

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Hwy
North Haverhill, NH 03774
July 8th 2014

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

OTHERS PRESENT: NHA Labore, HRD Cramer, Atty. Saffo, RD Monahan, FM Kimball.

Commissioner Cryans called the meeting to order 9:05AM and began with the Pledge of Allegiance.

HRD Cramer arrived and requested to go into nonpublic session.

*9:05 AM - 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 Richards 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.

*9:44 AM- 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 Richards seconded the motion and all were in favor.

FM Kimball arrived and gave the following report:

- 1) We are milking 75 head of cattle and shipping 11,000 pounds of milk. This is an average of 73 pounds per cow.
- 2) The current price of milk is \$24.26 per hundredweight.
- 3) We finished the first cut of haylage for the cows and put in the solo 64 loads.
- 4) We finished our first cut of hay and put in the barn over 1800 bales of hay.
- 5) We have 21 heifers and dry cows out to pasture in the meadow behind the old jail site.
- 6) We will be starting 2nd cut of grasses the week of July 14th.
- 7) Farm 2, (Ben White) is on vacation this week.
- 8) Farm Stand is to open today at 10am.

Commissioner Cryans asked if everyone had a chance to read the minutes. Commissioner Lauer moved to accept the minutes from the June 24th meeting. Commissioner Cryans seconded the motion and all were in favor. Commissioner Richards abstained.

The Commissioners signed check registers.

RD Monahan arrived and gave the following report:

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
July 8, 2014**

June Revenue

County Revenue 6/2009	\$101,356.82	State Revenue 6/2009	\$592,480.32
County Revenue 6/2010	\$ 91,723.72	State Revenue 6/2010	\$676,525.44
County Revenue 6/2011	\$ 75,762.57	State Revenue 6/2011	\$520,156.80
County Revenue 6/2012	\$ 89,548.22	State Revenue 6/2012	\$677,853.12
County Revenue 6/2013	\$ 88,590.46	State Revenue 6/2013	\$715,272.00
County Revenue 6/2014	\$ 89,016.93	State Revenue 6/2014	\$806,696.64

Foreclosures

2009 86 year to date	
2010 116 year to date	Revenue goal FY/2014 \$950,000.00
2011 115 year to date	12 month actual <u>\$851,956.76</u>
2012 100 year to date	(98,043.24)
2013 105 year to date	
2014 86 year to date	

1. The beginning of July has seen a big spike in activity and tax stamp value.
2. On 6/18/14 Mary DeRosia and I supervised the transfer of our micro-film from Iron Mountain to The City of Keene storage facility. This is a state of the art facility. All inventory was accounted for and re-labeled. Storage at this facility will cost one quarter of what we had been paying with Iron Mountain.
3. On 6/10/14 I attended a NH Registry of Deeds meeting at the Belknap Registry. I was appointed Secretary of our affiliate.

Respectfully Submitted,

**Kelley J. Monahan
July 8, 2014**

RD Monahan asked about the grade increases she had requested for her staff and the reasoning as to why some received increases where others did not.

ED Clough explained the wage scales to RD Monahan and stated that they compared those positions and their pay rates with positions in the other similar counties in New Hampshire. They agreed that the promoting one position to the assistant deputy register was warranted but the other two (2) positions were not. ED Clough went on to state that they put the wage scales in place to keep consistency within the county and cannot upgrade positions unless it is justified.

ED Clough suggested that HRD Cramer sit down with the Register of Deeds staff to explain to them the process and why the outcome was what it was.

RD Monahan then discussed security issues within her office and stated that she does not want to wait until they have an incident before they take action. ED Clough explained that there are other departments within the administration building that are not protected and that we need to look at the big picture, not just one department. The Commissioners agreed that they will have future discussions regarding this issue.

Atty. Saffo arrived with HRD Cramer and requested to go into nonpublic session.

*10:30 AM - 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 Richards 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.

*10:37AM- 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 Richards seconded the motion and all were in favor.

Commissioner Lauer moved to accept the County Attorney's recommendation for a pay differential for one of her employees. Commissioner Richards seconded the motion and all were in favor.

Atty. Saffo gave the following report:

Office of the Grafton County Attorney

Lara Saffo, County Attorney
July 8, 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

January 1, 2010 – June 9, 2010	284 cases
January 1, 2011 – June 9, 2011	413 cases
January 1, 2012 – June 9, 2012	379 cases
January 1, 2013 – June 9, 2013	432 cases
January 1, 2014 – June 9, 2014	389 cases

(2) New Court Initiatives – September conference

The Court has a number of initiatives that are being considered in New Hampshire. Accordingly, I will keep providing updates on the status of each initiative, as it dramatically impacts Grafton County, more so than in other counties.

a. Initial Appearance Pilot Project

Strafford and Cheshire have both started this 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, as 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. As noted below, I am already working on Early Case Resolution procedures, and this fits into those procedures, at some level.

b. Felonies First

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 and the probable cause hearings, both of which are currently handled by the police departments. This will significantly increase our workload. As you well know, I am extremely concerned about the increased cost to police departments associated with probable cause hearings if they have to travel to North Haverhill. I have offered various options to avoid this: simply continue to have probable cause hearings in circuit court or follow the procedures used in both Vermont and Maine and have officers file affidavits, under oath, outlining the basis for probable cause in lieu of a court hearing. I am also willing to consider officers appearing via video, but that appears to have some significant disadvantages.

There is an all-day conference in September to discuss these issues with the Court that I will be attending.

c. Bail Commissioners filling out financial affidavits with defendants

This initiative has been costly for smaller police departments as it requires the police to continue to monitor a bail commissioner and defendant at the police department instead of being back on patrol. This process is in place, but we are monitoring it so we can make recommendations regarding this procedure.

d. Victim attendance at 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.

(3) Early Case Resolution

As noted earlier, we are moving along implementing ECR principles in the office, along the lines of what is done in Strafford County. We continue to fine tune that project, and are working with circuit court prosecutors to streamline the process of forwarding felonies where there have been arrests and an attorney appointed.

To keep statistics, we have added a feature to Karpel. When a case potentially can be resolved as ECR, we so note in Karpel.

(4) Training

In conjunction with the Campton Police Department, which is sharing its amazing new space, and organizing and hosting us, we will provide advanced Search and Seizure trainings on July 16, 2014. The last training was well attended, and we look forward to discussing these issues with law enforcement.

Melissa Fales attended the three day training offered by the New Hampshire Attorney General's Office on domestic violence and sexual assaults.

(5) Prosecutors

I have hired the two new prosecutors – one to replace Attorney Pierce who resigned to open a private practice in May, the other pursuant to the new budget. If you have time on the 14th, I would like to have them meet you. If you could swear them in, that would be great. I would then forward their resume and names to the Attorney General for his consideration.

(6) New elder abuse statute

Laws have existed to combat elder abuse in New Hampshire for some time now. From the New Hampshire Coalition Against Domestic and Sexual Abuse's website:

“Elder abuse is a serious problem that impacts hundreds of thousands of people in this country. Elder abuse is an underreported problem because the signs often are not recognized or the problem is hidden by families.

In New Hampshire Elder Abuse is defined by law ([RSA 161-F](#)) as any action or omission that results (or could result) in harm to a vulnerable adult. The American Psychological Association defines elder abuse as the infliction of physical, emotional, or psychological harm on an older adult. Elder abuse also can take the form of financial exploitation or intentional or unintentional neglect of an older adult.

According to the New Hampshire Department of Health and Human Services in 1980, there were 239 reports of Elder Abuse in the State. In fiscal year 2005 (from July 1, 2004 to June 30, 2005), there were 1,460 reported cases of abuse and neglect involving victims 60 years of age and older.”

The New Hampshire Department of Justice contains similar language:

“Mandatory Reporting of Adult Abuse and Exploitation

If this matter is an emergency, call 9-1-1 or your local police department. If this matter is not an emergency, contact the [Bureau of Elderly & Adult Services](#). Their phone number is 1-800-949-0470. Calls are confidential.

[RSA 161-F:46](#) requires any person who has a reason to believe that an elderly incapacitated adult has been subjected to physical abuse, neglect, or exploitation or is living in hazardous conditions to notify the Department of Health and Human Services or their local law enforcement agency.

Any person (other than the alleged perpetrator) who makes a report of an alleged incident of abuse, neglect or exploitation in good faith shall have immunity from any criminal or civil liability.”

New legislation was presented and passed this year to improve our financial exploitation laws by making it illegal to financially exploit the elderly. HB 1555-FN will have a public signing on Tuesday June 16, 2014 at the Executive Council chambers. A copy of the legislation is attached. Our office wrote a letter in support of the legislation.

(7) Shoplifting

We have purchased five shoplifting training courses to offer as part of sentencing. They cost the county \$75.00 each. If a defendant is ordered to complete this course, we will require the defendant to reimburse the county for the course. As they are used, we will

purchase more courses to offer as a sentencing option in both circuit and superior court. We will provide them at our cost. Colleen Strout will be the contact person. These are the same courses used by the Adult Diversion program in Merrimack County, except for an additional \$10.00 the company provides monitoring and reports on potential risk to reoffend.

(8) Grant

The grant submitted for the drug court is still pending.

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

I have finished interviewing four applicants for the Ameri-Corp position to provide victim witness services in our Circuit Courts. It would be a Criminal Justice System Advocate, who would work with the Circuit Court prosecutors in domestic violence and misdemeanor level sexual abuse cases. The period of time the person would be hired is September 2014 – September 2015. I have provided feedback to Ameri-Corp and they will review the applicant's feedback and assign one of the four individuals to provide services in Grafton County. I am asking that they be able to have access to use desk space, along with the interns, in the White Building.

(10) The Child Advocacy Center



Last year, the Grafton and Sullivan County CAC at DHMC conducted 180 forensic interviews of which 5 were extended forensic interviews for Grafton County. They also conducted 8 outreach/education/prevention presentations to schools/community providers reaching 155 participants.

In June, the CAC conducted 14 forensic interviews, one of which was an extended forensic interview. They also conducted a presentation for more than 20 camp counselors for the city of Lebanon on recognizing and reporting child abuse. In addition, the CAC presented at the AG's conference on assessing for child abuse in preschoolers.

A goal for me for 2014 is to work 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.

11. Grafton County Mental Health Court



Halls of Hope
Second Circuit Court, Lebanon Division



“A.S.S.E.R.T.” Alternative Sentencing Solutions for Education, Recovery and
Treatment
Second Circuit Court, Littleton Division

The Plymouth Mental Health Court
Second Circuit Court, Plymouth Division

I look forward to assisting these programs as they transition into a new Alternative Sentencing Department. This will be a dramatic improvement in our criminal justice system, and we are honored to be a part of this initiative.

(11) Restorative Justice

I recommend continuing the existing contracts 6 months, so the new Director can review the contracts, and make his or her recommendations regarding moving forward. I have been extremely pleased with the expansion of Restorative Justice in Grafton County. Its hard to believe how far we have come since this time last year.

(12) The White Building

If you have not been next door, please go. The resources are being well organized by everyone, and we look forward to seeing increased use of this space. We are now continuing to make it user friendly.

(13) Justice Involved Veterans

Our drug court and mental health court continue to networking directly with Mike Owens, the Justice Involved Veterans Outreach Worker for White River Junction's VA. We feel strongly that this is improving how we serve veterans.

Grafton County is now being considered for the second “Veterans Behavioral Health Track” in New Hampshire. You can learn more about Veterans Courts at <http://www.justiceforvets.org/>.

(14)Circuit Court Prosecution

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. The Plymouth area had its first meeting among their prosecutors, and the Office of the Grafton County Attorney was a part of this process. Based on feedback, we are developing a new system for obtaining cases from circuit court prosecutors to expedite the process.

(15)Drop Box / 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.

(16)Nonpublic session

I am asking to go into nonpublic session regarding an employment matter.

NHA Labore arrived and gave the following report:

Grafton County Nursing Home
Commissioner's Report

July 08, 2014

Census:

Medicare: 4
Medicaid: 105
Private: 21
Total: 130

Year To Date Numbers:

Admissions (YTD) 25
Discharges (YTD) 6
Deaths (YTD) 23

Other Topics:

- 1) Renovation Project Update

- NHA Labore stated that he and Supt. Oakes have talked to Beverly Kowalik who did the code report on the Administration building. She is basing her report on the fact that this building used to be a nursing home but now it is used for business so she feels that we need to use the codes for new construction rather than existing. This issue will be explored further.

2) Accounts Receivable Update

- NHA Labore stated that they continue to do a good job on collecting. June was a good month for revenue. He stated he asked Finance Manager Dawn Jurentkuff to give him a snap shot of old collections. He explained that they have dropped down \$42,000 and the systems that D. Jurentkuff has put into place are starting to show that they work.

3) Fire Works

- NHA Labore stated that the Activities Director has asked to put on a small fireworks display across the street for the residents. He explained that it will not be anything large, only small ground fireworks. Commissioners discussed the request with NHA Labore. They asked him to check with the North Haverhill Fire Department and Police Department to make sure that this would be ok and to get any necessary officers/firefighters to be present during the fireworks.

Commissioner Lauer moved to accept the request for the fireworks show at the nursing home based on the Commissioners' requests being met. Commissioner Richards seconded the motion and all were in favor.

4) LNA of the Year

- NHA Labore explained that the State of New Hampshire used to hold a special event in June to honor the LNA of the Year. There has been a decrease in interest in the event so it has been put on hold but the Grafton County Nursing Home felt it needed to still be done within their nursing home.

NHA Labore stated that they selected Kim LeBrun as LNA of the Year. She works the 11p-7a shift and started in 1999. She received a plaque as well as the day off.

NHA Labore stated that he has spoken to family support groups in regards to the renovation project at the nursing home to keep families of residents informed about what is going on. He explained that they were all very receptive to the idea.

Commissioner Cryans opened the Grant Administration RFP's for the Micro Enterprise CDBG. There was one (1) bid and it was as follows:

Hadfield Associates- \$22,000

Commissioner Lauer moved to accept the bid from Hadfield Associates in the amount of \$22,000. Commissioner Richards seconded the motion and all were in favor.

ED Clough gave the GCDoc Superior Court Report to the Commissioners for their review.

ED Clough explained the Innovation Award program to the Commissioners. She explained that if an employee comes up with an innovative suggestion to reduce spending they are entitled up to a \$200 award depending on the idea. She read a detailed description to reduce spending by reusing parts from the nursing home beds from Steve Whitcomb in the Maintenance Department.

Commissioner Richards moved to award Steve Whitcomb \$200 for his innovative idea. Commissioner Lauer seconded the motion and all were in favor.

Commissioner Richards suggested that a commendation be done and presented to S. Whitcomb at the next Commissioners meeting.

ED Clough read a letter to the Commissioners from the Division of Historical Records stating that the Shepard Hill Historic District will soon be recognized in the national register of historic places.

ED Clough presented an agreement that gives the RSAT program at the DoC an additional \$4,900 in funding for Commissioner Cryans to sign.

ED Clough presented the MicroCredit CDBG Agreement for Commissioner Cryans to sign.

ED Clough stated she received a Farm Advisory Committee Meeting request from Denis Ward. It stated that they would like to meet in August at a convenient time where the Commissioners can attend. The Commissioners stated that they can attend either August 5th or 26th and to let the Farm Advisory Committee decide which date they would like to meet.

ED Clough presented the NaCo prescription report for the month of May to the Commissioners. She stated that there was a total price savings of \$3,603.65 which is an average of \$18.77 per user. There was a 34.27% average savings with a total of 87 utilizers. The total savings to date is \$686,836.95

ED Clough stated the July is the month that department heads receive their evaluations and the Commissioners are responsible for doing evaluations for herself and Supt. Libby.

Commissioner Richards stated that she will do a write up for Open Barn Day as well as select pictures to be put on the county's website.

Commissioner Lauer stated that she spent the whole day Monday at Drug Court and also attended 4th of July parades.

Commissioner Richards asked about the total amount that was spend on Open Barn Day. ED Clough stated that she does not have all of the invoices as of yet.

Commissioner Cryans reminded everyone that there will be no meeting next Tuesday July 15th.

11:58AM With no further business the meeting adjourned

Respectfully submitted,

Linda D. Lauer, Clerk