

COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Hwy.
North Haverhill, NH 03774
Tuesday August 9, 2011

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

County Forester Dave Falkenham arrived with Randy Cassidy who provided the winning bid for the timber cut.

9:06 AM Commissioner Cryans opened the meeting with the Pledge of Allegiance.

Forester Falkenham said he had the contract between the County and R. Cassidy for signature. Commissioner Cryans asked when the cut will begin and R. Cassidy said either the first or second week of September.

Commissioner Burton asked if the contract meets all State and federal regulations and Forester Falkenham said it did.

Commissioner Ahern thanked R. Cassidy for his bid and wished him luck and safe working on the job.

Commissioner Ahern moved that the timber contract between the County and Randy Cassidy of Pike, NH be approved and adopted which was seconded by Commissioner Burton. All were in favor.

All parties signed the contract and Forester Falkenham and R. Cassidy left.

Farm Manager Kimball arrived with his report. The Farm is milking 71 cows, shipping 9800#'s of milk for an average of 69#'s per cow. Price of milk is \$24.60

The second crop of hay has been cut and there is a bounty crop of potatoes.

FM Kimball said that he had checked out the truck that he had requested to purchase at last week's meeting and though there were a lot of miles on it, it appears to be a good purchase and will work well on the Farm. It was noted that there will be no out of pocket expenses to the County (except perhaps registration) as the truck will be paid for with money from insurance from the truck that was destroyed in the fire.

FM Kimball said that he has been receiving requests for donations and needs to have a clear indication of whether or not the Commissioners wish to continue this practice.

There was some further discussion about the purchase of the truck.

Commissioner Burton moved to waive bid and approve the purchase of the 2006 Chevy which was seconded by Commissioner Ahern.

DISCUSSION:

Commissioner Ahern reviewed a list of vehicles that the County already owns in an effort to see if there is something on that list that could be used on the Farm. He said he was reluctant to purchase another vehicle, even as a replacement.

FM Kimball said that both he and another employee are using their own vehicles for work and he didn't think they should be doing that.

Commissioner Ahern asked if FM Kimball had spoken to the Dept. of Corrections to see if they have a vehicle for use.

Director Clough said she wasn't sure that the vehicles that are available at the DoC are appropriate for what the Farm needs.

Commissioner Ahern said he would like to see an analysis of what the existing vehicles are being used for before purchasing another one.

Commissioner Cryans said he would be voting in favor of this purchase and feels that the vehicle is needed.

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

A bid waiver takes a unanimous vote so the request was not approved.

Commissioner Burton suggested that FM Kimball speak with Supt. Libby but he doesn't feel that personal vehicles should be used for County Farm business.

FM Kimball said that he felt they were going backwards all the time and that the work has to be done and now not being able to have another vehicle is making his job harder.

Commissioner Cryans said he feels it is a shame that FM Kimball is not getting this vehicle and understands his frustration, but there was not a unanimous vote.

The discussion turned back to the donations by the County Farm. Commissioner Cryans said he is a strong proponent for donation to non-profits and it is a good use of County produce. Commissioner Burton said he felt the County should continue doing as they have done in the past as a good neighbor policy.

Director Clough said that there is a monetary value assigned to the products donated which is tracked by the Jail and there is extreme appreciation for the receipt of the goods from the recipients.

Commissioner Burton moved to continue donations from the Grafton County vegetable garden at the same level as in the past, which was seconded by Commissioner Ahern.

DISCUSSION:

Commissioner Ahern said they should be looking at the vegetables in a different way. He said that vegetables capable of storage should be stored and used for the Nursing Home

and the Jail in the off season. He said the more perishable vegetables should go the Nursing Home and the Jail now but he is reluctant to see tons of potatoes going out of the County when they can be used here at the facility.

Commissioner Cryans said that donations of potatoes are well received by people and felt that should continue. Commissioner Ahern stated that anyone would be happy to get free food and asked Commissioner Cryans if he thought that was the proper use for the food if the County can use it. Commissioner Cryans said in his opinion, it was the proper use for the food.

There was a discussion as to whether or not either the Jail or the Nursing Home suffers from not having that food in the off season and FM Kimball said neither one did in his opinion. Commissioner Ahern asked where unused food would go if it weren't donated and FM Kimball said it would feed the hogs. FM Kimball said there is no proper storage for vegetables anyway in his opinion.

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

Register of Deeds Kelley Monahan arrived with her report *(see attached) and reviewed it with the Commissioners. She questioned what the Commissioners really wanted to see in the way of a report and Commissioner Cryans replied that he would like to be kept abreast of the current revenues and although the trends for different things over the years were of interest, the current revenues were more relevant to the day to day operations.

There was a discussion about the proposed data mining that UNH would like to do and RD Monahan expressed her concerns about them coming in and taking over and then selling the data to others. She said she did not feel comfortable discussing the particulars in an open meeting.

10:00 AM – Commissioner Ahern moved to enter into non-public session for the purposes of discussing the consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community according to RSA 91-A:3, II (d). 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 that they would now go into non-public session.

10:22 AM– Commissioner Cryans declared the meeting back in public session

Commissioner Burton moved to seal the minutes from the non-public session which was seconded by Commissioner Ahern. All were in favor.

County Attorney Saffo arrived with her report *(see attached) and reviewed the items

with the Commissioners.

Atty. Saffo asked the Commissioners to approve making Attorney Mark Pierce a special Assistant County Attorney to help prosecute Lebanon Police Dept. appeals from Lebanon District Court. These are cases Atty. Pierce has already prosecuted and would now be the prosecutor for the jury trial in Superior Court. Atty. Saffo said this would be a great help to the County Attorney's office and would cover a period of six months to begin with.

Commissioner Ahern moved to approve the request to make Mark Pierce a temporary Assistant Grafton County Attorney for a period of six month which was seconded by Commissioner Burton. All were in favor.

Atty. Saffo said they are looking at bystander interventions and working with young adults to prevent sexual assault.

Atty. Saffo noted a very positive article in the Valley News about Judyth Leavitt who works with Drug Court through Headrest. Commissioner Cryans agreed it was a wonderful article.

Commissioner Cryans asked if the Attorney's office will be working with other Nursing Homes regarding the new federal CMS regulations and Atty. Saffo said that they can work with other agencies but she is very mindful of giving civil legal advice to them. She said that Grafton County Nursing Home is working with the Sheriff's Dept. and that other agencies have their own law enforcement agencies that they deal with. Commissioner Cryans said he would like to see the CA's office take a proactive role if possible.

Commissioner Burton asked if there was a backup of court cases because of the reduction in hours in the courts and Atty. Saffo replied that there hasn't been a problem so far.

Farm Manager Kimball returned along with DoC Superintendent Libby who affirmed the fact that the box truck, which belongs to the Jail, would not be the best vehicle for Farm usage. Commissioner Ahern asked if there could be an analysis done to see if there are any other vehicles that can be used to do the Farm work and Supt. Libby said that all the vehicles he has are already utilized and said the box van is not a proper vehicle to tow a hay wagon with.

Commissioner Cryans asked if the Jail has any vehicles that could be used for the needs of the Farm and Supt. Libby replied no.

Commissioner Burton said that the Board should reconsider the Farm Manager's request.

Commissioner Cryans said that FM Kimball followed the proper route to a vehicle and doesn't feel there is another vehicle on the property which would suit the needs of the Farm.

Commissioner Burton moved to reconsider the bid waiver and proposal to

purchase the 2006 Chevy truck which was seconded by Commissioner Cryans.

DISCUSSION:

Commissioner Ahern said he needed to ask all the questions in order to feel comfortable knowing there were no other vehicles on the property that would be suitable for Farm use. He said that he wants the Farm to succeed and to be part of County government. He believes it is important to the people of Grafton County.

Commissioner Ahern motioned to call the question. All were in favor.

When the vote was taken to waive the bid and to approve the purchase of the 2006 Chevy truck for use on the Farm as requested by the Farm Manager, all were in favor.

Commissioner Cryans asked if everyone had a chance to read the minutes. An edit was made.

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

The Commissioners signed the check registers.

The Commissioners reviewed the DoC Superior Court Report.

After having sent the Commissioners a magazine article from Building & Construction Magazine to read on the Suffolk County, N.Y. Jail, Director Clough asked the Commissioners if they were still interested in having an article done on the new Grafton County Jail. She said that SMRT and HP Cummings were all willing to be part of the article providing the Commissioners were on board with it.

Commissioner Cryans asked if Supt. Libby had any reservations about it and Director Clough said he did not. Commissioner Burton asked about Supt. Oakes and Director Clough said she hadn't asked him.

Commissioner Ahern asked if this was discussed with Sheriff Dutile and Director Clough said no and asked Commissioner Ahern why the Sheriff would be asked, as he hasn't had anything to do with the construction of the Jail. Commissioner Ahern said the Sheriff is involved with law enforcement and he was concerned about a security issue. He said he wanted this run by the Sheriff and that he wanted something in writing from him, Supt. Libby and Supt. Oakes assuring the Commissioner that there would be no breach of security.

Commissioner Cryans thought the article would be great publicity for the County and said that Director Clough should proceed with this once she hears from the Dept. Heads. .

The Commissioners signed the MS-2 report of appropriations that were voted on for the unincorporated town of Livermore (of which there were none).

Commissioner Cryans signed the monthly Drug Court report.

The Commissioners signed a letter of response to the citizen who had protested the increase in discount at the Farmstand.

Bid requests for flooring at the Nursing Home were sent out and only one bid was received from Valley Floors in the amount of \$5850.

Commissioner Burton moved to approve the bid from Valley Floors which was seconded by Commissioner Ahern. All were in favor.

Commissioner Burton moved that the Grafton County Commissioners appoint an advisory committee, comprised of interested citizens from the community to study the use of the existing Jail property after the Dept. of Corrections is relocated to its new facility in 2012, which was seconded by Commissioner Ahern.

DISCUSSION:

Director Clough said an ad will go out to all three district areas of the County asking people to submit letters of interest. Commissioner Burton said he would be glad to chair the committee and would like to have Director Clough and Supt. Oakes on it. He said that W. Fortier had also expressed interest. He said that he wouldn't want this to last forever but would like to see it wrapped up by next winter. He said they should cast the net and see who's interested.

Commissioner Ahern said he would like to be involved with the committee. Director Clough said there is already a cost analysis done for demolition, renovation, and general maintenance for keeping the building with no renovation, which will be made available to the committee.

When the vote was taken all were in favor.

COMMISSIONER ISSUES:

Commissioner Ahern said he attended the poultry processing workshop that was held by UNH and lead by Ray Garcia from the Nursing Home. He said UNH Educator Heather Bryant organized the workshop and it was held at the Farm. He said he would encourage more workshops at the Farm as a resource for the public.

Commissioners Burton and Cryans toured Enfield and spoke with a number of Administrators in the town. They visited the new Mascoma bridge project and various business sights. He said he would like to see that done in more communities.

Commissioner Cryans said that Bob Vanier was honored posthumously by the Lebanon City Recreation Dept. as volunteer of the year.

*11:27 AM Commissioner Burton 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 Ahern 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.

*12:56 PM ~ Commissioner Cryans declared the meeting back in public session

Commissioner Ahern moved to seal the minutes from the non-public session which was seconded by Commissioner Burton. All were in favor.

12:58 PM being no further business the meeting was adjourned.

Raymond S. Burton, Clerk

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
August 9, 2011**

July Revenue

A 6 year comparison and break down of town and document type for the month of July is attached.

County Revenue 7/2010 \$78,183.24 State Revenue 7/2010 \$533,698.56
County Revenue 7/2011 \$73,874.18 State Revenue 7/2011 \$588,695.04

Foreclosures 7/2005-(2) 7/2006-(14) 7/2007-(9) 7/2008-(16) 7/2009-(14) 7/2010-(18) 7/2011-(13)
Liens 7/2005- (34) 7/2006-(14) 7/2007-(18) 7/2008-(19) 7/2009-(42) 7/2010-(20) 7/2011-(12)

July Action

1. I completed Annual Performance Evaluations on all staff members, this annual process was not attempted for 2010, these were then forwarded to the HR Dept.
2. All job descriptions are being updated to accurately reflect the work flow, technical responsibilities and cross training of the staff.
3. I spoke with Grafton County Treasurer Carol Elliott and requested that she look into CD rates and options for the RD surcharge fund. We agreed to a 1 year CD for \$50,000 to mature July 2012.
4. At my request, the maintenance department moved all of the restored books and shelf unit from directly under the sprinkler heads and away from the leaking wall to a more secure location.
5. I have asked George Morris to conduct a complete inventory of the Registry of Deeds equipment. This is being done on in a spread sheet format and will correlate with new inventory stickers on office furniture and fixtures, serial numbers for electronic equipment.
6. Mary DeRosia Imaging Supervisor has checked and updated an inventory of our microfilm that is stored off site.
7. The office staff and I met with Paul Roth of Conner & Conner/ Fidler on 8/4/11 to discuss our needs moving forward with contract negotiations.
8. Deputy Register Beth Wyman and I met with Alyssa Simard of Melanson & Heath for the financial audit on 7/27/11.
9. I met with Mr. Sullivan & Mr. Boyd of Melanson & Heath on 7/29/11 for the performance audit.
10. Negotiations continue with DRA and UNH regarding cooperative efforts.
11. On 7/27/11 I spoke to the Orford Select Board regarding the DRA project. I am on the Lebanon City Council Agenda for 9/7/11 to discuss the same project. I will continue to speak to the municipalities regarding the pros and cons of this project.
12. I continue to hear great feedback from the public regarding the staff's assistance with instruction for landowners searching for older deeds and plans in dealing with Northern Pass ROWs.

Respectfully submitted
Kelley J. Monahan Register
August 9, 2011

Office of the Grafton County Attorney
Lara Saffo, County Attorney
August 9, 2011
Report to the Commissioners

(1) Case management. We continue to see an increase of one third in the number of cases being handled by this office. More specifically, last year, from January 1, 2010 until August 8th, 2010, we received 332 cases. This year, for the same time period, we received 482 cases, Please remember last year our total cases were 593 for the year. Handling these cases remains our primary function.

- a. Lebanon Police Department has the official 1st half of statistics. The Lebanon Police Department's arrests are up 32% over the 1st half of last year. I believe most police departments will find this to be consistent.
- b. We are seeing an increase in the complexity of cases being referred. For example, reports of allegations of white collar financial crimes are on the increase.

(2) Nursing Home Reporting Requirements

- a. Federal law has outlined specific reporting requirements for long term care providers. I met with the nursing home and the Sheriff's Department to develop an effective manner to ensure that the reporting requirements are upheld.

(3) Victim Witness Department

- a. Our Victim Witness Department continues to provide exceptional service to victims of crimes in Grafton County, including meeting the needs of victims in cases such as aggravated felonious sexual assault and negligent homicides

d

(4) Civil Commitment of Sexually Violent Predators.

Summary of costs. When the statute was first enacted, the Office of the Grafton County Attorney estimated that completing the civil commitment process would cost Grafton County about \$25,000.00 per case. This does not include the attorney time. Now that the statute has been in effect, I asked counties that have proceeded through the civil commitment process to outline their costs. They range from a high of \$38,000 to a low of \$8,000.00. It appears that our past estimate of \$25,000 per case remains accurate. I do anticipate needing to proceed on civil commitments in the next year on at least one, and possible more, cases.

(5) Case Processing Software.

We are waiting 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.

(6) The Coalition Factsheets. I am attaching the Coalition factsheets on violence against women, and violence against men.

(7) Training. Paul Fitzgerald attended "Computer Forensic Analysis for Prosecutors," a weeklong training conducted by the National Computer Forensic Institute, in conjunction with the Secret Service and Homeland Security. He is the 4th prosecutor in the state of New Hampshire to be so trained.

(8) Interns/Externs/Special Assistant County Attorneys

I am asking the Commissioners to approve Mark Pierce as Special Assistant County Attorney, to prosecute some Lebanon Police Department appeals from Lebanon District Court. These would be cases that Attorney Pierce already prosecuted in district court, and now he would be the prosecutor for the jury trial in Superior Court. Since he already prepared and prosecuted the case in district court, it will be a significant time savings to the County to have him prosecute it in Superior Court. We have a new intern arriving on August 31, 2011 from Vermont Law School, we are currently moving things around to make space for the intern.

(9) Public Safety Initiatives

- a. Mental Health Court (A.S.S.E.R.T. and Halls of Hope). Dr. Fred Osher, a community psychiatrist and Director of Health Systems and Services Policy at the Justice Center, facilitated a day-long training and discussion on screening and assessment principles and practices and how to best apply them in Grafton County. Dr. Osher is a nationally recognized expert in policy and design of criminal justice and mental health programs has considerable expertise in assisting programs to apply the principles of screening and assessment for behavioral health disorders and criminogenic risk. The training focused on presenting evidence-based and promising practices; tailoring the mental health court program so that it meets the needs of those it can help the most; and designing and implementing screening, assessment, and referral processes to capture these individuals. After a morning training session, the Halls of Hope and A.S.S.E.R.T. teams had individual work sessions. Dr. Osher provided in depth information about how to determine whether a mental health illness has the proper nexus to the crime in order to accept an individual into mental health court.
- b. The New Hampshire Partnership for the Protection of Older Adults We continue to work hard developing expertise in this area. We have seen a distinct spike in reports of financial crimes against the elderly.
- c. 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.

- d. Plymouth Area Sexual Assault Resource Team We are finalizing (1) protocols and procedures for Case Review and (2) a memorandum of understanding to present to partners.

- e. Grafton County Drug Court Sentencing Program
This week, three individuals are scheduled to plea into the program. We have identified other potential participants, whose applications should be finalized and reviewed in the month of August as well. Judyth Leavitt was the subject of a wonderful article in the Valley News about her, and her efforts in drug court.

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