivan and the two Delegates left.

Director Clough went over what was needed from the Commissioners regarding the Dept. Head's evaluations. After the reviews the Commissioners will go over the evaluations with each Dept. Head.

Director Clough presented a request from DC Coordinator Bob Gasser in which he asked that the County pay his New Jersey Bar Association dues in the amount of \$1054. A letter of explanation from B. Gasser was read by Director Clough which basically stated that Judge Vaughan felt that B. Gasser should maintain his status as a lawyer and that the County should pay his fees for him. Director Clough said she does not feel this is something the County should be paying and that there is nothing in his job description or

stated as a requirement of Drug Court, which refers to this.

Commissioner Cryans didn't see anything in the DC handbook where it stated that the Coordinator needs to be an Attorney. Director Clough said that B. Gasser has been in that position for four years and this issue has never come up. There was no decision to honor this request.

Director Clough was excused.

Farm Manager Don Kimball arrived with his report. The Farm is milking 74 cows, shipping 10,400#'s of milk for an average of 70#'s. Price of milk is at \$21.94. The Farmstand is open with a number of different vegetables available.

FM Kimball asked the Commissioners if they wanted to continue with the 20% employee and senior citizen discount. Commissioner Burton asked how much that cuts into the bottom line and he said maybe a couple of thousand dollars a year. He said he doesn't give discounts for hay or livestock.

Commissioner Ahern said he is reluctant to continue with any discounts and said there needs to be a full accounting of what comes off the Farm.

Commissioner Burton asked if FM Kimball would consider a 10% discount and he replied that he would like to reduce it but if it were eliminated all together, he would probably still be able to sell the produce.

Commissioner Burton moved to set the discount for employees and senior citizens at 10% which was seconded by Commissioner Ahern.

DISCUSSION:

Commissioner Cryans said that he's seen the employees "take it" in a couple of ways this year and would rather see the discount kept at 20%.

Commissioner Ahern said that he still had issues with the Nursing Home not using produce and feels it's sinful not to. FM Kimball said that a lot of the items go to the Jail and not much to the Nursing Home, although noted that after being given a bushel of zucchini, it sat on the kitchen floor for two days. He said they have given 600 cucumbers to the Jail and then the Nursing Home comes second.

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

There was a discussion about the Farm haying other people's land. Commissioner Burton asked if under current law the Farm can cut other's hay. FM Kimball was not able to answer that. Commissioner Ahern asked if the inmates help doing that work and FM Kimball replied that they do. One farmer asks for .50 a bale while the other charges nothing. FM Kimball then turns around and sells the bales for between \$4 and \$5. Commissioner Burton said that he views this as part of the good neighbor policy up and down route 10.

In discussing the fact that FM Kimball has not replaced the vehicle that burned, Commissioner Ahern questioned whether or not another vehicle that the County owns could be used since there are so many. FM Kimball said that he uses the vehicles down on the meadow and most departments don't want their vehicles down there because they become so dirty.

Commissioner Ahern said he would like to see better use of the County vehicles. He questioned whether or not Dept. Heads get together to discuss things like that. FM Kimball said that over the years a lot has been lost between Department Heads. There was a discussion about the fact that the Department Heads don't get together often enough with the Executive Director and Commissioner Burton said that he would like to see them meet more often though he didn't feel a motion was necessary to make that happen. FM Kimball commented that the County was heading in the wrong direction.

Commissioner Burton discussed cancelling the meeting on August 30th and the other Commissioners agreed that would be fine.

Forester Dave Falkenham arrived for the opening of the Timber bids which were publically solicited. Ten bids were received and opened by the Commissioners.

<u>Logging Co. or Agent</u>	<u>Amount</u>
Alan Bouthier	\$ 48,207.32
Randy Cassidy	49,910.42
Ben White	46,359.48
Timber Wolf Logging	43,245.12
Thomson Timber	35,950.30
Aaron Packard	40,230.46
Log Pro Inc.	37,290.45
Rocky Bunnell	37,862.99
HB Logging LLC	39,705.50
Cersosimo Lumber	43,391.48

Commissioner Burton moved to award the timber sale to Randy Cassidy in the amount of \$49,910.42, subject to the recommendation from two NH Foresters which was seconded by Commissioner Ahern. All were in favor.

Commissioner Burton suggested that Forester Falkenham bring Mr. Cassidy in to meet with the Commissioners at some point.

County Attorney Lara Saffo arrived with her report *(see attached) which she reviewed with the Commissioners.

Atty. Saffo plans to attend a conference in Washington, D.C. and will be in contact with the NH Senators and Congressmen. Commissioner Cryans said that both Senators

Shaheen and Ayotte are both strong supporters of Mental Health Court and Drug Court respectively. Atty. Saffo said that New Hampshire has very accessible legislators.

Atty. Saffo requested that if space becomes available in the upper level of the Courthouse, she would like to be in line for the area. She said that she would use it for volunteers who are interested in criminal justice to be able to help out with paperwork, with a particular focus on help with Victim Witness who are overloaded. Right now there is no additional place to sit down and do paperwork.

There was a discussion about the Courthouse being closed now on Monday and Wednesday and Atty. Saffo said that can place a burden on people who drive here expecting the Courthouse to be open. Commissioner Ahern said when there are court closings it leads to less respect for the Courts and that ultimately ends up leading to less respect for the law.

Corrections Superintendent Glenn Libby arrived with his report *(see attached). There are 108 inmates in-house, 16 in Drug Court with 3 in custody and 7 inmates on electronic monitoring.

There will be a GED graduation tomorrow morning at 10:00 AM. So far since January 1st of this year there have been 23 inmates who have earned their GED.

Supt. Libby requested to increase his earned time hours to 400 saying that he has been at max for quite some time and has been unable to take off time. He said that he had been losing hours.

Supt. Libby said that it was suggested that he is the supervisor of the Farm Manager. He said he doesn't feel that he is expected to be his supervisor. Commissioner Ahern said that Supt. Libby's job description states that the Superintendent of Corrections is the Supervisor of the Farm and he received a recent organizational chart that shows the same thing. Commissioner Ahern said the responsibilities need to be clarified and Commissioner Cryans agreed.

Commissioner Ahern said it was brought forth today that the Department Heads don't coordinate as well as they had years ago. He said that he would like to see an accounting of what the Farm produces for the Jail and would like to see the Farm getting credit for that. Supt. Libby said it is all calculated out and that he has provided numbers in the past.

Supt. Libby informed Commissioner Ahern that he had tried to contact the mother of the inmate who had written him a letter but has not been able to speak with her as she is away on vacation. Commissioner Ahern said that he thought it was appropriate that Supt. Libby continue to try to connect. Supt. Libby noted that there had not been any further issues with plumbing overflowing since that inmate was moved to State prison.

In regard to Supt. Libby's request in increase his earned time, Commissioner Burton said

he would prefer to see the Superintendent take some vacation. Commissioner Ahern echoed those sentiments and encouraged Supt. Libby to take time off as well. Commissioner Cryans agreed with the other two Commissioners and said that vacations are well deserved and needed and should be taken. He said that before making any decision about increasing earned time he would like to speak with Director Clough. Supt. Libby said that he feels that he needs to be present in the Jail right now but said he would withdraw his request.

Commissioner Burton said he would like to see Agricultural Commissioner Lorraine Merrill and Corrections Commissioner Wrenn come to Grafton County for a visit and asked if Supt. Libby would be willing to prepare some gift baskets as he had done before. He said he would be pleased to make the request of them. Supt. Libby said he would make the preparations for a visit should they decide to come.

11:55 AM The Commissioners took a recess for lunch.

12:45 PM The Commissioners resumed their meeting.

Human Resource Director Mike Simpson and Nursing Home Administrator Eileen Bolander arrived and asked the Commissioners if they could speak in non-public session.

12:45 PM Commissioner Ahern 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 Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Ahern “yes”; Commissioner Burton “yes” Commissioner Cryans “yes”; Commissioner Cryans stated that a majority of the board voted yes and will now go into non-public session.

1:05 PM Commissioner Cryans called the meeting back into public session

Commissioner Burton moved to reduce the pay for a Nursing Home employee under the recommendation of NHA Bolander which was seconded by Commissioner Ahern. All were in favor.

Commissioner Burton asked NHA Bolander if she could find a way to use more vegetables in the Nursing Home. She said that someone at the Jail has been in contact with the Food Service Manager and they have been discussing it. She said however that the best produce goes to the Jail first, then to the Farmstand and finally to the Nursing Home. Commissioner Burton mentioned the basket of squash that went untouched for two days and she said that was the first she had heard of it.

Commissioner Cryans asked NHA Bolander to speak with FM Kimball and tell him the Commissioners want the Nursing Home to use more vegetables from the Farm and to try to work it out together.

HRD Simpson said that the County has finalized its negotiations with the Union which are identical to what the Employee Council has.

A birthday invitation was sent to the Commissioners from the Nursing Home for a resident who will be turning 101. A party will be held for this resident on the 26th of July at 2:00 PM.

The federal government has increased the mileage rate to 55.5 cents. It has been the practice of the County to follow the guidelines of the federal government when it comes to mileage.

Commissioner Burton moved to increase the County mileage rate to 55.5 cents, effective July 1, 2011, which was seconded by Commissioner Ahern. All were in favor.

Commissioner Burton said for the record that he would like to be sure that all payments from the County be processed and mailed as expediently as possible, particularly when it comes to employees and local businesses.

Maintenance Superintendent Jim Oakes arrived to request approval to be able to put out an RFP/RFQ for any one of the three proposed designs for the biomass project, according to the latest project evaluation which he presented to the Commissioners.

Commissioner Burton asked if the project could be put into the vacated Jail building and Supt. Oakes said it wouldn't be feasible because the location would be too far away from most other buildings and piping would be too costly. He also set to retro fit the existing building would also be costly and wouldn't make economic sense.

Commissioner Ahern asked if the biomass would be tied into the Courthouse and Supt. Oakes said it would.

Commissioner Cryans asked when the decision would have to be made to request financing for the project and Supt. Oakes said that he figured the design should be done by spring so things should be ready for next year's budget. Commissioner Ahern said that he's spoken to a number of people who have been involved in biomass projects and they've all been able to secure grants for them. He said he would like to be concurrently looking for grants, which he said he generally opposes, but in this case would support because it will save the County money in the long run.

Commissioner Burton moved to allow Supt. Oakes to put out an RFP/RFQ for any of the three options (CHP) listed as per his request, which was seconded by Commissioner Ahern. All were in favor.

Commissioner Burton asked that Supt. Oakes ask the group that he is working with if there are any federal, state or private funds available to further this project.

Commissioner Ahern asked Supt. Oakes if the County would have to become a utility themselves by operation of the biomass and were there any certifications necessary. Supt. Oakes said he would check on that.

Supt. Oakes then went on to discuss the water tank issue and said that he still has concerns about the liability factor of WW&L opening and closing the valve to the tank. He said he would like to be able to put this issue to rest and would hope the Commissioners could come to some conclusion as to what they might like to do. There was a discussion as to whether or not the test well should be drilled. Commissioner Burton stated that he is in favor of drilling the wells.

Commissioner Burton moved to go forward with the test well drilling which was seconded by Commissioner Ahern.

DISCUSSION:

Commissioner Cryans said there will still be three years of problems before anything can be done since the actual wells and permitting would take that long to complete. He said that if he were to prioritize the issues, they would be the opening of the Jail, the biomass project and then the wells. He said that he would be inclined to choose the biomass system, then to put in the automatic valve and then tackle a water system somewhere down the line.

Commissioner Ahern seemed to be in agreement with Commissioner Cryans although Commissioner Burton said he wanted to get unhitched from having WW&L turning the valve all the time.

There was further discussion as to what the best solution should be.

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

Commissioner Ahern then moved to authorize Supt. Oakes to proceed with the installation of the automatic valve as discussed, stating it would be in the best interest of Grafton County, which was seconded by Commissioner Burton.

DISCUSSION:

Commissioner Ahern said that with everything that is going on right now and particularly with everything Supt. Oakes has on his plate there is really no time or resources to take on a project like the drilling of wells.

Commissioner Cryans said if it was just about money it would be one thing but having things on hold for almost three years and having WW&L responsible for turning the valve still creates a liability for Grafton County and he is not in favor of that.

When the vote was taken, all were in favor.

Two educational assistance applications were presented to the Commissioners for

approval for staff at the Nursing Home who wanted to take classes to further their studies. Commissioner Burton moved to approve the educational assistance which was seconded by Commissioner Ahern. All were in favor.

A letter of reply was sent to the Commissioners for the letter they sent to the Post Office Review Coordinator in support for keeping the Glenclyff Post Office open. The letter just thanked them for their concern and noted that the matter was still under consideration. Commissioner Burton said that 16000 will be closed in the future.

There will be a retirement ceremony for Captain Paul Leavitt on Thursday July 21st at 1:00 PM in the Courthouse.

COMMISSIONER ISSUES:

Commissioner Ahern met with the Bristol Selectboard and said they were opening up fuel bids that evening and rejected a bid in the amount of \$3.27 a gallon from a local dealer. He said that the Bristol Chairman had no kind words for the upcoming performance audit but did have good things to say about how Community Corrections has helped them out in their town and that they were also appreciative for all the produce they have received from the County.

He said that Senator Forrester was there and discussed the retirement system issue. Commissioner Ahern also said that the Town of Bristol has applied for the CDBG grant for Habitat for Humanity so the County will not need to be the applicant.

Commissioner Cryans said that all three towns in his district had their 250th anniversary on the 4th of July and that the 30x60 Patriot Flag which is “on tour” was flown in Lebanon on the 4th.

There were numerous parades and gatherings and he attended a 70 boat parade on Lake Mascoma and met a gentlemen in the Hanover parade who attended the 1961 (200th Anniversary) and drove the same car in this parade.

Commissioner Cryans said that Lyme will be celebrating their 250th Anniversary in August and Commissioner Burton said they will be receiving a commendation from the Governor.

2:00 PM being no further business the meeting was adjourned.

Raymond S. Burton, Clerk

Office of the Grafton County Attorney
Lara Saffo, County Attorney
July 15, 2011
Report to the Commissioners

- (1) Case management. We continue to see an increase in the number of cases being handled by this office. More specifically, last year, from January 1, 2010 until July 14, 2010, we received 289 cases. This year, for the same time period, we received 423 cases. Please remember last year our total cases were 593 for the year. Handling these cases remains our primary function.

- (2) Case Processing Software. As noted last month, the selection committee made its recommendation, and we confirmed it was acceptable to Grafton County. We have completed the grant application for Grafton County's portion of the grant, and the next step in the process is for the Office of the Attorney General to present the selection committee's recommendation to the Executive Council for the Executive Council's review and consideration.

- (3) Public Safety Initiatives
 - a. The New Hampshire Partnership for the Protection of Older Adults
Nothing new this month, except we continue to work hard developing expertise in this area. We have seen a distinct spike in reports of financial crimes against the elderly.

 - b. Child Advocacy Center at DHMC
The CAC continues to be extremely busy and effective. Other counties are struggling to fund their CAC's and thus the State Network is considering initiatives to consolidate management among some of the CACs as a cost savings measure. We are already covering two counties, and thus will remain a stand alone, hospital based CAC.

 - c. Plymouth Area Sexual Assault Resource Team
We are having an annual meeting this month to discuss our progress and our goals. We have drafted protocols and procedures for Case Review and are working on a memorandum of understanding to present to partners.

 - d. Grafton County Drug Court Sentencing Program
We continue to receive excellent feedback from past participants. Our treatment providers have been trained in DBT, a therapy specifically designed for individuals with co-occurring mental health and substance abuse issues, and are offering this treatment.

 - e. Grafton County Mental Health Court
I am providing a copy of the ASSERT "Alternative Sentencing Solutions for Education, Recovery and Treatment" paperwork. Also, I will be co presenting with Hallie Fader from The Council of State Governments at the upcoming NADCP conference. The

Council is coming to Grafton County on August 5th, with Dr. Fred Osher, a national expert, to present training on assessment and evaluating candidates for the program. The first half of the day will be offered state wide, while the afternoon is a work session for the grant recipients, separated out by teams, facilitated by the Council for State Government representatives.

f. Lethality Assessment

Many police agencies are now utilizing the lethality assessment, which assists in assessing risk to a victim.

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

July 12, 2011

Commissioners Report

1. Population:	In-house: 108	Maximum: 19
		Medium 24
		Minimum north: 18
		Minimum south: 12
		WHOC: 22
		Max/Handicap: 02
		Lockblock/Seg: 11
Weekenders: 12	Out of facility: 45	

2. Community Corrections Report

- a) **Drug Court – supervising (16) *3 in custody**
- b) **Electronic Monitoring – supervising (7)**
- c) **Daily Work Release – supervising (0)**
- d) **Operation Impact – Sgt. Larson is helping out with transports**
- e) **Community Work Program – limited - farm/garden work**

3. General

- a) **FY12 County Budget impact**
 - 1) **Employee work schedule – effective 7/31/11 change from 12 hour shifts to 8 hour shifts – reduces scheduled OT – increases minimum coverage needs, absenteeism, employee turnover, training costs and unscheduled OT**
 - 2) **Staffing – loss of key personnel**
 - 3) **Reduced transition**
- b) **Change in jail services**
 - 1) **Effective 9/1/11 we will no longer act as an agent of the Courts and handle and/or receive any monies (bail/discharge fines etc) – notices will go to the Courts and to the Administrative Justices**
 - 2) **Compression of outside services – we will focus on assisting the Farm**
- c) **Out of County inmates**
 - 1) **Coos County has recently resumed sending pre-trial and sentenced female inmates to us IAW previously negotiated terms - \$40/day and full reimbursement of medical/pharmacy/dental costs**
- d) **FY12 State Budget impact**
 - 1) **County RSVP programs were significantly cut which has led to a notification that our partnership with the Thresholds & Decisions Program has been eliminated**
 - 2) **Governor Commission funding to Grafton County through the Division of Alcohol and Drug Abuse was reduced by \$6,656 for SFY12**
- e) **Jail Programs**
 - 1) **Jan Kinder will be coordinating a group of volunteers to replace the Threshold & Decisions Program – they will be known as the Crossroads & Decisions Program – first class will start in October and graduate in November**
 - 2) **GED Program - update**

f) Personnel

- 1) Job descriptions - Jail - updated and implemented as of 7/1/11**
- 2) Promotions: Cpl. Veilleux and Cpl Marshall promoted to Sergeant – Officer Valentine, Officer Clow, and Officer Longto promoted to Corporal**
- 3) Officer Chad Burt – Officer of the Quarter**
- 4) ET extension request**

4. Commissioner Items

- a) Commissioner Ahern – request clarification on Farm responsibilities**
- b) Commissioner Ahern – inmate report request - attached**
- c) Commissioner Ahern – inmate complaint (CW) - update**
- d) Commissioner Burton – none**
- e) Commissioner Cryans - none**

Upcoming events:

Wednesday July 13, 2011 @ 10am – GED Graduation